

**Catholic Sexual Ethics and Tiv Women:
A Case-study of Pastoral Practice in Regards to HIV/AIDS**

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September 26, 2012

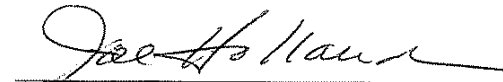
Submitted in Partial Fulfillment of the Requirements for
Doctor of Philosophy in Practical Theology

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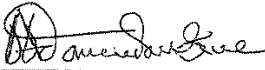
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Abstract

Women are largely excluded from sexual decision-making in Tivland, and are at times *forced* to have sex with their HIV-positive husbands. In the midst of this, Catholic sexual ethics and pastoral practice may seem to conflict with the reproductive health of women and their ability to protect themselves from sexually transmitted diseases such as HIV/AIDS. Using the praxis method and a feminist ethics theoretical framework, this dissertation explores application of the principles of self-defense and toleration of “lesser evil,” as well as other principles, to explore ways of finding pastoral responses to the sexual dilemmas of Tiv women with regards to HIV/AIDS pastoral responses that can be justified by acknowledged Catholic moral principles.

As Benedict XVI notes with regards to the usage of condoms by prostitutes, the Church “must stand close to the people.” Paul VI makes a similar point in *Humanae Vitae*, but this point is often overlooked by Catholic theologians. Paul VI explicitly states that it is licit to use therapeutic means to cure a disease, even if these means also impede procreation. Underlying this understanding is the principle of toleration of “lesser evil,” according to which one can tolerate or even encourage persons to do less serious sin if one cannot persuade them to stop sinning altogether.

This dissertation argues that while the teachings of the Catholic Church on sexual morality hold, such teachings should be interpreted within a broad framework of Catholic moral principles that may be applied to the particularities of individual Christian communities, including Tivland in Nigeria.

Acknowledgements

I thank God for making it possible for me to come to the end of this journey. I am grateful to my bishop, Most Reverend Athanasius A. Usuh and his auxiliary, Most Reverend William A. Avenya for their fatherly care. I thank members of my committee, Professors Bryan Froehle, Joe Holland, and Theodore J. Whapham for taking the pains of patiently going through the work and offering useful advice for improvement. Professor Bryan, thank you for being a Simon of Cyrene on the way when the dream of attaining this academic height was almost shattered. Your presence made the difference and bore fruit today. To all my professors, past and present, may God reward you abundantly, especially Joe Iannone and Mary Carter Waren for their love and encouragement. To my cohort members — Joseph Bai, Ondina Cortes, RMI, Enrique Delgado, Pat Doody, OSF, Peter Lin, Christine Luna Munger, Hank Paris, and Jonathan Roach — you are simply wonderful. In a special way, I acknowledge the help of Christine and Pat in always giving me a ride to school. May God reward your kindness. Also, many thanks go to Dr. Linwood Thomas Townsend and Lily Desir for proofreading this work.

My gratitude goes to my brothers and good friends, Rev. Fathers Gabriel Gberikon, the late Hebert Bulbwa, Cosmas Jooli, Clement Iorliam, Simon Ikpum, Michael Jaki, Anthony Bature, Thomas Dekaa, Peter Genger, Gabriel Wankar, Paul Utser, Francis Asomkase, and Sabastine Bula. As for my siblings, Terna Asue, Paul Asue, Grace Iveren, Rosemary Demvihin (step-sister), and their spouses and children, thank you all for your prayerful support. Emmanuel Nyinya, Doosuur Tion, Jude Yange, Uju Uzo, and the entire Onuigbo family (Deacon Valentine, Philomena, Stephen, Stephanie, Joshua), the Mendy family (Richard, Justina, Etinni, Emem), the Louis family

(Matthew and Ginette), the Odiwo family, and Victor and Ogbene, I appreciate your encouragement and keep you in my prayers.

In a special way, I commend Father Kenneth Agede for always being there for me. Thank you Father Franky Jean, my pastor and host throughout my period of study.

The interviews, footnotes and bibliography also indicate the numerous sources to which I am indebted for this work. There are many others whose names do not appear here.

Without you, this work would not be what it is today. Thank you all.

Dedication

This work is dedicated to my deceased parents, who are my source of inspiration,

Peter Asue Annum (my father)

Felicia Mbatomun Asue (my mother)

and

Late Reverend Father Michael Awase Angula

(a friend, for his love, care and concern)

and

to Tiv women living with HIV-positive husbands.

Table of Contents

Chapter 1: Introduction

A Tragic Pastoral Experience.....	1
Problem Statement	4
Rationale for the Study	5
Research Questions	10
Clarification of Concepts	12
Patriarchy	12
Culture	14
Reproductive Rights	15
Reproductive Health	17
Feminist Ethics Conceptual Framework	18
Sex and Gender	19
Feminist Theory	22
Sociobiologists.....	23
Sociobiological-environmentalists.....	26
Socioculturalists	28
Bioculturalists	31
Engaging Catholic Tradition	34
Conclusion.....	40

Chapter 2: Methodology

Introduction.....	41
The Task of Theology	41

Praxis Method	44
Setting	49
Research Design	51
Workshop Stage	52
Focus Groups and In-depth Interviews	54
Data Analysis	54
Research Team Background and Training	55
Interview Protocols	58
Research Ethics	59
Theological Reflections	60
Context	61
Truth	63
Divine Revelation	66
Conclusion	70
 Chapter 3: Social Context	
Introduction	71
The Tiv of Nigeria	72
Background and Origin	73
Social Status of Women	78
Family and Patriarchy	85
Marriage and Sexuality	85
Polygamy	89
Lineage Continuity	90

Security Purposes	91
Socio-Economic Dimensions	91
Befitting Burial	92
Domestic Abuse	93
Physical Abuse	95
Sexual Abuse	96
Psychological Abuse	96
Financial Abuse	96
Sexual Violence	102
<i>Ikyoor</i>	103
<i>Ikyar</i>	104
<i>Igbiankwase</i>	106
<i>Kwase u Sha Uika</i>	107
<i>Kwase Dyako</i>	108
<i>Akase a Nyinya</i>	110
Rape	112
Practical Theology, Ethics, and HIV/AIDS	117
Conclusion	126
Chapter 4: Data Presentation, Analysis, and Discussions	
Introduction	128
Women’s Assertion of their Status	128
Women are Men’s Property	128
Procreation and Childbearing	131

Women Have Lower Intelligence	133
Early and Forced Marriages	134
Biblical Terrorism	137
Women are Not Comfortable with Their Status	141
Women and Sexual Decision-Making	143
Women and Sex	143
A Woman Has No Right over Her Body	144
Levirate Marriages and Forced Sex	146
Men are Not Bound by Fidelity	148
Women’s Involvement in Sexual Decision-Making	150
Beaten for Refusal to Submit for Sex	150
No Consideration for Women’s Feelings	152
The Nature of Women’s Sexual Decisions	155
HIV/AIDS and Sexual Decision-Making.....	157
Sexual Decisions of People Born with HIV.....	157
Marital Life	158
Condoms and Self-Control	159
Stigma and Treatment	160
The Status of Partners Infected with HIV	161
Sero-Discordant Couples	162
ABC Approach and Separation of Couples	164
Men Want to Die with their Wives.....	166
Family Planning and HIV/AIDS.....	167

Family Size.....	168
Rejection of Family Planning.....	168
Children as Sign of Prestige.....	170
Responsible Family Planning.....	171
Natural vs. Artificial Family Planning Methods.....	171
Dilemmas.....	173
Women’s Burdens.....	174
Condoms	175
Abortion	176
Oral Contraceptives	180
Premarital Sex and Dating	182
Conclusion	183
Chapter 5: Catholic Sexual Ethics	
Introduction	185
What the Church Teaches	186
The Goal of Human Sexuality.....	186
Theology of the Body	190
A Moral Conjugal Act	194
Case Studies.....	196
<i>Non-Regeneration of Life</i>	196
<i>Self-Defense for Bodily Health</i>	197
<i>Means of Sustenance</i>	198
Freedom and the Moral Conjugal Act.....	200

Contraception Controversy.....	203
Family Planning and Contraception.....	203
Moral Status of Contraception.....	207
Procreation and Marriage.....	214
Pastoral Practice.....	218
The Magisterium.....	218
<i>Sensus Fidei</i> and <i>Sensus Fidelium</i>	223
Hermeneutics, Context and Pastoral Response.....	227
Conclusion	232
Chapter 6: Toward Pastoral Discernment	
Introduction	233
Applying Pastoral Discernment.....	234
Women’s Ongoing Experience.....	236
A Different Sense of Morality.....	237
Women Invest More in Relationships	239
Men have Higher Libido.....	242
HIV/AIDS Prevalence among Women	243
Christian Classics.....	246
Scripture.....	246
Tradition.....	252
Reason.....	255
Catholic Moral Principles.....	258
Relational-Responsibility.....	259

Double Effect	261
<i>Veritatis Splendor</i> and Challenges of Expediency	265
HIV/AIDS, Condom, and Principle of Self-Defense	272
The Church’s Mission	277
A Virtuous Life	280
Conclusion	285
 Chapter 7: Conclusion	
Introduction	287
Summary.....	287
Practical Suggestions	290
ABC Approach and Tiv women	290
Catholic Moral Principles	292
Catechetical Challenge	293
Education	295
Separation of Couples	297
Conclusion	297
Bibliography	298
Appendix A: IRB Approval Form	332
Appendix B: Request for Revision of IRB Form.....	333
Appendix C: Revised IRB Form	335
Appendix D: Women’s Consent Form.....	336
Appendix E: Women’s Consent Form in Tiv	338
Appendix F: Men’s Consent Form	340

Appendix G: Men’s Consent Form in Tiv.....	341
Appendix H: Interview Protocols	342
Appendix I: Interview Protocols in Tiv.....	345

Chapter One: Introduction

This chapter introduces the conflict between Catholic sexual ethics and pastoral practice in regards to HIV/AIDS among Tiv Catholic women, and gives an overview of the dissertation. It lays out the research problem, rationale for the study, clarifies some basic terms in the dissertation, and examines the feminist ethics conceptual framework used in the dissertation to engage the sexual narratives of Tiv women. This chapter analyses the various theories in feminist ethics to see how women are treated as non-persons in a patriarchal context. It further appreciates Tiv women's sexual experiences and uses these experiences to open a conversation with Catholic tradition.

A Tragic Pastoral Experience

In 2003, an incident at St. Gregory's Catholic Parish, Ikpayongo, Benue State in central Nigeria demonstrated the effects of patriarchy and women's lack of rights in sexual decision-making.¹ A family doctor tested a man for HIV. He tested positive, and his wife was tested in turn and tested negative. The doctor counseled them on the necessity of practicing safe sex. As Catholics, the couple knew that the condom² was unacceptable to the Church. As a result, the wife insisted on abstinence, and her husband initially complied. Influenced by cultural beliefs, the husband attributed his illness to "terrible bodily cold" (*wuhe iyolugh* in the Tiv language), ascribing its cause to his enemies. The man claimed that HIV is only a form of this "terrible bodily cold"

¹This is a personal experience of the principal investigator of this research, who was serving as pastor of St. Gregory's Catholic Parish, Ikpayongo, Benue State in central Nigeria when this incident occurred in 2003. The incident left an indelible mark on the writer and inspired him to do this work.

²Though a condom does not absolutely guarantee protection, it is still effective at reducing the risk of sexually transmitted diseases, including HIV. See American Foundation for AIDS Research, "Assessing the Effectiveness of Abstinence-Only Programs for HIV Prevention among Young People," *Issue Brief* 2 (Revised October 2007).

and is non-transmittable. He even said that AIDS stands for “American Idea of Discouraging Sex” in the interest of world population politics, suggesting the idea that HIV/AIDS is propaganda, part of a grand scheme to slow the growth of the African population. Supporting his stance with these dismissive comments, the man mounted intense pressure to have sex with his wife.

The wife’s initial resistance was overwhelmed, however, after her parents reminded her of her subordinate position and duty to her husband. She was told that it is not right for a wife to refuse sleeping with her husband. In addition, the husband accused her of having extramarital affairs that provided her with sexual satisfaction and so made her despise her husband. Her family threatened to disown her and reminded her that she belonged to her husband, since a bride price had been paid for her. At last, she succumbed to the pressure. Today, both are deceased. The couple’s six orphaned children were raised by an uncle who died five years later of the same disease.³

This story reveals the vulnerability of victims in a patriarchal society. Such realities raise practical pastoral questions in the midst of the immense cultural and social power of patriarchy. Should wives who have reason to suspect their husbands are HIV-positive request that their husbands use condoms for their protection? Should women have unprotected sex with their husbands and risk exposure to HIV infection, especially in polygamous homes where they suspect one of their co-wives to be HIV-positive?

³ Personal communication with a member of the family who wishes to remain anonymous, July 14, 2011.

In response to these questions, this study proposes applying feminist ethics⁴ to explore the argument that, if an infected husband and extended family members rely on social coercion to force an uninfected wife to have sex with her husband, the principle of self-defense⁵ and lesser evil allows the wife to defend herself by insisting that her husband use condoms for her protection.

The overall scholarly agenda of this dissertation is, thus, situated at the meeting point between practical theology and Catholic sexual ethics, as well as the intersection of pastoral life and patriarchal culture in Africa, specifically as relates to the Tiv women of Benue State in central Nigeria. This study focuses on the conflicts that exist between Catholic sexual ethics and women's reproductive health, and even their right to life, as seen in the context of Tiv Catholic women's sexual decision-making when confronted with HIV/AIDS.

Starting with the assumption that women should have rights over their bodies and all legitimate aspects of reproductive health,⁶ especially in defense of their lives, the study engages women's sexual narratives in a culture of patriarchal dominance from a practical theological perspective. It, thus, acknowledges the treatment of women as non-persons in Tiv culture and their vulnerability as members of a patriarchal society. It also examines how women are excluded from sexual decision-making in the time of the HIV/AIDS pandemic, engages Catholic moral tradition

⁴ See Charles E. Curran, Richard A. McCormick, SJ, Margaret A. Farley, RSM, eds., *Feminist Ethics and the Catholic Moral Tradition* (New York: Paulist, 1996).

Feminist ethics, as understood here, are a way of looking at how actions directed toward women could be considered right or wrong. Feminist ethics have emerged to address women's vulnerabilities in the face of patriarchy.

⁵ *Catechism of the Catholic Church*, 2nd edition, 2263-2264. CCC, 2264 explicitly teaches that, "Love toward oneself remains a fundamental principle of morality. Therefore it is legitimate to insist on respect for one's own right to life."

⁶ This right, however, does not include the right to suicide or abortion. Further, the right over the body is a God-given right and needs to be exercised according to moral law. That right also includes the right to defend one's own life against unjust threats to one's life.

within the last hundred years, and explores a pastoral moral discernment strategy for how the conflict between Catholic sexual ethics and the life threatening consequences of unprotected sex that women are powerless to prevent can be resolved. To this end, the study uses a dialogical praxis theological method embedded within the see-judge-act⁷ approach to explore Tiv women's sexual narratives, and suggests new ways of conceptualizing the ethical sexual decisions these women may make under the circumstances.

Problem Statement

The dissertation will develop data from original fieldwork to show the apparent conflict between Catholic sexual ethics and ordinary pastoral practice with regard to the reproductive health of women in Tivland, and their inability to protect themselves from *forced* sex that can lead to exposure to sexually transmitted diseases, such as HIV/AIDS. It will then engage women's experiences to develop a creative pastoral response that addresses the issues of the Tiv women studied in the practical theological fieldwork, while drawing on wider Catholic moral principles.

A resolution for this critical conflict depends on careful study of both everyday life and sexual decision-making in Tivland, along with a Catholic understanding of sexual ethics. Such an approach is inherently "practical theological" in that it brings practices into dialogue with theological understanding, while considering the issue within a feminist ethics framework.⁸

The intent is neither to quarrel with Catholic moral theology *per se* nor to expound upon Catholic moral theological positions at a general level. Instead, the goal

⁷ This is an approach that begins with life experience, examined in light of Christian tradition, and ends in praxis (a transforming Christian action).

⁸ A framework is the lens through which research is undertaken. "Researchers ... think through the philosophical worldview assumption that they bring to the study." John W. Creswell, *Research Design* (Thousand Oaks: Sage, 2008), 5.

is to reflect on the everyday practices of Catholic women in Tivland, to explore a possible resolution of the current pastoral dilemmas surrounding women whose lives are often endangered by unsafe sexual practices, and also support pastoral leaders in an authentic African and Catholic context.

Rationale for the Study

This study investigates the conflicts that exist between Catholic sexual ethics and reproductive health, through an exploration of Tiv women's sexual narratives and their involvement in sexual decision-making in a culture of patriarchal dominance. Such sexual decisions include all legitimate aspects of reproductive health and build on the perspective that the reproductive process is meant to be accomplished in a state of complete physical, mental, and social well-being, and not merely in the absence of disorder.⁹ This study thus reflects on women's self-determination, self-defense, and sexual decision-making, bringing women's sexual narratives in dialogue with the Catholic moral tradition. In this way, it may be linked to Catholic theological notions of the *sensus fidei* (sense of faith), the "instinct or spiritual capacity for discernment"¹⁰ aroused and sustained by the Holy Spirit within the community. This practical theological study uses the praxis method to document women's sexual decision-making experiences, examine existing patriarchal conditions, and place them in light of the Catholic theological tradition.

HIV/AIDS is a critical part of pastoral reality in the Tiv-speaking, and largely Catholic, areas of central Nigeria. The spread of the disease has been propagated by social realities, particularly patriarchy. For example, male dominance and ideologies that support male dominance give women in Tiv-speaking areas limited rights over

⁹ Julia Cleves Mosse, "From Family Planning and Maternal and Child Health to Reproductive Health," *Gender and Development* 2, no.2 (1994): 6.

¹⁰ Richard R. Gillardetz, *Ecclesiology for a Global Church* (New York: Orbis, 2008), 16.

their bodies. Further, because a majority of the Tiv people of Nigeria are Catholic,¹¹ Catholic life and pastoral practice are, therefore, critical in addressing the problems posed by patriarchy. While, the teachings of the Catholic Church oppose the subjugation of women and girls in ways that make them non-persons,¹² Catholic sexual ethics as lived and practiced in everyday life within Tivland reinforce patriarchal views and, thus, make women highly vulnerable to exposure to HIV/AIDS.

In making moral judgments regarding HIV/AIDS, ethicists and moralists will need to take into consideration the fact that even the most sophisticated HIV treatments do not cure this infection and, therefore, primary prevention of spreading the HIV infection to others must become the focal point of our discussion. This reflection must occur with attention to the concrete realities which shape the day-to-day experience of vulnerable population¹³

The alarming spread of HIV/AIDS and other sexually transmitted diseases does not relate to deficiencies in health care. The reasons for the spread of HIV/AIDS are instead largely social, cultural, and economic. These factors in turn are deeply intertwined with gender inequality.

According to the World Health Organization and the Joint United Nations Program on HIV/AIDS (UNAIDS), women comprise 50 percent of people living with

¹¹ The Tiv people are found in the three Nigerian dioceses of Makurdi, Lafia, and Jalingo. In all three areas, the Catholic Church is growing fast and the dioceses are densely populated by the Tiv people. About six out of ten Tiv individuals in these areas identify themselves as Catholic, or have a preference for the Catholic faith. The Catholic population in Tivland is 1.4 million people. See Catholic Diocese of Makurdi, "The Church in Makurdi Diocese: A Call to Service and Renewal," a message of the Second Diocesan Synod of the Catholic Diocese of Makurdi, October 2010.

¹² *Catechism of the Catholic Church*, 2nd edition, 1938.

¹³ Jon D. Fuller, SJ, and James F. Keenan, SJ, eds., *Catholic Ethicists on HIV/AIDS Prevention* (New York: Continuum, 2000), 38.

HIV worldwide. In sub-Saharan Africa, however, women constitute 60 percent of people living with HIV. This means that about 600,000¹⁴ women of reproductive age die every year. A total of 15.4 million women are infected with HIV/AIDS.¹⁵ “Latest statistics on AIDS reveals that it is a major cause of death of women aged 15-29 worldwide. ...with adult HIV prevalence of 10 percent or higher, prevalence among girls and women aged 15-24 is two to three times higher than it is for their male counterparts.”¹⁶ Such statistics are a function of poverty and patriarchy. Women lack the cultural resources to resist unprotected sex and the economic resources to obtain treatment. This gravely harms women’s dignity as human beings, which is at the very core of Catholic social doctrine.¹⁷

Wives are commonly infected with HIV/AIDS when their husbands do not use adequate protection. Wives infection with HIV/AIDS is aggravated by cultural norms that allow men to have more than one wife. When infected women get pregnant, the unborn child is typically infected as well. Both women and unborn children are condemned to long lingering deaths for lack of protection.

Catholic teaching respects the ABC (Abstinence, be Faithful, use a Condom) approach to HIV/AIDS prevention and control, but with reservation. In the words of Archbishop Gabriel Charles Palmer-Buckle of Accra, Ghana, “the Catholic Church ...offer[s] three methods to help solve this problem of AIDS in Africa: ‘A,’ abstain;

¹⁴ World Health Organization, “Gender Inequality and HIV/AIDS,” accessed July 8, 2011, http://www.who.int/gender/hiv_aids/en/index.html.

There have not been any new figures. WHO and Joint United Nations Program on HIV/AIDS (UNAIDS) still use these figures. See UNAIDS, *Agenda for Accelerated Country Action for Women, Girls, Gender Equality and HIV*, http://www.unaids.org/en/media/unaids/contentassets/dataimport/pub/manual/2010/20100226_jc1794_agenda_for_accelerated_country_action_en.pdf.

¹⁵ Joint United Nations Program on HIV/AIDS (UNAIDS), “2008 Report on the Global AIDS Epidemic,” accessed on October 1, 2009,

<http://www.unaids.org/en/PolicyAndPractice/KeyPopulations/WomenGirls/>.

¹⁶ “Increasing global action on AIDS,” *The Sun*, June 17, 2011.

¹⁷ Thomas D. Williams, *The World As it Could Be* (New York: Crossroad, 2011), 19.

‘B,’ be faithful; ‘C,’ chastity, which is in consonance with traditional African values.”¹⁸ The Church’s approach emphasizes control and fidelity to one partner, but not the use of the condom. The church’s position, “From the public health point of view, it would represent a common sense return to the discipline’s bedrock disease control principle: primary prevention.”¹⁹ This study argues that wives requesting that their husbands use condoms may not be the best approach; however, in a culture where men dominate women, excluding the use of condoms for HIV/AIDS prevention is also not helpful. In such situations where women are coerced into having sex with HIV-positive husbands, condom use may be considered a legitimate form of self-defense. While this suggests that women requesting their HIV-positive husbands use condoms can be considered part of an HIV/AIDS prevention strategy in specific contexts, it clearly requires research work that brings these specific contexts in dialogue with various, sometimes conflicting, moral principles.

Pius XI in *Casti Connubi* recognizes the importance of authentic reproductive health in sexual ethics, specifically noting the health of the mother.²⁰ However, women’s reproductive health can only be fully addressed when Catholic moral theology engages the narratives of people’s sexual lives. Here, this dissertation ought to strike a balance between contemplative ethics and pastoral theological understandings that deal with the concrete lived experiences of real Tiv and other African women as they struggle to make authentically Catholic sexual decisions in their daily lives.

¹⁸ John L. Allen, “Ghanaian Archbishop Says Church has Failed Africa,” *National Catholic Reporter*, October 14, 2009, <http://ncronline.org/news/vatican/ghanaian-archbishop-says-church-has-failed-africa>.

¹⁹ Matthew Hanley and Jokin de Irala, *Affirming Love, Avoiding AIDS* (Philadelphia: National Catholic Bioethics Center, 2010), 3.

²⁰ Pius XI, *Casti Connubi*, sec. 58.

Following the Catholic tradition, ethical, sexual decision-making should not be based solely on the object of the action without considering the intent and circumstances behind the action. Deriving morality solely from the object of an act is a static way of reasoning, which belies the active stewardship of God and is ill-equipped to handle the process of human evolution.²¹ In morality, the problem is often not in the facts, but in their interpretation. The problem of interpretation lies between two moral theological methodologies, both of which flow from natural law reasoning: the physicalist paradigm and the personalist paradigm. “In the physicalist paradigm the morality and moral norms for human behavior are grounded in what is perceived as the structure of nature,” whereas the personalist paradigm looks at the “concrete human person, in his or her matrix of relations, with his or her talents, concrete circumstances, personal history... To ignore any of these fundamental aspects of the human person would lead to a mistaken and misleading view of human nature.”²² When making a Catholic moral judgment on sexual issues, this research relies on the “three font” principle to determine the morality of human actions: (i) the object, (ii) intention, (iii) circumstances (and consequences) of the action.²³ Thus, ethical truth is practical truth. These aspects of Catholic moral theology will be developed and deepened in Chapter 5.

²¹ Charles E. Curran and R. A. McCormick, SJ, eds., *Readings in Moral Theology No.8: Dialogue about Catholic Social Teaching* (New York: Paulist, 1993), 256.

²² James T. Bretzke, SJ, *A Morally Complex World* (Collegeville: Liturgical, 2004), 37-38.

²³ The object is an action rationally chosen by the will, the intention is the choice of the will to carry out an act (also known as the proximate end), and the circumstance is what is involved when all is considered. See Josef D. Zalof and Benedict Guevin, OSB, *Catholic Ethics in Today's World* (Winona: Saint Mary's, 2008), p.34.

Research Questions

These research questions articulate the main objectives and goals of this study. The research questions flow from a review of related literature and they, in turn, guide this dissertation.

The central question behind this research study is:

What are the challenges that Tiv Catholic women experience in making sexual decisions when confronted with issues related to HIV/AIDS?

This is the organizing question. It frames the overview given in Chapter 1. In addition, Chapter 2 outlines the research methodology and shares in the vision of this question. This question uses Tiv women's perspective as a basis for addressing the reality of sexual decision-making among a subordinate, vulnerable group in a patriarchal cultural context that maintains practices affecting women's sexual decision-making in the presence of HIV/AIDS. This central question is followed by five sub-questions that develop it further. These questions are explored in Chapters 3-7.

The first two sub-questions correspond with Chapters 3 and 4, and address the context of the dissertation:

What is the social status of women as persons in Tivland?

This question is at the heart of Chapter 3, which explores the various aspects of Tiv culture that treat women as non-persons in light of Catholic sexual ethics. This chapter examines family life in Tiv society and how women are excluded from sexual decision-making. Early marriage, domestic violence, sexual violence, threat of sexually transmitted diseases, and HIV/AIDS are part of a culture of silence that surrounds women's exclusion from sexual decision-making in Tiv society. This

chapter also converses with Catholic sexual moral principles. This chapter further acknowledges that practical theology can build a bridge to link Catholic sexual ethics and Tiv women.

To what degree are Tiv Catholic women involved in sexual decision-making?

This question entails the presentation and analyses of research data that engages personal narratives of Tiv Catholic women as they struggle to make sexual decisions in the midst of patriarchy. Chapter 4, thus, analyses difficult issues related to sexual ethics that real Tiv women face today as Catholic Christians, bringing aspects of the Christian vision, that are relevant to the issues, in dialogue with women's life narratives.

The next sub-question is explored in Chapter 5, and addresses the Catholic moral tradition and broader theological connections within the tradition in the light of a very specific question in a very specific context:

In what ways can the Catholic moral tradition help Tiv Catholic women who have reason to suspect that their husbands are HIV-positive protect themselves, particularly given the cultural inevitability of social coercion from the husband and extended family toward unprotected sex?

This question engages Catholic moral theology over the last hundred years with the HIV/AIDS pandemic. Carefully naming and analyzing critical challenges in the tradition, it then engages these Christian resources in relation to the sexual practices in question.

The final sub-questions correspond with Chapters 6 and 7, and offer grounds for a proposed transforming pastoral action:

How do Tiv Catholic women make moral decisions to have sex with their husbands without protection from HIV?

This question, in Chapter 6, explores aspects to note regarding sexual moral decision-making and pastoral moral guidance for Catholic Tiv women, which includes the reality of polygamous family structures. The chapter sketches pastoral guidance for Tiv Catholic women's sexual decision-making process in the face of HIV/AIDS. It recognizes that Tiv women's sexual experiences are unique and seeks a creative pastoral response to these experiences by drawing on scripture, tradition, and reason within this particular pastoral context.

What should women do to preserve and protect their lives in the midst of a patriarchal culture and spousal-familial coercion in the face of HIV/AIDS?

This is the action stage of the argument and suggests a transforming action. The last chapter discusses such actions and summarizes the entire work, including research findings. It proposes a way forward and draws conclusions for future work in this area.

Clarification of Concepts

Some terms are particularly important to understand the scope of the study. They are patriarchy, culture, reproductive rights, and reproductive health.

Patriarchy

Patriarchy is an ideology of male dominance in the construction of power relations in society. The term patriarchy "has come to mean male domination in general."²⁴ It is an unequal system of social relations that place men above women. "Men as a category have power over women as a category; ... men are regarded as

²⁴ James T. Aan, "The Concept of Patriarchy and its Role in Gender Inequality: The Nigerian Experience," Master of Science in Gender Studies seminar paper, Center for Gender Studies, Benue State University, Makurdi, Nigeria, February 2006.

superior and women regarded as inferior; ... decisions and everything else ... are defined according to male interests and concerns without consideration for women.”²⁵

Studies link Nigerian women’s health hazards to gender disparity, and this is certainly true for Tiv women in Nigeria. Two crucial elements associated with patriarchy create real health problems for women, namely: “men’s access to women’s bodies for sex” and “women’s economic dependence on men.”²⁶ Put simply, women are powerless to control their own bodies. For instance, a pregnant woman in the rural area waits for her husband to decide which hospital or maternity clinic to use and when. Even when factors resulting from complications of pregnancy require urgent attention, the woman must still wait on the decision of the husband irrespective of the impending danger.²⁷ “Control over women’s sexual and reproductive behaviors is the key to the perpetuation of women’s subordination imposed by both men and women buttressed by traditional and cultural values.”²⁸ A just Christian ethics in this sense must be feminist in outlook to promote women’s control over their bodies and allow them to have a say in sexual decisions that affect them.²⁹

²⁵ Philomena I. Ozo-Eson, “Law, Women and Health in Nigeria,” *Journal of International Women’s Studies* 9, no.3 (May 2008), 289.

²⁶ Ejiro J. Otiye-Igbuzor, “Patriarchy and Poverty: Rethinking African Women’s Vulnerabilities to HIV/AIDS,” *Women Empowerment and Reproductive Health Center*, accessed July 2, 2010, <http://www.werhcafrica.org>. For an in-depth view on this, see also J.C. Caldwell, I. O. Orubuloye, and P. Caldwell, “Perceived Male Sexual Behavior in South West Nigeria,” *Social Sciences and Medicine* 44, no.8 (1997), 1195-1207.

²⁷ See Daniel Ude Asue, “The Impact of Faith-Based Organization on the Socio-Economic Status of Women: A Study of Catholic Women Organization in Tivland” (master’s Thesis, Benue State University, Makurdi, Nigeria, 2007), 1-2. In traditional societies, women have access to resources but men have control over those resources, including the women themselves. In fact, a husband literally owns the woman.

²⁸ Belkis Wolde Giorgis, “HIV/AIDS Gender and Reproductive Health,” presentation at the African Development Forum, November 20, 2008, <http://www.uneca.org/adfvi/presentations>.

²⁹ As noted earlier, this is not to claim that women should be able to abort unborn children, simply that patriarchal power as described above is contrary to the Catholic moral tradition.

According to Ozo-Eson, the silence of Nigerian law regarding patriarchal behavior contributes to male sexual domination and threats to women. The “two criminal codes of Nigeria [the penal code of the north and the criminal code of the south] include rape, indecent assault, abduction, sodomy and bestiality. But sexual misconduct like domestic violence with sexual colorations, spousal rape, deliberate infection of partners with sexually transmitted diseases and sexual harassment are not criminalized.”³⁰ These are gross inequalities that risk women’s lives, affirm male sexual domination, and reinforce women’s lack of a say in sexual relationships. “In marriage, the pervasive threat of physical violence or divorce without legal recourse to property rights may totally disempower a woman.”³¹ This leaves the Church with a moral obligation to act to protect women from such a death-dealing, unjust social situation.

Culture

Clifford Geertz defines culture as “An ordered system of meaning and of symbols and values in terms of which individuals define their world, express their feelings and make their judgments...”³² This means that culture is the totality of the way of life of a people, the way they do things. As the way of life of a people, culture helps to internalize and legitimize the normative order among individual members of society through the process of socialization. O’Neil and Donovan explain the power of culture on the formation of a person this way:

In the process of socialization, the individual person internalizes to a very large extent the value-judgments of his culture. He is pressured to conform, more or less adequately, to the “code morality” of the larger

³⁰ Ozo-Eson, “Law, Women and Health in Nigeria,” 292.

³¹ Otive-Igbuzor, “Patriarchy and Poverty: Rethinking African Women’s Vulnerabilities to HIV/AIDS.”

³² Clifford Geertz, *The Interpretation of Cultures* (New York: Basic, 2000), 144.

society. Primary emphasis on objective conformity to social norms is what can be conveniently called “code morality” - the corporate society, not the individual, is the primary subject of rights and obligations.³³

A person’s response to a moral choice is influenced by the level of awareness and social factors surrounding him or her. For instance, when socio-cultural factors demean women, they make women vulnerable to men.

The power of culture in mediating meaning and defining the frame of people’s understanding and actions is very strong.³⁴ Browning argues that ethics/moral reasoning as practical reasoning “operates first by the logic of conventionality. It tries to reason about the world in the way custom and tradition has taught.”³⁵ Lisa Sowle Cahill applies this to Christian ethics. Considering gender in relation to New Testament ethics, Cahill examines the works of Wayne Meek, and concludes that it is not possible to have “pure Christian values and beliefs unmixed with the surrounding culture.”³⁶ This study examines the cultural inhibitions of Tiv Catholic women’s sexual decision-making, and possible response of Catholic tradition within their context.

Reproductive Rights

Authentic reproductive rights include the basic rights of persons to decide freely and responsibly the number and spacing of children,³⁷ “and to have the

³³ Robert P. O’Neil and Michael A. Donovan, *Sexuality and Moral Responsibility* (Washington: Corpus, 1968), 66.

³⁴ Robert Dahl, *Polyarchy* (New Haven: Yale University Press, 1971).

³⁵ Don S. Browning, *A Fundamental Practical Theology: Descriptive and Strategic Proposals* (Minneapolis: Fortress, 1996), 183.

³⁶ Lisa Sowle Cahill, “Gender and Strategies of Goodness: The New Testament and Ethics,” *Journal of Religion* 80, no. 3 (2000): 442.

³⁷ The Catholic moral tradition does not accept as authentic, reproductive rights to abortion, sterilization, or artificial contraception. In this study, the phrases ‘reproductive rights’ and ‘reproductive health’ are limited to the meanings of the phrases in the Catholic moral tradition.

information, education and means to do so; the right to attain the highest standard of sexual and reproductive health; the right to make decisions concerning reproduction free of discrimination, coercion and violence.”³⁸ A human being has fundamental properties which are present in every conceivable situation and need to be always respected for a viable society. These fundamental properties are called human rights. It has been recognized and accepted that “human beings have certain rights, irrespective of any circumstances.”³⁹ For example, health is fundamental to the well-being of every human being and, therefore, is a human rights issue.

Reproductive rights are increasingly becoming closely linked to reproductive and sexual health.⁴⁰ The 1994 International Conference on Population and Development in Cairo recognized that addressing reproductive and sexual health issues requires applying “the norms and standards that are engaged by a human rights discourse.”⁴¹ The 1948 United Nations framework for the Universal Declaration of Human Rights made provisions for equality and civil, political, economic, social, and cultural rights as its basis. It understands human rights as “basic rights belonging to all humans equally, regardless of political affiliation, religion, race, ethnicity, gender, or sexual preference.”⁴² Women’s sexuality is part of human rights and should be treated as such. Often, women’s sexuality and sex lives are treated in relation to men and not given the special attention they deserve. “What seems like appreciation and integration of sex as ‘just another part of life’ can mask pressures, especially on

³⁸ Monica Ighorodye, *Reproductive Health and Rights of Women* (Lagos: BAOBAB for Women Human Rights, 2007), 2.

³⁹ Jean-Francois Six, *Church and Human Rights* (Slough: St. Paul, 1992), 11.

⁴⁰ Sofia Gruskin, “Reproductive and Sexual Rights: Do Words Matter,” *American Journal of Public Health* 98, no.10 (October 2008): 1737.

⁴¹ Ibid.

⁴² Patricia J. Kelly and Lisa R. Schwartz, “Abstinence-Only Programs as a Violation of Adolescents’ Reproductive Rights,” *International Journal of Health Services* 37, no. 2 (2007): 323.

young women, to be sexually active outside of committed relationships, and that can be quite exploitative of women and children.”⁴³ Simply put, to ignore conditions that would inevitably result in serious infringement of women’s rights to health, including reproductive rights, is wrong.

Reproductive Health

As noted above, reproductive health is related to the concept of reproductive rights. It implies that the reproductive process is accomplished in a state of complete physical, mental, and social well-being, not merely in the absence of “disease or infirmity in all matters relating to the reproductive system and to its functions and process.”⁴⁴ Reproductive health includes everything that affects reproduction, for instance, “safe motherhood, preventing and treating sexually transmitted diseases... and promoting responsible sexual behavior.”⁴⁵ The term thus focuses on the sexual risks and health hazards that women suffer at the hands of men in terms of reproduction, but does so ultimately within a vision of wholeness.⁴⁶

In Nigeria, women are responsible for both “social and physical reproduction.”⁴⁷ That is, women are “responsible for births, but also for most of the

43 Lisa Cahill, “Sexuality, Personal, communal, Responsible,” in *Embracing Sexuality*, ed. Joseph A. Selling (Hampshire: Ashgate, 2001), 171.

⁴⁴ Ighorodye, *Reproductive Health and Rights of Women*, 3.

⁴⁵ Ibid. Though members of the health profession often include abortion as part of reproduction, this term as used in this research excludes that as noted earlier. Pope Paul VI’s *Humanae Vitae* rejects the direct interruption of generation already begun, especially direct abortion. This position was reiterated by John Paul II in his apostolic exhortation, *Familiaris Consortio* of 1981. The Vatican Council II’s *Gaudium et Spes*, sec. 27 lists abortion among the various crimes against human life. *Gaudium et Spes*, sec. 51 calls for the protection of life from womb to the tomb, rejecting abortion and infanticide.

⁴⁶ See Williams, *The World As it Could Be*, 62-68, “on violence as a will to harm.”

⁴⁷ Tola Olu Pearce, “Women, the State and Reproductive Health Issues in Nigeria” *Jenda: A Journal of Culture and African Women Studies* 1, no.1 (2001), accessed July 1, 2011, <http://www.jendajournal.com/vol1.1/pearce.html>.

domestic work that is involved in the social reproduction of labor power.”⁴⁸ Thus, reproductive health concerns require that “we move beyond the needs of women, in terms of mere access to reproductive health services, to interests, and women’s power to identify and control the interpretation of needs.”⁴⁹ In this study, the interpretation of women’s health needs are analysed through the lens of a feminist ethics conceptual framework.

Feminist Ethics Conceptual Framework

Lisa Sowle Cahill situates feminist ethics within liberation theology, saying that the very *raison d’être* for feminist ethics, like other liberation theologies, is communal transformation.⁵⁰ Feminist ethics offer a way of looking at how actions directed towards women can be considered in a moral framework.⁵¹ Feminist ethics show how gender bias and patriarchal structures affect various moral practices and moral theorizing; it also assesses those practices and theories for their legitimacy. While challenging perceived moral bias in ethics, it “articulates moral critiques of actions and practices that perpetuate women’s subordination, prescribes morally justifiable ways of resisting such actions and practices, and envisions morally

⁴⁸ Ibid.

⁴⁹ Ibid.

⁵⁰ Lisa Sowle Cahill, “Feminist ethics,” *Theological Studies* 51, no.1 (March 1990): 50.

⁵¹ Some argue that feminism is linked to direct access to women’s experience and therefore cannot be undertaken by men. Though men do not have direct access to women’s experience at the same time, men can study women’s experiences and have something to say about such experiences. In this research, the primary question is: between culture and gender, which one takes precedence? Catholic Theological Ethics in the World Church (CTEWC), however, recognizes that men can do feminist theology, and accepts the use of the term “male feminist ethics.” This term was used by both Agnes Brazal of Philippines and Philomena Mwaura of Kenya at the regional CTEWC conference in Nairobi, Kenya, August 21-23, 2012, <http://www.catholicethics.com/september2012>.

desirable alternatives that will promote women's emancipation."⁵² Feminist ethics recognize social and political contexts, as well as the importance of social institutions in creating virtue and morality.⁵³ In brief, feminist ethics acknowledge the existence of gender-specific needs for both men and women, and call for women's autonomy in articulating what ought to be done.

Following an empirical theological approach, this study explores the concepts of sex and gender, and outlines feminist ethics as a theoretical framework that "serve[s] as a lens for the inquiry."⁵⁴ In this research, feminist ethics address the anthropological concerns of this study, which are grounded in the empirical reality of Tiv culture, in which women are treated as non-persons. Guided by feminist theory, this study makes a critique of negative perceptions of women.

Sex and Gender

Sex refers to the biological and physical characteristics that make a person male or female at birth. Gender, on the other hand, refers to the socially constructed roles ascribed to women and men, as opposed to biological and physical characteristics. Gender roles vary according to socio-economic, political, and cultural contexts, and are affected by other factors, including age, class, and ethnicity.⁵⁵ There has been growing interest in the study of gender. The term "gender studies" was coined by the U.S. psychoanalyst, Robert J. Stoller to refer to systematic research into

⁵² Margaret A. McLaren, "Feminist Ethics: Care as a Virtue," in *Feminist Doing Ethics*, eds. Peggy DesAutels and Joanne Waugh (Lanham: Rowman and Littlefield, 2001), 108.

⁵³ Ibid.

⁵⁴ John W. Creswell, *Research Design*, xxiii.

⁵⁵ Tsjeard Bouta, Georg Frerks, and Ian Bannon, *Gender, Conflict, and Development* (Washington DC: World Bank, 2005), 3.

the socially constructed roles ascribed to women and men.⁵⁶ Gender as a social role differential plays a great part in this understanding and suggests the importance of context. According to Mary C. Boys, “[g]ender does matter - not simply as a natural consequence of sex difference, but as an analytic category within which humans think about and organize their social reality.”⁵⁷ Thus Tiv women suffer male domination in three forms: as daughters, as housewives, and as employees. In each of these forms, Tiv culture has gender-specific words, phrases, and proverbs used in perpetuating and legitimizing patriarchal ideas, values, and principles.

Women’s oppression cannot be sustained by cultural factors or by biological explanations. Scientists do not see substantial evidence behind traditional ideas about biologically-based gender and sexual differences.⁵⁸ A woman and man are made up of the XX and XY chromosomes respectively, while in the early stages of development, both the “XX and the XY embryos are anatomically identical. ...regardless of which sex chromosomes reside inside their cells, [both] have a set of female (Mullerian) ducts as well as a set of male (Wolffian) ducts.”⁵⁹ Therefore, the inner or “essential” biological formation of human beings, both male and female, is the same. However, the behaviors of the sexes are continually shifting, further making a “pure” biological explanation of gender not possible, since “anything as complex and unpredictable as human behavior would by its very nature be unequal to the task.”⁶⁰

⁵⁶ Robert J. Stoller, *Sex and Gender: On the Development of Masculinity and Femininity* (New York: Science House, 1968). This work set the tone for his later works. Like the others, it sees gender as a historical construct.

⁵⁷ Mary C. Boys, SNJM, *Educating in Faith* (New York: Sheed and Ward, 1989), 159.

⁵⁸ Anne Fausto-Sterling, *Myths of Gender: Biological Theories about Women and Men* (New York: Basic, 1985).

⁵⁹ *Ibid.*, 78.

⁶⁰ *Ibid.*, 88.

Moving further in genetic biology, Laura Carrel and Huntington F. Williard, accept real differences in male and female chromosome formation⁶¹ but not a difference that denotes the inferiority of one sex over the other. The Y chromosome is responsible for the characteristics that make men male, including the male sexual organs and the ability to produce sperm. On the other hand, women have two copies of the X chromosome. Because the X chromosome carries a bigger “instruction manual” than the Y chromosome, one of the X chromosomes in females remains inactive, leaving one functional copy of the X in both men and women. Carrel and Willard’s research discovered that the inactive X chromosome in women is not completely silent. The effects of the genes from the inactive X chromosome explain some of the differences between men and women not attributable to sex hormones.

Studies by Judy Root Aulette and Judith Wittner suggest that sexuality, like gender, is socially constructed. While rooted in human biology, sexuality and sexual expressions are heavily influenced by social pressures and definitions, which vary according to time and place.⁶² Socio-cultural pressures and definitions on gender relations in Tiv society demean women and serve as a basis for women’s subordination to men.

This study argues that men and women have peculiar physical features that make them unique. However, these natural differences should not be a basis for social discrimination of women. Men and women are biologically, fundamentally the same and not essentially different. Studies indicate that men and women have the same

⁶¹ Laura Carrel and Huntington F. Willard, “X-Inactivation Profile Reveals Extensive Variability in X-Linked Gene Expression in Females” *Nature* 434, no.7031 (2005): 400-404.

⁶² Judy Root Aulette and Judith Wittner, *Gendered Worlds* (New York: Oxford University Press, 2011).

biological formation, so neither of the sexes should oppress the other. This is the crux of feminist theory.

Feminist Theory

Following Serene Jones, “the term [feminist theory] describes a collection of feminist texts with shared goals, practices, and assumptions”⁶³ that struggle against women’s oppression and work for women’s empowerment. Feminist theory focuses on the concerns of feminism. As a general term, feminism covers a range of ideologies and theories that pay special attention to women’s rights and women’s position in culture and society. As a theory, feminism seeks to explain the sources of women’s oppression and marginalization in society. It offers an analysis and a variety of theories on how and why women have less power, and how these imbalances can be challenged and transformed. Feminists advocate different ways of redressing these inequalities, and there are marked geographic and historical variations in the nature of feminism. However, feminists are united by the idea that women’s position in society is unequal to that of men, and that society is structured in such a way as to benefit men to the political, social, and economic detriment of women.

This study examines those background perceptions that constitute the various outlooks society has on women, and which influence people’s actions/attitudes towards women. The debate on gender inequality has long been divided into two camps: those who believe gender inequality is biologically determined, and those who believe it is socially determined.⁶⁴ This is the “nature versus nurture” debate. More recently, some feminists have introduced a middle course, arguing for the

⁶³ Serene Jones, *Feminist Theory and Christian Theology* (Minneapolis: Fortress, 2000), 3.

⁶⁴ See Michael Haralambos, *Sociology: Themes and Perspectives* (Slough: Tutorial, 1980). Also, see Anthony Giddens, *Introduction to Sociology* (New York: W. W. Norton, 1996).

combination of biology and society in contributing to gender inequality. Those who argue for biology or nature as the primary cause of gender inequality are referred to as sociobiologists, while those who believe that society is the primary cause of gender inequality are called socioculturalists. Those who say that both nature and society cause gender inequality are known as bioculturalists.⁶⁵ According to Richard A. Lippa, theories of gender inequality focus on four kinds of explanations: (a) group-level factors, particularly biological and social groups, (b) past biological and social-environmental factors, such as fetal hormones and prenatal rearing, (c) current biological and social-environmental factors, such as current hormone levels and social settings; and (d) internal factors, such as personality traits, attitudes, stereotypes, and schemas. These levels of explanation are not independent of one another. Factors at each level influence those at succeeding levels, and factors at each level may interact with one another.⁶⁶ This research classifies theories of gender inequality into four major groups commonly found in the Nigerian context: (a) sociobiologists, (b) sociobiological-environmentalists, (c) socioculturalists, and (d) bioculturalists.

Sociobiologists. Sociobiologists believe that biology or nature is the primary cause of gender inequality. They use biology and religion to justify their position.⁶⁷ Biologically, they contend that gender differences in human capacities, needs, styles of expression, and interests are determined innately rather than by social factors. Religiously, they say that God ordains essential gender differences. They see the biological differences between men and women as an effective and necessary basis of

⁶⁵ Richard A. Lippa, *Gender, Nature and Nurture* (Mahwah: Lawrence Erlbaum Associates, 2002).

⁶⁶ *Ibid.*, 99.

⁶⁷ Dennis A. Ityavyar, *The Changing Socio-Economic Role of Tiv Women* (Jos: Jos University Press, 1992), 11.

sexual division of labor in society.⁶⁸ Feminists criticize sociobiologists by articulating women's roles in history, and highlighting their importance, as well as their oppression. Sociobiologists often link both nature and society in their accounts of gender inequality, and trace women's oppression to power relations in society. Women's oppression is the first and the most central form of domination of one group over another, while male supremacy is the oldest and, most basic form of domination.⁶⁹ All other forms of exploitation and oppression are extensions of male supremacy. Men dominate women; a few men dominate the rest.

In Christianity, a strong form of socio-biology focuses on religious understanding of the world. It traces the subordinate position of women to God's intention at creation. Central stories in the three major Nigerian religions — Christianity, Islam, and African Traditional Religion — all have elements that can reinforce a subordinate view of women. At the beginning of the Bible, the woman is presented as subordinate to the man and has a negative image of a tempter (Genesis 1-3).⁷⁰ This is similar to the Quran in its opening suras (Sura 4:34). The paternalistic nature of African Traditional Religion gives women subordinate roles. While women are involved in many ritual and cultic ceremonies, including the "privilege" of looking after shrines in some cultures, in the majority of African traditional religions, such a female presence is mere tokenism in the midst of male dominance. For instance, among the Tiv people, the only participatory role for women is as witches in night ordeals and rituals. Daisy Nwachuku underscores women's debasement in African Traditional Religion:

⁶⁸ Ibid.

⁶⁹ Barbara S. Deckard, *The Women's Movement: Political, Socio-Economic and Psychological Issues* (New York: Harper and Row, 1979), 450-56.

⁷⁰ All quotations are from The National American Bible.

[I]n the Nigerian societies, the woman prepares food and drinks for the ritual ceremonies, the man takes it to the shrine where only the male folk would enjoy them. She is prohibited from cooking for the king or her husband when she is under her period of menses; or she is prohibited from sitting in the male section during her menses as anti-pollution intended to avoid the ritual contamination of that which is holy.⁷¹

Indeed, the smallest boy is considered far more important than the mature woman. Among the Igbo people of eastern Nigeria, a small boy can officiate at the ceremony of “splitting kola,” but a mature woman cannot. Women are forbidden from handling instruments of divination among the Yoruba people. Among the Mumuye people, the girl is expected to present a pot of local drink and other items to a boy of her own age during the boy’s initiation. But the girl gets nothing from him when she is initiated.

Archaeological evidence suggests that some ancient civilizations may have practiced goddess worship and been organized as matriarchies in which women held positions of power equal to men or at times greater than men.⁷² In any case, one must understand that the first eleven chapters of the Bible on which these patriarchal insinuations are based are mythology derived from social context;⁷³ and the Bible is

⁷¹ Daisy N. Nwachukwu, “The Christian Widow in African Culture,” in *The Will to Arise: Women, Tradition and the Church in Africa*, eds. Mercy Amba Oduyoye and Musimbi R. A. Kanyoro (New York: Orbis, 1992), 65.

⁷² Joan B. Townsend, “The Goddess: Fact or Fallacy and Revitalization Movement,” in *Goddesses in Religions and Modern Debate*, ed. L. Hurado (Atlanta: Scholars, 1990), 180. See also Marion Dickson and Elinor Woodman, *Dancing in the Flames: The Dark Goddess and the New Mythology* (St. Leonards, Australia: Allen and Unwin, 1996), 18.

⁷³ Mythology refers to the presentation of reality in symbolic form. It refers to an unknown transcendental reality that lies beyond observation and simple deduction, but which is recognized as existing and operative. This reality is perceived and represented in events and not in abstractions, and the event is in form of a story.

not recounting mere history.⁷⁴ The history of the Bible is salvation history. The goal is to learn from these complex texts on women (Genesis 1:18, 1:26-27, 3:16) rather than to take them literally as detailed and factual accounts of creation. “To understand God’s intent for woman, we must carefully consider two major areas of Christian theology: the nature of God and humankind as created by God.”⁷⁵

Sociobiological-environmentalists. Sociobiological-environmentalists are of the view that “women’s position is as a result of the natural division of labor based on biology. Hence women are neither oppressed nor exploited.”⁷⁶ They build their work on earlier studies by socio-biologists, such as Desmond Morris, Robin Fox, and E.O Wilson, who contend that the human social organization corresponds on a parallel with innate human needs and drives that are biological in nature.⁷⁷ Such understanding led to conclusions that women indeed are biologically the weaker sex. Therefore, the differences between men and women are natural. As a result of their sex, women will always be subject to men.⁷⁸ To demonstrate this, Tiger and Fox introduce the concept of “biogrammar,” a kind of genetically based program that predisposes human beings to behave in certain ways. However, they point out that biogrammatters should not be confused with “instincts,” which are immutable. While biogrammatters can be modified considerably by culture, they remain a basic influence on human behavior.⁷⁹ This goes in line with Murdock’s assertion that the biological differences between men and

⁷⁴ Daniel C. Harlow, “Creation According to Genesis: Literary Genre, Cultural Context, Theological Truth,” *Christian Scholar’s Review*, 2008, 163-198.

⁷⁵ Stanley J. Grenz and Denise M. Kjesbo, *Women in the Church Ministry, A Biblical Theology of Women in Ministry* (Downers, Illinois: InterVarsity, 1995), 144.

⁷⁶ Ayesha M. Imam, “Toward an Adequate Analysis of the Position of Women in Nigeria,” in *Women in Nigeria Today*, eds. Bappa S. et al. (London: Zed, 1985), 13.

⁷⁷ Ibid.

⁷⁸ Michael Kimmel and Rebecca Plante, *Sexualities: Identities, Behaviors, and Society* (New York: Oxford University Press, 2004), 3-37. See also Chris Beasley, *Gender and Sexuality: Critical Theories, Critical Thinkers* (London: Sage, 2005).

⁷⁹ Lionel Tiger and Robin Fox, *The Imperial Animal* (London: Seeker and Warbug, 1972).

women, such as the greater physical strength of men and the fact that women bear children, lead to gender roles out of sheer practicality.⁸⁰

Sociobiological-environmentalists are criticized for simplifying a complex process. Thus, Imam, citing Molyneux, argues that, “the sexual division of labor is linked to biology, but it is not founded on it; instead it must be conceived as a relation mediated through complex social processes and subject to sometimes contradictory determinants.”⁸¹ According to Myra J. Hird, it is impossible to analyze gender and sexual differentials outside the social, cultural, and political environments that create and maintain them. Natural explanations from biological analysis are too simplistic and limiting to understand sexual inequalities in society. Rather, sex, gender, and sexual differences are historical artifacts that have been performed and acted upon over time to produce certain norms in societies.⁸² Arguing for a gender discourse that engages science with the diversity and complexity of human nature, Hird cites Delphy, noting that, “rather than seeing sex as the baseline from which gender emerges through sociality, ‘gender . . . create(s) anatomical sex.’ By conflating the biological with the natural, ‘sex’ becomes the natural that initiates the social.”⁸³ This research holds that social stratification based on societal relations is both real and significant, so too, is stratification on the basis of sex. Sexual division of labor is a socially mediated product that is linked to biology, but not determined by it.

Psychologist Kingsley R. Browne, agreeing with the above, further argues that while biology is an important factor in explaining the sexual and gender differences in society, sexual equality is not merely given because socialization is an inadequate explanation of male and female differences. Browne relies on biology, “not a crude

⁸⁰ George P. Murdock, *Social Structure* (New York: Macmillan, 1949).

⁸¹ Imam, “Toward an Adequate Analysis of the Position of Women in Society,” 14.

⁸² Myra J. Hird, *Sex, Gender and Science* (Basingstoke: Palgrave Macmillan, 2005), 7.

⁸³ *Ibid.*, 25.

biological determinism that sees human beings as puppets on the strings of their genes, but a biology that creates predispositions in individuals that incline them more strongly in some directions than in others in ways that are responsive to pressures existing in our evolutionary environment.”⁸⁴

Socioculturalists. Socioculturalists argue that society is the primary cause of gender inequality. They explain that structures evolve to keep order, and reflect power relations. Over time, structures have produced patriarchy that oppresses women. They hold that different elements of culture, though complex, work together to produce an overarching patriarchal system that becomes the universal “structure” of gender relationships.⁸⁵ Ann Oakley criticizes socioculturalists by observing that there is diversity in human cultures, showing that sexual division of labor is not universal and that gender roles are considered differently in various societies.⁸⁶ Lewontin develops Oakley’s position further by stating that not even genes and biological hormones are major determinants of human behavior.⁸⁷ For Lewontin, the socialization process counts most. Social power is held by a combination of factors: ideology and culture coupled with institutions (legal, economical, political) and social structures (family, religious, and media) that exert tremendous influence on power sharing and maintenance in the society. Institutions are hereby referred to particular formal organizations in society that produce patterns of social order, while structures refer to patterns of social relationships produced by institutions in a given society. Both

⁸⁴ Kingsley R. Browne, *Biology at Work, Rethinking Sexual Equality* (New Brunswick: Rutgers University Press, 2002), 107.

⁸⁵ See R. W. Connell and James W. Messerschmidt, “Hegemonic Masculinity: Rethinking the Concept,” *Gender Society* 19 (2005): 829 - 859. This study examines the social role of masculinity vis-à-vis women’s subordination, with the goal of transforming patriarchal relations.

⁸⁶ Ann Oakley, *Housewife* (London: Allen Lane, 1971).

⁸⁷ Richard Lewontin, *Human Diversity* (New York: Freeman, 1982).

institutions and structures are created by human persons. Thus, women have been gradually sidelined over time by oppressive institutions and structures in Tivland.

Though some scholars contend that Tiv society is communitarian and egalitarian,⁸⁸ this is not always the case. “In accordance with ...egalitarian logic, the office of the *Tor Tiv* (Chief of Tiv), for instance, which was created by the British Administration in 1947, is not hereditary.”⁸⁹ However, it is reserved only for men and no woman has ever been allowed to contest for the seat when it becomes vacant.

According to Christine Delphy, the main enemy that perpetuates women’s institutional subjugation is patriarchy.⁹⁰ Such a position is supported by Marxist theorists. Marxist feminists apply the method of historical materialism to trace the subordinate position of women to dialectical materialism. Delphy, following Firestone, claims that the productive process arrogates subordinate roles to women.⁹¹ This Marxist approach, however, tends toward over-generalization. As such, it does not account well for the variation in women’s situations from one society to another and is, therefore, ahistorical.

According to Deckard, the class system causes oppression of women. Historically, women did not occupy an inferior position in human societies until the primitive communal societies broke down into classes accompanied by the introduction of private property and the family.⁹² The function of the woman then became that of a breeder of children, and the woman became a possession of her

⁸⁸ Dominic V. Yuhe, “The Encounter of Tiv Religious and Moral Values with Catholicism in the Time of Secularization” (Ph.D. diss., Pontifical St. Thomas University, Rome, 1978), 16.

⁸⁹ Shagbaor F. Wegh, *Between Continuity and Change: Tiv Concept of Tradition and Modernity* (Enugu: Snaap, 2003), 51.

⁹⁰ Imam, “Toward an Adequate Analysis of the Position of Women in Society,” 15.

⁹¹ Ibid.

⁹² Deckard, *The Women’s Movement: Political, Socio-Economic and Psychological Issues*, 144 - 149.

husband.⁹³ In the capitalist economy, women suffer double oppression: in the workplace as exploited worker, and in the family as a subordinate person with little status. Tiv society, like other Nigerian societies, is mostly agrarian. Women do most of the farming, but men control the land, and men can easily dispossess women of their access to farm land. In some corporations, women only retain their jobs when they become objects of sexual satisfaction for their bosses or employers. “Some women particularly the young ones are only employed as long as they are ready to use their bodies to woo customers for their business organizations. This is called ‘corporate prostitution.’”⁹⁴

Socioculturalists say that sexist ideology and structures such as the family are responsible for sustaining women’s inferior position. These structures continue to exist and perform crucial functions for the capitalist system. Marxist feminism, thus, sees capitalism as the primary cause and beneficiary of gender inequality. Women’s location in the private, domestic sphere and their restricted access to paid work are therefore caused by capitalism. Ityavyar puts it this way:

What Marxist feminism seems to be saying is that not only women suffer in our society. Other disadvantaged people in the society such as peasants, unemployed, artisans, laborers and workers also need to be liberated from capitalist oppression. But that for women to be fully integrated in the development process, the progressives must team up and sponsor two major revolutions. The first will be a socialist revolution which will deal with the problem of general social inequality. The second, immediately

⁹³ Ibid.

⁹⁴ Committee for Workers’ International, “No to War, Fight for Women’s Rights and Socialism,” *SocialistWorld.net*, March 08, 2003, <http://www.socialistworld.net/doc/604>.

following will be a double revolution which will smash patriarchy but one would need the other to succeed.⁹⁵

The strength of Marxist feminism lies in its insistence on a shift of focus from the individual to social structures of oppression. These include the state, family, and class. “Marxist feminism as a theory seeks to explain the sources of women’s oppression and marginalization in society with an intention of finding spaces for the inclusion of both men and women in the development process. It is, therefore, a gender-aware theory.”⁹⁶

Bioculturalists. Bioculturalists blame both nature and society for gender inequality. They point to research to indicate that basic distinctions exist between the sexes.⁹⁷ Nonetheless, there can still be some mutuality, equality, and equity. At the same time, this research disagrees with the sharp distinction made between sex and gender by many feminists.⁹⁸ Thus, gender is not sex. Gender roles are socially determined, while sex is biologically determined. However, this is too neat a distinction. Instead, biology is influenced by culture or society, for example, women who take birth control placebos are less likely to get pregnant. Further, all cultures and societies have to deal with the fact that women get pregnant and men do not.

⁹⁵ Ityavyar, *The Changing Socio-Economic Role of Tiv Women*, 27.

⁹⁶ Asue, “The Impact of Faith-Based Organization on the Socio-Economic Status of Women,” 20.

⁹⁷ See Janet T. Spence and Robert L. Helmreich, *Masculinity and Femininity* (Austin: University of Texas Press, 1978); Milton Diamond and Arno Karlen, *Sexual Decisions* (Boston: Little Brown, 1980); Carol Gilligan, *In a Different Voice* (Cambridge: Harvard University Press, 1982) and; James B. Nelson, *Intimate Connection* (Philadelphia: Westminster, 1988).

⁹⁸ Moira Gatens, *Imaginary Bodies* (London: Routledge, 1996); and Catherine MacKinnon, “Difference and Dominance,” in *Theorizing Feminisms*, eds. E. Hackett and S. Haslanger (Oxford: Oxford University Press, 2006): 244 - 255.

Studies show that the distinct nature of men and women constitutes part of their unique response to issues in their environments.⁹⁹

Studies by Oakley indicate that human cultures are diverse and endlessly variable.¹⁰⁰ They owe their creation from human inventiveness rather than invincible biological forces. The sexual division of labor is not universal, as Murdock claims, nor are certain tasks always performed by men and others by women.¹⁰¹ Roles such as cooking and caring for children are not an inevitable product of female biology, but rather the culture of a society determines gender roles. She points out that these tasks are a shared responsibility for both sexes in some cultures, and are not exclusively reserved for women. Humans learn the behavior expected for males and females within their society. This behavior is not produced by innate characteristics.¹⁰² Even biological tendencies for men and women to behave in different ways can be overridden by cultural factors.¹⁰³

Bioculturalists use liberal feminism to highlight the freedom of the human person as necessary for community life, and “challenges narratives that typically point to identity politics [race, class, age, and so on].”¹⁰⁴ Liberal feminism is one of “the earliest versions of feminism that emerged in the second wave of modern feminism, a feminism that appropriated, but gave a twist to, classical liberal theory.”¹⁰⁵ Liberal

⁹⁹ Carol Gilligan, *In a Different Voice* (Cambridge: Harvard University Press, 1982).

¹⁰⁰ Oakley, *Housewife*.

¹⁰¹ Murdock, *Social Structure*.

¹⁰² Anne Oakley, *Sex, Gender and Society* (London: Temple Smith, 1974).

¹⁰³ *Ibid.*

¹⁰⁴ Katherine Turk, “Out of the Revolution, into the Mainstream: Employment Activism in the NOW Sears Campaign and the Growing Pains of Liberal Feminism,” *Journal of American History* 97, no.2 (2010): 401.

¹⁰⁵ Linell E. Cady, “Identity, Feminist Theory, and Theology,” in *Horizons in Feminist Theology*, eds. Rebecca S. Chopp and Sheila G. Davaney (Minneapolis: Fortress, 1997), 19.

theory grew out of the European social contract theories¹⁰⁶ of the sixteenth and seventeenth centuries, and flowered in the eighteenth century when the ideals of individual rights, freedom, and equality were put to the test during the French and American Revolutions. This theory holds that the “freedom and autonomy of the individual self are inviolate. Society, according to classical liberalism, is a collection of autonomous individuals ... individuals ‘choose’ to enter into a social contract for purposes of order and protection.”¹⁰⁷ This theoretical orientation is based on the understanding that all people are “equally free” and, therefore, equal opportunities should be provided for them. Women’s subordination arose because of the non-recognition and implementation of that principle. Women’s subordination is derived from the pattern of socialization of men and women in society. This subordination is reinforced by discrimination, prejudices and irrationality perpetuated by men, the family, the state, and its agencies.

Addressing gender inequality, thus, requires reshaping the language, style, and general attitudes of men towards women. It also requires evaluating epistemological assumptions that are the basis for exploitative cross-gender relations. Drawing on critical feminism, Ityavyar puts it this way:

The central and immediate concern of critical feminism is reformation of concepts and an attack on epistemological assumptions that affect the conception of the position of women in society. Critical feminism as a theory of change holds that the long established myths and even jokes that misrepresent or downgrade women should be abolished to allow room for a

¹⁰⁶ Janice Richardson, “Contemporary Feminist Perspectives on Social Contract Theory,” *Ratio Juris* 20, no. 3 (2007): 402-423.

¹⁰⁷ Ibid.

new and a better socialization process in society which will not deny women their rightful position in society.¹⁰⁸

Bioculturalists, therefore, oppose defining society and its development in relation to male interests, needs, and concerns alone. Under the Nigerian constitution, a woman seldom exists independent of her marital life. For instance, in “section 24 (3) of the Income Tax Management Act, a married man is entitled to claim [tax] relief ... [for supporting] his wife. There is no corresponding provision for the wife even when ... the husband is not employed and ... she is responsible for the upkeep of the family”¹⁰⁹

Women need their dignity as persons independent of men. This resonates with Catholic tradition.

Engaging Catholic Tradition

As described later in Chapter 6, Thomas Aquinas clearly states that when one is confronted with a threat to his or her life, one is obliged to use proportionate means of self-defense to protect his or her life. As shown in this study, Tiv Catholic women are commonly forced by their HIV-positive husbands to have life-threatening sexual intercourse with them. These women are obliged to defend themselves with the best possible means at their disposal, which may well be to request their HIV-positive husbands to use condoms in this case. Some moral theologians argue that condoms will increase promiscuity and encourage licentious lifestyles. Others who argue for the use of condoms note that condom use helps a husband avoid endangering the life of the vulnerable wife who might be coerced to have sex with an infected husband.¹¹⁰

¹⁰⁸ Ityavyar, *The Changing Socio-Economic Role of Tiv Women*, 17.

¹⁰⁹ Oluyemisi Bamgbose, “Translating Traditional Concepts into Legislation and Practice: The Nigerian Women in Focus,” *International Journal of African and African American Studies* 1, no.7 (2005): 65.

¹¹⁰ Jude Uzochukwu Njoku, “The Controversy of Condoms in the Unfolding History of Moral Theology: Between the Sixth and Fifth Commandments.” Paper presented at

Consensual sex within marriage is licit, but Catholic teaching holds that artificial contraception is immoral. In a *forced* sexual act, which involves social and cultural coercion that may be considered rape, Tiv Catholic women are right to request an HIV-positive husband to use a condom as self-defense against the unjust sexual attack that involves a lethal contagion. As observed by Martin Rhonheimer, in 1961, the case of contraceptives and forceful sex (rape) was assigned to three eminent theologians who accepted use of contraceptives as a legitimate act of self-defense against forceful sex.¹¹¹

In the 1960s, “during a period of civil war in what was then the Belgian Congo, religious women [nuns] were targeted for rape by various paramilitary groups. According to Redemptorist Fr. Brian Johnstone of the Catholic University of America, the Vatican’s Holy Office (forerunner to today’s Congregation for the Doctrine of the Faith) gave permission for the nuns to use contraceptives,”¹¹² as defense against rapists.¹¹³ The argument supporting this was that it was legitimate for the nuns to use contraception because they did not *will* the sexual act. Since the sexual act was being imposed on them through *force* by the rapists, their lack of *consent* to the sexual act meant they did not consent either to its unitive or procreative aspects.¹¹⁴ Justice demanded that the nuns do whatever best possible to avoid the procreative

the conference of Catholic Theological Ethics in the World Church, Trent, Italy, July 24-27, 2010.

¹¹¹ Martin Rhonheimer, OD, *Ethics of Procreation and the Defense of Human Life* (Washington, DC: Catholic University of America, 2010), 134.

¹¹² John L. Allen, “Sometimes Bishops Say Yes,” *National Catholic Reporter*, November 16, 2007, http://www.natcath.org/NCR_Online/archives2/2007d/111607/111607a.htm.

¹¹³ Benezet Bujo and Michael Czerny, eds., *AIDS in Africa: Theological Reflections* (Nairobi: Paulines, 2007), 63-77. See also Bruce Johnston, “Nuns at Risk of Rape Can Take the Pill, says Rome,” *The Telegraph*, April 28, 1996, <http://www.christusrex.org/www2/news-old/es4-28-96.html>.

¹¹⁴ Jimmy Akin, “Contraception and Extra-Marital Sex,” May 8, 2006, http://jimmyakin.com/2006/05/contraception_e.html.

aspects of the sexual act in the same way as it was just for them to do whatever they could to avoid the unitive aspect of the sexual act. Their use of contraception was a legitimate defense against the consequences of a forced sexual act imposed on them by rapists, and a planned frustration of the consequences of a sexual act in which they did not willingly and freely chose to participate.¹¹⁵ A similar argument was used in 1993 to allow contraceptives for victims of rape in Bosnia.¹¹⁶ Gonzalo Miranda, director of the Institute of Bioethics at the Regina Apostolorum Pontifical University in Rome, argues that this does not cover only cases of rape, but mentally handicapped women who fall under a similar situation. They too could licitly use the contraceptive pill as a form of legitimate defense. "Contraception is morally illicit when it accompanies a desired sexual act, but when a sexual act is imposed, and not wanted, then contraception represents the only form of protection."¹¹⁷ The emphasis is on the right of self-defense.

Catholic tradition has a high regard for the health of people and, in this case, women's reproductive health. The Second Vatican Council, calling for respect of the human person, classifies all acts that violate the integrity of persons as criminal.¹¹⁸ According to the *Catechism of the Catholic Church*, "Life and physical health are precious gifts entrusted to us by God. We must take reasonable care of them, taking into account the needs of others and the common good."¹¹⁹ Every human being has a

¹¹⁵ Ibid.

¹¹⁶ Andrew Brown, "Vatican Acts over Bosnian Rapes: Birth Control Ban Eased for Women at Risk," July 20, 1993, <http://www.independent.co.uk/news/uk...k-1485928.html>.

¹¹⁷ See also Bruce Johnston, "Nuns at Risk of Rape Can Take the Pill, says Rome," *The Telegraph*, April 28, 1996, <http://www.christusrex.org/www2/news-old/es4-28-96.html>.

¹¹⁸ Vatican II Council, *Gaudium et Spes*, sec. 27.

¹¹⁹ *Catechism of the Catholic Church*, 2nd edition, 2288.

right to life, and when this life is violated, going by the principle of legitimate self-defense, an individual is bound to defend him or herself.

In a 1996 interview, then Cardinal Joseph Ratzinger as Prefect of the Congregation of the Doctrine of Faith (CDF) situated the issue of contraception as a pastoral issue that is best handled by an individual with his or her pastor in spiritual direction.¹²⁰ In his own words, Pope Benedict XVI asserted, “I would say that those are questions that ought to be discussed with one’s spiritual director, with one’s priest, because they can’t be projected into the abstract.”¹²¹ While being sympathetic to the difficulties many Catholics express in understanding contraception, Benedict XVI states that, “We ought to look less at the casuistry of individual cases.”¹²² He noted three things that are important in the contemporary debate on contraception. First, the value of the child is at stake because the child is a new human being with divine blessings, and should not be seen as a threat and burden to anyone’s interest. Second, it is not right to separate sexuality from procreation because a child becomes a product, quite apart from men and women in relationships. Third, people should know that human moral problems cannot simply be resolved with techniques and chemistry without recourse to how people live.¹²³ Here, Benedict XVI highlights the importance of context in dealing with human acts, so that they are not treated as abstractions. This is potentially very fruitful, suggesting the importance of practical theology, pastoral

¹²⁰ Cardinal Joseph Ratzinger [Pope Benedict XVI], *Salt of the Earth: The Church at the End of the Millennium*, trans. Adrian Walker (San Francisco: Ignatius Press, 1997), 200-203. See also Thomas P. Rausch, SJ, *Pope Benedict XVI: An Introduction to his Theological Vision* (New York: Paulist Press, 2009). Rausch argues that Benedict XVI as a theologian believes in naming conventions.

¹²¹ Peter Steinfels, “Benedict on Contraception, Circa 1996,” *Commonweal*, November 23, 2010, <http://www.commonwealmagazine.org/blog/?p=11084>.

¹²² *Ibid.*

¹²³ *Ibid.*

discernment, and spiritual direction for persons like Tiv Catholic women in the context of HIV/AIDS and *forced sex*.

In 2010, Pope Benedict XVI stated that prostitutes could use condoms in certain circumstances to prevent the transmission of HIV. The pope said that this can be a first step in the right moral direction, by assuming responsibility and awareness of one's immoral action as well as not infecting another person. The pope noted that the most authentic way of dealing with the evil of HIV infection lies only in a humanization of sexuality, whereby people change their behaviors.¹²⁴ Amidst the controversy that arose regarding the weight of the pope's statement, the CDF issued a statement in support of the pope's statement.¹²⁵ The CDF remarks acknowledged that some people,

Sought to soften the Pope's remarks by referring to a "male prostitute," but the German original referred to both male and female, and Fr Lombardi, the Vatican spokesman, subsequently pointed out that this was the Pope's intention. The CDF clarification double-underlines this, when, immediately after a paragraph defending *Humanae vitae*, it says that the Pope in his interview "refers to the completely different case of prostitution." The HIV

¹²⁴ See Edward Vacek, SJ, "What is new?" *America*, The Condom Question section, January 3, 2011,

http://www.americamagazine.org/content/article.cfm?article_id=12649.

¹²⁵ John L. Allen Jr, "On Condoms, Has the Vatican Rejected the Pharisees?" *National Catholic Reporter*, December 23, 2010, <http://ncronline.org/blogs/ncr-today/condoms-has-vatican-rejected-pharisees>. When Benedict XVI's remarks were first reported in a book long interview with Peter Seewald, some theologians dismissed them, saying that church pronouncements do not come through journalists. The Congregation for the Doctrine and Faith issued a follow up statement in support of the pope's declaration, noting that the declaration did not change the church's general teaching on contraceptives.

infected prostitute (or her client) who fails to use a condom is adding to the sin of fornication by the (even more serious) sin of murder.¹²⁶

This suggests ongoing evolution in Catholic tradition. When sex takes place between two male prostitutes, contraception is not involved, but when sex takes place involving a female prostitute and a man, she is not just using a condom to prevent disease; contraception is at stake. Here the pope expands the tradition to take into cognizance the health of the person without disregard to the ends of marriage. The context places the contraceptive act of a female prostitute in a different understanding.¹²⁷ The contraceptive act is consequent upon the prevention of sickness, but not as a result of direct intent. The Vatican spokesman, Federico Lombardi, SJ, restated the pope's position that using the condom is the first step to taking responsibility and considering the risk to the life of the other person with whom one has a relationship. According to Anthony Fisher, the auxiliary bishop of Sydney, Australia, "the lack of a contraceptive will or intention means this is not an act of contraception."¹²⁸ Benedict XVI invokes Paul VI's encyclical, *Humanae Vitae*, which acknowledges that contraceptives could be used for health reasons,¹²⁹ and is in line with John Paul II's apostolic exhortation, *Consortio Familiaris*, which upholds the principle of gradualness. By gradualness, a person recognizes a sin, and works progressively towards total conversion away from sin.¹³⁰ However, this study recognizes that certain couples may know that one of them is infected and may choose to exercise the conjugal act. These may be saintly married partners — for instance,

¹²⁶ Austen Ivereigh, "AIDS and Condoms: What the Clarification Clarifies," *America*, December 22, 2010,

http://www.americamagazine.org/blog/entry.cfm?blog_id=2&entry_id=3703.

¹²⁷ Ibid. Ivereigh gives a detailed presentation and analysis of the CDF's position.

¹²⁸ Anthony Fisher, OP, "HIV and Condoms within Marriage," *Communio* no.2, 36 (2009): 346.

¹²⁹ Paul VI, *Humanae Vitae*, sec. 15.

¹³⁰ John Paul II, *Familiaris Consortio*, secs. 9 and 34.

one who contracted HIV through, a blood transfusion. If they choose to have sex without forcing the other, this is within the purview of Catholic teaching on marriage, whereby couples commit to love themselves both in health and sickness. The goal is to let couples move away from a dangerous state that does not encourage condom use, but suggests that the woman request her husband to use a condom as self-defense in the midst of life-threatening circumstances, such as when an HIV-positive husband forces sex on an HIV-negative wife.

Conclusion

This Chapter examined women's sexual decision-making and recognized the role of patriarchy in Tiv culture in regards to HIV/AIDS. As noted in the tragic story of women's vulnerability at the beginning of this chapter, Catholic Tiv women are commonly coerced to have sex with HIV-positive husbands. Patriarchal culture has resulted in the loss of women's dignity, and made them subordinate to men. Women's subordination can be directly linked to the increasing number of women becoming infected with HIV/AIDS within the Tiv cultural context. This study uses the lens of a feminist ethics framework to examine women's oppression, search for ways of regaining women's lost human dignity, and to engage Catholic sexual ethics in Tivland. It particularly notes that women under this form of coercion may request their husbands to use condoms in protective sex as a form of self defense. The next chapter examines the research methodology of this study.

Chapter Two: Methodology

Introduction

Theology reflects upon the truth of God's revelation that is either not yet possessed or partially possessed.¹ This requires theology to pose rigorous methods of inquiry. This chapter examines the task of theology, and describes the praxis method in a theological context. This involves exploring the setting, research design, research team background and training, interview protocols, and research ethics. This chapter also explores the theological understanding of context, truth, and divine revelation.

The Task of Theology

As Pope John Paul II explains in the encyclical *Fides et Ratio*, intellectual inquiry is at the service of faith. Indeed, faith is a way of arriving at truth. Divine revelation is a source of salvific truths, and obedient faith in Christ is a fitting context for the use of reason to understand this faith. Although human reason may discover some salvific truths, only divine revelation can provide the central truths concerning the mission of Jesus Christ. It is irrational for any philosophical inquiry to exalt reason and denigrate faith by denying "the possibility of any knowledge which was not the fruit of reason's natural capacities."² Divine revelation discloses Christ as the ultimate answer and truth to the ultimate question that philosophers and all people ask at all times, in all cultures.³ By faith, human beings come to the knowledge of divine revelation that comes through the Bible and Christian tradition. At the same time, human understanding is limited, so the mystery of divine revelation still remains.

¹Daniel L. Migliore, *Faith Seeking Understanding: An Introduction to Christian Theology* (Grand Rapids: Eerdmans, 2004), 3.

²John Paul II, *Fides et Ratio*, sec. 8.

³*Ibid.*, sec. 12.

Faith, as an obedient response to God, “makes it possible to penetrate the mystery in a way that allows us to understand it coherently.”⁴

Faith builds on reason. Further, since faith and reason are both ways of arriving at truth — and since all truths are ultimately harmonious with each other — faith is consistent with reason. If one understands faith and reason correctly, there will be no conflict between what faith says and what reason says. Reason helps to elucidate faith, and frees a person from “an immanentist habit of mind and the constrictions of a technocratic logic.”⁵ John Paul II concludes that “the truth made known to us by Revelation is neither the product nor the consummation of an argument devised by human reason. It appears instead as something gratuitous, which itself stirs thought and seeks acceptance as an expression of love.”⁶

When theology is understood as a continuing search for the fullness of the truth of God made known in Jesus Christ, it is not a repetition of what has already been said. Rather, it is trusting God’s continuous self-communication with humanity, which in turn is created in God’s image and likeness. In this light, Migliore offers four tasks of theology:

- a) Christian theology provides a clear and comprehensive description of Christian doctrine.
- b) Theology translates the Christian faith into terms intelligible to the wider culture or community.
- c) Christian theology provides for broad thinking about important issues of faith that affect the lives of people in various contexts.

⁴ Ibid., sec. 13.

⁵ Ibid., sec. 15.

⁶ Ibid.

d) Christian theology reflects on the practices of the Christian faith within an oppressed community with the aim of bringing about change, following Christ in this sense, who went about doing good (Acts 10:38), and liberating the oppressed (Luke 4: 18-19).⁷

According to William James, theology derives from the personal faith experiences of individuals, which they in turn take into their communities.⁸ “This means that theology implies participation in community. Theologians have their individual styles and to some extent grapple with the problems which they themselves have found challenging.”⁹ Theologians’ individual styles are their particular methods of inquiry fashioned to explore contexts unique to them.

A method is “a normative pattern of recurrent and related operations yielding cumulative and progressive results.”¹⁰ A method shows a systematic procedure or plan for a research. This current research proposes the praxis method as a method of doing practical theology, including the investigation of central pastoral questions. For this reason, Elaine Graham and her colleagues argue along with Ellen Charry, that theology is “a body of knowledge designed to articulate the nature of God in order that people might lead godly lives. It is a discourse of character-formation with a practical bearing, rather than abstract or disengaged truths.”¹¹

⁷ Milgione, *Faith Seeking Understanding: An Introduction to Christian Theology*, 3.

⁸ William James, *The Varieties of Religious Experience* (New York: Dover, 2002), 30.

⁹ Moses O. Adasu, *Understanding African Traditional Religion* (Sherborne: Dorset, 1985), 34.

¹⁰ Bernard Lonergan, SJ, *Method in Theology* (New York: Herder and Herder, 1972), 5. The understanding of method as cumulative and progressive results explains why there are different theological methods associated with particular theologians — Tillich with correlation; Tracy with mutual correlation; Barth with dialectics; Bultmann with demythologizing and so on.

¹¹ Elaine Graham, Heather Walton, and Frances Ward, *Theological Reflection: Methods* (London: SCM, 2005), 9.

Praxis Method

The praxis method is dialogical.¹² It can be called “see-judge-act,”¹³ and has its ultimate roots in Aristotle. For “Aristotle the material world, known through the senses, was the only source of knowledge, and so the search for abstract truth grew only out of concrete knowledge of the real world.”¹⁴ Joe Holland argues that,

In the realm of ethics, Aristotle made a further distinction . . . between theoretical reason and practical reason (*phronesis*), with the latter involving less certitude and requiring prudential judgment. Thus, for the Aristotelian tradition ethics implicitly involves three methodological moments: 1) rational-empirical study of reality; 2) articulation of general moral principles of right reason developed from knowledge of the reality; and 3) prudential recommendations on how to proceed in action according to right reason within reality.¹⁵

Aristotelian ethics focuses on a communitarian understanding of the human person, highlights the importance of the family, aims at developing virtuous persons seeking the common good, and grounds “ethics in the ways of nature (akin to the later Stoic tradition of ‘natural law’ . . .) — all of which are found in the Catholic social-ethical

¹² Through dialogue, the project engages Tiv Catholic women’s context of sexual decision-making in conversation with Catholic sexual ethics. See similar Catholic works on dialogue, such as James F. Kennan, SJ, *Ethics of the Word: Voices in the Catholic Church Today* (New York: Rowman and Littlefield, 2010). See also Bradford E. Hinze, *Practices of Dialogue in the Roman Catholic Church: Aims and Obstacles, Lessons and Laments* (New York: Continuum, 2006).

¹³ Helen Cameron, et al., *Studying Local Churches: A Handbook* (London: SCM, 2005), 23.

¹⁴ Joe Holland, “Roots of the Pastoral Circle of Praxis in a Much Older Catholic Social Tradition,” in *The Pastoral Circle Revisited: A Critical Quest For Truth And Transformation*, eds., Frans Wijssen, Peter Henriot, SJ, and Rodrigo Mejía (New York: Orbis, 2005), 1-12. This was written for the twenty fifth Anniversary of the publication of Joe Holland and Peter Henriot, SJ, *Social Analysis: Linking Faith and Justice* (New York: Orbis, 1980).

¹⁵ Ibid.

tradition.”¹⁶ Holland notes that Thomas Aquinas brought this method into the Catholic tradition through his encounter with the “African-Islamic Aristotelian tradition in Southern Spain” while studying at the University of Paris in the thirteenth century.¹⁷

The “see-judge-act” method was popularized in the mid-twentieth century in Catholic circles by the Belgian priest Joseph Cardijn for the Young Christian Workers, and was widely used within the Catholic Action movements of the twentieth century.¹⁸ This method has been used by the popes since the introduction of the encyclical mode of teaching in 1740.¹⁹ It is arguably more dialogical and more applicative than other pastoral research methods. Thus, Holland states,

Without spending any more time on this point, suffice it to note that the structure of papal social encyclicals from 1740 forward generally follows a three-step model quite similar to Canon Cardijn’s “See, Judge, Act” method and to Liberation Theology’s three moments of “Social Analysis, Theological Reflection, and Pastoral Planning.” These encyclicals typically begin with a diagnosis of the social problems confronting society and the church within it; they next move to retrieve from the faith tradition appropriate biblical and theological wisdom to evaluate these problems (generally viewed in negative terms); and finally in light of this wisdom they propose pastoral lines of

¹⁶ Ibid.

¹⁷ Ibid.

¹⁸ Joe Holland, *Postmodern Catholic Social Teaching* (Washington DC: The Warwick Institute, 2010), 132. This is a manuscript of the second volume in a two-part series, the first volume has already been published as Joe Holland, *Modern Catholic Social Teaching: The Popes Confront the Industrial Era, 1740-1958* (New York: Paulist, 2003). This second volume continues from 1958 onward.

¹⁹ Ibid. Holland notes that, “It is important to note that papal social encyclicals do not begin in 1891 with RERUM NOVARUM [capitalized in the original], though it provides the foundation for the strategic papal response to the second stage of industrial capitalism. Rather they begin in 1740, with the popes first strategic responses to the European Enlightenment with its new ideology of liberalism, and then later to its embodiment in liberal democracy and liberal capitalism.” Holland, *Postmodern Catholic Social Teaching*, 132.

strategy. The actual content of these three steps differs during different periods of the tradition, but the underlying methodology is constant.²⁰

This method aims at transforming difficult pastoral situations. Theology “is done not simply by providing relevant expressions of Christian faith but also by commitment to Christian actions.”²¹ Following a practical moral theological method, this research moves from practice-to-theory-to-praxis (that is, from experience to theory to ‘informed’ action). “The process begins and ends in practice, and hopefully leads to better practice and more just outcomes.”²² As such, this work is an examination of condom use in light of women’s sexual decision-making in Tivland. It begins with the conflict between Catholic sexual ethics and pastoral practice regarding Catholic Tiv women’s sexual decision-making in the context of HIV/AIDS, engages Christian classics,²³ and moves to a concrete, decisive, transforming pastoral action. God reveals Godself in interaction with human beings who receive God’s revelation. Contemporary theological engagement calls for a conversation between the Jesus event and the daily experiences of Christians. In other words, the interpretation of experience (of texts, people, or events) leads to new understanding in time and place.²⁴

²⁰ Ibid.

²¹ Stephen B. Bevans, SVD, *Models of Contextual Theology* (New York: Orbis, 2004), 72.

²² Helen Cameron et al., *Studying Local Churches*, 24. See also Rebecca S. Chopp, *The Praxis of Suffering* (Eugene: Wipf and Stock, 1986). Chopp has developed a method of critical praxis correlation wherein praxis is both the foundation and aim of theological hermeneutics.

²³ This term is from David Tracy, though he no longer uses it but has shifted to using the term “fragment.” As Tracy suggested, a classic is a person, text, event, music, art or symbol within a cultural experience that has an excess of meaning and certain timelessness; it challenges us in our present horizon to look beyond, perhaps something else might be the case. See David Tracy, *The Analogical Imagination: Christian Theology and the Culture of Pluralism* (New York: Crossroad, 2000), 101-107, and Duncan B. Forrester, *Theological Fragments: Essays in Unsystematic Theology* (London: T and T Clark, 2005).

²⁴ Hans-Georg Gadamer, *Truth and Method*, trans. Joel Weinsheimer and Donald G. Marshall (New York: Continuum, 1999), 379. Gadamer’s understanding underscores

Thus, the Cardijn approach (“see, judge, act”) is a praxis-based approach used by the popes throughout the centuries. Recognizing it is central to Catholic tradition and important to pastoral life, Joe Holland and Peter Henriot label it the “Pastoral Cycle.”²⁵ John XXIII in his encyclical, *Mater et Magistra* of 1961, recommends this approach, saying:

There are three stages which should normally be followed in the reduction of social principles into practice. First, one reviews the concrete situation; secondly, one forms a judgment on it in the light of these same principles; thirdly, one decides what in the circumstances can and should be done to implement these principles. These are the three stages that are usually expressed in the three terms: observe, judge, act.²⁶

Cameron and her colleagues divide this method into four stages within their work on congregational studies: experience, exploration, reflection, and action.²⁷

- Experience, which is the observe or see stage, examines the research question, the rationale of the study, and the relevant situation at hand.
- Exploration, still at the observe or see stage, seeks to review the relevant literature and gathers necessary data regarding a practice in question.

a model of theological discourse that is dialogical. Therefore, “If the Bible is viewed as sacred interpretation of God’s word rather than as a perfect transcription, the task of theology changes. ... [the theological task becomes dialogical], and that perception shifts the focus from isolated meanings to meanings *in relationship*.” See Marie Noonan Sabin, *Reopening the WORD* (New York: Oxford University Press, 2002), 15.

²⁵ Joe Holland and Peter Henriot, SJ, *Social Analysis: Linking Faith and Justice* (New York: Orbis, 1990). See also Elaine Graham, Heather Walton, and Frances Ward, *Theological Reflection: Methods* (London: SCM, 2005), 174-176. Graham, Walton, and Ward specifically note that Pope Gregory I (c. AD 540-604), completed his *The Book of Pastoral Rule* in 590.

²⁶ John XXIII, *Mater et Magistra*, sec. 236.

²⁷ Cameron et al., *Studying Local Churches: A Handbook*, 23-24.

- Reflection, which is the judge stage, examines the relevant Christian classics (resources from the Bible and tradition) as they affect the practice in question.
- Action, as the act stage, makes reflective decisions that result in transformed praxis.

This approach takes into cognizance the working of a transforming empirical research methodology that is often termed either transformatory research²⁸ or the participatory advocacy paradigm.²⁹ This approach sees people as co-researchers. “In the end, the ... [study] combines views from the participants’ life with those from the researcher’s life in a collaborative narrative.”³⁰ Information is shared with the aim of bringing a desired change in good practice. Michael Cowan expresses this in the following terms,

It is not the isolated individual who does practical theology, but persons acting in their capacity as members of a community of faith. In fact, the power of practical theology is most fully actualized when it is done, not individually, but collaboratively, by members of congregation ministry teams, small Christian communities, congregations as a whole or faith-based community organization. The subject of practical theology is not “I” but “we.” The subject of practical theology is a community of faith.³¹

According to Frank DeSiano and Kenneth Boyack, God is discovered in experience.³² God gives human beings free will to cooperate with divine grace and they may choose

²⁸ Donna M. Mertens, *Research and Evaluation in Education and Psychology* (Thousand Oaks: Sage, 2009).

²⁹ John W. Creswell, *Research Design* (Thousand Oaks: Sage, 2008).

³⁰ *Ibid.*, 13.

³¹ Michael A. Cowan, “Introduction to Practical Theology,” last modified Summer 2005, <http://www.loyno.edu/~mcowan/PracticalTheology.html>.

³² Frank DeSiano, CSP and Kenneth Boyack, CSP, *Discovering My Experience of God: Awareness and Witness* (Mahwah: Paulist, 1992).

not to do so.³³ In cooperating with God, people get in touch with their personal stories and relationship with God to discover what God is telling them. In experience, people find God and discern God's will. "By our experience we mean the world as it is before our minds, the world that is without and also that is within us; a world that includes truth and beauty and values and all that we are aware of."³⁴

Many critique a praxis approach because it may lead to hyper-mutuality.³⁵ This refers to a privileged dialogue within the academic community that gives an exalted position to the principal investigator over the other participants. Such an approach may create too much room for the principal investigator to set goals and attempt to arrive at them by "imposing" interpretations on the community. Criticisms of praxis method can be sharply reduced, however, by incorporating Bevans' anthropological model, which takes human subjects seriously and emphasizes the incarnational nature of the Gospel.³⁶ Such a model of contextual theology also raises "the possibility of dialogue with a postmodern world of diversity."³⁷

Setting

This research is set among the Tiv people, a predominantly agricultural and rural people in central Nigeria. The Tiv number a little more than 5.6 million. Though found in the Nigerian states of Nassarawa, Plateau, Taraba, and Cross River, the Tiv are especially concentrated in the state of Benue, where they are the majority. In

³³ See Roger Haight, SJ, *The Experience and Language of Grace* (New York: Paulist, 1979).

³⁴ Viscount Haldane, *Human Experience: A Study of its Structure* (Westport: Greenwood, 1970), 6.

³⁵ As a transformational model of cross-disciplinary dialogue, Richard Osmer observes that, "When this conversation is between people from different cultures with very different worldviews, mutual understanding is difficult." See Richard R. Osmer, *Practical Theology: An Introduction* (Grand Rapids: Eerdmans, 2008), 167.

³⁶ Bevans, *Models of Contextual Theology*, 54-69.

³⁷ Gerald A. Arbuckle, SM, *Culture, Inculturation, and Theologians. A Postmodern Critique*. (Collegeville: Liturgical, 2010), 175.

Benue State, Tiv number about 2.5 million out of a total population of some 5.2 million.³⁸ Benue State covers 34,059 square kilometers of a fertile river valley.



Figure 1. Map of Nigeria showing Benue State

Benue State has land so rich that crops are planted without fertilizers. The land is so fertile with good produce that it is called the “Food Basket of the Nation.”³⁹ In this “Food Basket of the Nation,” sixty-five percent of the people are small subsistence farmers who live with their families in very poor conditions. Farming is performed by hand. Roads are inaccessible during the rainy season and most people travel long distances on foot. Even the use of bicycles or motorcycles is considered a

³⁸ National Population Commission of Nigeria, *Report on the Final 2006 Census Results*, last accessed July 24, 2011, <http://www.population.gov.ng>.

³⁹ All 36 Nigerian states have mottos. This is the motto of Benue State highlighting the rich agricultural land and rural nature of the state.

luxury. Produce is typically carried to markets on the head. Infrastructure is poor: the rainy season washes away the fragile, locally built bridges and damages roadbeds.

The Catholic Diocese of Makurdi occupies 24,461 square kilometers (9,448 square miles) of Benue State⁴⁰ and is divided into five deaneries. Two deaneries are urban, largely in the cities of Gboko and Makurdi, which have populations of 361,324 and 300,377 people respectively.⁴¹ The other three deaneries are rural. Together, the diocese includes fifty-nine parishes, seventeen independent missions, and fifteen chaplaincies.⁴² The Catholic population of the Diocese of Makurdi numbered 1.4 million in 2010.⁴³ According to diocesan statistics, women and girls make up 60 percent of the Catholic population of the Diocese of Makurdi.⁴⁴

Research Design

Focus groups and in-depth interview techniques offer the opportunity to privilege each person's experience and understanding.⁴⁵ Such research tools advance the dialogical approach of a praxis-based method for Catholic sexual ethics. Focus groups and interviews were conducted with Tiv-speaking Catholic women, men, and

⁴⁰ Catholic Secretariat of Nigeria, *2009 Catholic Directory and Liturgical Calendar* (Lagos: CSN, 2009), iv.

⁴¹ National Population Commission of Nigeria, *Report on the Final 2006 Census Results*.

⁴² A parish or independent mission in rural areas of the diocese has about 50 outstation churches or chapels. A chaplaincy here refers to a community that is not a parish, but is established to take care of the spiritual needs of the people in a specialized institutional environment, such as school, hospital, police, or military base.

⁴³ This is an official figure from the diocesan office.

⁴⁴ According to a 1992 survey research by Dennis A. Ityavyar, Tiv women prefer Christianity in general because it allows privileges not found in traditional religions. See Dennis A. Ityavyar, *The Changing Socio-Economic Role of Tiv Women* (Jos: Jos University Press, 1992), 58.

⁴⁵ Use of these methods will increase the accuracy of the results. "Feminists have reported that multiple, in-depth interviews build bonds and provide an opportunity to share transcripts and interpretations." See Donna M. Mertens, *Research and Evaluation in Education and Psychology* (Thousand Oaks: Sage Publications, 2009), 203.

pastoral leaders in the Catholic Diocese of Makurdi.⁴⁶ Conducting personal and group interviews in the local language allowed the research team an opportunity to more adequately read facial expressions and other emotional displays to collect visual, auditory, and other cultural cues.⁴⁷

The research followed a two-stage approach. It began with large scale workshops, and moved into focus groups and indepth personal interviews.

Workshop Stage

In the first stage, three large scale workshops consisting of approximately 300 participants each were conducted, with nine focus group style interviews conducted with attendees at different points during a day-long gathering. Attendees were asked to participate in assessing the impact of Catholic sexual teaching, and how best to apply the Church's teachings in their HIV/AIDS context. The workshops were structured into five main parts.

First, there was an explanation of the motive behind the workshop, noting ethical dilemmas in Catholic sexual ethics and HIV/AIDS. The teachings of the Catholic Church on condoms and HIV/AIDS were explained to the participants.

⁴⁶ While not all Catholics in the Diocese of Makurdi are Tiv, all those interviewed are Tiv. This is for two reasons. First, the contextual demands of the practical theological method are best served to the extent that all research can be properly contextualized in Tiv culture and tradition because it is the culture and tradition most central to that of the state of Benue, the city of Makurdi and its surrounding areas. Most importantly for this study, Tiv culture is the local cultural root of Catholicism. The second reason flows from this and is also a critical technical consideration: all interviews and data-gathering are conducted in the Tiv language. This allows for a clearer interpretation since participatory research involves only one language.

⁴⁷ Nonverbal communication is equally important as verbal communication. Humans use a range of different cues to communicate to others how they feel inside. Auditory signals allow for affective communication when the receiver of the message is attentive to what is happening around. Facial expressions of basic emotions are recognized across different cultures. There is perceiving effect in the voice and the face of a person. See Dominic W. Massaro and Peter B. Egan, "Perceiving Affect from the Voice and the Face," *Psychonomic Bulletin and Review* 3, no.2 (1996):215-221.

Second, facilitators engaged the daily sexual experiences of the women. They focused on the difficulties confronting women's sexual decision-making in light of the HIV-positive husbands who demand sex from the women.

Third, participants took a thirty minute break to engage in informal discussions among themselves regarding the topics raised. They were advised at this time to also prepare questions to ask during the next segment of the workshop.

Fourth, women responded to questions on: a) the social status of women in Tivland, b) women's involvement in sexual decision-making in Tivland, c) the problem of HIV/AIDS in Tiv society, and the dilemmas women encounter when they are forced to have sex with HIV-positive husbands without protection. As a qualitative study, the questions were open-ended, giving room to an in-depth discussion as much as possible. These research questions were asked with clarity so that all participants followed the discussions. All the participants were Tiv and spoke Tiv language.

Fifth, women were divided into groups of ten people to hold discussions and proffer possible pastoral solutions that respond to these dilemmas as faithful Catholics. The women were reminded of their role as co-researchers and not just mere human subjects.

To assure a balanced and representative distribution for the workshops, these workshops were conducted in one rural parish (St. Robert's Catholic Mission, Adamgbe), one semi-urban parish (St. Peter's Parish, Mkar), and an urban congregation (St. Augustine Chaplaincy, Katsina Ala).⁴⁸ This allowed the research to

⁴⁸ St. Augustine Chaplaincy, Katsina Ala is a campus ministry in the College of Education, Katsina Ala, which is a special teachers' training tertiary institution. The chaplaincy has a chapel and a priest on campus with about 3,000 Catholic members. Students are drawn from both the rural and urban setting. Here, one finds a combination of Western influence and Tiv traditional context.

compare more traditional rural contexts with those where women have been introduced to western education and other external influences.

Focus Groups and In-depth Interviews

After the initial stage, a second stage followed to test the insights that emerged from the workshops. This stage consisted of eight focus groups. Two focus groups consisting of married women in their twenties and thirties were held in Adamgbe, Mkar, and Kastina Ala. The focus was on young women because they are the ones within the reproductive age bracket and children are central to marriages in Tivland. There were also two focus groups held with men in their twenties, thirties, and forties in Adamgbe and Mkar. The same reproductive age factor in young women applied for this sample selection.

There were in-depth interviews with Tiv Catholic men and women in their fifties and above, depending on whoever was available. The aim was to hear from both sexes and ages so as to have a balanced view and analysis of the context. There were also in-depth interviews with pastoral leaders⁴⁹, which aimed at confirming the information from the focus group discussions and other in-depth interviews. To engage the women at the diocesan headquarters and explore their insights, in-depth interviews were also carried out with women at Holy Family Parish, Kanshio, a parish in Makurdi city.

Data Analysis

Data analysis followed a dialectical movement. Analysis of qualitative data, particularly as part of a practical theological application of praxis method, is best understood interactively. The process is “not a sequential one, but a dialectical

⁴⁹ Interviewees included the diocesan bishop, Bishop Athanasius Atule Usuh; the auxiliary bishop, Bishop William Amove Avenya; diocesan priest mediators; and key leaders of the Catholic Women’s Organization (CWO), as well as some selected lay male leaders.

interplay.”⁵⁰ As in any empirical theological research, analysis in this research follows the pattern of “inductively building from particulars to general themes, and the researcher making interpretations of the meaning of the data.”⁵¹ This research used Atlas.ti qualitative data analysis software⁵² for data analysis, particularly in searching for words and phrases.⁵³

Research Team Background and Training

The principal investigator and author of this work is a priest of the Catholic Diocese of Makurdi. The researcher was born to a Tiv family, and Tiv is his first language. Raised in Makurdi and ordained in 1997, he is trained in the practical theological method and social science research method. He holds a master’s level degree in gender studies (Benue State University, Makurdi, 2007). He was formed for the diocesan priesthood at Saint Thomas Aquinas Seminary, Makurdi and Saint Augustine’s Major Seminary, Jos.

All members of the research team are native Tiv-speaking people and members of the Catholic Diocese of Makurdi. The research team can be understood as participant observers and all bring a certain level of personal interest and commitment to the project. This level of engagement is preferable in a research design of this type, since researchers are inevitably part of an outsider-insider dynamic. This required careful attention throughout the research and analysis processes, but also brought a deeper hermeneutic level and a more effective level of interaction between members of the research team and the population under study.

⁵⁰ Johannes Van der Ven, *Practical Theology: An Empirical Approach*, trans. Barbara Schultz (Leuven: Peeters, 1998), 123.

⁵¹ Creswell, *Research Design*, 4.

⁵² It is a multimedia qualitative data software designed for analysis of all kinds including text, audio, and video. Though it is used primarily in qualitative research data analysis, it is not limited to it.

⁵³ John Swinton and Harriet Mowat, *Practical Theology and Qualitative Research* (London: SCM, 2006), 117.

Eight research assistants were employed to help the principal investigator in the research. A majority were women.⁵⁴ Two women facilitated the focus groups and three women helped with the interviews. The other members of the research team included two priests and one layman.⁵⁵ All members of the team have social science research training and capacity, including college degrees in the social sciences. All have an understanding of local Catholic life and pastoral practice as Catholics of the Diocese of Makurdi.

All members of the team, together with the principal investigator, were thus adequately prepared to undertake practical theological research as participant observers. Since practical theology uses research methods commonly used in the social sciences to generate “accurate data for theological reflections,”⁵⁶ a project such as this requires additional training to engage the social science training of the research team with the requirements of a robust practical theological method. Research assistants received approximately twenty hours of training regarding qualitative research in practical theological research.⁵⁷ Such training included the development of

⁵⁴ According to Mertens, “Feminist methodologies suggest that woman-to-woman talk is different from that found in mixed-sex setting.” See Donna M. Mertens, *Research and Evaluation in Education and Psychology* (Thousand Oaks: Sage, 2009), 203.

⁵⁵ The two women facilitators of the focus groups were middle-aged women in their forties, and the three young women transcribers were graduates in their twenties. The two women facilitators were selected to facilitate the groups because of their life experiences, while the young women were chosen due to their education and proficiency in English, since they were translating the recordings from Tiv into English. The two priests were in their late thirties and had been ordained for more than ten years. The aim was that they could easily relate with both the young and elderly priests. The layman in the team had a bachelor’s degree in sociology. He was chosen because of his experience in pastoral work as a voluntary catechist.

⁵⁶ Swinton and Mowat, *Practical Theology and Qualitative Research*, vii.

⁵⁷ Two texts served as primary resources for the training of the research team: John Swinton and Harriet Mowat, *Practical Theology and Qualitative Research* (London: SCM, 2007), and Helen Cameron et al., *Studying Local Churches: A Handbook* (London: SCM, 2005). These texts were chosen because the authors integrate a practical theological approach with the requirements of qualitative method and an adequate understanding of theological context.

sensitivity for human subject research, including stating and collecting the various affirmations regarding the assurances of confidentiality and anonymity, which was extended to all members of the study in every way possible.⁵⁸

All research assistants helped plan and led the workshops, including the initial exploratory workshops. They also assisted in facilitating and conducting focus groups and in-depth individual interviews. Female members of the research team ordinarily facilitated the focus groups with women. In addition, the principal investigator conducted some focus groups designed to duplicate the composition of some of the focus groups. In this way, the principal investigator gained a better feel for the research, including sensitivity for the differences between focus groups conducted by women to those not conducted by women.⁵⁹

Perhaps the most important role of the research team was in assuring an adequate and full computer transcription. A team of three transcribers, consisting of female members of the team who had interviewed most participants, were employed fulltime over a three month period. Following the principle that people should be

⁵⁸ Verbal commitments were used to promise and accept confidentiality rather than written agreements, due to the high level of illiteracy in the society. A digital voice recorder was used to register acceptable confidentiality and anonymity. This is consistent with IRB Consent Form 1.

⁵⁹ In this particular case, such focus groups were not only conducted by a man, but by a priest. However, other focus groups facilitated by women were composed in exactly similar ways to these focus groups, allowing for comparison of the effects of groups conducted by women and those conducted by a priest. Because the literature suggests that there may be a difference between the focus groups with these two kinds of facilitating, this research was explicitly designed to include some comparison. In any case, the principal investigator benefited by being able to directly hear what women said in these focus groups, as well as to observe their visual and auditory cues. The principal investigator is a cultural insider, acquainted with the content, and pastorally known to many. All those participating were given an opportunity to not participate or end their participation, as they chose, in keeping with best practices for interview ethics as indicated on Consent Forms 1 and 2. Whether because of this or in spite of this, the results suggest that the effect of his presence did not prevent the smooth flow of discussions.

interviewed by those of relatively similar status, priests interviewed the priests and bishops selected for study. The lay man interviewed selected Catholic laymen.

Interview Protocols

This research uses a narrative research approach to place the personal experiences of women in dialogue with Catholic sexual teaching. As such, all interview protocols emphasized open-ended questions. Such an approach is best for works such as this, which is designed to discover a range of ideas, feelings, and reactions⁶⁰ in focus groups. Following the general approach to interviewing in qualitative research, “purposeful sampling is used so that individuals are selected because they have experienced the central phenomenon.”⁶¹

The research followed standard research interview protocols. Proceedings for each meeting were documented. Headings on each transcription specified the date and place of the interview as well as the names of the interviewer and interviewee(s). Interviewers used two audio recording devices (the second was a failsafe, should the primary recording device fail, entirely or partially, to capture voices adequately). Interviewers wrote down the auditory, visual, emotional, or other cues they observed, as well as any cogent points and problems necessary for understanding the dynamics, together with any probes they may have used.

As noted in Appendix H on research interview protocols, all interviews began with an opening question designed to be relatively neutral, and focused on participants’ own experiences. Such a question was followed by progressively more specific but neutral ones on women’s rights to reproductive health and Catholic sexual ethics in Tivland, including topics relating to men and women’s sexual decision-making with regards to HIV/AIDS and the use of condoms. Throughout the interview

⁶⁰ Creswell, *Research Design*, 129-131.

⁶¹ *Ibid.*, 217.

process, interviewers worked hard to pace the questions and discussion. Their roles were as unobtrusive as possible, while encouraging the most in-depth discussions that could be obtained from the group during the limited time available. Upon completion of each interview, researchers gave an act of appreciation consistent with Tiv Catholic culture, such as rosaries. They acknowledged and thanked participants for the time they gave to the project and provided them with follow-up information.

Throughout the research, whether in conducting the interviews, writing a report about the conduct of an interview, or in analysis and discussion of the research, the team, and especially the principal investigator, was as clear and detailed as possible on specific areas of Catholic sexual dilemmas. The goal was clearly stated as neither negating Catholic teaching nor negating the experience of Tiv Catholic women. Rather, the effort was to bring these two sources of theological understanding into a practical theological encounter. The clearest instance where this was the case is when the leaders of the Catholic Women Organization or the diocesan bishop and auxiliary bishop were interviewed on the pastoral situation in the diocese. The principal investigator discussed with them the daily sexual experiences of Tiv Catholic women, talked about the Catholic pastoral teachings at hand, and possible future solutions to emerging difficulties.

Research Ethics

Throughout the research, participants were treated as equal collaborators. They were understood not as mere sources of data but rather as sources of self-reflective, interpretive understanding in their own right, privileged ground from which the wisdom of the Holy Spirit may be disclosed. These research practices and convictions, in other words, stem not only from a respect for human subjects from the standpoint of research ethics, but also from a theological ethical standpoint that

emphasizes human dignity and research merit. In this sense, ethics is “an integral part of the research planning and implementation process” to avoid “problems such as deception and invasion of privacy.”⁶² In order to assure that this project is respectful of each person’s human dignity, and to provide for the fullest rights of each human subject involved in this research, all participants received full disclosure as to the identity of the principal investigator, the purpose and use of the research, and an explanation as to how participants were chosen and how their privacy and confidentiality were to be protected by ensuring confidentiality and anonymity. All names in the transcriptions are aliases in order to protect each person’s identity. No descriptions of a participant are given, or will be given, that could compromise respondent confidentiality and anonymity in any way.

Consistent with this practical theological method, information from research participants on pastoral conflicts between Tiv Catholic women’s sexual decision-making and Catholic moral tradition is then correlated with theological resources to arrive at a transforming pastoral action.

Theological Reflections

Practical theology is itself oriented toward action research, combining both an element of moral discernment (theological reflection) and action (praxis). “[T]heology finds its fulfilment not in mere ‘right thinking’ (*ortho-doxo*), but in ‘right acting’ (*ortho-praxy*).”⁶³ Throughout the research, at appropriate steps in the analysis, theological and biblical resources are correlated with core moral theological questions grounding the study. As a work of practical theology, this study starts from *human experience*, proceeds to engage the *Christian classics* (Scripture, core theological

⁶² Mertens, *Research and Evaluation in Education and Psychology*, 33. See also Creswell, *Research Design*, 89.

⁶³ Bevans, *Models of Contextual Theology*, 72. Contextual theologians argue on the need to balance orthodoxy with orthopraxis.

texts, and the Tradition itself), and then enters into a *praxis* characterized by decisive and prophetic-reflective action.

How then does God reveal Godself to different people in different experiences while remaining basically the same with the same message? Such a question requires three levels for adequate analysis: context, truth, and divine revelation.

Context

Patton defines context as the whole situation, background, or environment relevant to a specific situation.⁶⁴ Bevans describes context as the “present human experience.”⁶⁵ Context thus represents a combination of several factors: personal/communal experience, culture, social location, and social change that give people a frame of reference in processing their understanding of reality. Thus, Bevans asserts, “Reality is not just ‘out there;’ reality is ‘mediated by meaning,’ a meaning that we give it in the context of our culture or our historical period, interpreted from our own particular horizon in our own particular thought forms.”⁶⁶

Mary Boys uses the map metaphor to contextualize what educating in faith should be. She explains that “the map metaphor suggests that the way matters are constructed herein is not necessarily the way things are. Reality is always socially constructed.”⁶⁷ While examining the literature of religious education, Boys sees “history as the crucial context for interpretation”⁶⁸ of how religious experience affects religious education. In this task, she is undergirded by two foundational questions:

⁶⁴ John Patton, “Introduction to Modern Pastoral Theology in the United States,” in *The Blackwell Readers in Pastoral and Practical Theology*, eds., James Woodward and Stephen Pattison (Oxford: Blackwell, 2005), 54.

⁶⁵ Bevans, *Models of Contextual Theology*, 4.

⁶⁶ *Ibid.*

⁶⁷ Mary C. Boys, SNJM, *Educating in Faith* (New York: Sheed and Ward, 1989), ix.

⁶⁸ *Ibid.*, 5.

“What does it mean to be religious? What does it mean to educate in faith, to educate persons to the religious dimensions of life?”⁶⁹

Boys uses the historical survey method for her study, while highlighting the importance of history in ways reminiscent of Elizabeth Johnson’s contention that “[h]istory’s dynamism is inexorable”⁷⁰ in the search for God. Every human being as a reflection of God’s image has a personal history. According to James Fowler, self-awareness leads to the divine mystery and matures people as their lives unfold towards fulfilling their vocations, which require them “to see that the life of each of us is a story in progress - a story taking form and living out a narrative structure.”⁷¹ Since God is part of people’s narratives, educating in faith does not necessarily mean imparting a new form of knowledge, but awakening people to the consciousness of the divine already present in their lives. People must be opened to tap into their experience. “Experience is essentially grist for the purifying mill of ecclesial instruction.”⁷² Thus, if people are to say anything about God, it is because of God’s initiative. First, such information then must be framed in cultural terms if it is to be intelligible to human beings. Culture provides the eyes with which people see.

Human beings cannot see supra-cultural truths apart from their culture (1 Cor. 13:12). Humans see truths in terms of perceptual categories based on the frames of reference in which they are immersed. In seeking to reveal Godself, God uses human language and culture within human terms of reference. God’s primary method may be

⁶⁹ Ibid.

⁷⁰ Elizabeth A. Johnson, CSJ, *Quest for the Living God* (New York: Continuum, 2007), 23.

⁷¹ James W. Fowler, *Becoming Adult, Becoming Christian* (San Francisco: Jossey-Bass, 2000), 110.

⁷² James D. Whitehead and Evelyn E. Whitehead, *Method in Ministry* (Lanham: Sheed and Ward, 1995), 44.

labeled interactional: God reveals Godself by interacting with receivers of revelation (human beings).

Truth

The question of truth is an important component of hermeneutics. Truth refers to that which is genuine, real, and actual. To speak of a true item is to distinguish it from a false one. Thus, Heidegger puts out the traditional definition of truth this way: “truth is the correspondence [...] of the matter to knowledge. But it can also be taken as saying: truth is the correspondence of knowledge to the matter.”⁷³ There are not two truths, but one truth. As the saying goes, “truth has no duplicate.” But when truth becomes contextual, is there any objective truth? How can people talk about a valid, universal truth of the Christian revelation? This study shares in Heidegger’s understanding that “truth is understood as a characteristic of knowledge.”⁷⁴ This leads to the nature of knowing itself. Citing Jerome Bruner’s work on ways of knowing, Boys notes that Bruner identifies “two irreducible modes of cognition, the ‘paradigmatic’ (or logico-scientific) and the ‘narrative.’”⁷⁵ While paradigmatic deals with logical and empirical ways of knowing, the narrative deals with storytelling and dramatic ways of knowing. As Boys sagely observes,

When well applied, the paradigmatic mode leads to good reasoned hypothesis. Complementing this way of knowing is the narrative mode, which, when artfully used, leads to good stories, gripping to express truth. But in the paradigmatic mode, truth is essentially a clear matter (one can subject the truth to verification by experiment); in the narrative mode, however, truth is

⁷³ Martin Heidegger, *Basic Writings: from Being and Time (1927) to The Task of Thinking (1964)*, ed. David Farrell Krell (San Francisco: Harper and Row, 1993), 120.

⁷⁴ *Ibid.*, 140.

⁷⁵ Boys, *Educating in Faith*, 155.

more multifaceted and elusive. Thus one judges truth value of the two modes differently.⁷⁶

As Bernard Lonergan puts it, “knowing understands.”⁷⁷ For Ricoeur, “[i]nterpretation is a particular case of understanding.”⁷⁸ Following Pannenberg, “individual experience can never mediate absolute, unconditional certainty.”⁷⁹ Critical realism acknowledges the objective nature of truth: it exists independent of the person. People partake in truth through shared meaning.

The above discussion holds true for the word of God. Applying this to theological truths, Pannenberg argues that:

As a rule, faith precedes theological reflection. Nevertheless, theological ascertainment of truth is not made superfluous by the certainty of faith ... No truth can be purely subjective. Subjective assurance of truth cannot in principle renounce the universality or universal validity of truths, no matter how great the tensions that might exist in this regard. *My truth* cannot be mine alone. If I cannot in principle declare it to be truth for all - though perhaps hardly anyone else sees this - then it pitilessly ceases to be truth for me also.⁸⁰

Schreier argues that truth nonetheless resides in social judgment in some way. That is, it “entails the interaction of all parties in establishing meaning. No single party can be assured of correct interpretation without help from the others.”⁸¹

⁷⁶ Ibid.

⁷⁷ Bernard Lonergan, SJ, *Insight: A Study of Human Understanding* (Toronto: University of Toronto Press, 1992), 23.

⁷⁸ Paul Ricoeur, *Interpretation Theory: Discourse and the Surplus of Meaning* (Forth Worth: Texas Christian University Press, 1976), 73.

⁷⁹ Wolfhart Pannenberg, *Systematic Theology Volume 1*, trans., Geoffrey W. Bromiley (Grand Rapids: Eerdmans, 1991), 47.

⁸⁰ Ibid., 50-51.

⁸¹ Robert J. Schreier, CPPS, *The New Catholicity* (New York: Orbis, 2004), 40.

There is a story of six blind men who go on a search to discover what an elephant is. The first blind man touches the elephant on its side and says the elephant is like a wall. The second blind man touches the elephant's tusk and says it is like a spear. The third blind man touches the elephant on its trunk and says it is like a snake. The fourth touches the leg and says it is like a tree. The fifth touches the ear and says it is like a fan. The sixth blind man touches the elephant's tail and says the elephant is like a rope. Among the six of them, is only one right in his judgment? Or are all of them right, building from particular perspectives? One could imagine what would happen when they come together to discuss the nature of the elephant. There may be bitter arguments, with everyone insisting that he is right and the others wrong. By observing and following the claims of critical realism, all have valid experience of the elephant but none possesses the full knowledge of the total reality of the elephant. Not even when their six images of the elephant are pulled together can anyone claim to capture the full reality of the elephant. Thus, "truth is an act of judgment. The locus of distinction between the true and the false is the act of judgment."⁸² Coherence and correspondence are key concepts that guide people in the quest for truth. The quest for truth is achieved through dialogue, an interaction of perspectives. "Hermeneutics begins where dialogue ends."⁸³

The fact that different ways of acquiring knowledge exist does not mean that any should be undermined. In what Boys calls "dilating our sense of the world," she acknowledges the need to be sensitive to different forms of knowing. "Each provides a way of ordering experience, constructing reality, filtering perceptions, and organizing the memory."⁸⁴ This shows that the process of knowing is complex and

⁸² Pannenberg, *Systematic Theology*, 52.

⁸³ Ricoeur, *Interpretation Theory: Discourse and the Surplus of Meaning*, 32.

⁸⁴ Boys, *Educating in Faith*, 155.

there is no one way of doing it. This helps define the field of hermeneutics, opening it up to the various processes of acquiring knowledge and arriving at the truth of divine revelation. Thus, truth is not cultural. Rather the process of knowing is cultural. As Paul Tillich puts it, the “integrating power of faith in a concrete situation is dependent on the subjective and objective factors. The subjective factor is the degree to which a person is opened for the power of faith, and how strong and passionate is his ultimate concern. Such openness is what religion calls grace. It is given and cannot be produced intentionally.”⁸⁵

Divine Revelation

According to *Dei Verbum*, God’s revelation reached its climax in Jesus Christ, who “completes the work of salvation which His Father gave Him to do (see John 5:36; John 17:4).”⁸⁶ The Second Vatican Council further teaches that “the Christian dispensation, therefore, as the new and definitive covenant, will never pass away and we now await no further new public revelation before the glorious manifestation of our Lord Jesus Christ (see 1 Tim. 6:14 and Tit. 2:13).”⁸⁷ The Council concludes that “God, the beginning and end of all things, can be known with certainty from created reality by the light of human reason (see Rom. 1:20).”⁸⁸

According to Elizabeth Johnson, people everywhere have at all times responded to God’s presence in various ways that together comprise their authentic quest for the living God. God is found in peoples’ experiences. That is why James and Evelyn Whitehead see all revelation as religious experience, and all religious experience as interpreted experience. “No single interpretation can thus be considered

⁸⁵ Paul Tillich, *Dynamics of Faith* (New York: Harper, 1957), 126.

⁸⁶ Vatican II Council, *Dei Verbum*, Sec. 4.

⁸⁷ Ibid.

⁸⁸ Ibid., sec. 6.

final...”⁸⁹ Understood from this perspective, Marie Noonan Sabin suggests that, if “the Bible is viewed as sacred interpretation of God’s word rather than as a perfect transcription, the task of theology changes. It changes because the Bible so understood becomes a model of theological discourse that is *dialogical*, and that perception shifts the focus from isolated meanings to meanings *in relationship*.”⁹⁰

Boys shows that throughout the history of the church, different methods of evangelization have been used among different kinds of people. Each generation of Christians since the birth of the church has tried to advance the faith in ways that are as understandable and persuasive as possible within their cultural milieu. The Council of Jerusalem (about 50 CE, in Acts 15) battled with the inculturation of faith. According to Andrew F. Walls, early Christianity was aware that salvation is a historical process that finds completion in Christ. Walls uses the Ephesians’ metaphors of the temple (Eph 2:19-22) and of the body (Eph 4:15-16) to show each culture-specific segment as necessary to the body, but incomplete in itself. Completion is found only in Christ. This completion comes from all humanity, beginning with the translation of the life of Jesus into the world’s cultures and subcultures throughout history. No one can reach Christ’s completeness on his or her own. All depend on each other’s vision to correct, enlarge, and focus his or her vision because only together are people complete in Christ.⁹¹ Thus, Boys suggests that people “need a theory of knowing that will complement ... [their] emphasis on autonomy, rationality, abstraction, and skill with attention to mutuality, emotion,

⁸⁹ Marie Noonan Sabin, *Reopening the WORD* (New York: Oxford University Press, 2002), 16.

⁹⁰ *Ibid.*, 15.

⁹¹ Andrew F. Walls, *The Cross-Cultural Process in Christian History* (New York: Orbis, 2002), 72-81.

particularity, and awe. This is the epistemology fundamental to any ‘religious’ education.”⁹²

In Paul’s ministry, he took his audience where he found them. A new audience required a new approach. At Pisidian Antioch, Paul could dialogue with the Jews regarding the scriptures of Israel as their common terms of reference. In his engagement with the Athenians, no such background existed and the apostle’s starting point was the “altar to the unknown god” and their general reference for the sacred (Acts 17:16). He went to argue that their God cannot be confined in human-made edifices, since God is creator of all that exists. His arguments took on the flavor of natural theology in the context of Athenian philosophy, where the theme of searching for the truth was a cardinal principle.⁹³ In more recent times, the *arggionamento* of the Second Vatican Council set out to re-examine this approach because of the firm awareness that the church on earth is by its very nature missionary. This re-examination is necessitated by the fact that the modern world has entered a new stage in its corporate life with new challenges.

The church as a missionary evolves evangelization strategies to meet new challenges. For any knowledge to be relevant it must start from the known and move to the unknown, from what is immediate in people’s experience (the natural) to the supernatural. Thus, Evelyn and James Whitehead conclude: “Revelation - God’s self disclosure which surprises us, overturns our certitudes and transcends our best imaginings - is *registered* in our experience.”⁹⁴ Avery Cardinal Dulles, in his work on models of revelation, discusses the model of revelation as a new awareness. Under this

⁹² Boys, *Educating in Faith*, 156.

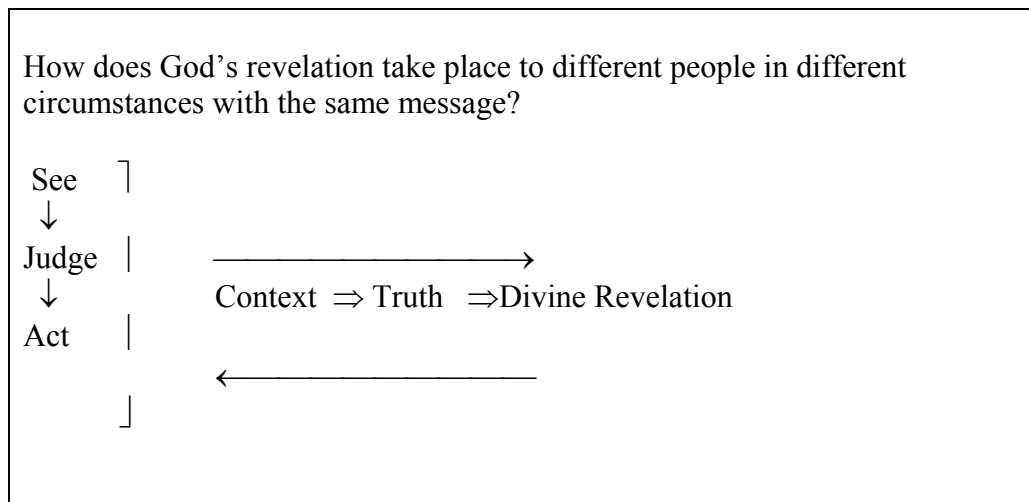
⁹³ Julius D. L. Nyasi, “The Christian Faith and African Cultures,” *Jos Studies*, 1990, 13.

⁹⁴ James D. Whitehead and Evelyn E. Whitehead, *Method in Ministry*, 45.

model, Dulles sees God not as the direct object of experience but, rather, mysteriously present as the transcendent dimension of human engagement in the creative task.⁹⁵

The church today needs effective interpretations of the Christian classics that take into account African cultural experiences. This is narrative hermeneutics, the act of making people’s stories count at a practical daily level, including ethics. Such an approach can also lead to the examination of core theological issues grounding the daily lives of African women. This is inculturation and dialogical theology, a theological strand or method that makes the gospel at home in the culture. Ricoeur, developing Gadamer’s concept of “fusion of horizon,”⁹⁶ links this with “disclosure and appropriation.”⁹⁷ By appropriation, Ricoeur means rendering the text contemporaneous to be relevant to the time and situation at hand. For the purposes of this work, it means rendering Catholic sexual ethics relevant to the sexual experiences of Tiv women in regards to HIV/AIDS.

The following diagram shows a conceptual Praxis model as used in this work.



⁹⁵Avery Dulles, SJ, *Models of Revelation* (New York: Orbis, 1999), 28.

⁹⁶Gadamer, *Truth and Method*, 378.

⁹⁷Ricoeur, *Interpretation Theory: Discourse and the Surplus of Meaning*, 93.

On the left side of the table is the “See, Judge, and Act” movement with arrows showing how each stage leads to the next. One sees the context, judges to sift the truth, and then acts on God’s revealed truth within that experience (context).

The arrows on the right side have context, truth, and divine revelation. These show that discerning the truth of divine revelation is not just a one-way movement, but goes back and forth. While the truth of God’s revelation is never changed by context, the understanding of the revelation is shaped by context. God reveals Godself in interaction with human beings who receive God’s revelation. Though this communication (revelation) occurs in a particular place (context), the nature of God (truth) remains the same.

Conclusion

This chapter described the method used in this research. The study design used both primary and secondary research methods. The primary research methods involved workshops, six focus groups and personal interviews with Tiv Catholic married women in the Catholic Diocese of Makurdi, Benue State, central Nigeria. It also consisted of two focus groups with Tiv Catholic married men, and interviews with randomly selected men and pastoral leaders in the Catholic Diocese of Makurdi. The primary research was conducted following the best practices of research as stipulated by the IRB of St. Thomas University, Miami.⁹⁸ The secondary research consisted of critical reading of related works on Catholic sexual ethics and the HIV/AIDS pandemic. The next chapter explores the social context of this research.

⁹⁸ IRB permission for the research was obtained. Two consent forms were formulated in both Tiv and English for focus groups and interviews. Also, interview protocols with research questions were clearly spelled out and followed in both Tiv and English.

Chapter Three: Social Context

Introduction

Patriarchal practices leave women without a say regarding their sexual life and reproductive issues. “Corresponding with this is the prevalence of early marriage and childbearing and harmful traditional practices, which compromises women's reproductive health and rights and exposes them to HIV/AIDS”¹ in Africa. “For millions of [African] women they are now also fighting not only for their reproductive rights and choices but also for their life. Their inability to negotiate safe sex, their vulnerability to sexual exploitation and coercion adds another dimension to the problem.”² On the other hand, African women are converting to Christianity at higher rates than men. Women and children are, thus, the greatest assets for Christianity in Africa, constituting about two thirds of the faithful.³ The Christian religion is a symbol of political and social liberation for the African woman. Christianity frees them from taboos that often constitute forms of enslavement.⁴ This chapter examines the background of the Tiv people and those cultural practices that prohibit women from partaking in sexual decision-making. It further outlines the need for a practical theological dialogue with ethics and HIV/AIDS in relation to women's sexual decision-making in Tivland.

¹ Belkis Wolde Giorgis, “HIV/AIDS Gender and Reproductive Health,” Presentation at the African Development Forum, November 20, 2008, <http://www.uneca.org/adfvi/presentations>.

² Ibid.

³ Dennis A. Ityavyar, *The Changing Socio-Economic Role of Tiv Women* (Jos: Jos University Press, 1992), 57-58.

⁴ See Daniel Ude Asue, “The Impact of Faith-Based Organization on the Socio-Economic Status of Women: A Study of Catholic Women Organization in Tivland” (master's thesis, Benue State University, Makurdi, Nigeria, 2007), 6.

The Tiv of Nigeria

Every group of people have their own culture. Culture itself is the way a group of people does things in a particular place. Clifford Geertz notes that humans are unfinished animals who finish themselves through cultures.⁵ Culture is a way people see things and, thus, a system of symbols.⁶ There are several meanings of culture today. The semiotic definition of Jens Loenhoff is particularly helpful,

First of all, culture is ideational - it provides systems or frameworks of meaning which serve both to interpret the world and to provide guidance for living in the world. Culture in this dimension embodies beliefs, values, attitudes, and rules for behavior. Second, culture is performance - rituals that bind a culture's members together to provide them with a participatory way of embodying and enacting their histories and values. Performance also encompasses embodied behaviors. Third, culture is material - the artifacts and symbolizations that become source for identity: language, food, clothing, music and the organization of space.⁷

Culture encompasses both the material and non-material elements of the societal organization of a given cultural group. The material sphere includes such factors as the production and consumption of food and clothing. The non-material includes governmental organization, taboos and ethical codes, myths, ceremonies, customs and other aspects of personal and communal behavior. Browning extends the conversation to theological ethics, holding that humans are shaped by background beliefs provided by tradition and the narratives that carry them. In other words,

⁵ Clifford Geertz, *The Interpretation of Cultures* (New York: Basic, 2000), 49.

⁶ *Ibid.*, 89.

⁷ Jens Loenhoff, *Interkulturelle Verständigung. Zum Problem grenzüberschreitender Kommunikation* (Oplade: Leske und Budrich, 1992), 144, cited in Robert Schreier, CSSp, *The New Catholicity: Theology between the Global and the Local* (New York: Orbis, 2004), 29.

culture influences a mindset determining the eyes with which people see things.

“...we follow the logic of conventionality. We reason thusly: because everyone has done it this way, I should do it this way.”⁸

This section of the work examines cross-gender relations in Tiv culture. This section deals with the cultural background of men and women in Tiv society and contends that cultural views on sexual decision-making are shaped by the social and economic organization of the society.

Background and Origin

The term Tiv refers to “the people, their language as well as their progeny.”⁹ The Tiv people live on both sides of River Benue, in the heart of Nigeria. Extending on both sides of the River Benue in Central Nigeria, Tivland covers an area of about 30,000 square kilometers. Tivland is a large geographical and historical entity that bears the history of Tiv people.¹⁰ According to Torkula, “The Tiv are a dominant group in central Nigeria. Though they are found in large numbers in Nassarawa, Plateau, Taraba, and Cross River¹¹ States, they are mainly in Benue State where they are in the majority.”¹² The Tiv are one of the fast growing ethnic groups in Nigeria,¹³ a reality that makes reproductive issues especially central in their lives.

⁸ Don S. Browning, *A Fundamental Practical Theology* (Minneapolis: Fortress, 1996), 184.

⁹ Pius T. Ajiki, “The Tiv Christian Family and the Moral Formation of the Child” (master’s thesis, Catholic Institute of West Africa, Port Harcourt, 1989), 4.

¹⁰ Baver Dzeremo, *Colonialism and the Transformation of Authority in Central Tivland: 1912 - 1960* (Makurdi: Aboki, 2002), 1.

¹¹ Alfred Akawe Torkula, “A Survey of the Marriage and Burial Institutions Amongst the Tiv of Central Nigeria” (Ph.D. diss., St. Clement’s University, 2006), section 1.6. <http://www.stclements.edu/grad/gradtork.pdf>. The author is the paramount ruler and custodian of the culture of the Tiv people. Torkula contends that the Tivs are also found in Cross River State, though this is highly debatable.

¹² Ibid.

¹³ Edward T. Atel, CSSp, *Dynamics of Tiv Religion and Culture* (Lagos: Free Enterprise, 2004), 5. See also Shagbaor F. Wegh, *Between Continuity and Change: Tiv Concept of Tradition and Modernity* (Enugu: Snaap, 2003), 6. In 1939, the Tiv

The Tiv people trace their descent from the same progenitor, Tiv. “Tiv is said to have been the son of Takuruku, who is thought to have been the first man.”¹⁴

Tracing the Tiv common ancestor to a man while at the exclusion of women from the tribe’s genealogy, in itself shows the depth of patriarchy in Tiv society. One of the most common stories about the origin of the Tiv people is that an implacable enemy called the Ugenyi drove the people from their home beyond the water, somewhere in East Africa. In a headlong flight from the enemy who pursued them, they came to a very big river they could not cross. It was at this time that a friendly green snake called *ikyarem* helped in providing a bridge for the Tiv to cross safely. The Tiv name for this snake (*ikyarem*) means ‘friend.’ It is a taboo to kill *ikyarem*. The name, *ikyarem*, is derived from the word, *ikyar*, which can also mean an agreement or covenant. This snake has occupied such a special memory in Tiv history that its sight recalls the original incident, which is looked at as a sort of covenant. Moti and Wegh recount the Tiv’s first encounter with the snake this way:

As has been suggested, economic or population growth may have caused the movement of Bantu speaking peoples such as the Tiv ..., although [the] Tiv account suggests that at some point they were being pursued by enemies. The Tiv say that it was at the river Congo that they had a miraculous escape when they arrived at the river, with their pursuers close on their heels, they were at a loss as to what to do. Then a small green snake the Tiv know as *ikyarem* transformed itself into a wooden bridge, and the Tiv crossed over to the other side. By the time their enemies arrived, the snake had moved away, and the

people were estimated to be 530,000. Today, they number over five million and are the fifth largest ethnic group in Nigeria.

¹⁴Dominic V. Yuhe, “The Encounter of Tiv Religious and Moral Values with Catholicism in the Time of Secularization” (Ph.D. diss., Pontifical St. Thomas University, Rome, 1978), 1.

enemies could not cross. The Tiv show a lot of reverence for *ikyarem*. They do not kill it. When a Tiv comes across a dead one he throws some sand over its body giving it a symbolic burial.¹⁵

The Tiv people's perception of the green snake can and is often correlated with God's liberation of the people of Israel at the crossing of the Red Sea (Exodus 14).

Migration is a feature of Tiv history. No one is completely sure about how, when, or where exactly they came to be in their present homeland. Godwin Hembe suggests that language similarity links Tiv people with the Bantu tribe of the Congo region in central Africa.¹⁶ The language similarity is so striking that no one is left in any reasonable doubt that the Tiv are Bantu who speak a semi-Bantu language.

However, Alfred Torkula asserts that,

Even though, the Tiv/Bantu connection has been popularized (see Gbor 1974 and 1979) and more recent linguistic studies (see Greenberg, 1972 and Blench 1993) have "confirmed the Bantu affinity of the Tiv it has been argued that the "confirmation" (and popularization) is inadequate to [trace the founding of the] ...origins (see Gundu 1999) [of Tiv people]. For according to Gramly (1979) and Andah (1983) the use of linguistics evidence to ...[trace] origins can only stand if the methodological complications of subsuming people and culture under language are classified and there is proof that the three (people, culture and languages) have traveled on the same path of history. In the absence of a clear meeting point between Tiv language, its speakers and their culture, it is thus difficult to support their origin in the context of over 400

¹⁵ James S. Moti and Shagbaor F. Wegh, *An Encounter Between Tiv Religion and Christianity* (Enugu: Snaap, 2001), 13.

¹⁶ Godwin N. Hembe, *J. S. Tarkaa: The Dilemma of Ethnic Minority Politics in Nigeria* (Makurdi: Aboki, 2005), 35.

individual Bantu languages whose origin is still hotly contested in Bantu Studies.¹⁷

In the Tiv worldview, the earliest point of origin acknowledged in traditions is in a place called Swem. Every Tiv person grows up with the knowledge of Swem, which is often symbolized by a very big *akombo* (cosmo-supernatural force).¹⁸ Akiga, a pioneering writer on Tiv history, says Swem refers to a hill,¹⁹ or hills, on which the Tiv lived.²⁰ Though the exact location of Swem is a matter of debate, there is some agreement regarding Swem as the place of settlement prior to the migration to present Tivland. Accounts point to the southeast of the present-day Republic of Cameroon. Wegh and Moti, following Dorward, argue that Swem is a mythical place comparable to the biblical Garden of Eden.²¹ Such an assertion is unacceptable to the Tiv people, although the failure to locate the exact hills referred to as Swem continue to generate speculation and controversy. Akiga is said to have visited the area and identified Swem with a hill located in southern part of Tivland (Ikyurav district), known as Iyon in south-eastern Tivland.²² On the other hand, Tesemchi Makar considers Swem to be mountains located about thirty-six kilometers southwest of the compound of a once popular local chief, the late Yaro Gusa of Nyievmbashaya in Tivland. Yaro's compound is located on a mountain a mile away from the Cameroon border.²³ John Gbor concludes that Swem is a collection of hills with a very fertile agricultural land

¹⁷ Torkula, "A Survey of the Marriage and Burial Institutions Amongst the Tiv," section 6.6.

¹⁸ *Akombo* are mystical forces created by *Aondo* (God) to regulate the cosmos, and protect it from malfunction.

¹⁹ Benjamin Akiga, *Akiga's Story: The Tiv Tribe As Seen By One of its Members*, trans. Rupert East (New York: Oxford University Press, 1965), 238.

²⁰ Moti and Wegh, *An Encounter Between Tiv Religion and Christianity*, 13.

²¹ *Ibid.*

²² Akiga, *Akiga's Story: The Tiv Tribe As Seen By One of its Members*, 238.

²³ Tesemchi Makar, *The History of Political Change Among the Tiv in the 19th and 20th Centuries* (Enugu: Fourth Dimension, 1994), 4.

in the Wum area of the Mamfe Division in the Cameroon Republic. This fertile land stretches into Tivland in the Ikyurav area of the present Kwande Local Government Area of Benue State, Nigeria.²⁴

Tiv people's agriculture and family patterns influence the culture's attitudes towards women (and consequently men) in the community. As an agrarian community, the Tiv need land and labor. It accounts for their constant migration and tendency towards polygamy. The Tiv are constantly in search of fertile land to carry out farming activities. They need labor, and polygamy offers a means of producing more labor within each farm compound. A woman is valued as such only in terms of what she is able to do for the householder.

Family structures in Tiv society are very important. The family consists of the children, parents, grandparents, uncles, aunts, brothers and sisters, who may have their own children and other immediate relatives. All these live in one big compound known as *ya*. The eldest male is usually the father of the family and has the role of presiding over matters that pertain to members of that family. "In this set up only the men are allowed to participate at policy formulation — women have no place or say in any matter; they are expected to accept and carry out what the men have decided."²⁵

A man comes before a woman in the Tiv traditional set up. Akiga asserts that there "is nothing on earth that the Tiv esteems so highly as a woman, but he does not treat her as though she were his most valued possession."²⁶ Scrutinizing Akiga's

²⁴ John Gbor, *Mdugh U Tiv man Mnyer ve ken Benue* (Zaria: Northern Nigerian Press, 1981), 16.

²⁵ Gabriel Gberikon, "Social Position of Tiv Women and Issues of Sex and Gender," Masters seminar presentation in theology, Catholic Institute of West Africa, Port Harcourt, 2003.

²⁶ Akiga, *Akiga's Story: The Tiv Tribe as Seen by One of its Members*, 13.

claim, Gowon Doki sees “some measure of cynicism.”²⁷ If Tiv society esteems women, he says, “why not accord them their maximum value?” This “explains why men without wives in the pre-colonial Tiv and to some extent today are treated with some level of contempt and dishonor.”²⁸

The coming of Christianity into Tivland, particularly Catholicism, introduced extensive changes in cultural practices.²⁹ The Catholic Church has been in Tivland for over ninety years. Contrary to Makar’s claim that the Catholic Church arrived through the Augustinian Order,³⁰ it was the Society of African Missions (SMA) who brought the faith in the early 1900s. Their work was consolidated by the Holy Ghost Congregation in the 1920s. The SMA did not record many conversions as its only main mission was at Udei.³¹ Members of the Holy Ghost Congregation actually evangelized Tivland, particularly what is today known as the Catholic Diocese of Makurdi.³²

Social Status of Women

Assessing the status of women in Tiv society means that one must understand the dynamics of cross-gender relations in the socio-cultural and economic contexts of Tiv society. It is important because until these contexts are properly examined, understanding the types of social relations that emerged in determining the status of women may be difficult to assess. Baver Dzeremo underscores it in his examination

²⁷ Gowon A. Doki, “Images of Womanhood in Tiv Society, A Critical Appraisal,” *Review of Gender Studies in Nigeria* 2 (2003): 6.

²⁸ Ibid., 7.

²⁹ See Yuhe, “The Encounter of Tiv Religious and Moral Values with Catholicism.” See also James S. Moti and Shagbaor F. Wegh, *An Encounter Between Tiv Religion and Christianity* (Enugu: Snaap, 2001).

³⁰ Makar, *The History of Political Change Among the Tiv in the 19th and 20th Centuries*, 186.

³¹ Catholic Secretariat of Nigeria, *Catholic Directory and Liturgical Calendar* (Lagos: n.p., 2007), 5.

³² Francis S. Wegh, ed., *Catholic Diocese of Makurdi at 50: A Celebration of Service to Humanity* (Makurdi: Selfers Academic, 2010), 29.

of the transformation of authority over the economy of central Tivland from 1912 to 1935:

The economic base of any society and its mode of production, in the final analysis, determines the political and juridical super-structures, the forms of social consciousness, ideological relations, the social structure of society, the family and everyday life. It is thus pertinent, in trying to understand other relationships that make up the totality of pre-colonial Central Tivland, to have a general grasp of the main economic production activities as a background against which other relationships can be understood.³³

The Tiv's agrarian nature has serious consequences on gender, labor, and productivity. The primary unit of social and economic reproduction is the household, which Okpeh Okpeh Jr., following Catherine Coguerovitch, describes as "an autonomous centre of production and consumption covering a wide range of activities,"³⁴ structured around the polygamous nature of African life. A man can marry as many wives as he wishes, thus providing labor for his farm.

The position of women in pre-colonial Tiv society was basically complementary, rather than subordinate to men. Social rank was based on seniority more than gender. As a gerontocratic society, "Maleness did not necessarily determine status within the family. Seniority mattered to a greater extent than at

³³ Dzeremo, *Colonialism and the Transformation of Authority in Central Tivland*, 11.

³⁴ Okpeh O. Okpeh, "Perspectives on Cross-Gender Relations in a Traditional Society: A Study of the Idoma of Central Nigeria," Paper presented at the International Conference on Politics, Society and Rights in Traditional Societies, organized by the Institute of Benin Studies in collaboration with the Carnegie Council on Ethics and International Affairs, held at the University of Benin, Benin City, Nigeria, May 16 - 17, 2002.

present.”³⁵ While pre-colonial Tivland had a gendered division of labor, the nature and implication of such division of labor is often misinterpreted. Though male dominance was built into the social system of the Tiv ethnic group, women played a significant role in all aspects of the lives of the community. According to Ityavyar, colonialism altered these existing patterns of community life with the introduction of capitalism, which pitched itself against the prevailing communalism.³⁶ Wegh concludes that colonialism altered family relations in Tivland by eliminating the exchange system of marriage and introducing bride-price and new forms of exchange.³⁷ “The society was forced to lump its women together with other items that one could acquire with money.”³⁸ With the introduction of bride-price in 1927, men began to view women as acquired property.³⁹

In pre-colonial Tiv society, women were central to the dynamics of economic life, in that they were both the producers and reproducers of labor. They also dominated the distributive sector of the economy.⁴⁰ While patriarchy was fundamental in the overall organization of society, women shared in important aspects of the daily operations of society. Within the household, men cleared farmlands for cultivation and planted crops like yams, soya beans, beniseed, and cassava, but women did the weeding and planting alongside the men. Women labored in farming, fishing, herding, and commerce (producing and selling pottery, cloth-making, and craft work) along

³⁵ Mojibol Olfnk Okome, “Domestic, Regional, and International Protection of Nigerian Women Against Discrimination: Constraints and Possibilities,” *African Studies Quarterly* 6, no.3 (Fall, 2002): 39.

<http://www.africa.ufl.edu/asq/v6/v6i3a3.htm>.

³⁶ Ityavyar, *The Changing Socio-Economic Role of Tiv Women*, 57.

³⁷ Francis S. Wegh, *Marriage, Family and the Church in Tiv* (Makurdi: Dekon, 1994), 1-11.

³⁸ Shagbaor F. Wegh, *Between Continuity and Change: Tiv Concept of Tradition and Modernity* (Enugu: Snaap, 2003), 138.

³⁹ *Ibid.*, 83.

⁴⁰ *Ibid.*, 136.

with men. In fact, women traditionally had the right to profit from their work, although the money usually served as a contribution to the family income.

The colonization of Africa by European powers, including Britain, France, Italy, Germany, Belgium, and Portugal, brought Africa into the world economic system as a major target for exploitation. Africa not only provided Europeans with a source of raw materials, Africa also provided European colonizers with what they viewed as raw, uncivilized people — if Europeans considered Africans people at all — on whom they could impose their views and exploit in the same way they exploited the land.⁴¹ For example, with the incorporation of Nigeria into the international economy as a supplier of raw materials, new patriarchal conceptions on the appropriate social role for women were dictated by colonial administrators and missionaries, changing the position of women in the economic system, and therefore, their social endeavors.⁴² According to Mba, some women were able to become more involved in trade. However, men took over many areas of the economy previously reserved for women. The imposition of a cash economy and the introduction of new European firms eroded women's status.⁴³ Men began to dominate the cultivation of cash crops for the international market and confined women to growing domestic food crops, which received lower returns. It encouraged the separation of the economic roles of men and women that had previously complemented each other. Importing cheap manufactured goods from Europe led to the decline of the craft industry, except for a limited number of goods, which in some regions affected the significant

⁴¹ See Walter Rodney, *How Europe Underdeveloped Africa* (Baltimore: Black Classic, 2011). See also Franz Fanon, *The Wretched of the Earth*, trans. Richard Philcox (New York: Grove, 2005).

⁴² This analysis of the colonial period benefits from discussions with Dr. Okpeh O. Okpeh, Department of History, Benue State University, Makurdi, Nigeria.

⁴³ Nina Emma Mba, *Nigerian Women Mobilized: Women's Political Activity in Southern Nigeria, 1900 - 1950*, Institute of International Studies, 48 (Berkeley: University of California, 1982), 1-37.

proportion of women engaged in such manufacture. The creation of the colonial economy, thus, marginalized the position of the majority of women. “In the new situation where money was the common denominator of all economic transactions, the husband was lifted a step higher than the wife. Before now, the wife was considered generally as the caretaker of the means of subsistence, and drew a lot of respect from such a position.”⁴⁴

Colonial administrators and Christian missionaries introduced the assumptions of European patriarchy into Nigerian society. Their ideas on the appropriate social role for women differed greatly from the traditional role of women in indigenous Nigerian societies.⁴⁵ The ideas of the colonizers resembled their Victorian principle: women belonged in the home, engaged in child rearing — an exclusively female responsibility — and other domestic chores.⁴⁶ The colonizers expected African societies to consider women subordinate to men because Europeans considered women subordinate to men. They thought that if a woman obtained financial independence, she might not respect her husband and his family. In pre-colonial indigenous Nigerian societies, however, a woman’s role included providing for her family by means of financial support. Thus, her traditional responsibility required her financial independence. Furthermore, many members of the extended family helped to rear the children, not only the mother.⁴⁷

The restrictions that colonial governments placed on women changed their position. In Nigeria, the colonial government created laws that restricted women,

⁴⁴ Wagh, *Between Continuity and Change: Tiv Concept of Tradition and Modernity*, 138.

⁴⁵ Okome, “Domestic, Regional, and International Protection of Nigerian Women,” 38.

⁴⁶ Mba, *Nigerian Women Mobilized: Women’s Political Activity in Southern Nigeria, 1900 - 1950*.

⁴⁷ Ibid.

indirectly preventing them from performing their duties towards their families. Forced labor law and taxation law deprived women of men's help in the growing subsistence agricultural economy. There were other changes in the organization of production and distribution of goods and services. Between 1910 and 1930, men were conscripted into forced labor for both private and public works in and outside Tivland, thereby making women take on work and roles previously reserved for men, without ceasing to perform their traditional work and roles, creating considerable overwork and stress. "By 1922, when [the] actual construction [of the Eastern Nigerian Railway] was at [its] height, over four thousand Tiv [men] were being employed in a wide range of jobs from earthwork to track-laying and bridge-building."⁴⁸ The imposition of taxation and the monetization of households between 1916 and 1920 required tax payment in farm crops and livestock, requiring the reconstitution of the household production unit. Payment of the tax fell heavily on women in the absence of their men. The extent of these changes inspired many Nigerian women to hold a series of protests against particular colonial policies and against colonialism itself. Between 1928 and 1930, Igbo women in Aba town of eastern Nigeria, rose in mass protest against the oppressive rule of the colonial government (popularly known as the Aba Women's Riot of 1929). In Yorubaland, the Abeokuta women demonstrated in 1947 and overthrew the Alake (traditional chief) temporarily. Their success inspired the Ijebu women, who also fought the Akarigbo (traditional chief) on the question of flat rate tax.⁴⁹ These struggles marked a remarkable step in the self-assertion of women in

⁴⁸ Wegh, *Between Continuity and Change: Tiv Concept of Tradition and Modernity*, 135.

⁴⁹ P.E.B Uku, "Women and Political Parties," in *Nigerian Women and the Challenges of Our Time*, eds. Dhizea Dora Obi and Juliet Njoku (Lagos: Malthouse, 1991), 27.

Nigeria. Though “taxation humiliated and undermined the Tiv worldview,”⁵⁰ the reason that Tiv women, like their counterparts in other places, did not rise up in protest was because they were not organized. The point of contact among women was the *ishoor* (village dancing) which was not regular.

Colonialism disrupted the traditional system of production in indigenous Nigerian societies. It reinforced the existing systems of social inequality and introduced new oppressive forms of social stratification throughout the country. Okome concludes as follows:

Under colonial rule, women lost a great deal of authority and the opportunity to participate in decision making due to their exclusion from all levels of administration. They also lost maneuverability because the male-dominated elements of society were stressed above all others and applied in social, economic and political life. Education, although generally considered to emancipate women from traditional oppression, did not always have this result, as colonial education emphasized preparing women for domestic rather than leadership roles within society. There is also evidence that in pre-colonial Nigerian society, many women (of economic and political prominence) gained positions either through achievement or as rewards. Under colonial rule, the opportunity for such upward mobility was considerably diminished.⁵¹

According to Ityavyar, the experiences of Tiv women were no different from their counterparts elsewhere in Nigeria. The “changes meant the onset of oppression as both male and female Tiv people became slaves of capital.”⁵² People started viewing

⁵⁰ Wegh, *Between Continuity and Change: Tiv Concept of Tradition and Modernity*, 134.

⁵¹ Okome, “Domestic, Regional, and International Protection of Nigerian Women,” 42.

⁵² Ityavyar, *The Changing Socio-Economic Role of Tiv Women*, 43.

things largely in terms of profit and gain. Food crops gave way to cash crops. Women lost control over the household economy and no longer owned the farms collectively with their husbands. Colonial education, which would have provided an avenue for women to regain their former higher status and more prominent social economic roles, was not available to many Tiv people. With the abolition of exchange marriage and the introduction of bride price, early girl-child marriages were encouraged. Colonialism completely destroyed the independent voice the Tiv women enjoyed prior to colonialism. Today, the situation is improving among educated women, but much more work remains to be done to raise women's status to what it was before colonialism. This has drastically affected family life in varying degrees.

Family and Patriarchy

People are socialized within families in Tiv society. Women are socialized to view men as superior to women. Within the family, the man is head of the house, and the woman is subordinate to the man. This section of the work deals with marriage, and how the husband and wife relate within a family in traditional Tiv society.

Marriage and Sexuality

According to Gangwari, Nigerian civil law recognises three forms of marriage: statutory, marriage under native law and custom, and religious marriage (under Christian and Muslim rites). A statutory marriage is a monogamous marriage contracted under the Marriage Act 1914 and the Matrimonial Causes Decree 1970.⁵³ Marriage under native law and custom is directly derived from the traditions and practices of a particular tribe. "Unlike Statutory and Christian marriages, customary law marriage is polygamous."⁵⁴

⁵³ John U. Gangwari, *Civil Marriage in Nigeria* (Jos: Anet Productions, 1997), 1.

⁵⁴ *Ibid.*, 38.

According to Lewllyn, marriage transfers the legal rights regarding a woman from her family to her husband. The husband gains rights to the wife's labor, sexuality, and offspring.⁵⁵ Furthermore, in case anyone harms her, the husband receives compensation for the harm done to her. The payment of bride price confers these rights. Marriage, thus, modifies the relationship between the bride and her family. The wife moves out of her parents' home and joins the husband's household. A relationship on the level of an alliance, agreement, or contract is created between the man and the woman's families.⁵⁶ The Tiv society sees marriage not only as a relationship between two people but also as a structural link between groups. This helps explain the complexity involved in making marital decisions, as experienced by the woman discussed in the opening story in Chapter 1.

In pre-colonial society, marriage in Tivland was geared toward the procreation of children. The community was concerned "with its own continued existence, and any theory of marriage held by the community must be evolved with a view to the children rather than to the wife."⁵⁷ Thus, in traditional Tiv society, marriage was by exchange of daughters between two families. Here, the girl's consent was not sought. Wegh cites East and his British friends' observation that "it was intolerable that a woman should be forced to marry a man for whom she felt no affection, and inhuman that a man would be content to accept almost any wife as an exchange, so long as she was capable of bearing children and had good character."⁵⁸ Within the exchange system, there was the "theory of inter-group justice." It means that, "when a man made an exchange with someone, and his *ingyôr* (sister) bore more children to her

⁵⁵ Hendrix Lewllyn, "Marriage," in *Encyclopedia of Cultural Anthropology Vol. 3*, eds. David Levinson and Melvin Ember (New York: MacMillan, 1996), 734.

⁵⁶ Ibid.

⁵⁷ Akiga, *Akiga's Story: The Tiv Tribes as Seen by One of its Members*.

⁵⁸ Wegh, *Between Continuity and Change: Tiv Concept of Tradition and Modernity*, 76.

husband than the other man's *ingyôr* bore to him, the first took one of the daughters of his *ingyôr* to use in getting another wife."⁵⁹ Thus, in marriage, the woman was clearly subordinated to the man and her freedom is mortgaged. The subordination continues. Due to the asset and commodity value of the Tiv woman, a woman is completely handed over to the man at marriage. She is to do the will of her husband. She is bound not to resist intercourse with him as in the opening story in Chapter 1. If she refuses, the husband beats her. This idea is further developed in the later part of this chapter, and also in Chapter 4. The wife is culturally considered the property of the husband, and the husband's brother can inherit her at her husband's death.⁶⁰ Thus, "the woman in Tiv land is a mere asset that can be used to attract other assets."⁶¹ Apart from marrying to have children for the continuity of the family and lineage, a Tiv man marries "to have a sturdy wife that could ensure that the farm work ... [and other domestic chores are] done."⁶²

Sexual immorality is a great crime in Tivland. However, "[a]dultery has come to stay amongst the Tiv people as an exclusive crime of the woman. When a married woman is caught with a married man, the weight of the offence rests entirely on the shoulders of the woman."⁶³ In traditional Tiv society, mothers compelled their teenage girls at puberty to wear *akoo* (snail shells) around their necks, as a sign of virginity. There was nothing like that for the boys. A girl who was found to have had premarital sex brought great shame to her mother, who was ridiculed for the rest of her life for failing to bring her daughter up properly. Nothing happened to a father whose son had premarital sex. Rather, the son was deemed a 'man.'

⁵⁹ Ibid.

⁶⁰ Gberikon, "Social Position of Tiv Women and Issues of Sex and Gender."

⁶¹ Doki, "Images of Womanhood in Tiv Society: A Critical Appraisal," 7.

⁶² Charity Angya, "Early Marriage in Tivland and its Social Consequences," *Review of Gender Studies in Nigeria* 2 (2003): 174.

⁶³ Doki, "Images of Womanhood in Tiv Society: A Critical Appraisal," 8.

Sexual crime is one of the abominations that requires purification when committed or the entire community will suffer from its effects. Both voluntary and involuntary social crimes, like murder, theft, and adultery are abominations, and require the purification rites of the *Akombo* to safeguard society from the dangers this abomination may bring. Such crimes “not only endangers the culprit and his family but is thought to subvert the social order...and open the way for *Akombo* to intervene in its affairs. Once committed it must be propitiated by a sacrifice of an animal to avert the evil consequences that ...[may follow] the group.”⁶⁴ There are stern prohibitions against fornication, incest, and same-gender sex. There are various sanctions and punishments attached to all these. For example, in cases of incest, the offenders are set ablaze in a fresh grass thatched hut so that they will run out in different directions to symbolically disown their heritage of descending from the same ancestry. It is traditionally believed that, if the ritual “is not done, the woman bears the brunt. If she subsequently gets married all her children will either die during birth or [may] live for ...[less than a] year. Here again the man escapes unharmed.”⁶⁵ Why must it be the woman alone that goes through these harsh punitive measures? The punishments for these crimes could be so severe that, at times, “people are threatened with *ku* (death) if they persist in carrying out anti-community activities, and disrespecting the elders.”⁶⁶ Impenitent people are cursed by their parents. Kinsmen also curse the person.

However, a curse is never put on a person for a single offense. The idea is that, having been reprimanded, one should be given a chance to grow out of the situation. Thus, the Tiv stress forgiveness and reconciliation as vehicles of growth. One of the

⁶⁴ Yuhe, “The Encounter of Tiv Religion and Moral Value with Catholicism,” 86.

⁶⁵ Doki, *Images of Womanhood in Tiv Society: A Critical Appraisal*,” 8-9.

⁶⁶ Wegh, *Between Continuity and Change: Tiv Concept of Tradition and Modernity*, 72.

greatest punishments one may incur for violating the law is ostracization. Ostracization means excommunication from both the living members of the community and ancestors. It is also believed that certain diseases or accidents, like droughts, floods, or devastating earthquakes are punishments from God upon the community as a result of increased moral offenses. “A woman may have difficulty in becoming pregnant because she suffers from *swende* [fatal illness] ... Another disability a woman may have is *ahina* (twins), associated with twin-birth. *Ahina* causes a bad cough, and prevents future pregnancy.”⁶⁷ Though times have changed, women are still blamed for any reproductive mishap. In many cases, men turn to polygamy to have children from other wives and correct what they think is a reproductive mishap on the part of the woman.

Polygamy

Polygamy is a general term referring to the union of multiple marriage partners. It is called polygyny when a single husband has several wives, and it is known as polyandry when a single wife has several husbands. “Polyandry is rare in Africa.”⁶⁸ Polygyny is a form of “marriage between one man and several women at a time,”⁶⁹ and is much more common in Africa. At times, it is a forced marriage. Families intimidate girls into polygamous relationships for the sake of material benefits, which is not surprising in cultures where male ownership of land has also led to patriarchal dominance in most parts of Africa. At the same time, women enter into polygamous marriages to survive, since land is the source of their livelihood.

⁶⁷ Ibid., 69. This is no longer the case. Men could be afflicted with “an ailment known as *iwa* (literally, dog) which causes a lot of waist pain, and leads to impotence. While men could incur these diseases, from the personal experience of the researcher as a Tiv man who has lived all his life in Tiv land, it is not always the case.

⁶⁸ Gangwari, *Civil Marriage in Nigeria*, 38.

⁶⁹ Benezet Bujo, “Polygamy in Africa: A Pastoral Approach,” *Theology Digest* 32 (1985): 230.

There are two forms of polygamy: simultaneous and successive. Polygamy is “simultaneous when the man lives with or visits the wives in rotation [who reside in different locations] and supports them with their children; or successive when the man marries other wives without specifically divorcing [but only separates with] the previous wife or wives.”⁷⁰ Polygamy is a legal form of marriage under Nigerian native law and custom. Polygamy is practiced not only in Nigeria or Tivland, but throughout Africa.

Magesa gives four reasons why an African man marries many women: lineage continuity, security purposes, socio-economic dimensions, and befitting burial.⁷¹ For an African, befitting burial is a funeral that is glamorous; so many people attend it, it is more of a celebration. Thus, “African polygamous marriage relationship is never to be understood in isolation of the other aspects of the African culture,”⁷² namely, community life.

Lineage Continuity. Explanations flow from the fact that among Africans, procreation is regarded as the main function of marriage. “Marriages are ratified not so much by sexual intercourse as by the result of it, that is by pregnancy or the bearing of a child.”⁷³ Most African societies are patrilineal and put a premium on male children. The pattern of land property inheritance through the male child makes having a male child a great source of anxiety. Anyone who does not have a male child in the family has not established a family. Girls belong ultimately to someone else’s family. The onus is on the male child to continue with the family name. An African,

⁷⁰ Gangwari, *Civil Marriage in Nigeria*, 39.

⁷¹ Laurenti Magesa, *African Religion: The Moral Traditions of Abundant Life* (Nairobi: Pauline, 1998), 128-133.

⁷² Atel, *Dynamics of Tiv Religion & Culture*, 124.

⁷³ Moses O. Adasu, *Understanding African Traditional Religion* (Dorset: Dorset, 1985), 19.

therefore, wastes no time marrying a second wife, if the first wife fails to give birth to a male child at the expected time.⁷⁴

Security Purposes. Besides being a sign of lineage continuity, children also guarantee social security, and bestow prestige and prosperity on their parents. Since there is typically no organized social security system, children are responsible for taking care of their parents in old age. Explaining the wider social dimensions of this, Megesa says,

Since one's power and influence in the clan and lineage and in society in general depends to some significant degree on the size of one's family and how well one manages it, a man will be drawn into acquiring many wives because of the potential to have a greater number of children. This structure of marriage also provides more protection for widows, because it makes sure that women remain within the lineage after the death of their husbands and that they are materially provided for.⁷⁵

Socio-Economic Dimensions. Traditional African society is mainly agricultural and rural. Agricultural production in these areas is by manual labor with a complete dependence on physical strength and simple tools. For a family to raise its economic fortunes, it must have a large work force. Related to this is hospitality,

Generous hospitality, though, is only possible in part because one has the material means to afford it. ... the many working hands of the polygamist make this more likely than the few hands of the monogamist. And generosity and hospitality are not only admired as moral qualities, they are taken as clear qualities of leadership.⁷⁶

⁷⁴ Wegh, *Marriage, Family and the Church in Tiv*, 37.

⁷⁵ Megesa, *African Religion: The Moral Traditions of Abundant Life*, 128-12.

⁷⁶ *Ibid.*, 129.

Befitting Burial. According to Magesa, marriage is for the “stabilization of the vital force [life] by legitimization of children,”⁷⁷ which is geared toward solidarity with both the living and the living dead (ancestors). Children bury their parents. In traditional African societies, burial rites are critical because they are regarded as ‘rites of passage’ by which the dead are installed as ancestors.⁷⁸ Ancestors have a very important place in African traditional societies, which are commonly organized on the segmentary lineage system.

The church objects to the above four reasons for polygamy saying that: (a) it is only God who continues a family lineage and not the number of wives, (b) children do not always guarantee one’s security, (c) women are treated as objects rather than humans, and (d) an emphasis on the befitting burial heightens materialism.⁷⁹

Catholic teaching leaves an African polygamist with two choices: to stay in the marriage and receive baptism of desire,⁸⁰ or to choose one of his wives and wed her in church as stipulated by the Catholic teaching in the Code of Canon Law.⁸¹ The implication of this canon is that the polygamist should send away the other wives, or at most consider living with them as his fellow blood sisters. This practice is called Pauline Privilege. This teaching is derived from the Apostle Paul’s teaching in

⁷⁷ Ibid., 122

⁷⁸ Emefie Ikenga-Metuh, *Comparative Studies in African Traditional Religion* (Onitsha: IMICO, 1987), 137.

⁷⁹ Father John Umar Gangwari, JCD, in his lectures on the course, “Marriage/Parish Administration,” at St. Augustine’s Major Seminary, Jos, Nigeria, 1996. Gangwari has a doctorate in Canon Law and is a professor of Canon Law at the Catholic Institute of West Africa, Port Harcourt, Nigeria. He once served as a Judicial Vicar and chairman of the Interdiocesan Marriage Tribunal, Jos in Nigeria. The code does not recognize multiple marriage as valid.

⁸⁰ Where there is an implicit or explicit faith and desire for baptism by water, but such a person is prevented by extraordinary circumstances from receiving the baptism, the extrinsic means cannot overshadow his/her faith which is a fundamental requirement for church membership. See Raymond Taouk, “Baptism and the Baptism of Desire,” accessed November 26, 2010,

<http://www.catholicapologetics.info/modernproblems/currenterrors/bapdesire.htm>.

⁸¹ CIC, c. 1148 §1.

1 Corinthians 7: 10-15, whereby one partner has the prerogative of leaving a marriage after conversion to Christianity if he or she so desires. It is specifically allowed in the Catholic diocese of Makurdi, and other Nigerian dioceses, when one of the partners desires to be married in the church. In Catholic teaching, Pauline privilege is different from divorce. However, African polygamists find it difficult to distinguish this practice from divorce. In addition, it fosters injustice and misery to the women and their families. Polygamy is patriarchal in orientation, and this solution appears patriarchal as well. In selecting and marrying one of the wives in church, a man jeopardizes the marital status of the other women. Since marriage in Africa is not just a matter of the couple, but also the entire family and community, such an act destroys the mutual relationship of the affected families (of both the bride and groom). This could be a form of domestic violence.

Domestic Abuse

Domestic abuse is a synonym for domestic violence. “Domestic violence, spouse abuse, battering ... family violence, and wife abuse are all terms used by different researchers and theorists to refer to violence between intimate partners.”⁸²

Domestic violence happens “when a family member, partner, or ex-partner attempts to physically or psychologically dominate another. Domestic violence often refers to violence between spouses, or spouse abuse but can also include co-habitants and non-married intimate partners.”⁸³ Women are the principal victims of domestic violence, and the definition of domestic violence has expanded within current research to

⁸² John Peters, “The Domestic Violence Myth Acceptance Scale: Development and Psychometric Testing of a New Instrument” (Ph.D. diss., The University of Maine, Orono, 2003), 14.

⁸³ Naraginti Amareswar Reddy “Impact of Education on Domestic Violence and Development of Women through Education,” Sri Venkateswara University, Tirupati, India (2008), accessed July 13, 2011, <http://www.articlesbase.com/college-and-university-articles/522777.html>.

include any form of violence against women within a family, whether they are unmarried daughters, widows, or divorcees.⁸⁴

Violence against women has been described in Article 1 of the United Nations Declaration on the elimination of violence against women as “any act of gender-based violence that results in, or is likely to result in physical, sexual or psychological harm or suffering to women including threats of such acts, coercion or arbitrary deprivation of liberty whether occurring in public or private life.”⁸⁵ The elimination of violence against women was one of the key issues addressed at the 1995 Fourth World Conference on Women in Beijing.⁸⁶ Violence against women is probably the most direct manifestation of gender oppression. According to Adeyemi et al:

Violence against women (VAW) occurs in all countries, in every culture, and in all strata of society, although it may be [more] common in lower socioeconomic groups. Population-based studies in many countries have reported 10% to 69% of women as having been abused at one time or the other in their lives (Ellsberg et al. 1999; Heise et al. 1999; Martin et al. 1999). Prevalence rates of 21% to 50% have been reported in Africa (Butchart and Brown 1991; Odujinrin 1993; Van der Straten et al. 1995). Violent tendencies in men are rooted in many complex factors including

⁸⁴ This research is aware that both men and women suffer domestic violence but it contends that women much more are often the victims in Africa. Reducing the victims of domestic violence to women alone is to fit in the gender stereotype that men are “aggressive, stronger, and more prone to uncontrollable outbursts than the female.” See M. E. Rodgers, *Understanding Family Law* (Portland: Cavendish, 2004), 131.

⁸⁵ United Nations, “Declaration on the Elimination of Violence against Women,” December 20, 1993, <http://www.un.org/documents/ga/res/48/a48r104.htm>.

⁸⁶ United Nations, “The Beijing Declaration and the Platform for Action, Fourth World Conference on Women, Beijing, China,” UNDoc.DPI/1766/Wom (New York: United Nations, 1996), 112-113.

biological, social, cultural, economic, and religious ones (Ilika and Ilika 2005; Oyediran and Isiugo-Abanibe 2005).⁸⁷

Domestic violence is a global phenomenon that cuts across all boundaries of class, caste, religion, race, and education. Peters cites Johnson and defines domestic violence as domestic terrorism, which provides a context for understanding the diverse acts that make up domestic violence.⁸⁸ There are many forms of domestic violence against women, including spouse beatings, marital rape, and female genital mutilation. Reddy notes that “[d]omestic violence is controlling behavior and includes all kinds of physical, sexual and emotional abuse within all kinds of intimate relationships. The perpetrators of domestic violence or abuse are usually men and the victims or survivors are usually women and children that they know.”⁸⁹ The following are classifications of domestic violence in Nigeria:

Physical Abuse. This involves battering⁹⁰ and is common in Nigeria. Until recently, Nigerian cultures, for instance, considered wife beating as a form of correction from the husband.⁹¹ This form of physical abuse is the most visible form of abuse and should (with sexual abuse) give rise to criminal charges but is often ignored.

⁸⁷ A. B. Adeyemi et al, “Preparedness for Management and Prevention of Violence Against Women by Nigerian Health Professionals,” *Journal of Family Violence* 23, no. 8 (2008): 719.

⁸⁸ Michael P. Johnson, “Patriarchal Terrorism and Common Couple Violence: Two Forms of Violence Against Women,” *Journal of Marriage and the Family* 57, no.2 (1995): 283-294

⁸⁹ Reddy, “Impact of Education on Domestic Violence and Development of Women.”

⁹⁰ Naraginti Amareswar Reddy, “Forms of Domestic Violence and Development of Women through Education,” Sri Venkateswara University, Tirupati, India (2008), accessed July 13, 2010, <http://www.articlesbase.com/college-and-university-articles/522777.html>.

⁹¹ Okpeh O. Okpeh, “Society and Violence Against Women: An Analysis of A Neglected Critical Aspect of the Women Question in Nigeria,” *Review of Gender Studies*, 2002, 20-29.

Sexual Abuse. It includes rape, sexual assaults, enforced prostitution, enforced sexual practices, including being forced to watch or engage in pornography or use of sexual stimulating pills. There is often direct physical pain involved in sexual abuse. This is common among young people who have Western influences.

Psychological Abuse. This includes restraining a person's freedom, such as preventing a woman's contact with friends and families, constantly belittling and humiliating a woman to produce low self esteem, and threatening to remove the children from her if she discloses any of the abuse or controlling behaviors. The abuser deliberately enforces dependency and at times claims the victim is mentally unstable. This is an attack on the woman's personality and well-being, and can be worse than physical violence. It can take on the form of "mind-games." It frequently amounts to the abuser assuming a tight and unhealthy control of the wife and children, which may cause them to become increasingly isolated in the community.⁹²

Financial Abuse. This is the husband's control of the woman's money or benefits. The man may refuse to pay bills or prevent the woman from having any say in family finances. The man may spend all of the family's money without consideration for the woman and children. "The [woman] ... may be forced to support the children solely on what she can earn without assistance or child benefit ... An abuser may deliberately spend money on himself or sell the woman's possessions and ...[even household] furniture."⁹³

⁹² Reddy, "Forms of Domestic Violence and Development of Women."

⁹³ Ibid.

Mama “Illustrate[s] both the severity of the situation and the range of forms that woman abuse takes”⁹⁴ in many African countries, not just Nigeria. She recounts the following stories:

- Piah Njoki was blinded in 1983 when her Kenyan husband, aided by two other men gouged out both her eyes for bearing him daughters and not sons. In court, Mrs. Njoki implored the judge not to send her husband to prison, since she would then be left alone to fend for herself and her daughters in her state of blindness.
- On July 13, 1991, a group of male students attacked the girls’ dormitories at St. Kizito Secondary School in Kenya, raping seventy-one and killing nineteen.
- In 1987, twelve year old Hauwa Abubakar from Nigeria died after having both legs amputated. Her husband had attacked her with an axe after she had repeatedly run away from him.
- In 1983, several thousand women were detained by Zimbabwean authorities, and many of them subjected to beating and other forms of abuse during “Oppression Clean Up.”⁹⁵

Though Mama recounts these stories, she does not report corresponding legal actions against the men involved, which is the typical silence that follows women’s oppression. The above four classified cases relate the social context of domestic violence against women to cultural, ideological, and economic factors that make women vulnerable to accepting life-threatening situations. This research considers the issue of spousal rape and argues against the social conditions that give ‘official’

⁹⁴Amina Mama, “Shores and Villains: Conceptualizing Colonial and Contemporary Violence Against Women in Africa,” in *Post Colonial Discourses, An Anthology*, ed. Gregory Castle (Oxford: Blackwell, 2001), 252.

⁹⁵ *Ibid.*, 252-25.

recognition to structures that violate women and treat them as non-persons. For instance, the extended family system in Nigeria includes not just the father, mother, and children, but also uncles, aunts, nieces, and nephews. In this arrangement, women are marginalized in property-sharing after the death of the husband. Since property ownership belongs to the dead man (and by extension to the male relations of his extended family), there are instances where they violently dispossess the widow and children of whatever property the deceased husband left behind. The effects on women and children are both physical and emotional. The effect of this is incalculable and yet the law ignores it.

Official policies support a socialization process that encourages violence against women. In 1915, the British colonial government attempted to restrict ‘free women’ (single women) in the northern Nigerian city of Katsina, proposing that those within the city walls be given seven days to marry, and those defined as prostitutes be driven away. Nothing was done to single men.⁹⁶ When the Buhari/Idiagbon regime launched its War Against Indiscipline in 1984, it was geared towards recovery from the economic and political crisis that was traced to moral decadence and laxity. To ‘restore the Nigerian image,’ beggars, homeless people, and street hawkers were to be cleared off the streets. With the aid of the media, this program carried negative images of women and blamed women for widespread immorality and corruption. In 1986, the Kano State military government banished single women and gave them an ultimatum of three months to get married or “be dealt with.” A year later, an underground Muslim brotherhood, *Yan Daukar Amariya* took advantage of Kano’s pronouncement to start raping and violently abusing women. “The proposed purpose of this fraternity

⁹⁶ Mama, “Shores and Villains,” 257.

was to molest and violate any women found on the streets alone, on the basis that those women had no right to be there.”⁹⁷

The roots of domestic violence are difficult to trace, but it is a simple fact that domestic violence is condoned within marriage.⁹⁸ In Nigeria, as elsewhere, the influence of a patriarchal society with roots in the idea of the ‘wife as chattel’ contributes to this. According to Rodgers,

Wives and children were for a long time deemed to be chattels of the husband - his property and [to] do with them as he wished. If that included beating, no one would complain... by the common law, the husband was allowed to beat his wife as long as he did it with a stick no bigger than his thumb (*per* Lord Denning in *Davi v Johnson* [1979] AC 264, at p 270).⁹⁹

In fact, further quoting from Lord Denning’s documents, Rodger says beating a wife was considered as “moderate correction.”¹⁰⁰ Since the Nigerian legal system was derived from British common law, this understanding was transferred into the Nigerian legal system.

The bride-price system, under which the groom pays the wife’s father some economic resource (whether in cash or kind) before the marriage, is an underpinning factor in domestic abuses. It reduces women to the status of property in their husbands’ eyes and prevents women from leaving abusive marriages. They are completely subordinated to their husbands.¹⁰¹ Under current customary laws in

⁹⁷ Ibid., 262 and 257.

⁹⁸ Domestic violence as part of family life in tivland came up strongly in the fieldwork for this study.

⁹⁹ Rodgers, *Understanding Family Law*, 130.

¹⁰⁰ Ibid.

¹⁰¹ Clifford O. Odimegwu, “Couple formation and Domestic Violence among the Tiv of Benue State, Nigeria,” Paper presented at the International Colloquium of Gender, Population and Development in Africa, organized by UAPS, INED, ENSEA, IFORD, Abidjan, Ivory Coast, July 16-21, 2001.

Nigeria, there can be no divorce without repaying bride price. When a woman's parents refuse to do so, or cannot, abused women remain trapped in these marriages and are subject to all their marital obligations even when the man turns abusive.

In Nigeria, domestic violence was not considered to be a crime until the 1980's and, in any case, popular notions of domestic violence have not really changed.¹⁰² Children learn what it means to be an adult by what they see at home, far more than what they learn elsewhere. Adults who grew up in a home where spousal abuse happened may think it is normal, thereby perpetuating a culture of 'cyclic violence.' Recent studies by Edleson confirm that,

One of the most direct consequences of witnessing violence may be the attitudes a child develops concerning the use of violence and conflict resolution. Jaffe, Wilson and Wolfe (1986) suggest that children's exposure to adult domestic violence may generate attitudes justifying their own use of violence. Spaccarelli, Coatsworth and Bowden's (1995) findings support this association by showing that adolescent boys incarcerated for violent crimes who had been exposed to family violence believed more than others that 'acting aggressively enhances one's reputation or self-image.'...Believing that aggression would enhance their self-image significantly predicted violent offending.¹⁰³

The Nigerian situation suggests that in cases of domestic violence, underlying variables interact in complex ways and are dependent on their environment. In the Tiv society of central Nigeria, where social hierarchy is strictly enforced, violence has

¹⁰² Okpeh, "Society and Violence Against Women."

¹⁰³ Jeffrey L. Edleson, "Children's Witnessing of Adult Domestic Violence," *Journal of Interpersonal Violence* 14, no.8 (1999): 839-870. This is especially true because domestic violence is seen as a family secret, so children assume they just do not witness this same behavior in "outsiders" homes just as those "outsiders" do not know it is happening in their own homes.

been tolerated as a means of establishing authority over women and children.¹⁰⁴

Historically intra- personal relations were guided by a complex system of rules based on ancient ancestral wisdom and a common sense approach to matters of justice. This sense of justice and equity made the customary rules very fluid, although they were exercised within a very rigid belief system.

African gender scholars contend that colonialism opened and increased the vulnerability of women to gender violence. It is mostly traced to the arrival of the new religions of Christianity and Islam, and the educational systems established by the colonialists. Mama, while citing other scholars asserts:

Fanon (1980) notes the link between conquest of land and peoples and the violation of women, a link which has subsequently been identified as characterizing colonial literature of the Rider Haggard genre (Scott 1989).

According to both, the colonized woman becomes associated in the mind of the European with fantasies of rape and despoliation.¹⁰⁵

Colonial administrators and Christian missionaries introduced the assumption of European patriarchy into Nigerian society. Their ideas were the Victorian principles of the patriarchal European assumption of women as second class citizens.

Commenting on the evidence of systematic violence against women in Europe, Mama observes the following,

With reference to witch-hunts and inquisitions of the Middle Ages, it is now common knowledge that over a four hundred year period (from fourteen to seventeenth centuries), several million women were systematically dismembered, disfigured, and tortured before being drowned or burned alive

¹⁰⁴ Odimegwu, "Couple Formation and Domestic Violence Among the Tiv of Benue State, Nigeria."

¹⁰⁵ Mama, "Shores and Villains," 256.

(Chesler 1972, Mies 1986). Mies also cites the example of a lawyer in Leipzig, Germany, who personally sentenced 20,000 women to death in the course of his highly successful career.¹⁰⁶

This trend continued to the time of industrial revolution where women and children were exploited and violated in ways that would subsequently be perfected on African slaves and colonies. Thus, the colonialist encouraged prostitution of women to serve the workforce in the emerging towns, a situation that made it permissive for the rise of rape, which also increased men's harassment and intimidation of women.¹⁰⁷ Today, women have surrendered to this abuse as a necessary way of life. According to Oyediran and Isiugo-Abanihe's 2003 survey on the perception of domestic violence among Nigerian women, it was discovered that most of the women accept domestic violence now as a normal part of married life. In fact, it is commonly said that a husband who beats a wife is only expressing his love for the wife.¹⁰⁸ Oyediran and Isiugo-Abanihe further cite the Nigeria Demographic and Health Survey of 2003 to demonstrate that Nigerian cultures condone wife beating and have socialized women to accept it as a normal way of life.¹⁰⁹

Sexual Violence

A closer look at Tiv tradition shows that sexual violence is directed against women. The following aspects of Tiv tradition support this assertion, and trace sources of sexual exploitation of women in Tiv society.

¹⁰⁶ Ibid., 254.

¹⁰⁷ Ibid.

¹⁰⁸ Kolawole Azeez Oyediran and Uche C. Isiugo-Abanihe, "Perceptions of Nigerian Women on Domestic Violence: Evidence from 2003 Nigeria Demographic and Health Survey," *African Journal of Reproductive Health* 9, no. 2 (2005): 38-53.

¹⁰⁹ National Population Commission (NPC) and ORC Macro, *Nigeria Demographic and Health Survey 2003* (Abuja: Calverton, 2004).

Ikyoor. Young girls are made to go through the ordeals of the *ikyoor* initiation rites. *Ikyoor* is the Tiv word for snail. In traditional society, a girl at puberty underwent the “*ikyoor*” (snail) ritual so that snail shells were tied around her neck as a consecration of her virginity. The snail shell around a young girl’s neck was a warning sign that her womanhood was still intact inside a shell and not yet fully out. So, the “*ikyoor*” ritual was to,

Forestall rape and ensure chastity. In the event of rape (or fornication) the “aggressor” was required to propitiate the *ikyoor akombo*¹¹⁰ without which he ran the risk on the one hand of persistent ill luck while the woman (victim) on the other hand could have problems ranging from irregular menstrual cycles to inability to conceive.¹¹¹

Repercussions followed a man who violated a virgin and did not atone for this offense. Prior to marriage, women were given the opportunity to confess if they had ever been sexually violated so that the records could be set straight for the “culprit” to propitiate the *ikyoor akombo* and cleanse her before the marriage ceremony.

The practice of holding women entirely responsible for violations of sexual purity codes is found in all studied Nigerian cultures. In the Akwa Ibom society of southern Nigeria, housewives are made to wear a charm believed to have magical powers to kill a man who has intercourse with married women. The women are at times threatened with *Ekpo-nka-owo*, a traditional magic believed to kill unfaithful wives at childbirth.¹¹² Nothing is in place to check the men. The rest is implied. The Yorubas of western Nigeria afflict women with the *magun* charm, which can lead to

¹¹⁰ *Akombo* are mystical forces created by *Aondo* (God) to regulate the cosmos and to protect it from malfunction.

¹¹¹ Torkula, “A Survey of the Marriage and Burial Institutions Amongst the Tiv,” section 6.6.2.

¹¹² Women in Nigeria (WIN), “Nature and Frequency of Spouse Abuse in our Community,” in *Women and Violence*, (Samaru, Nigeria: WIN, 1993).

their death. When a husband suspects his wife of having an extra-marital relationship, he is at liberty to place the *magun* on the floor so she can walk across it. The Idoma people of central Nigeria believe that if a woman commits adultery and refuses to confess to her husband, *Alekwu*¹¹³ causes the death of her children and husband, and she will also die. Adultery is a wrong that is detested by every society and religion and should not be tolerated. But why is the *Alekwu* harsh only to women but lenient to men? In the few instances that the *Alekwu* punishes the man for committing the same crime, there is a vast difference in the consequences, since it “may be with a slap.”¹¹⁴ Still in the same direction, in all Nigerian cultures where female circumcision is practiced, it is usually done to check promiscuity among women. But when men are circumcised, it is to enhance their sexual pleasure. This is quite a patriarchal practice!

Ikyar. The word, *ikyar* is friendship or companionship in Tiv. According to Nicholas Tarbo, it is a practice “by which a man has a temporary union with a woman of a kinship unit within which marriage is not allowed or better, it is a temporary union between a man and a woman of an exogamic kinship unit.”¹¹⁵ The Tiv people of Masev, Iharev, and Nongov clans situated in the northern geographical part of Tivland “did not insist on the virginity of their women at the time of marriage.”¹¹⁶ They practiced *ikyar* (companionship). Young boys and girls engaged in *ikyar nyoron*

¹¹³ *Alekwu* is the ancestral spirit of the Idoma people. Derived from ancestral worship, *Alekwu* is regarded as the highest deity in Idoma land. The spirit which is venerated, a Living Dead, is an accuser, judge and executioner of its own cause. It binds all Idoma from harming each other with charms, regulates family norms, and crushes offenders. Its worship is predominately in the rural areas.

¹¹⁴ This information was collaborated by Sandra Agada, an Idoma woman from Otukpa, in Ogbadibo local government area of Benue State, Nigeria. See more explanations on this in the Nigerian weekly magazine, Anthony Akaeze, “My Mission is to Erase Ignorance,” *Newswatch*, March 21, 2010.

¹¹⁵ Nicholas N. Tarbo, “Marriage Among The Tiv” (Ph.D. diss., Pontifical Urban University, Rome, 1980), 35..

¹¹⁶ Wegh, *Between Continuity and Change: Tiv Concept of Tradition and Modernity*, 119.

(becoming companions). Usually, a woman attached herself to a man within her endogamous kingship circle in a semi-marriage arrangement that gave them access to sexual intercourse until she finally got married outside her endogamous kingship group. It was a relationship “between cousins in the classificatory sense, and according to Tiv exogamic principle, it could not usually graduate into marriage.”¹¹⁷ Under this arrangement, the woman’s partner prior to full marriage was called her *ikyar* and took responsibility for her upkeep and well being until she got into her matrimonial home. On getting pregnant in her marital home, she returned with her husband to her parents’ home to be cleansed of the *akombo* she must have breached in her father’s house while with her *ikyar*. This cleansing ritual propitiated the woman’s safe delivery. Torkula captures the cleansing ceremony this way,

This ritual called *iee* (cleansing) involved a ceremony at which both her *ikyar* and the “current” husband competed after which a he-goat was killed on the *ilyum* altar. This altar is normally erected at the border between two groups for good governance (*tar soron*) and is represented by a stone... The *ilyum* was normally consulted and propitiated in time of stress, poor harvest and when there was a general desire for more children. It was only after this cleansing that the woman finally went to settle in her “true” husband’s place.¹¹⁸

Many girls today do not accept the practice. The practice was meant to use them purely to gratify men sexually. The practice is fast dying out. “The practice is not approved by elders but often tolerated. Today the husband may regard the *ikyar* of his wife as a person who ...[dishonors] his wife.”¹¹⁹ In the olden days, the practice did not have many challenges as have appeared today. Children from this marriage are

¹¹⁷ Ibid., 120.

¹¹⁸ Torkula, “A Survey of the Marriage and Burial Institutions Amongst the Tiv,” section 6.6.2.

¹¹⁹ Gbenda, “Culture-Assisted Reproduction in Nigeria.”

ostracized. Recently, a man who is a product of this union was denied the opportunity of standing for election because he had the name of his mother's father as his surname.¹²⁰

Igbiankwase. While “[i]kyar is common among the Iharev/Masav subcultures of Tiv society, in other parts of Tivland, it is called [i]ngbian kwase.”¹²¹ The term, *ingbian-kwase* is the Tiv word for a sister relation. *Ingbian-kwase* is a variation of the *ikyar* system. There was a certain level when men and women would have sexual relations but would not allow such relationships to end in marriage. These were people within an endogamic circle who shared some levels of consanguinity up to the third degree. From the fourth generation, they could have a sexual relationship but not be married. A man in this relationship is said to have *igbian-kwase* (sisterly relationship). This relationship was allowed at the level of the primary endogamic circle not just on the side of the man but also on that of the woman. “While the woman married into an expanding family, the man by implication also expanded his family and the incest circle within which sexual relations were prohibited.”¹²² The aim of the *igbian-kwase* was to preserve order, decency, and decorum in the society. It was mostly allowed for divorcees. One sees some gender bias in this understanding.

Chastity and fidelity were highly cherished values in Tiv society and that is why, as mentioned earlier, there were clear incest taboos that set the boundaries

¹²⁰ Tiv society is patrilineal and everything is done according to the father's descent. Political offices are shared according to lineages, and no one crosses over to benefit from the share of another lineage. Married women share in the lineage of their husbands and so can be given political offices under such platform. It is not permissible for a child to share in the same lineage with the mother, since a child is not considered as the direct blood relation of the mother's lineage.

¹²¹ Gbenda, “Culture-Assisted Reproduction in Nigeria.”

¹²² Torkula, “A Survey of the Marriage and Burial Institutions Amongst the Tiv,” section 6.6.1.

regarding which sexual relationships were allowed or sanctioned. There are various sanctions and punishments attached to sexual offences.

Kwase u Sha Uika. In the days of the slave trade, women taken into slavery were sold into marriages by their captors. A woman in this marriage was called *kwase u sha uika*. The phrase, *kwase u sha uika* designates a woman married under bondage. According to Torkula,

This was a system of marriage through which the individual could purchase or buy women already sold into slavery as house wives. It was not a very popular mode of marriage, since only a few wealthy people could afford the cost. It was also a marriage relationship strictly between the Tiv and other neighboring groups.¹²³

Since these were women caught in tribal wars, they lived under very vulnerable conditions. As Simon Kofi explains, this is evident in the origination of the *Mbalom* kindred in the *Masev* clan. According to Kofi, Ayande had a *kwase u sha uika* whom he kept on the farm away from other members of the household. One of his sons sneaked out and had sexual intercourse with her and she conceived. When Ayande noticed signs of pregnancy and questioned the slave wife under pains of death, she revealed her rapist. When she explained how she was violated, then Ayande in anger yelled out abusive words at his son, *ka we alom ne!* meaning “you this rabbit!”¹²⁴ In Tiv folktales, the rabbit is a crafty animal. Hence, the name became a description of this son and also a nickname. Today, his descendants form the *mbalom* kindred. *Mbalom* is the plural of *alom*. The story goes that Ayande gave the slave wife a thorough beating for hiding her rape story. It tells us the powers of patriarchy,

¹²³ Ibid., section 6.6.3.

¹²⁴ Simon Kofi (a native of Masev clan), in discussion with the researcher, May 20, 2005.

whereby a woman is always wrong because she is a woman. It is a case of blaming the victim that still occurs in different guises in Tiv society. The victim is always a woman.

Kwase Dyako. There is also a levirate form of marriage known as *kwase dyako*. In this levirate form of marriage, a brother is “allowed to inherit the widow of his dead brother. A son could also inherit the widow of his father (other than his mother). Such women were also called either *kwase ikoson* or *kwase ichoghol*.”¹²⁵ If the widow had children with the deceased, “all additional children arising from the new arrangement remained the children of the deceased since the widow’s relationship with the new ‘husband’ was not recognized technically as marriage.”¹²⁶ If the widow had no child with the deceased, she automatically became the wife of the new husband (the living brother) and the children would belong to the new husband. There were cultural values underlying this arrangement, and a special rite was held to publicly ferment this relationship.

The idea was to forestall the disintegration of the family, ensure continued protection of the widow and support for her to still champion the line of her deceased husband. To ensure maximum protection of the widow in the new relationship, she and her new “husband” were taken through the “megh” ritual. Essentially the ritual “u aver megh” was a process in which the widow and her husband joined their legs under which a fowl was passed to ensure the ability of the widow to still bear children¹²⁷

While the reasoning behind this practice might be good, it was a one-sided practice that targeted men’s control of women’s bodies and sexuality. This practice gave men

¹²⁵ Torkula, “A Survey of the Marriage and Burial Institutions Amongst the Tiv,” section 6.6.4.

¹²⁶ Ibid.

¹²⁷ Ibid.

enormous leverage to do whatever they wanted with women. For instance, a man could be married and still appeal to tradition to have another wife in the name of taking care of his brother's widow. This decision was never taken in consultation with the man's wife.

Joseph Gbenda lists another variation of the widowhood practice that is problematic to women's practices regarding the death of a woman or a wife who runs away from the husband. "In the case of a young woman who died, the sister is often given to the husband as wife. This is done to enable the sister to look after the children and continue the generation. This is widely practised in the Ikyurav (Katsina-Ala) and Logo areas of Tivland. In the Kunav areas, the replacement is done in the case of a young woman who decided to run away or marry another man."¹²⁸ When interviewed, Tyowua Gbogboloho, an elder in the Ikyurav Tiev district, refuted Gbenda's view concerning this particular widowhood practice in Tivland. Similarly, Agure Mbayongo, an elder in the Kunav area blatantly disagrees with this idea that it is not obtainable in their district.¹²⁹ Perhaps, Gbenda's assertion needs more research, or could be misleading.

Levirate marriage is prevalent in Tiv society. The United Nations has identified the practice of levirate marriage as one of the leading causes of the spread of HIV/AIDS in Nigeria.¹³⁰ Wife inheritance is practiced not only in Tiv society, but among many ethnic groups in Africa.

¹²⁸ Gbenda, "Culture-Assisted Reproduction in Nigeria."

¹²⁹ In general, Tiv tradition does not allow two sisters to be married to the same brothers, never mind getting married to the same man. It is considered as *ijimba* (loose manners or sexual immorality).

¹³⁰ "UN Development Program (UNDP)," United Nations, *Human Development Report for Nigeria 2004. HIV and AIDS: A Challenge to Sustainable Human Development*, last accessed July 16, 2011, http://hdr.undp.org/xmlsearch/reportSearch?y=2004&c=n%3ANigeria&t=* &lang=en &k=&orderby=year.

[T]here is abundant evidence to support the inheritance of widows as properties not only among the Tiv but the Idoma, Ibo and the Berom. Christianity and westernization are reducing the practice but it is still practiced in all the communities ... There is no doubt that such practice amounts to inhuman and degrading treatment.¹³¹

The Tiv people, unlike other tribes surrounding them, do not have any widowhood rite that a woman undergoes upon the death of her husband. “However, the widow is expected to mourn her husband by wearing black clothes for a period of six to twelve months. She is also expected to restrict her movement. The wearing of black clothes is a modern day adoption and is not culturally enforced.”¹³² While this practice is dying down due to the influence of Christianity, women complain bitterly that their husbands do not mourn them. Husbands marry very soon after their wives die and they may also have other women who they see outside the matrimonial homes while the women are still alive.

Akase a Nyinya. There is a system in place to check promiscuity among women but not men. There is *akase a nyinya* (straws for the horse), which is a ceremony that tests a woman’s marital fidelity. After undergoing the necessary rituals, a wealthy husband, in order to increase his prestige, tests the fidelity of his wives. He calls all of them each by name and declares they publicly confess their fidelity and proceed to give *akase* (straws) to *nyinya* (horse). If a woman is faithful, the horse will eat from her, but whoever the horse refuses to eat from is meant to be unfaithful. Stiff sanctions followed the unfaithful wives. Married women are expected to remain faithful to their husbands for the rest of their lives. They are to avoid *ijimba* (loose

¹³¹ J. Nnamdi Aduba, “Some Customary Practices that Affect the Enjoyment of Fundamental Human Rights of Women in Nigeria,” *New Vistas in Law* 2 (2002):10-11, <http://dspace.unijos.edu.ng/handle/10485/196>.

¹³² *Ibid.*, 8.

manners) and *idya* (adultery). Both men and women who are caught in any act of infidelity are penalized. Various sanctions exist to protect the purity code. Anyone caught with a neighbor's wife has to appease the husband, depending on what the community stipulates. Age grades have strict codes against members caught in illicit affairs with the wives of other members. "Culprits were heavily fined (and asked to "*wua tia* [pay reparation]) and stigmatized."¹³³ It is believed that if a man wounded in war or during hunting has an illicit affair with a friend or brother's wife, and the husband of the unfaithful wife unknowingly attempts to help the person, the person will surely die rather than survive.¹³⁴

The *akase a nyinya* system was clearly targeted at women to check promiscuity among them, and not among the men. Contrary to the wide speculation that adultery was not an offense in Tivland,¹³⁵ aggrieved husbands could easily kill those having affairs with their wives. Captain R.C. Abraham, one of the early anthropologists who studied Tiv people, commented on women and men in Tiv society saying,

Wives are the personal property of a man while he is alive and the members of the village have not the right of promiscuous intercourse with one another's wives. Here again however, there is a certain amount of common ownership

¹³³ Torkula, "A Survey of the Marriage and Burial Institutions Amongst the Tiv," section 6.6.2.

¹³⁴ Ibid.

¹³⁵ This was popularized against the background of Justice Umaru Eri's ruling of 1987 in the case between two prominent Tiv sons, Denen Tofi and Ushe Uba to the effect that adultery amongst the Tiv was not an offense known to Nigerian Law. Tofi had sued Uba for having an illicit affair with his wife. According to Justice Terna Puusu, this was a technical oversight in drafting the 1955 "Tiv Marriage Law and Custom Order." Justice Eri's ruling did not deny that adultery is an offence under Tiv native law and custom, but that it was not documented and so unknown under the Nigerian law to have attracted punishment. See Alfred Torkula, "A Survey of the Marriage and Burial Institutions Amongst the Tiv of Central Nigeria" (Ph.D. diss., St. Clement's University, 2006), section 6.6.2, <http://www.stclements.edu/grad/gradtork.pdf>.

for when a senior grows old he often allows his sons access to his wives...
When a guest arrives at a village, he is often lent wives of the village-head temporarily ... On the death of the senior, the widow and their families are inherited by the next senior male in the direct line.¹³⁶

Recent studies have shown that “there is no evidence to support the idea of wife lending”¹³⁷ in Tiv society at any time in history. Captain Abraham was mistaken, probably because he did not understand the Tiv language as an English anthropologist who learned the language for a few months. People often misunderstand the Tiv man’s hospitality in which the husband tells a wife to *nenge sha orvanya dedoo* (take good care of the visitor) or *tar orvanya gambe a yav* (arrange a bed for the visitor) to imply taking care of a visitor to the extent of going to bed with him. This is not true, since a Tiv man could kill his own blood brother who takes away his wife, he would think less of giving her away to a stranger.¹³⁸ The only thing in this understanding is that the emphasis was on the woman’s faithfulness at the expense of the man’s infidelity.

Rape. Rape of a woman in general is not taken seriously by many African cultures. According to Ifaturoti, rape is a gender conscious offense in Nigeria because it can only be committed by a man against a woman.¹³⁹ In a landmark ruling by Justice Iguh of the Nigerian Supreme Court in the case of *Edet Okon Iko vs. the State* in 2001, the justice defined rape as a forcible sexual intercourse with a girl or a woman

¹³⁶ Captain R.C. Abraham, *The Tiv People* (London: Stephen Austin and Sons Hertford, 1940), 117.

¹³⁷ Aduba, “Some Customary Practices that Affect the Enjoyment of Fundamental Human Rights of Women in Nigeria,” 10.

¹³⁸ Torkula, “A Survey of the Marriage and Burial Institutions Amongst the Tiv,” section 6.6.2.

¹³⁹ T. O. Ifaturoti, “The Law of Rape and Legal Reforms in Nigeria,” in *Unilag Readings in Law*, (Lagos: University of Lagos, 1990).

without her consent.¹⁴⁰ The essential elements in rape are penetration and lack of consent from the victim. However, this does not apply to married couples. The Nigerian legal system does not interpret forced sex between a man and his wife as rape. Section 282, subsection 2 of the Nigerian Penal Code explicitly stipulates that sexual intercourse between a man and his wife is not rape if she attains the age of puberty. The only exception to the rule is that when she is below puberty, it becomes rape. The understanding is that by mutual consent and contract, the woman gives herself completely to her husband. This understanding opens up the idea of women's subordination to men and reinforces the idea of women as men's property. This understanding nourishes the development of a "rape culture" in Nigeria. Okpeh laments the lack of legislation to keep the raping of women in check.

In Nigeria, there is practically nothing like rape, the reason being that the key word *consent* is inoperative making it difficult as a condition for the accused to be convicted. When a woman is assaulted, the first thing that comes to mind is her age. The younger the woman, the more the attack is seen as encompassing sexuality in any form, and the more it approaches the acceptable. Indeed, the fantasy of *complicity* dominates nearly all traditional thinking about rape and sexual assault.¹⁴¹

In recent years, child rape has been on the increase, making young girls unsafe. Integrated Regional Information Networks (IRIN) in 2008 gave a six month report that showed that the police in the Nigerian northern state of Kano alone recorded fifty-four cases of child rape and in some cases the victims were gang-raped. The suspects are usually males between the ages of forty five and seventy, while their victims are mostly girls of between three and eleven years. There are cases of young

¹⁴⁰ Edet Okon Ikov V. The State, FWLR, Part 68, 1161 (2001).

¹⁴¹ Okpeh, "Society and Violence Against Women," 25.

men raping minors, but the number is less compared to the rape cases involving older men.¹⁴² Though this is a deviant behavior (a sexual disorder), it still shows the power of patriarchy in a gerontocratic culture that respects age. The girls and young women are afraid and for good reason.

IRIN cites several reasons that facilitate child rape in Nigeria. “Some [men] have this superstitious belief that they can cure themselves of [sexually transmitted diseases] particularly HIV/AIDS, [through rape].”¹⁴³ Others believe that they can become rich if they have intercourse with virgins. The most vulnerable victims of rape are young girls who sell small items on the streets and alleys of the cities. Girls selling kolanuts, packets of fried groundnuts, and detergents on their heads are a common sight in Nigerian cities. “These girls are lured by rapists who pretend they want to buy their wares.”¹⁴⁴ Law enforcement officers are often accomplices in this crime. Theresa U. Akumadu, the National Coordinator of the Global Fund for Women Grantees Network (GFWGN) and President of Model Mission of Assistance in Africa (Momi Africa) report such police rapes. According to Akumadu,

Anyone who is convicted for rape is liable to life imprisonment, so says the Child Rights Law in Nigeria (31(2). Enacted by the federal government in May 2003, the CRL has been replicated by over 13 states in the federation. But who is enforcing the law? ... police officers that ought to enforce the law are fast competing for the prize for the worst rapists of the year, as recent reported cases have revealed. Three examples out of many will suffice.

Sunday Tribune of 30 September, 2007 reported the rape of a seven year old girl by a retired Air Force officer in Makurdi, Benue State. The girl was

¹⁴² Integrated Regional Information Networks, “Nigeria: Child Rape in Kano on the Increase,” January 3, 2008, <http://www.irinnews.org/Report.aspx?ReportId=76087>.

¹⁴³ Ibid.

¹⁴⁴ Ibid.

rescued all bloodied from the dastardly act by the vigilante group in the area following an alarm raised by a woman who heard the girl's cry. On the 10th of March 2007, Sunday Sun Newspapers reported the rape of a 14 year old girl in police custody. On the 2nd of May 2007, Radio Nigeria reported the rape of a 3 year-old girl by a police constable.¹⁴⁵

Akumadu further contends that, apart from "being direct offenders, police officers often let other abusers and rapists off the hook under the excuse of culture, especially where the offenders are family members or relatives."¹⁴⁶ This study observes that culture facilitates the practice of rape to continue. There are many rape cases never reported because parents want to save the honor of their daughters and protect their families from public embarrassment and shame. In rape cases of adult women, the victims are unwilling to report the offenders because of social stigmas.

In Tivland, a 70-year old man, Terhemem Gabu of Mbaikpande in Konshisha Local Government area of the Benue State, bit off the fingers of his 28 year old wife, Nyikeghen Gabu for denying him sex. When the matter was taken to court, Mr. Gabu told the court that he repeatedly demanded sex from his wife who persistently refused to give in to his overture, so when he could not bear the pressure anymore, he had to resort to force to have his way, which resulted in battering the wife. He alleged infidelity on the part of his wife, but could not prove his allegation and pleaded for mercy and leniency, citing anger as defence for his actions. The presiding judge berated Mr. Gabu for failing to exhibit fatherly virtues before his young wife, but the judge only sentenced Mr. Gabu to one year imprisonment with an option of ₦500

¹⁴⁵ Theresa U. Akumadu, "Nigeria: Law & Impunity in Rape Cases," December 7, 2007, http://www.opendemocracy.net/blog/5050/nigeria_law_impunity_in_rape_cases.

¹⁴⁶ Ibid.

fine.¹⁴⁷ To have given Mr Gabu an option of ₦500 fine (the equivalent of four U.S. dollars) shows the power of patriarchy at work. This was in spite of the judge's conclusion that, "even a sex slave ought not to be afflicted with the kind of torture the old man vented at his wife whom he treated like a common criminal."¹⁴⁸ Why did the judge not prescribe a punishment commensurate with the crime in question?

Sexual violence varies by culture and context, and there is interplay of power, status, and lack of economic self-sufficiency among Tiv women as they struggle with sexual violations. There is an unequal power relationship between men and women in the Tiv patriarchal society, which places men above women. This leads to a difference in status, further influenced by age, class, and culture, making women have excessively high regard for men and, thus, give in to men's sexual demands. Added to this are women's lack of economic self-sufficiency, which compromises the integrity of women's consent. The World Health Organization (WHO) notes that sexual violence increases the risk of HIV/AIDS infection.

Violent or forced sex can increase the risk of transmitting HIV. In forced vaginal penetration, abrasions and cuts commonly occur, thus facilitating the entry of the virus — when it is present — through the vaginal mucosa.

Adolescent girls are particularly susceptible to HIV infection through forced sex, and even through unforced sex, because their vaginal mucous membrane has not yet acquired the cellular density providing an effective barrier that develops in the later teenage years. Those who suffer anal rape — boys and men, as well as girls and women — are also considerably more susceptible to

¹⁴⁷ Peter Duru, "70 yr Old Man Jailed for Battering Wife over Sex," *Vanguard Newspaper*, November 14, 2009.

¹⁴⁸ *Ibid.*

HIV than would be the case if the sex were not forced, since anal tissues can be easily damaged, again allowing the virus an easier entry into the body.¹⁴⁹

In Catholic moral theology lack of freedom diminishes freewill, causes the involuntariness of an act, and, therefore, diminishes responsibility.¹⁵⁰ “*Imputability* and responsibility for an action can be diminished or even nullified by ignorance, inadvertence, duress, fear, habit, inordinate attachments, and other psychological factors.”¹⁵¹ In Catholic moral tradition, for an act to acquire a full moral character, it has to be freely willed and chosen.¹⁵² Tiv women are often violated and in fear of husbands with HIV/AIDS. What should be the morally right action for Catholic Tiv women to follow? This is an everyday question that Tiv Catholic women struggle with as they relate with their HIV-positive husbands. This study uses the resources of practical theology to dialogue with Catholic sexual ethics and address Tiv Catholic women’s concerns.

Practical Theology, Ethics, and HIV/AIDS

Practical theology can be seen as a kind of action research that addresses the everyday practices of the Christian community. Practical theology reads the signs of the times¹⁵³ to consider the human person in his or her concrete situation and enters into a dialogue with the social sciences, as it studies a person in relation to God and

¹⁴⁹ Etienne G. Krug, et al., eds. *World Report on Violence and Health* (Geneva: World Health Organization, 2002), 164.
http://www.who.int/violence_injury_prevention/violence/world_report/en/full_en.pdf

¹⁵⁰ Brian Mullady, *Both a Servant and Free: A Primer in Fundamental Moral Theology* (New York: New Hope, 2011), 55-73.

¹⁵¹ *Catechism of the Catholic Church*, 2nd edition, 1735.

¹⁵² Josef Zalot and Benedict Guevin, OSB, *Catholic Ethics in Today’s World* (Winona: Saint Mary’s, 2008), 34.

¹⁵³ Vatican Council II, *Gaudium et Spes*, sec. 4.

fellow human beings. It “is a form of *theology*”¹⁵⁴ that “studies the life of faith and the communication of faith.”¹⁵⁵ On the other hand, “ethics results from knowledge of the compound structure of one’s knowing and doing.”¹⁵⁶ When practical theology interacts with ethical discourses, it uses the research methods of the social sciences to read the signs of the times. In this way, practical theology challenges the misinterpretation and “stereotype of theology in the modern world as the most unpractical of all disciplines.”¹⁵⁷ Veiling suggests that practical theology is a craft more than a method, less a thing to be defined than an activity to be done. It is a mode, a way of thinking about God that is holistic rather than compartmentalized.¹⁵⁸ Thus, it is more “verb-like” than “noun-like.”¹⁵⁹

Practical theology emerges as a theological paradigm of a mutually interpretive, critical, and transforming conversation between the Christian tradition and contemporary experiences. Practical theology offers a theory of action empirically oriented toward the mediation of the Christian faith with the praxis of contemporary society.¹⁶⁰ While relying on historical, hermeneutical, and socio-cultural analyses, practical theology is situated in a community of faith, with an integral spirituality that is both personal and liturgical, directed towards the individual and social transformations. The historical, hermeneutical, and socio-cultural analyses

¹⁵⁴ Richard R. Osmer, *Practical Theology: An Introduction* (Grand Rapids: Eerdmans, 2008), 163.

¹⁵⁵ Gerrit Immink, *Faith: A Practical Theological Reconstruction*, trans., Reinder Bruinsma (Grand Rapids: Eerdmans, 2005), 180.

¹⁵⁶ Bernard Lonergan, SJ, *Insight: A Study of Human Understanding* (Toronto: University of Toronto Press, 1992), 23.

¹⁵⁷ Duncan B. Forrester, *Truthful Action: Explorations in Practical Theology* (Edinburgh: T and T Clark, 2000), 21.

¹⁵⁸ Terry Veiling, *Practical Theology: On Earth as it is in Heaven* (New York: Orbis, 2005), 4-18.

¹⁵⁹ *Ibid.*, 4.

¹⁶⁰ Gerben Heitink, *Practical Theology: History, Theory, Action Domains*, trans., Reinder Bruinsma (Grand Rapids: Eerdmans, 1999), 6.

serve as good meeting points for practical theology and ethics. As Bernard Lonergan explains, “ethics prolongs the initial self-criticism into an explanation of the origin of all ethical positions and into a criterion for passing judgment on each of them.”¹⁶¹ This research examines the conflict between Catholic sexual ethics and pastoral practice concerning Tiv Catholic women’s sexual decision-making in regards to HIV/AIDS.

The Catholic Church is one of the largest providers of HIV/AIDS care in the world, with more than 117,000 health facilities providing treatment worldwide.¹⁶² Approximately 27 percent of people with AIDS worldwide receive care from institutions related to the Catholic Church.¹⁶³ The Catholic Church does not support the use of condoms and its health agencies do not promote it. The Catholic Church as teacher, servant, and in accompaniment to the vulnerable members of the society advocates a holistic approach to the HIV/AIDS pandemic. The Catholic Church focuses on behavior change as a primary prevention approach. Edward C. Green is a Harvard University AIDS researcher who supports the Catholic Church’s position. According to Green,

Certainly, in Africa, in the years since 1988, we have seen that greater condom use is not associated with lower HIV infection rates. So yes, they have been oversold. People who do use condoms have a tendency to have a false sense of security and take greater risks than they would take if they were not using condoms at all.¹⁶⁴

¹⁶¹ Lonergan, *Insight: A Study of Human Understanding*, 23.

¹⁶² “Vatican Maintain Stance on Condoms at HIV/AIDS Summit,” *PBS Newshour*, May 30, 2011, <http://newshour.tumblr.com/post/6021955092/vatican-maintains-stance-on-condoms-at-hiv-aids-summit>.

¹⁶³ Matthew Hanley and Jokin de Irala, *Affirming Love, Avoiding AIDS* (Philadelphia: The National Catholic Bioethics Center, 2010), 6.

¹⁶⁴ “Vatican Maintain Stance on Condemns at HIV/AIDS Summit.”

On the other hand, other health agencies fighting the HIV/AIDS pandemic in Africa insist on the use of condoms as a primary prevention strategy. The Catholic Church could not benefit from dialogue with these agencies, regarding why they hold that position. This is where practical theology is relevant to ethics in stressing the correlational, hermeneutical, critical, and transformative character of doing theology. As Michael Cowan puts it,

This is a correlational method because it works by holding two things in reciprocal relationship — the vision and values of our religious traditions (“the world as is should be”) and the state of the actual world in which we live (“the world as it is”). It is a hermeneutical method because it recognizes and highlights the role of interpretation in reading our world and our traditions. It is a critical method because it requires that we explicitly evaluate the inherited understandings that guide our interpretations and actions. Finally, it is a transformational method because its constant concern is to bring the real world into greater harmony with the Creator’s intentions.¹⁶⁵

This study does not advocate a general use of condoms for HIV/AIDS prevention strategy in Africa. It recognizes Catholic teaching and the reality that Africans have a lack of acceptance of condom use.¹⁶⁶ Rather, the focus here is on Tiv Catholic women, who face the life-threatening challenges of resisting HIV-positive husbands in a patriarchal culture. This study explores how such women might request as a morally legitimate self-defense that their HIV-positive husbands use a condom. In a pilot study for this research, conducted at Adamgbe village in Benue State in May 2011, eight out of ten women had not requested their husbands use a condom before.

¹⁶⁵ Michael Cowan, “Introduction to Practical Theology,” last modified summer 2005, <http://www.loyno.edu/~mcowan/PracticalTheology.html>.

¹⁶⁶ “Vatican Maintain Stance on Condemns at HIV/AIDS Summit.”

These women felt that condoms would break down the moral strength of Tiv society. As a work in practical theology, this research brings to light the plight of Tiv Catholic women who do not request a husband to use condom as a form of family planning, but suggest its limited use as a form of legitimate self-defense against HIV/AIDS in an extreme situation involving coerced sex.

Practical theology has the task of engaging and educating the people. “Moving from repression to awareness and expression is [one of] the goal[s] of ...[practical theology].”¹⁶⁷ There is a need for education on myths, stigma, and discrimination to calm people’s fears based on false stories, like the idea that HIV can be transmitted by sharing toilet seats, drinks, food, dishes or utensils with HIV-positive persons. Since HIV/AIDS is contracted mostly through sexual intercourse, there is a stigma¹⁶⁸ that one is promiscuous if one has contracted it, resulting in people being ostracized by their families or faith communities. This attitude still needs to be suppressed. Practical theology as a process can start by examining these practices, reflecting on them theoretically, and ending in life transforming practice.¹⁶⁹

Often, the issue of HIV/AIDS in Africa is turned into “another battleground of the culture wars,”¹⁷⁰ between religion and secularism, between the church’s vision of the human person and sexuality, and an increasing utilitarian mentality.¹⁷¹ Traditional Tiv society, however, features some of the practices already mentioned, which are detrimental to women. Yet many claim an underpinning motive to protect moral

¹⁶⁷ Pamela Cooper-White, *The Cry of Tamar: Violence against Women and the Church’s Response* (Minneapolis: Fortress, 1995), ix.

¹⁶⁸ Hanley and Irala, *Affirming Love, Avoiding AIDS*, 89.

¹⁶⁹ Browning, *A Fundamental Practical Theology*, 7.

¹⁷⁰ Eric Mooring, “The Catholic Church’s Response to HIV/AIDS in Botswana,” Berkeley Center for Religion, Peace, and World Affairs, Georgetown University, Washington DC, November 4, 2011, <http://berkeleycenter.georgetown.edu/letters/the-catholic-churchs-response-to-hivaids-in-botswana>.

¹⁷¹ Hanley and Irala, *Affirming Love, Avoiding AIDS*, 105 -138.

values in the society. In interviews conducted at Adamgbe village, Benue State, nine out of ten people of various ages and genders said that condom use increases moral laxity.

There is a mixed tension between upholding Tiv traditional values and surviving amidst the HIV/AIDS pandemic. This can be understood in light of practical theology. As Tracy observes, the interaction between academy, church, and public society in theology recognizes that theology is marked by ambiguity in the face of these three publics. While fundamental theology uses rational approaches in explaining religious claims, and does not need faith commitment, systematic and practical theologies do need faith commitments. Systematic theology loyally interprets the faith tradition of a particular religious tradition, while practical theology is an action research theology geared towards praxis.¹⁷² Bringing the concept of the interconnectedness of reality, introduced by Jeanne Stevenson-Moessner, one can say that the unique import of practical theology lies in its action centeredness.¹⁷³ Cowan puts it this way:

So this is what we mean by “doing practical theology”: discerning and articulating a current concern, attending carefully with our heads and hearts to the world as it is and to the world as our faith traditions teach us it should be, asking “what must we do?” in the light of that attention, doing it, and then evaluating what we have done. This disciplined rhythm of reflection-action-reflection by members of a community of faith is practical theology. It is at

¹⁷² David Tracy, *The Analogical Imagination: Christian Theology and the Culture of Pluralism* (New York: Crossroad, 2000), 47-81.

¹⁷³ Jeanne Stevenson-Moessner, *Prelude to Practical Theology: Variations on Theory and Practice* (Nashville: Abingdon, 2008), 1-45.

the center of the vocation to which members of communities of faith are called.¹⁷⁴

With this understanding, one can say that practical theology is best done rather than described. It is more of a mode than a systematic methodological approach. Unlike the other theological disciplines that use the deductive approach and theoretical framework in explaining the world, practical theology as an action research uses the inductive approach in conversation with the social sciences. Practical theology moves from experience to theory to praxis, whereas the other theological disciplines move from theory to practice. This suggests that all theologies in the long-run end in practice. What gives practical theology its uniqueness is well captured by Thomas Groome.

In the theory-to-practice paradigm, theology is done either for the people or to the people ... Neither the lived faith of the community, with all its struggles, joys, pains, and praxis in the world, nor the historical context with its social, cultural, and political realities is taken seriously in the theological enterprise as other than points of application for the theory already assembled. If that paradigm continues, then theology will be practical only by accident rather than by design.¹⁷⁵

In this process, revelation is ongoing and situated in people's daily experiences.¹⁷⁶

The church has a "duty of scrutinizing the signs of the times and of interpreting them

¹⁷⁴ Michael A. Cowan, "Introduction to Practical Theology."

¹⁷⁵ Thomas H. Groome, "Theology on Our Feet: A Revisionist Pedagogy for Healing the Gap between Academia and Ecclesia," in *Formation and Reflection*, eds. L. Mudge and J. Poling (Minneapolis: Fortress, 1987), 60.

¹⁷⁶ Thomas H. Groome, *Sharing Faith: A Comprehensive Approach to Religious Education and Pastoral Ministry, The Way of Shared Praxis* (Eugene: Wipf and Stock, 1991).

in the light of the Gospel.”¹⁷⁷ This calls for critical evaluation of human experiences in theological reflection. A theologian must consider other sources of knowledge. “This insight *theologically* disallows any attempt to force a strictly traditional inner-theological understanding of the sources of theological reflection.”¹⁷⁸ That is why practical theology moves from practice-to-theory-to-praxis, that is, from experience to theory to ‘informed’ action.

The African understanding of disease is different from the Western understanding, and the HIV/AIDS pandemic is no different. According to the African moral theologian Benezet Bujo, “a disease is always an indication that something in human relations is wrong.”¹⁷⁹ In this sense, most Tiv Catholic women live with the experience of disease, and especially HIV/AIDS, as an abnormality in the human relationship, as they contract it through forced sex.¹⁸⁰ The starting point of practical theology is human experience, “all human experiences are viewed as unique ‘moments’ in the drama of divine revelation.”¹⁸¹ Hiltner reasons that the intellectual activity of articulating faith should never be divorced from experience. Rather, there must be a constant two-way communication between the logical-centered fields (theoretical aspects) and the operation-centered areas (what happens as theory

¹⁷⁷ Vatican Council II, *Gaudium et Spes*, sec. 4.

¹⁷⁸ David Tracy, *Blessed Rage for Order: The New Pluralism in Theology* (Chicago: University of Chicago Press, 1996), 44.

¹⁷⁹ Benezet Bujo and Michael Czenry, eds., *AIDS and the Church in Africa: To Shepherd the Church Family of God in Africa in the Age of AIDS* (Nairobi: Pauline, 2005), 57. See also Laurenti Magesa, *African Religion: The Moral Traditions of Abundant Life* (Nairobi: Pauline, 1997), 158-164.

¹⁸⁰ Forced or coerced sex is typically how women experience their sexuality, and commonly, how they contract HIV from their husbands.

¹⁸¹ John Swinton, “What is Practical Theology?” in *Religious Studies and Theology: Introduction*, eds. Helen R. Bond, Seth Daniel Kunin and Francesca Murphy (New York: New York University Press, 2003), 382.

encounters reality).¹⁸² At this level, context becomes important for practical theology, but it cannot be reduced to mere context. Ultimately, context too must be defined as the whole situation.¹⁸³ In this trajectory, practical theology is “situation based” and must seek out “newly emerging situations.”¹⁸⁴ This should not be confused with situation ethics or relativism. Rather, it is a move towards responsible relationality. While situation ethics is based on relativism, which considers individual cases, relationality takes the totality of the situation into consideration. Similarly, this study seeks to understand the Tiv HIV/AIDS context holistically, and to offer the support of the Catholic tradition for Catholic Tiv women struggling to avoid contracting HIV, both for themselves and their children.

As noted earlier, Tracy’s categorization of theological tasks maps out the major tasks within theology. Tracy understands his three theological tasks as theological methodologies.¹⁸⁵ Fundamental theology uses the approaches of established academic disciplines (particularly) to explain truth-claims for religious traditions and contemporary situations. It argues from strictly public grounds that are opened to all rational persons. Systematic theology interprets the tradition for a given situation. Its criteria for judging truth includes “disclosure” of possibilities for understanding new meaning of “classics.” Practical theology refers to any theory or argument that yields to praxis (what people actually do or can do).

¹⁸² Seward Hiltner, “The Meaning and Importance of Pastoral Theology,” in *The Blackwell Reader in Pastoral and Practical Theology*, eds. James Woodward and Stephen Pattison (Oxford: Blackwell, 2005), 27-36.

¹⁸³ John Patton, “Introduction to Modern Pastoral Theology in the United States,” in *The Blackwell Reader in Pastoral and Practical Theology*, eds. James Woodward and Stephen Pattison (Oxford: Blackwell, 2005), 54.

¹⁸⁴ Alastair Campbell, “The Nature of Practical Theology” in *The Blackwell Reader in Pastoral and Practical Theology*, eds., James Woodward and Stephen Pattison (Oxford: Blackwell, 2005), 85.

¹⁸⁵ Tracy, *The Analogical Imagination: Christian Theology and the Culture of Pluralism*.

On this latter point, Immink agrees with Tracy, but calls for caution in this broad classification of practical theology. Immink goes on to criticize Van der ven, Tillich, Heitnik, and Barth, who seem to be heavily in line with simply understanding practical theology in the broad sense of an action theory.¹⁸⁶ Practical theology is transformational, taking into account human behaviors and pastoral concerns. Yet, practical theology is unsystematic because it works in a fragmented and complex world in a state of constant flux. It is socio-politically aware and committed to engaging real problems, often from a grass-roots perspective. Finally, practical theology is interdisciplinary.¹⁸⁷

Practical theology engages the social sciences and other critical conversation partners from many fields of study. As a contextual theology, it aims towards the incarnation of the gospel for a meaningful Christianity. The principal task of practical theology is to present the gospel in such a way that it is truly relevant to the hearers' way of life and, thus, immersed in their concrete life experiences. Because the ultimate goal of practical theology is transformation, it engages different perspectives and relates them to strong biblical foundations for social action. Understood this way, practical theology offers an interpreted reflection on God through concrete human situations involving Christian practices, with the proposal of life transforming praxis.

Conclusion

This chapter argued that patriarchal culture is central and a critical variable in denying women a say in sexual decision-making in Tivland. Women are treated as non-persons and men's property. Patriarchal culture creates and nurtures this practice largely based on the sexual norms, values, and age-long practices and beliefs of Tiv

¹⁸⁶ Immink, *Faith: A Practical Theological Reconstruction*, 281.

¹⁸⁷ John Reader, *Reconstructing Practical Theology: The Impact of Globalization*. (Hamshpire: Ashgate, 2008), 8.

people. This shows itself in the sexual oppression of women in family life (forced marriages, polygamous marriages, domestic abuse, and sexual abuse (such as wife inheritance), which are prescribed and supervised by male-dominated social structures. This, in turn, increases the prevalence of HIV/AIDS in Tivland. Recent indicators show that sub-Saharan Africa (including Tiv society) continuously has more women than men living with HIV/AIDS.¹⁸⁸ This chapter sets the context on how women can protect themselves from the high-risk sexual behaviors of their men. The chapter sees a need to engage practical theology and ethics in dialogue with current pastoral practices concerning HIV/AIDS, and raises the possibility for women to insist that their HIV-positive husbands use a condom as a means of legitimate self-defense to protect themselves. The next chapter focuses on the fieldwork as a means to understand the experiences of Tiv Catholic women as they voice their own stories.

¹⁸⁸ “UNAIDS Report on the Global AIDS Epidemic 2010,” UNAIDS, accessed July 1, 2011, http://issuu.com/unaid/docs/unaid_globalreport_2010/19?mode=a_p.

Chapter Four: Data Presentation, Analysis, and Discussion

Introduction

This chapter deals with the presentation, analysis, and discussion of data collected on four basic themes that concern Tiv Catholic women and HIV/AIDS. These themes include women's assertion of their status, family planning, and women's sexual decision-making with regards to HIV/AIDS in Tivland. This chapter is designed to respond to the research questions introduced in Chapter 1. The data presented were gathered following the research method stipulated in Chapter 2, and conducted in light of Tiv women's social context as described in Chapter 3. This chapter extends the discussion from Chapter 3, examining current pastoral practices along with the voice of Catholic tradition with regards to Tiv Catholic women's sexual decision-making in the context of HIV/AIDS.

Women's Assertion of their Status

Women occupy a subordinate position in Tivland, but are becoming more and more aware of their rights. In asserting their rights, women are challenging their inferior status in the culture, which perpetuates a misogynistic view of women, as well as their lower status in marriage and society. Increasingly, women lament their second class status and insist that their rights be recognized.

Women are Men's Property

In Tiv society, women live under men's control. Traditionally, a girl is under her father's protection and control, and a woman under her husband's. A woman's worth is derived from her husband, and marriage is therefore a necessity in Tiv society. It also accords a woman a respectable place in society. This research suggests that men treat women as slaves rather than equals in the home. Since a woman is seen as a man's property, she is at the beck and call of the man. Torkwase Igbian, a twenty

year old married woman, laments Tiv women's plight in this way during an interview in Adamgbe,

We wake up in the morning, go to the stream to come prepare food and bathe the children to go to school. We go to the farm with a man and work all day with him. At the end of the day, we come back with loads on our heads and children strapped on our backs. We go to the stream to get water for our husbands to bathe. They sit watching till we finish cooking. Yet they complain again when we never finish cooking as fast as they desire. They forget that we were working on the farms with them and we carried loads on our way back and they did not. We went to the stream all the day long and they did not. As soon as night comes, they are pushing you aside to turn their way, and have sex with them. It is good to be a man. How I wish I were a man.¹

For the Tiv, as in other African societies, sexual relations are primary in male-female relationships, especially when articulated in marriage. Mercy Amba Odudoye, who writes about the Akan society of Ghana, puts it this way: "Female-male relations among the Akan are conceived primarily in sexual terms, as marriage is the only 'natural,' or rather 'legitimate,' link between men and women who have no bonds of lineage."² The understanding is that women in marriage should focus on looking after the man's well-being. The woman's proper task is to ensure that a man is well attended. The woman is to do the will of the husband. Women find this quite derogatory, but they are also deeply socialized in this reality. Of the 1,446 women

¹ Torkwase Igbian (a twenty year old married woman at Adamgbe), in a focus group discussion. This name and all other names used are not the real names of those interviewed, but are aliases produced to protect their identity. Dates would be an issue to reveal identities. IRB concerns on confidentiality do not allow the study to report dates, but rather keep a separate sheet with names and dates of interviews. Please see appendices for further information on this and all other further interviews.

² Mercy Amba Odudoye, *Daughters of Anowa: African Women and Patriarchy* (New York: Orbis, 2000), 64.

who participated in this research, 1,301 (90 percent) disapprove of the way men treat women in marriage and look forward for a change. The remaining 145 (10 percent) participants, do not approve of this situation, but do not know what to do about it and do not expect a change.

Women are defined in terms of what they do for men. They cook and, otherwise, serve men in both their domestic and public tasks. For example, it is expected that a woman should take care of the farm and wash the man's clothes. The wife needs to do everything possible to earn her husband's approval since she entirely depends on his goodwill. This is how patriarchy operates in Tiv society, a form of domination so strong that some might instead call it kyriarchy. As Kwok Pui-lan notes, "Schussler Fiorenza proposes to shift from patriarchy, based on gender dualism, to kyriarchy (the rule of the emperor/master/lord/father/husband over his subordinates), to signal more comprehensive, interlocking, and manipulative forms of [women] oppression."³

Men always think of themselves as heads of families and of their wives. A man asks for a woman's hand in marriage. A man brings his wife into his house and she becomes part of that household. She is no longer fully part of her biological family, but is adopted by her husband's family as her new family. She changes her family name and adopts the husband's family name. Of the 80 Tiv Catholic men interviewed, 76 (95 percent) strongly believe that a woman's second class position in society is divinely ordained by God. Only 4 (5 percent) were of the view that women are human beings who deserve dignity equal to men's. If Christian men think like this, imagine what the non-Christians think. This seems far from the Christian

³ Kwok Pui-lan, *Postcolonial Imagination and Feminist Theology* (Louisville: Westminster John Knox, 2005), 55.

understanding of human dignity and gender equality: “male and female he [God] created them” (Genesis 1:27).

Procreation and Childbearing

Central to marriage is sex, which in Tiv society is for producing children and satisfying men’s sexual desires. Men commonly believe that women have real importance only in bed. Children ultimately become the deciding factor in what a marriage should be. Children are critical because they ensure that the family (male) lineage continues. However, even here, only male children count, not the female children. After all, female children are given away in marriage to a different clan, and become a member of that clan. As a result of the importance of children in marriage, infertility is detested and women are praised for their fertility.

Many marriages that would have resulted in divorce continue because of the children. Almost all the women and men interviewed, who report going through hard times in their marriages, agree that children are now their reference point. They would not seek divorce because of the children. At Mkar, Mwuese Atorough, a thirty-five year old married woman recounts her ordeals,

I wonder if I am in any way justified in saying I have a husband, since he does not provide for the household. I am the only source of livelihood for my children and supposed husband. I provide for the food in the house, pay the children’s school fees and tuition, and in fact, take care of my husband. My husband is a drunkard who beats me all the times, but I feel I have to stay there and be obedient to this man whom I feel is becoming an imbecile, a complete addict. I am doing this because of God and my children.⁴

⁴ Mwuese Atorough (a thirty five year old married woman at Mkar), in a focus group discussion.

Africans have strong, family solidarity and community lives. As the popular African saying goes, “I am because you are,” which means “I live because the community exists.” However, this sense of community life, and the related patriarchal understanding of sexuality, is beginning to diminish, especially among educated young people. At the College of Education in Katsina Ala, 40 married women between the ages of 45 and 60 were interviewed and all agreed with staying in abusive marriages for the sake of their children. On the other hand, 40 young, unmarried women between the ages of 20 and 44 were also interviewed, 29 (74 percent) of whom said they would remain in an abusive marriage like that described above for the sake of their children, and as part of their Christian commitment (their “cross” in life). The remaining 11 (26 percent) suggested quitting such a marital relationship, in spite of having children and having wedded in church. This is contrary to an earlier study that “showed that education, the economy and urbanization [do] not significantly affect the traditional view of the family [in Tiv society].”⁵

The spirit of togetherness and sharing permeates the way Africans understand both communal life and Christianity. For Africans, the family — a community itself — forms the nucleus of both the family and the larger community. The compound lineage segment, or village, is the most acceptable basis for community in Africa. Alyward Shorter describes it as “the most realistic community.”⁶ For Africans, life means living with others. Membership in the community is based purely on birth, and leadership is by gerontocracy (age within an ancestral lineage). Within Christianity too, the church is community. The Second Vatican Council, in *Lumen Gentium*, says that Christ unites people mystically by pouring his life into believers, who through the

⁵ Shagbaor F. Wegh, *Between Continuity and Change: Tiv Concept of Tradition and Modernity* (Enugu: Snaap, 2003), 127.

⁶ Alyward Shorter, MAfr, *African Culture and the Christian Church* (New York: Orbis, 1974), 205.

sacraments are united in a hidden, but real way to Christ who suffered and was glorified.⁷ At the same time, the church struggles against injustices. The situation of Mwuese cited above is “unjust love.”⁸ This is clearly so, since the church does not teach that the sole aim of marriage is making babies (Genesis 1:28), but rather companionship, mutual love, and help (Genesis 2:18, 21-22).

Women have Lower Intelligence

Women are treated on the same level as children. Wherever a person goes to a house and asks, “*Or nan ngu henen?*” (Is there anybody home?), wives respond, “*Or nan ngu ga ka se man mbayev tseer,*” (There is nobody home except us and the children). Women have accepted their place as second class citizens and believe they are nothing without men. “The absence of a man in the home is an indication of no activity in that house.”⁹

Cultural factors force women to please men against their wishes. Of the 1,446 women interviewed, only 96 (7 percent) accepted that they would do anything possible to win a man’s admiration and love. On the contrary, 1,350 (93 percent) of the women said they would not. In Tiv society, men usually marry women who are younger than them. In some instances, men may marry women who are their age mates. Many respondents condemned the practice of older women luring rich young men to marry. Such a condemnation could be heard at the College of Education, Katsina-Ala where young women are in school and have a good chance for upward

⁷ Vatican Council II, *Lumen Gentium*, sec. 6.

⁸This phrase is coined from the opposite of Margaret Farley’s work on “just love.” Farley discusses the gender relations in love-making and the accompanying inequalities that create unequal relations in different parts of the world, including Africa. See Margaret Farley, RSM, *Just Love: A Framework for Christian Sexual Ethics* (New York: Continuum, 2006).

⁹ Daniel Ude Asue, “The Impact of Faith-Based Organizations on the Socio-Economic Status of Women: A Study of Catholic Women Organization in Tivland” (Master of Science in Gender Studies Thesis, Benue State University, Makurdi, Nigeria, 2007), 83.

social mobility. This demonstrates the power of education in improving the social lot of women.

Urban women feel that women are partially responsible for their low status by voluntarily reducing themselves before men. At the College of Education, Katsina-Ala, women vehemently denounced the situation whereby women who are good students rely on help from their male counterparts to do their homework, forgetting that they have their own intellectual gifts. Bishop William Amove Avenya, auxiliary bishop of the Catholic Diocese of Makurdi, decries the cycle of dependence among women in Tiv society. Women are perpetually made to depend on men, as if they do not have a mind of their own. Citing personal experience, Bishop Avenya notes that the 1970s witnessed the rise of *a shagba a u kase hen Tiv* (Tiv women of honor). These were young girls and women who had resilience and courage to fight for their rights and respect. This tradition has declined dramatically. The younger women and girls of this generation seem to have lost that cultural memory. Bishop Avenya specifically romanticizes the period of the *mbayev kasev mba hiden shin ikyor* (the return of the girls from other lands) with nostalgia. This was the beginning of the emergence of women of wealth in Tivland. These were a group of women who went down to Lagos to make a living. They returned with wealth of their own, giving them the economic standing to have their own voice in society.¹⁰

Early and Forced Marriages

According to Charity Angya, marriage in Tivland can take place with or without the consent of the parents (as in elopement). “Through seeking the consent of the parents and the payment of bride-price or through elopement with the girl of ... [a man’s] choice, (sometimes with her consent and sometimes forcibly) and later the

¹⁰ Bishop William Amove Avenya (auxiliary bishop of Catholic Diocese of Makurdi), in an interview.

relationship with the parents would be repaired through pleading and eventual payment of the bride-price.”¹¹ This contrasts with Catholic norms, which require the full consent of both parties, but not the parents, for a marriage to be valid. The 1983 Code of Canon Law defines matrimonial consent as “an act of will by which a man and a woman by an irrevocable covenant mutually give and accept one another for the purpose of establishing a marriage.”¹² The Code of Canon Law further defines that a “marriage is invalid which was entered into by reason of force or of grave fear imposed from outside, even if not purposely, from which the person has no escape other than by choosing marriage.”¹³

The young women in this study lament that parents are misleading their daughters. Even if a young woman might not be in love with a man, the parents would pressure her to get married because of the financial benefits for the parents. Bride-price is a big component of marriage in Tivland, and has risen tremendously in recent times.¹⁴ As a result, parents arrange marriages between their daughters and men in wealthy homes, without regard for their consent. The emphasis is on the bride-price and nothing more. At the College of Education, Katsina-Ala, Nguumbur Ukan, a thirty-one year old divorcee laments tearfully,

Why should I be at a lower level in school now? Because I am a woman. Why should my age mates be working and I am still a student and dependent?

Because I am a woman. Because I am a woman and my mother was afraid I would become wayward and pregnant, I was given out to early marriage. I

¹¹ Charity Angya, “Early Marriage in Tivland and its Social Consequences,” *Review of Gender Studies in Nigeria* 2 (2003): 174.

¹² CIC, c. 1057 §2.

¹³ CIC, c. 1103.

¹⁴ Bride-price is not fixed but depends on the family and the level of education of the bride. Some families might request that the bride price be about 500,000 naira (Nigerian currency), that is, about \$3, 500. In the time past, it was about one quarter of this. Note that bride-price is not paid at once.

gave an old man, old enough to be my grandfather, my virginity and all I got in return was HIV/AIDS. All because I am a woman and the family's name needs to be protected.¹⁵

Men seek very young women in marriage for various reasons. At times, they are to become second wives in order to produce male children who will carry on the family's name, particularly when the first wives are infertile or have only produced daughters. Young girls are also full of energy and, hence, stronger to work on the farms and “warm their elderly husbands in beds.”¹⁶ In Charity Angya's words, “[t]he young girls ... [are] expected to be strong and therefore ... work hard on these farms and also bear children. Another reason [for such early marriages is] ... to ensure that the girl kept her virginity”¹⁷ before marriage. From all angles, this is certainly an exploitative, morally problematic arrangement from a Catholic perspective.

In the rural parts of Holy Family Parish, Kanshio, outside Makurdi, the experience of the Tiv women interviewed is slightly different. Out of 30 women interviewed, 24 vehemently denounced men's exploitative tendencies in marriage, while 6 of the women prefer to be complacent. However, some women agreed that there are instances when women help their husbands marry other wives. There are even a few cases when some women bring in women friends and give them to their husbands. At times, some women refuse church marriages so their husbands can marry other wives. In these cases, women view monogamy as deceit. In these cases, men wed in church but still keep concubines, or bring in new wives and force their wives to accept the new wife without complaint. Polygamy can never be considered a

¹⁵ Nguumbur Ukan (a thirty-one year old divorcee at the College of Education, Katsina-Ala), in a focus group discussion.

¹⁶ Men tend to seek much younger women because the older women are no longer sexually attractive. The saying goes, *ungo mbakesev mba ndohor iyol* (“old ladies are too cold for comfort”).

¹⁷ Angya, “Early Marriage in Tivland and its Social Consequences,” 174.

closed matter in Africa, or elsewhere, as long as people and cultures accept it as a social institution. For this reason, theologians today are calling on the church to examine “the question without prejudice and with attention to the study of cultures.”¹⁸ Polygamy cannot be dismissed as a mere multiple partner relationship as long as it is a legal form of marriage in Africa.¹⁹ When discussing multiple partnerships as a factor in the spread of HIV/AIDS in Africa, scholars should never be oblivious to the ubiquity and acceptance of polygamy.

Biblical Terrorism

The Bible is often used to justify women’s oppression, which is biblical terrorism,²⁰ and Tiv men typically do not see anything wrong with that. Of the 80 men sampled, 74 (85 percent) accept that women’s second class position is the result of the will of God. Only 6 (15 percent) made it clear that they did not like the treatment of women, even though they were not willing to do anything to change the situation. Rather, men want the church to clearly teach that a man is the head of the household. Men say that the church should allow men to divorce their wives whenever they are *ganden aver* (go wild) or *taver ityoor* (are stubborn). Women, on the other hand, do not see anything Christian in the way their husbands treat them, or in men’s claims to superiority. Ngodoo Iortyer, a forty-one year old nurse, puts it this way:

¹⁸ Shagbaor Wegh, *Understanding and Practicing Inculturation* (Ibadan: Caltop, 1997), 40-41.

¹⁹ Polygamy in itself is diminishing in Tiv society due to the influence of Christianity and Western education, economic hardship, and the difficulties of caring for large families. However, this does not mean that polygamy no longer exists, or is a settled issue. When seen through non-African eyes, polygamy often seems simply abhorrent or intelligible. There is also the temptation of viewing it as simply adulterous. See Matthew Hanley and Jokin de Irala, *Affirming Love, Avoiding AIDS: What Africa Can Teach the West* (Philadelphia: The National Catholic Bioethics Center, 2010).

²⁰ This phrase refers to those biblical texts that appear oppressive to women when taken literally. See Phyllis Trible, *Texts of Terror: Literary-Feminist Readings of Biblical Narratives* (Philadelphia: Fortress, 1984). Also, Joy A. Schroeder, *Dinah’s Lament: the Biblical Legacy of Sexual Violence in Christian Interpretation* (Minneapolis: Fortress, 2007).

Well, they say it is God's will that a woman should be under a man. In the Genesis story, the rib gotten from a man to make a woman is taken to denote weakness, inferiority, and secondary place in creation for the woman. Those who advance this view fail to reason that the woman supposedly made from human stuff (the rib) might be superior to the man who was supposedly made from dust. Moreover, those who argue that the man is preeminent because he was created before the woman need to remember that wild beasts were created before the man in that narrative and would therefore be considered superior to man.²¹

According to Anthony Umoren, four traditional biblical texts are used to support women's inferiority and men's superiority. These are Genesis 2:18-25 (woman was created out of man as man's helper), Genesis 3: 16 (the woman's husband shall lord over her), Ephesians 5:21-33 (wives should be subject to their husbands), 1 Timothy 2:11-15 (no permission for a woman to have authority over a man).²² Of these four texts, Genesis 2:18-25 and Ephesians 5:21-33 have been more problematic, and widely used to construct and justify theologies that reinforce women's subordination to men.

Genesis 2:18-25 is the second creation narrative. This text had always been used by Judaism to support female subjection and to condemn the woman as the first sinner.²³ This passed into Christianity. Teresa Okure contends that the point of this text is found in verses 23-24, which establish the first unit in human society, that of

²¹ Ngodoo Iortyer (a forty-one year old nurse at Kanshio), in an interview.

²² Anthony I. Umoren, MSP, "Theological Basis of Gender Equality," in *Gender Equality from A Christian Perspective*, ed. Rose Uchem, MSHR (Enugu: Snaap, 2005), 72-82.

²³ Leonard Swidler, *Women in Judaism: The Status of Women in Formative Judaism* (Metuchen: The Scarecrow, 1976).
<http://astro.temple.edu/~swidler/swidlerbooks/womenjudaism.htm>.

husband and wife. The family develops from this unity.²⁴ This text is problematic for gender equality. While the Genesis story originally served to explain the observable bonding and attraction between man and woman, it also reflected the gender bias of the communities of the authors and their subsequent interpreters. The authors of Genesis were patriarchal, and the symbolic and mythological meanings of this book cannot be ignored. However, some church fathers interpreted them literally.

Augustine, for instance, had a demeaning view of women based on the second creation story (Genesis 2). This biblical notion of woman as a helpmate to man derives from a literal reading of the second account of creation.²⁵ The interpretation of this text as given by Augustine has been at the root of gender inequality in the church and has reinforced the myth of male superiority through the years. This is evident in the many anti-women sentiments and teachings of the early church fathers, continuing through Thomas Aquinas to the present. Much of the church's teachings on women still carry a functional view of women that defines persons based on gender.²⁶ A more thorough reading of the Bible, with new insights on issues of gender and sex in relation to the lived experiences of injustices towards women, needs to be considered. Augustine seems to confuse sex and gender, and he is by no means alone in this.

In Ephesians 5:21-33, the opening verse gives the spirit of the text. "The exhortation to 'be subject' appears three times in the text. When it appears first in Ephesians 5:21, it says: 'Be subject to one another out of reverence for Christ.' As an opening statement, it summarizes the spirit of the entire text."²⁷ Christ becomes the reference point for both the wife and the husband. "The use of the word 'subject'

²⁴ See Teresa Okure, SHCJ, "Women in the Bible," in *With Passion and Compassion*, eds. Fabella and Oduyoye (New York: Orbis, 1988).

²⁵ Saint Augustine, *On Genesis* (New York: New City, 2002), 69-104.

²⁶ Susan A. Ross, *Extravagant Affections: A Feminist Sacramental Theology* (New York: Continuum, 2001), 102-115.

²⁷ Umoren, "Theological Basis of Gender Equality," 77.

(Greek, *hypotassomenoi*) in the middle voice, not the active or passive voice, does not connote ‘be inferior to one another.’ It is an appeal for voluntary mutual giving way to one another in humility.’²⁸ Husbands are reminded that “no man hates his own flesh, but nourishes and cherishes it, as Christ does to the Church” (Ephesians 5:29). The central point of this text is to give instructions to husbands and wives on how to relate to one another based on the example of Christ and the church. Male headship (authority),²⁹ as in verse 23, should not be the central theme around which to relate all other aspects of this text. Nonetheless, within many husband-wife relationships in Tivland and elsewhere, the husband is indeed in a position of authority over the wife, something that was probably the case in marriages at that time as well. In other words, the writer was doing his best to teach the Christian love that should exist among couples. Digressing from the norm of the day, it laid out a formula by which Christian husbands and wives might best exhibit unity and love.

Texts such as John 20:17 offer a good foundation in discussions regarding human sexuality in scripture. In the story of the Samaritan woman at the well, Christ can be seen as the New Adam, restoring what was lost in the creation narrative when women were branded in negative ways (heralds of evil). The Samaritan woman goes with the good news into the Samaritan town. Jesus accepts women, regardless of their social or marital status. In a society where women were not counted as full members

²⁸ Ibid., 78.

²⁹ Headship translated here from the Greek *kephale* is debatable. Some say that *kephale* as headship has many figurative meanings, and suggest that the Greek *arche* that means “ruler” or “boss” was deliberately omitted by Paul. At the same time, other scholars insist that *kephale* means an authoritative figure as used by Paul in several other passages. See Brendan Byrne, *Paul and the Christian Woman* (Collegeville: Liturgical, 1989), N. T. Wright, *What Saint Paul Really Said: Was Paul of Tarsus the Real Founder of Christianity?* (Grand Rapids: Eerdmans, 1997), and Marcus J. Borg and John Dominic Crossan, *The First Paul: Reclaiming the Radical Visionary Behind the Church's Conservative Icon* (New York: HarperOne, 2009). These scholars note that this work was probably not by Paul himself.

of a religious assembly, and were discouraged from studying the scriptures, Jesus is seen teaching women alongside men. Jesus' attitude toward women may thus be seen as directly in contrast with the attitude prevalent in his time and culture.

Women are Not Comfortable with Their Status

Women are not comfortable with their social status but many of them are resigned to their fate. Of 1,446 Tiv Catholic women interviewees, 100 percent are not comfortable with women's status. The socialization process has made women accept their second class position in society even though they clearly do not want it. Tiv women appear humble, kind, and caring. As Lisa Cahill points out, these virtues arise in women as a result of the socialization process.

But the strong *social* emphasis on women's traditional role as nurturers may have been the primary influence in encouraging their development of virtues such as compassion and self-sacrifice, as well as greater attentiveness to the relational dimensions of human realities in general. Recent social scientific, especially anthropological studies suggest that culture is at least as influential as biology in determining social conceptions of appropriate traits and behavior for men and women.³⁰

Of the 80 men in the sample, 60 (75 percent) favored the present situation of women, while 20 (25 percent) did not. At the same time, almost all the men see women's position as the will of God. On the whole, men have a low image of women. The popular Tiv saying, *kasev mbahemen ityavga* meaning "women do not lead a war" captures it all. Men depicted women as the weaker sex that must adhere to the instructions of the husband because of women's low intelligence. Here, Don Browning appeals to the Christian fundamental ethic of equal regard enunciated by

³⁰ Lisa Sowle Cahill, *Women and Sexuality* (New York: Paulist, 1992), 63.

Thomas Aquinas. “The point is that women, for Aquinas, are made in the image of God just as men. In this respect, they are equal to men. They are fit candidates for friendship with their husbands.”³¹ Browning notes that although Aquinas might have had a different understanding of marital equality, the church can build on his vision. “Of course, the equality that Aquinas has in mind is one of proportionality rather than the egalitarianism that moderns associate with liberal, contractual models of business and marriage.”³² Reflecting on Browning’s ethic of equal regard in the context of domestic abuse, Richard Osmer says that women should not be counseled “in terms of self-sacrifice and self-denial. Rather, the logic of the *Imago Dei* and of Jesus’ call to love our neighbor as ourselves is better captured in an ethic of equal regard. In this ethic the worth and dignity of our neighbor are equal to — not greater or less than — our own. It portrays love as mutuality in personal relations in which respect for oneself and respect for others are balanced.”³³

After interviewing 20 priests of the Catholic Diocese of Makurdi, both old and young, it became clear that there is no conscious effort to improve the status of women. Of the 20 priests who responded to this question in their interview, 17 (85 percent) did not see any need for this question, while 3 (15 percent) acknowledged that a pastoral plan needs to be in place to improve women’s image. Most of the priests would ask, “Are the women complaining?” Ignorance on the part of priests is contributing to women’s marginalization in church and society.

Priests’ homilies and sermons could become bottom elephants, unwitting foundations for women’s oppression in church and society. There is need for a new

³¹ Don S. Browning, *Equality and the Family: A Fundamental Practical Theology of Children, Mothers, and Fathers in Modern Societies* (Grand Rapids: Eerdmans, 2007), 166.

³² *Ibid.*, 167.

³³ Richard R. Osmer, *Practical Theology: An Introduction* (Grand Rapids: Eerdmans, 2008), 151.

orientation among priests regarding women. The Bishop of the Catholic Diocese of Makurdi, Bishop Athanasius Atule Usuh, while admitting women's marginalization, also says that women are the cause of their problems. He notes how he has organized numerous seminars on women's empowerment. Citing the issue of elections into government offices as an example, Bishop Usuh says he encouraged women to stand for elections in politics but that women voters themselves prefer male candidates.³⁴ This is where women should be educated to appreciate womanhood as God's creation. Male and female, God created one humanity (Genesis 1: 27). The underlying ethical question is if women are constrained, how can they be held accountable for their actions? A human being "cannot make a conscious decision and assume moral responsibility without awareness."³⁵

Women and Sexual Decision-Making

Women are powerless and dependent on men in the face of sexual decision-making in Tivland. In marriage situations, women are afraid that they may be abused by their husbands for questioning them. Thus, unequal power relationships, and the emotional and economic dependence of women on their husbands pose serious challenges and obstacles to women's involvement in sexual decision-making.

Women and Sex

Women are expected to be submissive to men. Women have little control over when and how to have sex. Husbands often behave more like lords than married partners to their spouses, thereby diminishing women's status and decision-making authority in such relationships.

³⁴ Bishop Athanasius Atule Usuh (the Bishop of the Catholic of Makurdi Diocese), in an interview.

³⁵ John E. Perito, *Contemporary Catholic Sexuality* (New York: Crossroad, 2003), 72.

A Woman Has no Right over Her Body. A woman has no right over her body and the concept of rape is foreign to Tiv culture. “How can a man rape his wife?” responded many of the men who were interviewed. Once the bride-price is paid, the parents hand over the woman to her husband. The table below shows the attitude of men toward women in matters of sex.

Table 4.1: Can a woman say no to sex to her husband in Tiv society?

<i>Response</i>	<i>Number of Women</i>	<i>Percentage</i>
Yes, she can say no	663	46%
No, she can't say no	501	35%
It depends on the situation	282	19%
Total	1,446	100%

At Mkar, many women voiced out that men always have sexual intercourse with them, even when they do not want it. Men over-power women and are backed by cultural norms to do this as their marital duty. A few women do refuse men's sexual advances in spite of cultural norms. They say it is hard on them at times to have sexual intercourse with their husbands, especially when they are not in the mood. In general, however, women are submissive to the sexual demands of their husbands.

Women feel that they are compelled by culture to have sex with their husbands whenever and wherever their husbands have the desire. Women are told that it is only by doing this that they will get to the hearts of their husbands and shield their husbands from “external aggressors” (other women). Specifically in Adambge, women are encouraged to have patience, even when it is known that their husbands are unfaithful. Wives feel that failure to satisfy their husbands sexually opens the door for them to have extramarital affairs and spend family resources on other women. By

satisfying men sexually, women aim to prevent men from contracting sexually transmitted diseases, and thus from getting themselves infected with the diseases.

In most instances, women have nothing to say, since they are not part of the decision-making process in any way. A woman is always quietly waiting for the man to take the lead. It is a man who asks for a woman's hand in marriage in Tiv society. A woman who openly admires a man is considered to be sexually loose. Bishop Avenya observes that men need to be more tender and loving to their wives. Many men do not know what love-making is. There should be time to stimulate the woman so that she is as sexually gratified as the man. It is not just a husband who reaches orgasm and finishes the act in a twinkle of an eye without pleasing the woman. Bishop Avenya says that women should stand up. "Have women tried to let their husbands understand their situation? To have women who cannot even talk to their husbands in any friendly conversation but call them 'sir' is terrible."³⁶ As if in response to Bishop Avenya's assertion, Torkwase Anacha, a fifty-six year old married woman from Adambge said the following,

We the Tiv women are not in charge of our bodies. We are not given a free chance to act on our own, we have no rights of our own, we even do not have rights over ourselves, we do not have something of our own, we have no say anywhere even to our husbands. In regards to domestic affairs, unless a woman has a goat of her own or limited resources from her second farm, or what she brings from her father's house, she has nothing to sell and take care of herself. All these make a Tiv woman age quickly and become unattractive.

³⁶ Bishop Avenya, interview.

If she carries garri or cassava to the market she has to come back and give an account to her husband of what she sold and bought from the market.³⁷

In Catholic moral theology, freedom is critical in determining the morality of an act. The measure of one's freedom shows the level of responsibility of the person in an act. According to the *Catechism of the Catholic Church*, "Freedom makes man *responsible* for his acts to the extent that they are voluntary. Progress in virtue, knowledge of the good, and asceticism enhance the mastery of the will over its acts."³⁸ Research findings indicate that Tiv women do not have such freedom. So many factors compel them to act in ways contrary to their personhood. Are they then fully responsible and culpable for their acts as moral beings? Can or should they be asked to act as if they were in another sort of situation, or a free and equal social situation?

Levirate Marriages and Forced Sex. There are instances of levirate marriages whereby a brother inherits the wife of a deceased brother, or a son inherits the younger wife of his father. This practice is dying in Tivland. In those places where levirate marriages are still in place, there need not be love between the widow and the man who inherits her. This form of marriage is not by choice. Women are even forced against their wishes to be married to imbeciles or otherwise impaired men. Husbands then force their wives to have sex with them against the wives' wishes. See the table below for spousal rape.

³⁷ Torkwase Anacha (a fifty-six year old farmer at Adamgbe), in a focus group discussion.

³⁸ *The Catechism of the Catholic Church*, 2nd edition, 1734.

Table 4.2: Have you ever been forced to have sex with your husband against your wish?

<i>Response</i>	<i>Number of Women</i>	<i>Percentage</i>
Yes, have been forced repeatedly	734	51%
Have been forced a few times	522	36%
Never forced	190	13%
Total	1,446	100%

Cultural norms stipulate that women only say no to sex when they are on their menstrual period or are weaning their children. *De venden wan ga*, literally meaning “do not make the baby weak,” is a popular saying among the Tiv people. Women can say no to sex during their menstrual cycle because the flow of blood makes a woman unclean. During this time, sex is forbidden so that men are not contaminated. It is believed that a man who sleeps with a woman during her menstrual period will incur bad luck, so this is a taboo.³⁹ However, this trend is changing and a good number of women report having been harassed for sexual intercourse by their husbands during their menstrual periods. Natural Family Planning advocates, of course, would emphasize that women and men can have sex during this part of the woman’s menstrual cycle precisely because she is not fertile at this time.⁴⁰

A lot of women are suffering due to their economically disadvantaged position. Women observe that though their husbands are not able to provide for them,

³⁹ Mary Douglas, *Danger of Purity* (New York: Routledge, 2002). Douglas elaborates on taboos in African society on pages 160-195 and specifically on sexual regulations on pages 173-195.

⁴⁰ Leonie McSweeney, MMM, *Love and Life: Billings Method of Natural Family Planning* (Ibadan: African University Press, 2009), 95-96.

their husbands still want them to have sex with empty stomachs, even though love-making takes energy. Women commonly complain among themselves that men turn them into sexual objects for their personal satisfaction. They say, “*kwase ka tochi liti ga,*” meaning that “a woman is not a flash light,” and should not be put on and off at a man’s whim and caprice. Tiv Catholic women clearly think that a woman has the right to refuse sexual advances from the husband, particularly when he is not treating her fairly.⁴¹ Women who refuse sexual advances from their husbands are accused of having extramarital affairs that give them sexual satisfaction. The reality is that a typical Tiv woman works on the farm all day long and will be expected that she will be tired.

Men are Not Bound by Fidelity. Norms regarding sexual control in Tiv society are aimed at women. Though the society regulates sexual relationships to monitor promiscuity and uphold moral conduct, women are not expected to question men’s infidelity. At Adamgbe, women reported cases of their husbands sending them from their own beds in order for them to have extramarital intercourse with their girlfriends. According to the women, in villages where the husband, wife and children live in one round hut, when a wife is sent out to give room for a husband and his girlfriend, the wife and children often spend the night in a second hut that also serves as the kitchen. Many women resort to looking for men outside their marital homes to compensate for what is lacking in their marital homes. Ngunan Iorhii, a twenty-six year old married woman at Adamgbe commented as follows.

It is all a man’s world. If a man wants millions of women, he should bring them to the house, but let me have my peace with my children. My husband brings his women and insists that I cook for them, wash their clothes, and give

⁴¹Almost all the women who participated in this research concurred to this.

them water to take a shower. Am I a slave? Should I find a man outside the home to have the same treatment in his house? What is good for the man should be good for the woman.⁴²

Nguwasen Mvendaga, a twenty-seven year old married woman from Kanshio also said,

One never understands men. My husband has a legion of women outside the matrimonial home. I have told him to marry them so that I will know that I am living in a polygamous marriage but he refuses. What is he really looking for? Is it sex or is my husband sick? Or is my husband a sex addict? I have told him to remember that he is a Christian. I have told him to remember that HIV/AIDS is real. My worry is that he might contract HIV and get me infected. I worry for my health and children whom I might leave them orphaned. What can I do?⁴³

At Mkar, women said that they are expected to stay with their husbands no matter what happens. Women are beginning to think differently. Out of the 170 women interviewed in Katsina-Ala, Kanshio, and Mkar parishes, 100 (71 percent) expressed their disapproval of the practice. In addition, 70 respondents (29 percent) said that they are only tolerating it because they have no choice.⁴⁴ It is evident that a lot of women would not have been with their husbands if given the opportunity, but society thinks otherwise. These women are simply following the norms of their society. The moral question here is: How far should a person cooperate with evil? The women's right to personal and bodily health is directly tied to the problem of marital

⁴² Ngunan Iorhii (a twenty-six year old married woman at Adamgbe), in a focus group discussion.

⁴³ Nguwasen Mvendaga (a twenty-seven year old married woman at Kanshio), in an interview.

⁴⁴ A question was asked: Supposing you have an option to either leave or stay with an unfaithful husband at this moment, what will you do if your husband cheats on you?

infidelity. The fifth commandment says, “you shall not kill” (Exodus 20:13). The *Catechism of the Catholic Church* expands on this: “Life and physical health are precious gifts entrusted to us by God. We must take reasonable care of them, taking into account the needs of others and the common good.”⁴⁵ Again, the sixth commandment says, “you shall not commit adultery” (Exodus 20:14). According to the *Catechism of the Catholic Church* both men and women are tied together in a mutual bond of chastity. “Sexuality, in which man’s belonging to the bodily and biological world is expressed, becomes personal and truly human when it is integrated into the relationship of one person to another, in the complete and lifelong mutual gift of a man and a woman.”⁴⁶

Women’s Involvement in Sexual Decision-making

Embedded in Tiv culture is the idea that getting women involved in decision-making is a sign of weakness on the man’s part. Communication between men and women is poor. Because of the excessive power men wield, women appear powerless to enforce their preferences in sexual situations. This endangers the lives of many women in their own homes.

Beaten for Refusal to Submit for Sex. Men beat their wives for denying them sex. Though the degree of intensity of the practice varies, at Kanshio parish, wife battery for women’s refusal to allow sex is commonplace. Men justify this, claiming that they only reprimand women for refusing to act appropriately. In fact, the idea of rape in a marriage is completely foreign. In an interview, one woman cited a common saying: *tso u venda nomu nahan, kanyi u ve?* (if you refuse having sex with your husband, why did you come [into his house]?).

⁴⁵ *Catechism of the Catholic Church*, 2nd edition, 2288.

⁴⁶ *Ibid.*, 2337.

Table 4.3: Have you been beaten by your husband because of sex?

<i>Response</i>	<i>Number of Women</i>	<i>Percentages</i>
Women beaten by husbands for refusing sex	462	32%
Women not beaten by husbands for refusing sex	601	42%
Has not been beaten but knows of those who have been beaten	383	26%
Has not been beaten and knows of no one beaten	-	-
Total	1446	100%

The table above reveals much about patriarchy in Tivland. The popular saying, *i kegh num u tugh ga*, meaning “nobody arbitrates in a night fight,” justifies wife battery for a woman’s refusal to submit to a husband’s sexual demands. A man who beats his wife for refusing his sexual advances is considered a hero, a man who has not allowed a woman to trample him underfoot.

Men interpret women’s sexual refusal as an affront to their ego and personal rights. The saying goes, *u ngu an ter u nan*, meaning that the wife “has become a rival brother” rather than a housewife. Hence, the wife should be treated as such. In a strongly patriarchal society, this is a damning and dangerous accusation that no woman wants to fall under.

At Mkar, many women said that once they are tired after a day’s work, they prefer to be beaten than have sexual intercourse. To them, sexual intercourse is more strenuous than the beatings they would incur. Here is a situation of the loss of human dignity. Women have lost their dignity as human beings. Central to Catholic Social

Teaching is the dignity of the human person. As Josef Zalot and Benedict Guevin put it,

The first principle of CST [Catholic Social Teaching] is human dignity. The Catholic Church teaches that because all people are created in the image and likeness of God, and because God became human through the person of Jesus Christ, each individual maintains an inherent dignity and an infinite worth. ... Practically speaking, human dignity means that all people must be afforded basic human rights and must always be treated with respect. We cannot view others as objects: we cannot exploit them, treat them as a means to an end, or ignore the consequences of our actions on them. When faced with a decision that will affect others, we must always ask ourselves, “Do our decisions respect others as persons in themselves?”⁴⁷

No Consideration for Women’s Feelings. Practically all those interviewed in this study, both women and men, agreed that sex is a very central part of marriage. In the Tiv understanding of marriage, like that of other Africans, children are the basic products of marriage, and sex is important because children are produced through it. The research participants also agreed that sex as a means of showing intimacy has a spiritual dimension and should be between a husband and wife. This spiritual dimension of sex is used as a means of settling discords between husband and wife. Hence the saying, *iyongo i kwase vea nom ikur sha gambe* (a woman’s misunderstanding with her husband is settled in bed). The burden of facilitating this process of reconciliation in bed is on the woman. Almost all the women who participated in this study complain that men use them as sexual tools for the satisfaction of their sexual desires without consideration for their feelings. For

⁴⁷ Josef D. Zalot and Benedict Guevin, OSB, *Catholic Ethics in Today’s World* (Winona: Saint Mary’s, 2008), 53-54.

example, a drunken husband comes home without taking a bath and sleeps with a wife who has no choice but to accept for the sake of peace. In fact, many times when their husbands take their wives' bodies for sexual gratification there is no love involved.

The table below explores Tiv women's predicament.

Table 4.4: Can a woman discuss or request for sex from her husband?

<i>Response</i>	<i>Number of Women</i>	<i>Percentages</i>
A woman can discuss or request for sex from her husband	532	37%
A woman cannot discuss or request for sex from her husband	389	27%
The question is embarrassing	378	26%
The subject is a taboo	147	10%
Total	1, 446	100%

Based on the table, it is evident that there is some reluctance on the part of women to discuss sex. Only 37 percent are open to requesting sex from their husbands, while 73 percent are ambivalent and hesitant in discussing this topic. At Adamgbe parish, women complained that there is lack of mutual respect between husband and wives. Since sexual decisions are one-sided, women are always at the receiving end. Mcivir Iortanger, a forty year old married woman complained that,

My husband is Christian but heartless. My husband knows that I do not like sex much and he keeps on engaging me in sex all the time. My husband engages me in sex even when I am in pains he continues with the act. Is this love? Is this what marriage is meant to be? Is my husband a Christian? No,

never, he only claims to be. Once he is pestering someone, he is like a ‘he-goat.’⁴⁸

Women should have a right to request sex from their husbands. They often have sexual desires, but shy away from expressing themselves due to cultural norms. A woman who requests sex from her husband is seen as being indecent.

There are cases of men who do not give their wives a break. These men have very high libido and continuously seek to have sexual intercourse with their wives. “Men are more interested in casual sex than women, and they engage in various sexual activities more than women do.”⁴⁹ So, coupled with the strenuous farm work that Tiv women do, it is advisable for women to say no to sex during those times when they are tired. However, this is not likely the case. At Kanshio, Kurkase Akunde, a fifty-one year old married woman who has a husband with a high libido complained,

Am I his donkey? I no longer bother myself. I simply sleep like a log of wood for him to do whatever he wills. Sex no longer interests me but just for the sake of peace in the house I am quiet. Let him do whatever he wills. After all it is a man’s world.⁵⁰

Philomena Onuigbo,⁵¹ a Nigerian nurse and feminist working in the U.S. thinks differently and calls for dismantling of those sexual practices inconsiderate to women. While accepting that African cultures often tie sex to peace-making between couples, she condemns the idea of tying sex to peace-making. She says that love-

⁴⁸ Mcivir Iortanger (a forty year old married woman at Adamgbe), in a focus group discussion.

⁴⁹ Richard A. Lippa, *Gender, Nature and Nurture* (Mahwah: Lawrence Erlbaum Associates, 2002), 121.

⁵⁰ Kurkase Akunde (a fifty one year old married woman at Kanshio), in an interview.

⁵¹ Philomena Onuigbo is a Nigerian woman and practicing Catholic happily married with three children. Her husband, Valentine Onuigbo is an ordained deacon of the Catholic Church. Both of them are marriage counselors living in Miami, Florida.

making after an argument is the wrong approach to peacemaking. The scripture teaches that people should not let the sun go down before they settle their differences (Ephesians 4:26). This means that people should always seek for peace whenever a disagreement or dispute occurs. Making love in place of discussing is like pouring buckets upon buckets of sand or cement to cover poisoned soil. The issue remains until the next problem resurfaces and the couple becomes bitter and issues get out of hand again. Communication is the key in any relationship, be it between family members, in marriage, or among coworkers. People cannot pretend to be in love when they ignore issues. Their hearts remain burdened. This kind of “peacemaking” brings disaster, humiliation, low self-esteem, low self-image, and no self-worth, especially to the woman. The man as usual has nothing to lose.

The Nature of Women’s Sexual Decisions

Christian husbands are no different from their non-Christian counterparts. They are often governed by the dictates of their culture. The union between man and woman should have Christian love, which is the driving wheel in a Christian life. At Adamgbe, women complain that if a man and a woman have a common understanding, and are in real union, a woman will always have a clue whenever he wants sex. This is often not the case since women have low social status and are not regarded. Men treat women as lesser humans.

There should be love between couples. Yet, this is often lacking. Of the 180 Tiv Catholic men who responded to a question on the nature of women’s sexual decision-making, 150 (83 percent) prefer to follow the Tiv cultural practices, and only 30 (17 percent) think that cultural practices are hurting women and should be discontinued. In other words, Tiv Catholic men are often not different from traditional Tiv men in their treatment of women. They are products of Tiv culture and are

influenced by what happens around them. Most of the Tiv Catholic men interviewed say that behaving contrary to Tiv cultural norms would make their counterparts scorn them.

At Mkar, women observed that women's relationships with men are characterized by docility and discipline on the part of women, and unfairness and deceit on the part of men. This is corroborated by interviews with priests from the Catholic Diocese of Makurdi who have come to see deceit as the bane to healthy marriages in Tivland. Father Michael Jaki⁵² narrates the story of a woman infected with HIV by a wayward husband who did not tell his wife that he had the disease. The wife is heartbroken. Similar stories are becoming commonplace in Tiv society. In Katsina-Ala, Mungwahan Gyata, a 56 year old healthcare worker whose husband died in March 2011, narrated how she got wind of her husband's HIV status through her hospital colleagues:

I was not comfortable with my husband's adulterous ways and stopped making love with him. Though we both lived under the same roof, we were still quarrelling and never making love. Suddenly my husband started playing the good man and making advances. He wanted to make love with me when he learned of his HIV status. Unfortunately for him, a coworker had confided in me that he was tested HIV-positive at a clinic where she works. Telling me this was against the medical code of ethics⁵³ but my friend had to do it for me.

⁵² Father Michael Jaki (a priest of the Catholic Diocese of Makurdi), in an interview. He was ordained a priest for the Catholic Diocese of Makurdi on August 2, 1997 and has also worked in the Catholic Diocese of Lafía where he is currently a pastor. He brings his experience of Makurdi diocese and the experience of ethnic groups of the Lafía diocese together in his discussions on marriage.

⁵³ The Hippocratic Oath, named after the famous Greek physician Hippocrates, serves as a guideline for the medical ethics of doctors, calling for secrecy and confidentiality surrounding medical practice. A medical practitioner is bound to respect patients by keeping their medical records and conditions secret. By telling her fellow worker

I tested and was HIV-negative. I stood my ground and did not give in. This is how I escaped death from my husband's hands.⁵⁴

This woman had her voice heard. Women in Tivland often do not have a say in sexual decision-making. African women's experience is in such a way that by "the time a woman has spent her energies struggling to be heard, she has barely the energy left to say what she wanted to say."⁵⁵ Women are often shy and intimidated. In what way should women be involved in sexual decision-making under such circumstances? That is part of the ethical challenge of this research. This research recognizes that, "Looking for and achieving what is good, however, is not always easy. [As] St. Thomas [Aquinas], following Aristotle, ...[mentioned], *virtus stat in medio*, that is, virtue lies in the middle."⁵⁶

HIV/AIDS and Sexual Decision-making

Women are much more vulnerable to HIV/AIDS from both cultural and medical points of view. Culturally, women have less autonomy, while medically their physiology is much more prone to HIV infection. HIV/AIDS is not a significant factor in any aspect of sexual decision-making in Tivland.⁵⁷ Yet the reality of the increasing infection of the pandemic is still among the people.

Sexual Decisions of People Born with HIV

The Nigerian National HIV/AIDS Statistics 2009 shows an estimated 2.98 million Nigerians are HIV-positive, 56,681 children are born annually with the virus,

about her husband's HIV status, she broke this medical ethic. This in itself raises an ethical dilemma in Africa. What should healthcare givers do since husbands willfully spread the disease to their wives?

⁵⁴ Mungwahan Gyata (a 56 year old healthcare worker at Katsina-ala), in a focus group discussion.

⁵⁵ Oduyoye, *Daughters of Anowa*, 12-13.

⁵⁶ Perito, *Contemporary Catholic Sexuality*, 73.

⁵⁷ HIV comes with a stigma in Tiv society, so people rarely discuss it in relationships. It does not feature in premarital arrangements, and men flare at women for requesting to know their status, stating that such women do not trust them.

and 192,000 die every year, of whom 105,822 are women and 86,178 are men.⁵⁸ The report shows that 857,455 Nigerians with HIV/AIDS (754,375 adults and 103,080 children) require antiretrovirals (ARV) to live, but only about 400,000 HIV-infected persons are receiving treatment, and there are 2,175,760 AIDS orphans of whom either both parents have died of AIDS, or at least one parent has died of AIDS.⁵⁹ These figures pose a daunting challenge in the fight to combat HIV infections. The findings of this study reveal various reasons for the fast spread of the infection. Given the fragile nature of the pandemic, how are people born with HIV to be treated?

Marital Life. Many women suggest that people born with HIV should be married because they too need love. At Mkar, women said that people born with HIV should be married to people with HIV. Mkar is a town that houses a big hospital, a private university, a school of nursing, and a school of health technology. Many female medical personnel were in attendance at a workshop organized for this research. These female medical personnel noted that discrimination against HIV-positive persons is dying out because the disease can be treated and managed. HIV is considered to be less severe than malaria, which kills more people every year. There are effective and affordable treatment centers throughout Nigeria. Already, there is “the introduction of a free treatment program with the life saving ...[antiretroviral] drugs ...available in over 1,198 sites across the country.”⁶⁰

Women in two locations where the research was conducted, Adamgbe and Mkar, suggested that men with HIV should only make love to their wives without penetration until their wives reach orgasm. This will cool off the desires of the man and woman and bring them emotional satisfaction.

⁵⁸ The figures were derived from the Federal Ministry of Health, Abuja, Nigeria.

⁵⁹ Chukwuma Muanya, “HIV... Troubling Tales from the Afflicted,” *Sunday Guardian*, November 28, 2010.

⁶⁰ *Ibid.*

Condoms and Self-Control. At Mkar, nurses and nursing students advise that HIV-infected persons should use condoms and be gentle in love-making to avoid breakage. One is never sure what will happen with a condom. Therefore, every person should stay with his or her partner. Further, HIV patients should only have sex with other HIV patients, to minimize the spread of the disease. This corroborates women's thinking at Adamgbe, where they suggested HIV partners should use condoms and have sex but not insist on having children. Sexual activity will be able to bind the couple together. Women suggest that even from the point of self-discipline, it is better for HIV-positive persons to associate with other HIV-positive persons. This suggestion, however, could be problematic. According to recent findings by Margaret Ogala, a medical practitioner who has worked with HIV/AIDS patients in Kenya since the 1980s, HIV-person persons can inflict fresh attacks on other HIV-positive persons each time they have sexual intercourse.⁶¹

According to Nigeria's National Agency for the Control of AIDS (NACA), around 430,000 children under fifteen years old became infected with HIV in 2008 alone, mainly through mother-to-child transmission (MTCT). About 90 percent of MTCT infections occur in Africa, "where AIDS is beginning to reverse decades of steady progress in child survival."⁶² MTCT occurs when an HIV infected woman passes the virus to her baby. This can occur during pregnancy, labor and delivery, or breastfeeding. In a report by the Joint United Nations Program on AIDS (UNAIDS), without treatment, around 15 to 30 percent of babies born to HIV-positive women will become infected with HIV during pregnancy and delivery.⁶³

⁶¹ Margaret Ogala, Kolping Institute, Nairobi, Kenya discussed this issue during a plenary session at the conference of Catholic Theological Ethics in the World Church, Trent, Italy, July 24 - 27, 2010.

⁶² Muanya, "HIV... Troubling Tales from the Afflicted."

⁶³ Ibid.

Stigma and Treatment. It is difficult to do away with HIV/AIDS stigma. HIV-positive persons continue to face discrimination in their communities. Umbur Tyongi, a 21 year old, who was born with HIV, expresses her grief of the HIV stigma in the following words:

People do not care to know how one contracts the virus. I go through the pain of being born with HIV, and then suffer because I am a woman. It is believed that women are morally loosed, and are the ones that spread the disease. In the marital home, men find it more difficult accepting their HIV status than women. Husbands always blame women for bringing the infection into the family. They should learn to listen to their wives, to interact and share information regarding their condition with them. At times, men resort to witchcraft and traditional medicine for treatment of HIV infection. This is also part of the problem.⁶⁴

This implies that HIV/AIDS is also a gendered struggle in Tiv society, in which the church must confront in the fight against HIV/AIDS. The Church should give hope to the afflicted, especially to women who suffer as patients and as women.⁶⁵

Among the 1446 women interviewed for this study, 114 women said they were born with HIV. Out of the 114 women, 86 (83 percent) of them travel long distances to access treatment for fear of discrimination in their home areas. Only 28 (17 percent) women accept that they would go to their home clinics for medical care, but treatments centers are far from their home areas.

⁶⁴ Umbur Tyongi (a 21 year old married woman at Katsina-Ala), in a focus group discussion.

⁶⁵ Lilian Dube, "The World Church in African Gendered Struggles with HIV/AIDS," a paper presented at the conference of Catholic Theological Ethics in the World Church, Trent, Italy, July 24-July 27, 2010.

Though there are free treatment centers in Nigeria, HIV-positive persons still face enormous problems accessing care. For most of them, it is because they are poor, earning less than \$10 a month. Some cannot afford transportation to and from treatment centers, the recommended balanced diet, or vital tests, like liver function tests, which are not part of the free services.

There are also inconsistent supplies of second line drugs or substitution drugs for addressing drug resistance in many centers, as well as frequent malfunctioning of CD4 count machines (for testing the viral load and immune function). Other common difficulties in Nigeria include lack of local budgets for HIV/AIDS in hospital-based treatment centers.

Other costs include that of caesarean sections for mothers trying to prevent mother-to-child transmission. This also entails the social and psychological trauma of not being able to breastfeed to avoid infecting the baby with the virus, and the cost of placing the baby on infant formula/artificial milk for the weaning period. Further, there is a shortfall in HIV/AIDS funding, both nationally and internationally, and this may lead to an interruption in the availability of drug supplies/treatment, and result in the possible spread of drug-resistant strains of the virus.⁶⁶

The Status of Partners Infected with HIV

Among other difficulties associated with HIV/AIDS infected partners is living without sex. It is expected that out of love, an HIV-positive husband should not coerce a wife who is HIV-negative into having sex with him. However, this is not often the case. What becomes of couples in this situation? Some people say the couple can stay together without sex, while others suggest they should be separated to avoid

⁶⁶ Muanya, "HIV... Troubling Tales from the Afflicted."

the temptation of sex. This section explores the experiences of women on both sides of the argument.

Sero-Discordant Couples. Sero-discordant couples are married partners with different HIV status, one negative and the other positive. In all the places cited in this study, the general consensus among women is that there should be no sex between discordant couples. The unanimous responses from women was, *ityokyaa ngi i nongun u wuan iyol? Uma mba uhar ga fa* (Is there any point in attempting to kill yourself? Life has no duplicate). Women say there is more to life than mere genital sex. They fear either contracting the disease or leaving children as orphans.

The men interviewed feel that they can still have protected sex with their wives while they are HIV-positive. They say that the infected partner can use a condom to protect the uninfected partner. Of the 40 men interviewed, 30 (75 percent) favor having sex with their wives while infected and only 10 (25 percent) do not favor this. Of the 40 women who responded to the same question, 39 (98 percent) say that except under coercion, they will not have sex with an HIV-positive husband, and only 1 (2 percent) will have sex with an HIV-positive husband out of love. The study shows that most women strongly feel that an uninfected wife should never have sexual intercourse with an infected husband.

Many think that women should always protect themselves with female condoms in case their husbands force them into sex. The difficulty arises regarding women who do not have resources to buy condoms. They are expensive and not very common. Mbalamen Tyodugh, a forty-four year old married woman from Adamgbe recounts her experience,

I have married my husband for twenty seven years and he is older than me by twenty one years. Ordinarily he should die before me but he wants to take my

life before he dies. Ever since my husband became HIV-positive, he insists on sleeping with me, knowing full well that I am negative. I ran back to my people, but after mediations by my parents, they decided that the two of us stay together and look after our children without sex. My husband accepted it in their presence, but back in the same house with him, he insists that it is sex that makes marriage. There is constant fighting over sex in the house. I have high resilience and am not giving in, it is better for him to kill me with a gun than HIV/AIDS.⁶⁷

Another woman at Mkar, Nguemo Akumacii, a thirty-three year old who responded against the suggestion that discordant couples make love without penetration for the sexual satisfaction of the infected partner said,

My husband is HIV-positive and because of the love I have for him I decided that we make love without penetration so that he releases sperms and cools the tension in him. Alas! My husband, because he could not have physical sex with me, grew long nails and in the process of fingering me during love-making would cause injuries in my vagina. His reason was that I should not be able to have other men outside the matrimonial home.⁶⁸

This is a case of domestic sexual violence. To inflict injuries on a fellow human being, more so, in such a sensitive area, is diabolical. This research shows that similar cases are very common. At Katsina-Ala, the thirty-one year old Mzamber Akaakohol narrates her story,

My husband is HIV-positive and I am negative. He wanted to have sex with me and I refused. We had a fight and he broke my arm. While at the hospital,

⁶⁷ Mbalamen Tyodugh (a forty-four year old married woman at Adamgbe), in a focus group discussion.

⁶⁸ Nguemo Akumacii (a thirty-three year old married woman at Mkar), in a focus group discussion.

my husband gave the story that when we were sleeping in an open space in our compound something just came from nowhere and hit me. I was forced as a woman to accept to tell the story the way my husband did.⁶⁹

A situation whereby a husband is aware of his positive status and still infects his wife is a sin and murder. “It is blatant murder that could even be prosecuted. If such a wife dies, she does not die in love and for love. What we are dealing with here is a case of abuse.”⁷⁰

Bishop Avenya thinks that there is a lack of love among couples and considerable ignorance regarding HIV/AIDS in Africa. The church is trying hard to educate people and take care of orphans that the epidemic has left behind. The church’s programs are preventive rather than addressing the effects. “The disease continues chiefly due to what I will call poverty of the mind. Poverty of the mind is a greater disease than physical ailment in this regard.”⁷¹

ABC Approach and Separation of Couples. Church teaching emphasizes A (abstinence) and B (be faithful) with less attention to C (condom use). Should sero-discordant couples stay together and abstain from sex, or should they be separated? The answer can be abstinence or it can be separation, depending on their level of understanding. When a partner is understanding and loving, without attempting to inflict bodily damages to the other partner, the couple can stay together in total abstinence. When the relationship is sour, separation becomes a preferred alternative. Below is a test of what women feel.

⁶⁹ Mzamber Akaakohol (a thirty-one year old married woman at Katsina-Ala), in a focus group discussion.

⁷⁰ Bishop Avenya, interview.

⁷¹ Ibid.

Table 4.5: Should sero-discordant couples live together in abstinence or be separated?

<i>Responses</i>	<i>Number of Women</i>	<i>Percentages</i>
Yes, they should stay together without sex	513	35%
No, they should be separated to avoid temptations	584	40%
Cannot answer, it is a difficult and challenging question	349	25%
Total	1446	100%

The figures in the table can be tricky and misleading. At first sight, it appears as if the majority of women accept that HIV positive persons should not live together. Though 35 percent insist they should live in total abstinence, and 40 percent are of the opinion that they should not live together, the 40 percent further suggest that in the event that both partners live together, they can look for sexual satisfaction with people of their own status. The remaining 25 percent of those interviewed also follow this line of thought, suggesting that such husbands and wives be separated. Almost all the interviewees in this study, both men and women, offered sayings such as *ka we ahor a shiende iyolough ga* (they do not plan for bodily emotions). This means that there should be no conscious planning of sex, since it is an emotional thing that comes when it comes. As Dooshima Tyotule, a forty-five year old woman at Adamgbe puts it,

Sexual abstinence is a difficult thing for two people staying together under one roof to do, going about without meeting, and they are not enemies, they are husband and wife. It is very tempting. At times, you do not want to do

anything, but the feelings come naturally and you finish doing it before you even remember. Do not tell me about self-control, because I know that talk, but these are emotions we are dealing with. The best form of self-control is to avoid those tempting occasions. The very Lent that I promised on Ash Wednesday to abstain from sex for forty days was the very one that I conceived my third child. If discordant couples are in top form of love when their status is known, they are playing with fire by living together. If they want to survive, they should have someone somewhere to help them carry the cross [referring to extramarital affairs].⁷²

Infidelity is unacceptable to both traditional Tiv society and Christianity. The approach of some in this study condones it, which is tantamount to recommending adultery as a remedy. The Bible says, “You shall not commit adultery” (Exodus 20:14). Jesus deepens this teaching with a call to faithful marital life (Matthew 5:27-29). For this reason, the church reminds people at wedding ceremonies that, in good and bad times, their love should always grow and flourish. John Paul II urges couples to interact with themselves as persons, both as subjects and objects of their sexual love, and not use the other person as an object for their sensual appetite. He particularly draws a line between using and loving a married partner. This involves self-control over human sexual desires.⁷³ Women also say that they should have the right and support to not engage in sexual activities as long as they wish. The status and rights of women should be upheld, recognized, and respected in Tiv society.

Men Want to Die with their Wives. This study found a very disturbing trend, especially in Kanshio. When men contract HIV, they want to give it to their wives so

⁷² Dooshima Tyotule (a forty-five year old married woman at Adamgbe), in a focus group discussion.

⁷³ John Paul II [Karol Wojtyła], *Love and Responsibility* (San Francisco: Ignatius, 1993).

that both die together. Most men do not want to die and leave their wives behind so that other men will not take their wives. The idea is that a woman is a man's property. When asked why men should want to die along with their wives and leave the children behind, the women chorused, "They say God is not a fool, so God can always take care of the children." At the same time, in the reverse situation, when a woman is HIV-positive and the husband is not, a husband quickly abandons his wife.

Bishop Usuh calls for a new human conditioning to address the problem of HIV/AIDS. To illustrate this, he told a story of a couple whose wedding he presided over. The man contracted HIV and his wife was negative. For two years, he abstained from sex with his wife, who kept complaining to the bishop. The bishop counseled them repeatedly without the man telling the bishop why he would not go to bed with his wife. It was after two years that the bishop learned the man was positive. In this man's case, it was poor communication skills that made him not reveal his HIV status to his wife. At the same time, he is quite a God-fearing man who did not want to harm another person, so he decided to quietly stay away from any sexual contact with his wife. While appraising the capacity of the human mind to move toward good, Bishop Usuh further notes that there are good men, and good men can be decent. So decency should be the watchword in family relations, whereby it moves a person to Christian charity and allows one to be considerate to other fellow human beings especially in terms of sexual decision-making and HIV related issues.⁷⁴

Family Planning and HIV/AIDS

There is a connection between family planning and HIV/AIDS. Both family planning and HIV begin with sex. HIV is primarily contracted through sexual intercourse, and one cannot get pregnant without having sex (modern reproductive

⁷⁴ Bishop Usuh, interview.

technology aside). One requires preventive efforts to avoid unsafe sex, and to avoid pregnancy and HIV/AIDS. Female anatomy is more susceptible to HIV infection, and in sub-Saharan Africa more than 60 percent of those infected with HIV are women. Women are often unsure if their husbands are being faithful, but they cannot question them. At the same time, African society wants large families, so women are often compelled to have sex without protection. There is the fear of contracting sexually transmitted diseases, such as HIV/AIDS, and timing births appropriately.

Family Size

The meaning that Tiv culture attaches to the act of sex in marriage that of childbearing, is inextricably linked with sexual behavior and decision-making. Tiv cultural understanding is oppressive to women.

Rejection of Family Planning. As discussed in Chapter 3, African marriages are tied to children, who establish the bond between husband and wife. As a result, women find the discussion on how to limit the size of a family quite a difficult and challenging topic. At Mkar, women did not see anything wrong in giving birth to ten or twenty children. Many women see family planning as a foreign concept. *Ka mhen u buter je la*, they say “it is the white man’s thinking.” For Adamgbe women, this is a very difficult issue to discuss, since Tiv society, like other African societies, cherishes the family and values large families. The feelings of women are best captured in the words of the nineteen year old married woman, Torkuma Agah, at Katsina-Ala, who is married with two children.

Children are a gift from God. You do not refuse God’s gifts. God has opened my womb, and I am so happy. There are many people looking for children, so how should I block my womb. When I give birth to as many children as I

want, then I will call on God to help me stop. It is God who has told us to multiply and fill the earth.⁷⁵

When asked about the best family size in Tiv society today, women suggested numbers ranging between four and six. The majority of women in the study, however, had at least six children. This research shows that women have mixed feelings about family planning. Of the 1,000 women surveyed on this topic, 801 (80 percent) favor large families, and only 199 (20 percent) do not. The general thinking is that women should have as many children as possible, provided the family has the resources to take care of them. Family planning is only necessary when a family is not capable of taking care of additional children. This corroborates earlier research by Wegh which revealed that Tiv people in general prefer large families. In Wegh's research,

500 young secondary school persons of 15 and 17 years of age were asked a number of questions related to the large family system. Of the 500 persons, 400 (80%) said that they liked the large family, while 100 persons (20%) were negative about the large family. All 500 persons (100%) said that they expected help from members of the family. Asked if the large family was a burden, the pendulum swung, indicating that 450 persons (90%) believed that the large family was an economic burden, while only 50 persons (10%) did not think so.⁷⁶

It suggests a certain level of ambivalence regarding family size. While Tiv people prefer large families, they are beginning to be concerned about the burden and economic difficulties associated with large families today.

⁷⁵ Torkuma Agah (a nineteen year old married woman at Katsina-Ala), in a focus group discussion.

⁷⁶ Wegh, *Between Continuity and Change: Tiv Concept of Tradition and Modernity*, 126.

Family planning is made difficult by the value placed on male children. When a couple is not able to produce a male child, the women reported that it would be difficult for them to undertake any family planning. All women interviewed indicated that without a male child, they would not make any attempt at family planning, even if their husbands wanted to do so. It is better for them to hope and keep on trying until they reach menopause. These findings clearly suggest that when Tiv Catholic women ask their HIV-positive husbands to use condoms, it is for protection and not for contraception.

Children as Sign of Prestige. For the Tiv, children are a sign of prestige. The greater the number of children, the more enhanced one's prestige and status. As noted above, most women are in favor of large families and are not opposed to having many children. "In a culture where marriage without children is considered a curse, ... [infertility] is interpreted to be a punishment from the gods for their sins."⁷⁷ Because of the psychological imprint of infertility, such couples try hard to cast off the 'spell.'

Nonetheless, when women were told about the advantages of family planning and responsible parenthood, more supported family planning. Of the 160 women representing all three sites surveyed, 144 (90 percent) were in favor, while 16 (10 percent) disfavored family planning. Differences were strongly related to age. Those who supported family planning were younger women between the ages of 18 to 45, and those against it were older women between the ages of 45 to 70. Women who support family planning say that they should have no more children than they can support. They also say that the present situation, where they produce as many children as they can, weakens and ages them quickly. On the other hand, some women who are against the idea of family planning see the whole thing as foreign. This is a struggle

⁷⁷ *The New Technologies of Birth and Death: Medical, Legal and Moral Dimensions* (Dallas: Pope John Center, 1980), 30.

between change and tradition, expressed as a transitional struggle between older and younger women. While the older women keep to Tiv traditions and say that women should give birth to children as long as they are capable of giving birth, younger women are in favor of family planning.

Responsible Family Planning

Women feel powerless to broach sex-related matters with their husbands despite regular intercourse with them for years. Men, on the other hand, perceive sex as a means by which to control their wives and marital relationships.

Natural vs. Artificial Family Planning Methods. What women know most is artificial family planning with an emphasis on oral contraceptives. However, at Mkar, a Catholic parish sponsored medical personnel among women research participants to actively discourage women from taking family planning pills. They say that the side effects of these pills are fast overtaking the advantages of family planning. Instead, the female medical personnel advise women participants to be Africans and give birth to as many children as God wants. Women research participants at Adamgbe also complained that family planning pills gave them diseases. Some women also complained that condoms give them abdominal ache or pain.

The few women who spoke extensively on this subject were in favor of natural methods of family planning. However, most women in this study area are unaware of any natural family planning methods.

Table 4.6: Are you aware that the Church teaches Natural Family Planning (NFP) and not Artificial Family Planning?

<i>Responses</i>	<i>Number of Women</i>	<i>Percentages</i>
Very much Aware	96	7%
Limited awareness	41	3%
Hearing of NFP for the first time	1,309	90%
Total	1,446	100%

When women object to family planning, it is not the concept itself that they reject. The various interviews show that many women engage in family planning today. However, many are not aware of natural family planning and, thus, what they mean by family planning are artificial planning methods. Couples give birth to as many children as they want, and once they are ready to stop, resort to the artificial methods of birth control. Almost all women in this study who complain about family planning side effects are among the younger and unmarried women.⁷⁸ They usually go on contraceptive pills and are afraid of their side effects. The general fear is that side effects will destroy their wombs and they may be unable to give birth to children again.

One of the major obstacles towards NFP in Tiv society is that many times the wife is a Christian but the husband is not.⁷⁹ Those husbands would dismiss NFP and opt for the easy way out, which is AFP. At Adamgbe, women say that family planning

⁷⁸ In all the focus groups and workshops, the question on family planning came up. In personal interviews at Adamgbe, Mkar, Katsina-Ala and Kanshio, this question was asked in order for the participants to gain greater insight into their understanding. The older women on AFP methods do not complain because they are not anxious about reproductive issues.

⁷⁹ This means that the wife is Catholic and the husband practices African Traditional Religion.

is good, provided that both husbands and wives have a common understanding. When both partners have agreed to family planning, there is a commitment to it and it is not just a one-person affair. This commitment also places responsibility on both parties regarding abstinence during times of high fertility.

Dilemmas. Couples are caught up between the desire for large families and the lack of means to sustain their families. The HIV/AIDS pandemic worsens the situation. For an HIV-positive person in Nigeria to remain healthy, they must go for monthly medical check-ups. Considering the poverty level of people in rural Tiv society, many people are not able to raise the money for transport to visit free government clinics to have their monthly check-ups and get pharmacy refills. Already, HIV/AIDS is a burden on the people, especially rural families, and to give birth to another child is an added burden. It is not uncommon to encounter couples that are faithful Catholics with twelve children and very meager resources to live on. They try to control their birth rates using NFP but it fails them. The wife persuades the husband to use AFP methods because the burden of nursing children is too much for her, and their children experience problems with feeding, medication, clothing, and education. Responsible parenthood is just too difficult with this many children. For example, a woman visited her pastor, who strongly advised her against AFP methods; she had her thirteenth child as a result, which was against her doctor's medical advise and aggravated her health problems. This is one case among many. With this background, the study asked the question below.

Table 4.7: Now that you know of NPF, what do you think about it?

<i>Responses</i>	<i>Number of Women</i>	<i>Percentages</i>
It is better than AFP	379	26%
It is easy to follow	211	15%
It is difficult to follow	856	59%
Total	1446	100%

There is a tension between supporters of NFP and AFP. Women are divided on what to do. The table shows a 41 percent incline towards NFP, while 59 percent have difficulties with it. At the same time, all agree that NFP could reduce the economic challenges of having more children than they might adequately be able to provide for. Some women complain that NFP fails and makes them have children. Catholic sexual ethics teaches that the sexual faculty has a twofold purpose — procreation and love union. Every sexual act must respect that twofold finality and nothing should interfere.⁸⁰ Now, given that some couples in the study have faithfully followed the teaching of the church and found themselves in this situation, what then should their next line of action be?

Women’s Burdens

This study acknowledges that though the church says no to condoms, contraceptives, abortions, and sex outside of marriage, there are certain situations making these norms difficult to be observed in Africa today. The difficulty increases when it comes to medical issues surrounding women in poverty-stricken rural areas. There are, for instance, “women whose obstetrical histories are so marked by miscarriages and the consequent psychological trauma that it is imperative for their

⁸⁰ *Catechism of the Catholic Church*, 2nd edition, 2363 and 2366; see also Vatican Council II, *Gaudium et Spes*, sec. 50.

mental health that there be a strict control over future pregnancies.”⁸¹ Although these might not have a direct connection to the HIV and condom issue noted here, it is nevertheless part of the larger problem women face in making ethical sexual decisions. This section outlines areas that serve as a burden on Tiv Catholics as they make sexual decisions, namely the use of condoms, contraceptives, abortions, and sex outside of marriage.

Condoms

The popular belief among women is that when a husband uses a condom the woman will be protected from venereal diseases, such as HIV/AIDS, and prevent pregnancy.⁸² Women say they often request their husbands use condoms when they are weaning their children, so that they will not *vende wan* (make their child weak). If they eventually get pregnant during this period, it affects their breast milk, which can affect the health of their nursing child. Considering the poverty level, many of the women are not able to substitute breast milk with processed milk for their children. The condom thus becomes a protective instrument for nursing their child.

Table 4.8: Have you ever used a condom?

<i>Response</i>	<i>Number of Women</i>	<i>Percentages</i>
Used frequently	633	44%
Used but not often	402	28%
Never used	411	28%
Total	1,446	100%

⁸¹ Perito, *Contemporary Catholic Sexuality*, 103.

⁸² In all the places cited in the research, all the research participants among the Tiv Catholic women understand the use of condoms to prevent pregnancy.

The table indicates that many women report using condoms, though this is by no means universal. That is why, as already noted, at Adamgbe, some women reported that the condom gives them stomach ache or pain. When Tiv Catholic women talk about using condoms it is not because they want to, it is simply because it is the best possible alternative given their situation.

Abortion

Without protection, women with HIV-positive husbands may become pregnant. When these women get pregnant, they may want to abort the child to save their families from the added burden on their already poverty stricken conditions. At Kanshio, Mngunengen Gbagbongum, a twenty-nine year old, married, HIV-positive woman, whose husband is also HIV-positive, narrates her story thus:

I got married after I was tested positive and have a bouncing baby boy today. I had my baby through caesarean section and he is negative. My baby cannot feed on my breast milk and I have to buy processed milk all the times. Since I am poor, I go from place to place begging for money to take care of my baby. I also have the challenge of explaining to my in-laws why I cannot breast feed my baby. I feel the psychological pain when my baby is hungry and struggles to suckle my breast though he has never tasted breast-milk. He would want to suck my breast, but I know I cannot breastfeed him because if I do he would be infected.⁸³

HIV-positive persons in this study admitted that it is not easy to look after oneself in this condition, which involves undergoing monthly medical tests, taking strong medication that has side effects, and nursing a baby. Faced with this dilemma, they resort to abortion. In all the research locations, women said that abortion decisions are

⁸³ Mngunengen Gbagbongum (a twenty-nine year old married woman at Kanshio), in an interview.

taken amidst ethical dilemmas. At times, it is to do away with the shame that accompanies pregnancy through illicit affairs. Nigerian society is intolerant to single motherhood. Raped girls who become pregnant opt for abortion to erase such traumatic memories in their lives. Abortion is also procured on medical or therapeutic grounds. This study was interested to learn how often abortions occur, and how many are related to HIV/AIDS patients. Below is a table determining the role of abortion in the lives of the research participants.

Table 4.9: Have you ever had an abortion?

<i>Responses</i>	<i>Number of Women</i>	<i>Percentages</i>
One or more abortions	446	31%
No abortions and do not know anyone who has done one	786	54%
No abortions and does know at least one woman who has done an abortion	215	15%
Total	1,446	100%

Out of 1446 women interviewed, 786 (54 percent) have not had an abortion, but 661 (46 percent) have either had an abortion themselves or known someone who has had one. This means abortion is a problem in Tivland. When the question was asked at the three research sites: is there anyone who is HIV-positive and has had an abortion before, or known any HIV-positive person who has had an abortion? Women only smiled at the question. HIV/AIDS status is never discussed in public, and since it is central to the issue of confidentiality as indicated in the IRB of this research, it was not explored deeper. As mentioned earlier, 114 women identified themselves as HIV-positive, and only one, quoted above, was ready to discuss her status and sexual life.

Abortion is unacceptable in Tivland. In pre-colonial Tiv society, abortion was only sanctioned for the purification of the *imborvungu*⁸⁴ (charm for prosperity). According to Atel, when

Fetal blood...is...used for the *imborvungu* ritual, the elders demand that it should be obtained by termination of pregnancy of a woman. This woman is not chosen at random. It has to be a woman who has not given birth previously. The supply of a pregnant woman for termination of her pregnancy for fetal blood is rotational among the elders. The pregnant women are provided from time to time, and only when the need is commonly felt by the elders; otherwise, people begin to complain that the land is being destroyed instead of being made prosperous. All of this happens without the knowledge of the woman.⁸⁵

It is believed that this sort of abortion was induced through mystical powers, and that is why even the expectant mother did not know. In a strict sense, this can be understood as a form of human sacrifice, but not procured abortion. Atel further explains that,

The semantic terms the Tiv use for this termination of pregnancy are *u dughun yav* (literally meaning “to remove the womb”), as opposed to *u vihin yav* (literally meaning “to spoil the womb”). On the one hand, while *u dughun yav* is reserved for use with reference to that religious act whereby a

⁸⁴*Imborvungu* is made either from human bone or cast metal and is believed to bring honor, wealth, fortune and good harvests to those who possess it. *Imborvungu* is usually propiated and purified with human blood, not only from an unborn child, but from anyone.

⁸⁵Edward T. Atel, CSSp, *Dynamics of Tiv Religion and Culture* (Lagos: Free Enterprise, 2004), 76.

woman's pregnancy is terminated for the religious ritual⁸⁶ ceremony of the *imborvungu*, *u vihin yav* on the other hand is used with reference to the calculated and intentional termination of pregnancy due to other reasons, most often by the woman herself.⁸⁷

Tiv society had in place preventive measures as well as punishment for *u vihin yav* abortions other than *u dughun yav* ritual. However, today there are large numbers of abortions in Tivland and Nigeria in general.

Abortion is a crime in Nigeria. "The law on induced abortion in Nigeria is absolutely prohibitive with only a few exceptions. Both the Criminal Code (1963) applicable to the Southern States of Nigeria and the Penal Code (1959) which applies to the Northern States of Nigeria confirm this. The only circumstance under which abortion is not considered criminal is where it is carried out for the preservation of the mother's life."⁸⁸ While both codes generally prohibit the performance of abortions, differences in the wording of the codes, as well as their interpretation, have resulted in two slightly different treatments for the offence of abortion. The bottom line is that harsh penalties await the offenders. In all the locations where the research was conducted, almost all the women interviewed were aware that life begins from conception and should be respected from the womb to the tomb. They are also aware that abortion is against the fifth commandment, "thou shall not kill" (Exodus 20:13). Women feel that the issue of abortion is a complex and difficult decision to make, and by making it permissive for married, Tiv Catholic couples that are HIV-positive to use condoms they can be saved the pain of going through the dilemma of making such a decision.

⁸⁶ *U dughun yav* could also refer to a miscarriage. It is always an involuntary action on the part of the woman.

⁸⁷ Ibid., 81.

⁸⁸ Atel, *Dynamics of Tiv Religion and Culture*, 55.

Oral Contraceptives

Many women that are HIV-positive, or who have husbands who are HIV-positive, take oral contraceptives to avoid pregnancy. Women often say they are aware of the church's teaching on contraceptives. Many agree that abortion is equal to killing and against the fifth commandment. However, they continue to use oral contraceptives to provide them relief for their material difficulties. The poverty level is so high that conditions are often unfavorable for many women to keep pregnancies. Many of these women, therefore, do what they can to prevent pregnancies from occurring. This study shows that the use of contraceptive pills is becoming commonplace.

Table 4.10: Have you ever taken oral contraceptives?

<i>Responses</i>	<i>Number of Women</i>	<i>Percentages</i>
One or more oral contraceptives	1203	83%
No oral contraceptives and do not know anyone who has taken any	111	8%
No oral contraceptives but knows at least one woman who has taken once or more	132	9%
Total	1,446	100%

Women find the church's teaching on sexuality very difficult and complex. They are aware of the church's position on some issues, but find them difficult to follow. For instance, at the College of Education in Katsina-Ala, Mbanan Iortyom, a twenty-one

year old married woman says she takes oral contraceptives because they are easy to use.

I discovered that the easiest thing to do is to take oral contraceptives that would last for me a long period of time, and I would continue with my marital duties without being bothered by any eventuality concerning pregnancy. Since my husband has a mobile job, he comes in at any time after long periods of sexual abstinence necessitated by his job. Should he come when I am not safe [meaning that, following NFP, they could not have sex], that would bring trouble and encourage the man to go and look for women outside our matrimonial home. I cannot stand it, so I am now using oral contraceptives.⁸⁹

Again, at Katsina-Ala, another woman, Aver Tyodzua, complained of her husband's treatment and lamented not using oral contraceptive long ago.

When doctors stopped me from having pregnancy after birth complications, I insisted on abstinence. My husband is now married to the second wife. Since I would not take oral contraceptives, but opted for abstinence, my husband could not take it and I lost him. More so, I was no longer reproducing children. I am now in my early forties, but the incident occurred when I was in my late twenties.⁹⁰

These stories express the difficulties of Tiv Catholic women regarding the dilemmas they often face in sexual decision-making. Women are often pushed to make difficult sexual decisions like those under consideration.

⁸⁹ Mbanan Iortyom (a twenty-one year old married woman at the College of Education, Katsina-Ala), in a focus group discussion.

⁹⁰ Aver Tyodzua (a twenty-three year old married woman at the College of Education, Katsina-Ala), in a focus group discussion.

Premarital Sex and Dating

The presence of casual sexual behavior is growing in Tiv society.⁹¹ Young men want to have sex with young women before marriage. The men use agrarian imagery to justify this, saying *ka we tsor ihyande u zende ker* (when you select a piece of land for farming you check it round).⁹² Eighty percent of the young married women interviewed (those between the ages of twenty and thirty) had sex before marriage.⁹³ To further understand the depth of the problem, the research team interviewed young unmarried women as well. Of the 160 unmarried women in this age group, 97 (61 percent) have not had sex, while 63 (39 percent) reported having sex, though they were not sure of marrying their partners. Many young women are not sure what to do, since men increasingly insist on sex before proceeding with marriage. At times, these men might be HIV-positive, yet no one examines them to know their status. When the young women question their status, they typically become angry at not being trusted. At the same time, these young women need these men for their social and economic security.

In traditional Tiv society, virginity was highly valued and a thing of pride for the parents, most especially the mother. As noted in Chapter 3, unmarried girls wore *ikoo* (the shell of a snail) on their necks as sign of their virginity. According to Wegh,

The shell could only be removed by her husband after the consummation of the marriage. If the husband found that he was the first to know his wife, he took a she-goat known as *ivo akoo* (goat-snail) to his *ngo-kem* (mother-in-law)

⁹¹ In the three sites where the research was conducted, almost all the young women complained about the harassment they had at the hands of young men before they were married.

⁹² The Tiv people are farmers. This saying means that a person gets to know a piece of farm land before one cultivates it. This implies that one should have sex with a future wife to know if they are compatible before getting married to such a woman.

⁹³ This information was corroborated at all three of the major research locations.

in appreciation of the mother's role in bringing up her daughter. The gesture of bringing a she-goat to the mother-in-law is described as *akoo a saghen* (untying the snails). A mother who gave her daughter into marriage and received a she-goat in recognition of her daughter's virginity was a proud woman.⁹⁴

Premarital sex was very rare in Tiv society, except in the *Masev* and *Iharev* sub-clans (as noted in Chapter 3). "If however, a girl got pregnant from premarital sexual intercourse, she faced a gloomy future as she was likely not to find someone who was willing to marry her after she had given birth to the child in her parents' home."⁹⁵ The society also punished any man who forced or lured a young girl into sex. "Anyone who has sexual intercourse with her [an unmarried girl] before the snail was removed, would be impotent."⁹⁶

Christian tradition has always rejected premarital sex as fornication. This is clearly true in the Catholic Church. "The unanimous teaching of the churches remains: sexual intercourse must be confined to marriage."⁹⁷ Most of the women interviewed do not like to have premarital sex. Men force them into it.

Conclusion

In this chapter, Tiv Catholic women were heard in their own voices, recounting their exclusion in the sexual decision-making process, and how this affects them. The social status of women is low and, as such, men treat women as their inferiors. Social norms lead to women being treated as non-persons. The same social

⁹⁴ Wegh, *Between Continuity and Change*, 119.

⁹⁵ Atel, *Dynamics of Tiv Religion and Culture*, 82.

⁹⁶ B.D. Iortyom, *Traditional Marriage Customs among Tiv* (Makurdi: Government Printers, 1979), 23.

⁹⁷ Kieran Scott, "Cohabitation: A Reassessment," in *Human Sexuality in the Catholic Tradition*, eds. Kieran Scott and Harold D. Horell (New York: Rowman and Littlefield, 2007), 185.

norms result in women being excluded from sexual decision-making and lead to the tolerance of domestic violence that prevents women from refusing unwanted sexual advances, negotiating safe sex, or criticizing men's infidelity — all of which contribute to women's HIV infections. In this context, women's freedom is taken away; therefore, they cannot be totally responsible for their sexual actions. Can Tiv Catholic women be justified in insisting that their husbands use a condom as a legitimate means of self-defense to protect themselves against an HIV/AIDS attack? Even in cases where both couples are HIV-positive, current medical research holds that an HIV-positive person can give another HIV-positive person a fresh attack.

The chapter further explored the connection between family planning and HIV/AIDS in Tivland. In the event that a woman becomes pregnant and is discovered to be HIV-positive, there is anxiety regarding how to prevent HIV from being passed on to the child. There is also the problem of inadequate medical facilities and the poor diet that an HIV-positive woman needs to worry about as her health depletes. Though only women get pregnant, men have the last say on pregnancy without the woman's consent. All these contribute to women's burdens, which place them in a dilemma on how to observe traditional morality on condom use, abortion, oral contraceptives, and premarital sex and dating. The next chapter brings Tiv Catholic women's daily sexual experiences in conversation with Catholic sexual ethics.

Chapter Five: Catholic Sexual Ethics

Introduction

Catholic sexual ethics is a body of the teaching of the Catholic Church on human sexuality. The church teachings cover the full range of human sexual behavior.

One can rightly choose to exercise one's genital sexual powers only when one, as a spouse, freely chooses to engage in the conjugal act and, in that act, chooses to respect fully the goods of mutual self-giving and of human procreation. From this it follows that it is never morally right to unite sexually outside of marriage, i.e., to fornicate or commit adultery, or to masturbate or commit sodomy, i.e., have oral or anal intercourse, whether with a person of the opposite or of the same sex, nor ought one intentionally to bring about or maintain sexual arousal unless in preparation for the conjugal act.¹

This chapter offers a Catholic response to the ethical challenges surrounding the reality of Catholic women's sexual decision-making in Tivland. The chapter acknowledges the tensions involved and uses the tradition to dialogue with the experiences of Tiv women. The chapter further probes how context determines pastoral responses. This study acknowledges that there have been developments in the church's understanding of sexuality. "That there has been an evolution in the Church's understanding of the meaning and purpose of conjugal intercourse is undeniable."² This does not mean that divine truth has changed. "God is one and truth is one. This is a long-standing philosophical and Catholic belief."³ Truth does not

¹ William E. May, *Catholic Sexual Ethics*, ed. John A. Farren (New Haven: Catholic Information Service, 2001), 3.

http://www.catholicplanet.com/ebooks/Veritas_CIS314.pdf.

² Vincent J. Genovesi, SJ, *In Pursuit of Love: Catholic Morality and Human Sexuality* (Minnesota: Liturgical, 1996), 182.

³ John E. Perito, *Contemporary Catholic Sexuality* (New York: Crossroad, 2003), 71.

change, but the appropriation of this truth changes “simply due to the blind spots in our intellects and our need to grow in wisdom.”⁴ Changes in Catholic sexual understanding only show that the tradition of the church grows. John Noonan holds that, “it is a perennial mistake to confuse repetition of old formulas with the living law of the Church. The Church, on its pilgrim’s path, has grown in grace and wisdom.”⁵ The church’s teachings, thus, need to respond to Tiv Catholic women’s sexual ethical dilemma. To do this, the chapter begins by examining the church’s teachings on human sexuality.

What the Catholic Church Teaches

This study is designed to examine Catholic sexual ethics in light of Tiv Catholic women’s sexual decision-making in an HIV/AIDS context, where HIV-positive husbands coerce their wives to have sex with them. This section of the research reflects on the goal of human sexuality, a theology of the body, what makes a sexual act moral or immoral, and the place of freedom in determining the morality of an action. In order to develop a Catholic moral tradition, this section goes further to critique Catholic sexual ethics.

The Goal of Human Sexuality

The church understands the goal of human sexuality as a movement toward intimacy in marital life. The church sees it as the highest expression of God’s love in human form. It is found only in the marital union of man and woman.⁶ “[A]lthough the ultimate goal of sexual morality ... [has sometimes been seen by some] as a

⁴ Ibid.

⁵ John T. Noonan, *Contraception: A History of its Treatment by the Catholic Theologians and Canonists* (Cambridge: Harvard University Press, 1986), 630.

⁶ CIC, c. 1013 §1-2.

movement toward nonsexual way of loving,”⁷ the *Catechism of the Catholic Church* teaches that,

Conjugal love... aims at a deeply personal unity, a unity that, beyond union in one flesh, leads to forming one heart and soul; it demands indissolubility and faithfulness in definitive mutual giving; and it is open to fertility. In a word it is a question of the normal characteristics of all natural conjugal love... which not only purifies and strengthens them, but raises them to the extent of making them the expression of specifically Christian values.⁸

While the *Catechism of the Catholic Church*'s understanding of human sexuality focuses on procreation, the education of children, and the mutual complementarity of spouses,⁹ Pope John Paul II reaffirms that sexuality is the means by “which man and woman give themselves to one another through the acts which are proper and exclusive to spouses.”¹⁰

The official magisterial teaching is rooted in the Genesis stories of creation (Genesis 1-3). God created human beings, male and female (Genesis 1:27), and saw the need for them to be together (Genesis 2).¹¹ As a result of sin, “the man and the woman find themselves alienated from God, from each other, and even from their own sexuality. They now experience shame over their nakedness, for after their sin ‘their

⁷ Michael J. Hartwig, *The Poetics of Intimacy and the Problem of Sexual Abstinence* (New York: Peter Lang, 2000), 125.

⁸ *Catechism of the Catholic Church*, 2nd edition, 1643.

⁹ *Ibid.*, 2332.

¹⁰ John Paul II, *Familiaris Consortio*, sec. 11.

¹¹ United States Catholic Conference, “Always Our Children: A Pastoral Message to Parents of Homosexual Children and Suggestions for Pastoral Ministers,” September 10, 1997, <http://www.usccb.org/issues-and-action/human-life-and-dignity/homosexuality/always-our-children.cfm>.

eyes were opened and they knew they were naked (Genesis 3:7).’ Concupiscence had entered the human heart.”¹² Three things may be derived from this.

First, human sexuality goes beyond genital sexual expression to encompass the meaning of what maleness and femaleness is — two different ways of expressing common humanity.¹³ The *Catechism of the Catholic Church* asserts, “Sexuality affects all aspects of the human person in the unity of his body and soul. It especially concerns affectivity, the capacity to love and to procreate, and in a more general way the aptitude for forming bonds of communion with others.”¹⁴

Second, sexual activity has to take place within the context of marriage and procreation, as both are closely connected to it.¹⁵ According to Cloutier, if one feels that genital sex is the only way of relating to a person, then there is the danger of turning another party into a mere instrument for appeasing one’s sexual desires, thus debasing the other’s personhood. In this sort of relationship, “intentional deception” is not ruled out.¹⁶ As Cloutier puts it: “The Catholic position is strengthened by the fact that it is so difficult to know where to place the line indicating ‘we’re ready.’ As many know from experience, that sort of a conversation is hard to have in the absence of a total commitment. It is all too easy for persons who want sex to say they are committed or to say the right things about marriage but not mean them.”¹⁷

¹² Ronald Lawler, OFM Cap., Joseph Boyle and William E. May, *Catholic Sexual Ethics* (Huntington: Our Sunday Visitor, 1998), 37.

¹³ Congregation for the Doctrine of the Faith, *Persona Humana*, sec. 1. See also *Familiaris Consortio*, sec. 11.

¹⁴ *The Catechism of the Catholic Church*, 2nd edition, 2332.

¹⁵ *Ibid.*, 2360 and 2363. See also Pius XI, *Casti Connubii*, sec. 10.

¹⁶ David Cloutier, *Love, Reason, and God’s Story* (Winona: Saint Mary’s, 2008), 141.

¹⁷ *Ibid.*

Third, the magisterial teaching calls for chastity, which includes self control, and respect for one's dignity and the dignity of others.¹⁸ Sexual instincts in a human person are not uncontrollable. The sexual instinct is mastered and directed by the human will, for a human person is not a bundle of sensations and instincts. Sexual life is more enjoyable when it is well-ordered and directed through shared intimate relationships that include chaste, Christian living.¹⁹

The church condemns cohabitation and teaches that men and women's attraction to each other is best expressed in marriage.²⁰ Men and women may be attracted to each other physically, but should not limit their understanding of sexuality to mere genital sex. "Such a relationship is seen as a false sign, contradicting the meaning of a sexual relationship."²¹ Following the teaching of the church, this work discusses Tiv Catholic women's reproductive health in the context of marriage. Lisa Cahill summarizes Catholic teaching on the goal of human sexuality as follows:

Current Roman Catholic teaching on sexuality is characterized by the following four traits. 1) It aims at a new stress on the *interpersonal*, in addition to the procreative. 2) It attempts to set or reaffirm *norms* for sex, even while recognizing the importance of intimacy (as equal to or even more important than acts) in defining sexual morality. 3) At the most concrete and practical level, sexual norms are nonetheless derived within an essentially *patriarchal*, procreative model, especially regarding women's sexuality. 4) Even while

18 Pontifical Council for the Family, *The Truth and Meaning of Human Sexuality*, sec. 16.

¹⁹ Karl H. Peschke, *Christian Ethics 2* (Manila: Divine Word, 1994), 403.

²⁰ United States Catholic Conference, *Human Sexuality: A Catholic Perspective for Education and Lifelong Learning* (Washington DC: USCC, 1991), 55. See also John Paul II, *Familiaris Consortio*, sec. 11.

²¹ Kieran Scott, "Cohabitation: A Reassessment," in *Human Sexuality in the Catholic Tradition*, eds. Kieran Scott and Harold D. Horell (Lanham: Shield and Ward, 2007), 179.

affirming the personal and relational significances of sexuality, official teaching still elaborates norms for sexual behavior around a focus on specific sex *acts* (or specific procreative acts).²²

In a Catholic understanding of sexuality, the whole person, including one's body, matters in sexual expression. The next section examines this understanding in light of a theology of the body.

Theology of the Body

Pope John Paul II's teachings, which spans over five years of conferences and papal messages, have been codified under the title of 'theology of the body.'²³ The 'theology of the body' consists of a series of 129 lectures given by John Paul II during his Wednesday audiences in the Pope Paul VI Hall, between September 1979 and November 1984. The themes were repeated and expanded upon in many of John Paul's encyclicals, letters, and exhortations.

In his teachings, John Paul II establishes a Christian anthropology that eschews dualism and reinforces the unified material and spiritual aspects of a human person as an existential being. His thesis is that humanity lives as an embodied entity, spiritual and temporal, material and immaterial components coming together into one. "The mystery of the Incarnation lays the foundations for an anthropology which, reaching beyond its own limitations and contradictions, moves toward God himself, indeed toward the goal of 'divinization.'"²⁴ Upon the basis of this, John Paul II applies his theological anthropology to the moral questions of how human beings live their embodiment as human beings in God's image. John Paul II taught that the

²² Lisa S. Cahill, *Women and Sexuality* (New York: Paulist, 1992), 49.

²³ John Paul II, *The Theology of the Body: Human Love in the Divine Plan* (Boston: Pauline Books and Media, 1997).

²⁴ Christopher West, *The Theology of the Body Explained* (Boston: Pauline Books and Media, 2003), 9.

enfleshed God “impl[ies] not only a blessing of the highest degree upon the whole physical world; it would also imply the divinization in some sense of human flesh - which necessarily includes human sexuality.”²⁵

John Paul II sought to answer two principal questions in his catechesis: what does it mean to be human? How does one live in a way that brings true happiness and fulfillment? Through an in-depth reflection on the scriptures, John Paul seeks to link human creation as male and female as the fundamental fact of human existence. He starts with the question, what does it mean to be human? The pope then reflects on the three stages of the human experience of sex and the body: in human origin before sin (Matthew 19:3-8), in human history, darkened by sin, yet redeemed in Christ (Matthew 5:27-28), and in human destiny, when God will raise people’s bodies in glory (Matthew 22:23-33). In response to the question, how does one live in a way that brings true happiness and fulfillment? John Paul applies his distinctive “Christian humanism” to the vocations of celibacy and marriage. He says that both celibacy and marriage point to the reality of participating in divine life in different ways.²⁶ He says that God has created the human body as a sign of divine mystery. The human body makes this divine mystery visible and participates in it with all its sexual faculties. According to John Paul, “It is an illusion to think we can build a true culture of human life if we do not . . . accept and experience sexuality and love and the whole of life according to their true meaning and their close inter-connection.”²⁷ He then concludes

²⁵ Ibid., 10. The divinization of the human person preoccupies Eastern theological anthropology, referring to the understanding of the human person in God’s creation. This was the preoccupation of Gregory of Nyassa, one of the Eastern fathers of the church. His famous work on this subject is titled, *De Hominis Opificio* (The Making of the Human Person). See Gregory of Nyassa, *De Hominis Opificio*, 16.

²⁶ Humanity longs for the ultimate fulfillment in heaven, and both vocations lead to that when one truly lives according to their demands. See *Catechism of the Catholic Church*, 2nd edition, 1642.

²⁷ John Paul II, *Evangelium Vitae*, sec. 97.

by saying that his study provides an explanation of the Church's teaching on sexual morality. One of John Paul's "main goals in his catechesis was to provide a biblical defense of the Church's sexual ethics that would resonate with the modern world."²⁸

Luke Timothy Johnson's work, "A Disembodied 'Theology of the Body': John Paul II on Love, Sex, and Pleasure,"²⁹ takes a glimpse into the current debate concerning the Catholic understanding of the body. Johnson gives a critique of John Paul II's entire theology on love, sex, and pleasure. Contrary to the positive reviews accorded John Paul II's theology by Christopher West, George Weigel, and Janet Smith, Johnson takes a more critical perspective. Acknowledging the good intentions and positive considerations, like the "culture of life," attention to the "person," and "continence," he is of the view that in articulating the place of women-men relations in his theology, John Paul II treats the theological basis of the body too lightly, overlooking its role in the social process of human existence.

Johnson makes several critical observations. First, John Paul II's focus is too narrow for the theology of the body. "Reducing a theology of the body to [only] a consideration of sexuality falsifies the topic from the beginning."³⁰ Second, John Paul II is removed from the experiences of people, but revelation can only be meaningful when it communicates or connects with people's experiences. John Paul II's theology of the body appears this way because of his excessive attachment to ancient scriptural texts without adequate explanations engaged with present experiences.³¹ It must be acknowledged that the human person is a mystery – with pleasure and pain. Human sexuality is an all-encompassing aspect of humans living as relational beings.

²⁸ Christopher West, *The Theology of the Body Explained*, 5.

²⁹ Luke Timothy Johnson, "A Disembodied 'Theology of the Body': John Paul II on Love, Sex, and Pleasure," in *Human Sexuality in the Catholic Tradition*, eds. Kieran Scott and Harold D. Horell (Lanham: Shield and Ward, 2007), 111-121.

³⁰ *Ibid.*, 113.

³¹ *Ibid.*, 116.

Reducing the theology of the body to sexuality and the transmission of human life alone leaves out the fuller picture of human beings as totally sexual beings in everything people do. For Johnson then, John Paul II's approach, which builds on Paul VI's *Humanae Vitae*, needs an update in the face of emerging facts on human sexuality. The theology of the body needs to take into consideration the worldviews of particular people; in this case, the Tiv people. Catholic sexual ethics need to be sensitive to the cultural understandings of specific peoples regarding the body. People's understanding has implications for whatever response they give to what Catholic theology teaches.

The Tiv people have enormous respect for the body, both in life and death. While alive, the body is believed to be the abode of the spirit, and is well kept by both men and women. At death, Tiv people wash and dress a dead body in the best clothes, and put extra clothes in the casket so that the person can have something else to wear and appear clean in *kumun u tamen* (the great beyond). From this proceeds their understanding of human embodiment.

Human embodiment includes human sexuality, with its joys and pains. All human beings are sexual beings. Jesus too was a sexual being, with all that it means to be a human being. The incarnation means that the world was made flesh in the person of Jesus, who experienced "temptations of the flesh and, by grace, had overcome them."³² Emotions are part and parcel of human sexuality. The erotic side of life that includes feelings and desire is not to be despised. "Desire as an expression of the body-self is an intrinsic element in our openness to God. Not to desire is not to receive and not to receive is not to know. Conversely, to desire can mean to know and

³² James B. Nelson, *Embodiment: An Approach to Sexuality and Christian Theology* (Minneapolis: Augsburg, 1979), 12.

to know can mean to love.”³³ Humans are created to love and enter into communion with both God and fellow human beings, which is part of human sexuality. Sexuality affects people both in private and in public. “In other words, what people do in the privacy of their bedrooms have enormous personal and social impact.”³⁴ Parental guidance and church teachings are societal controls that tell people that sexual expressions involve the society, and not just the individual personal experience of wanting to do what people want with their bodies. When one’s sexual life is well ordered and directed, people enjoy it better through shared intimate relationships that include chaste Christian living. Not doing what all people want with their bodies raises questions of morality regarding what people ought to do.

A Moral Conjugal Act

A moral conjugal act is a free, marital, human sexual act. What makes the action good or bad, deserving praise or admonishment? Traditional Catholic ethics assert a three-fold principle of morality: intention, object, and circumstances. The *intention* is what goes on inside people when they decide and make choices (formal element of a moral act). “It is also called the ‘end’ (*finis operantis*) or that which we are after in doing what we do, i.e., the whole purpose of our action. The intention gives personal meaning to the action.”³⁵ It is the motive of an act, the reasons why one does an act. The *object* is what goes on outside people, the target of their decisions and choices (material element of a moral act). It is the “act-in-itself (*finis operis*), or the means-to-an-end”³⁶ that is “an action that is rationally chosen by the will.”³⁷ It is

³³ Ibid., 33.

³⁴ Edward Vacek, SJ, “Contraception and Responsibility,” *Catholic Charismatic* 5, no. 2 (1980):14.

³⁵ Richard M. Gula, SS, *Reason Informed by Faith* (New York: Paulist, 1989), 265.

³⁶ Ibid.

³⁷ Josef D. Zalot and Benedict Guevin, OSB, *Catholic Ethics in Today’s World* (Winona: Saint Mary’s Press, 2008), 34.

the direction of an act (what one chooses to do). According to John Paul II, the morality of an action “depends primarily and fundamentally” on its object.³⁸

Circumstance is the context of the action; how the object and intention interact in a given situation to produce an action. “The end and the means exist in relational tension to one another and to all the essential aspects which make up the circumstances.”³⁹ Circumstance involves exploring questions, such as who, what, when, where, why, how, what else, and what if.

According to Catholic moral theology, the morality of a human act depends on the three elements of object, intention, and circumstance. At least one of these must be good, others may be indifferent, and none may be evil.⁴⁰ A defect in any of these renders the act morally evil. One cannot choose one good against another good, neither can one do evil so that good may come of it. The *Catechism of the Catholic Church* emphasizes the primacy of the object of an act, understood as intentional act. “There are concrete acts that it is always wrong to choose, because their choice entails a disorder of the will, i.e., a moral evil.”⁴¹ Genovesi advises people “to discern whether an action is objectively right or wrong, and ... to evaluate whether an action is morally good or evil.”⁴² Making a distinction between the objectively wrong or right action, Genovesi says, “an objectively right action is one that helps or promotes the authentic human growth of others and/or of self. In contrast, an objectively wrong action is one that threatens, hurts, or frustrates the authentic human growth of others

³⁸ John Paul II, *Veritatis Splendor*, sec. 78.

³⁹ Gula, *Reason Informed by Faith*, 267.

⁴⁰ A Catholic Response, “A Primer on Catholic Morals,” 1999, <http://users.binary.net/polycarp/morals.html>.

⁴¹ *Catechism of the Catholic Church*, 2nd edition, 1761.

⁴² Vincent J. Genovesi, *In Pursuit of Love: Catholic Morality and Human Sexuality* (Minnesota: The Liturgical, 1996), 100.

and/or of self.”⁴³ What makes an action either good or evil is when a person commits the act with full consent, volition, and freewill. What are involved are the knowledge, intention, and freedom of the person performing the act. “Sin requires sinners; this means that if a particular action is a sin, it is only because it is performed by a person who is a sinner, that is by someone who knows the action is objectively wrong and nonetheless consciously and freely commits it.”⁴⁴

When certain impediments hinder the full consent and freewill of an action, the action becomes an objective moral wrong, though the person who commits such an act cannot be fully responsible for nor guilty of it. This is where the issue of premoral, physical, or ontic evil comes in. Premoral evil is the “deprivation of some good that is due a person or thing” (e.g. sickness and death). “They are obviously bad, but not as such immoral. The question is whether choices deliberately to cause premoral evils are morally bad choices.”⁴⁵ The answer is clear, one does not choose evil to bring good, neither is it permissible for one to choose one good over the other. What this means is that there should be a consideration of the whole act to arrive at the total moral meaning of the act. There is a need to put the three parts into constant dialogue. Below are three cases that test ethical considerations of what it means for Tiv Catholic women to make concrete moral sexual decisions in Tivland.

Case Studies. These are cases derived from the fieldwork of this study and which constitute real ethical dilemmas for Tiv Catholic women. The details behind these cases are all hypothetical and based on a composite of a series of actual cases.

Non-Regeneration of Life. Terseer and Iveren are both young and happily married. Both agree to be married but do not want to have more than two children

⁴³Ibid.

⁴⁴Ibid., 102.

⁴⁵Lawler, Boyle and May, 82.

because children would be a hindrance to their happiness. Iveren does not want her tummy to expand after childbirth. She wants to look sexy all the time, and therefore, declines having more children. Her husband, Terseer, agrees in order to make Iveren happy. Iveren takes contraceptive pills to prevent pregnancy.

In this case, the wife's object, non-procreation, the prevention of the coming of new life in the world by taking contraceptive pills, is bad. The intention is also bad, as the motive for the prevention of pregnancy is not the protection of some good, but to avoid the expansion of her tummy after childbirth and to look sexy. Finally, the following circumstances are bad: (who) the wife is preventing the coming of a new life in the world, (what) prevention of new life here is for the selfish reason of looking good, (where) in a marital reproductive act which is closed to procreation, (how) through an immoral method, and (by what means) contraceptives are used.

Self-Defense for Bodily Health. Ngodoo is married to Terungwa who overpowers her and beats her often for sex. Ngodoo is one among the many wives of Terungwa, who is polygamous. She suspects that one of the wives is HIV-positive and thinks Terungwa is also HIV-positive. Her patriarchal culture prevents her from leaving Terungwa, or even talking about her marital woes. At the same time, Ngodoo knows this can be a dangerous situation for her and her health, as cases of HIV/AIDS are on the rise; even recently, one of her friends contracted the disease through her husband's licentious lifestyle. Ngodoo takes the precaution of requesting that Terungwa wear a condom, which protects her from direct genital contact with Terungwa. She now lives with Terungwa, who often demands sex from her, but obliges to her request that he use a condom. She is able to take care of her children and go about her daily chores with relative peace.

In this case, the object appears indifferent, as the wife's request that the husband use a condom is not necessarily predicated to good or evil. It is a morally neutral act that may be rendered good or evil by intention and circumstance. The intention is good, as it is the preservation of life, namely Ngodoo's life and that of her children. The circumstances are all indifferent or good: (who) a woman protecting herself and children from an abusive husband who could be dangerous and inflict harm, (where) Ngodoo is protecting her life and that of her children in her home, (how) she does it dispassionately, as it is not necessary to enjoy sexual intercourse that is closed to procreation, (by what means) she requests her husband use a condom, which is the best available means of defense at her disposal, (when) she is inhibited by her culture from leaving her dangerous husband.

Means of Sustenance. Tertsea and Erdoo are faithful Catholics doing everything possible to live out their faith. They express marital fidelity to each other, but live in want and squalor. Given their meager resources, they find it difficult to cope with their large family of ten children. Erdoo's elder brother dies in a car accident and leaves her with five children in an African village. Tertsea and Erdoo try to curtail their rate of child birth using NFP, but that has failed them. The doctor has advised her not to become pregnant again because she might not be able to bring the pregnancy to term. Both Tertsea and Erdoo repeatedly travel twenty-five miles from their village to the parish center to meet their pastor to educate them on the best available resources for NFP, but the pastor is ignorant on the procedures of NFP and simply tells them that AFP is against the church's teachings. Erdoo tries to persuade her husband to sanction the use of oral contraceptives, but he refuses. She is worried because the burden of nursing children is too heavy on her. More so, children need medication, clothing, feeding, and education, all of which are paramount in Christian

family teaching. Erdoos continuously pleads with Tertsea to use a condom, and he finally gives in to condom use.

In this case, the object appears indifferent, as preventing procreation is not necessarily predicated to good or evil (same as above). The intention is good, as it is the preservation and sustenance of life. The circumstances are all indifferent or good: (who) a woman's impending health complications that would endanger her life as a mother and take away the happiness of the family, (where) Erdoos is protecting her life and the sustenance of the entire family of seventeen persons in her home, (how) she is not self-centered and just out to enjoy sex, (by what means) with the husband's use of condoms, Erdoos might be preventing a pregnancy, which is not the intended action. Her intention is to avoid an impending health hazard. The good effect of her action does not depend on the evil effect. The intended object is the good effect, and the good effect seems to outweigh the evil effect, (when) she acts on the best possible means available at her disposal.

People critical of this approach say it is situation ethics.⁴⁶ However, the kind of reasoning used here in analyzing the moral goodness or evil of these sexual acts by object, intention, and circumstance differs greatly from situation ethics. Situation ethics hold that there is no ethical standard that can be uniformly or consistently applied, for each situation demands its own standard of ethics. "Situationism has no objective criteria. It only applies the subjective concept of the 'norm of love.' In Catholic moral theology, an evil object could never be rendered good (not even by a good intention), whereas situation ethics knows no evil object. Everything is reduced to intention ('the norm of love'). So, for instance, Catholic moral theology would

⁴⁶ Joseph Fletcher, *Situation Ethics: The New Morality* (Louisville: Westminster John Knox, 1997), 26-37. Situation ethics can lead to moral skepticism. See L. L. Mackie, "The Subjectivity of Values," in *The Right Thing to Do*, eds., James Rachels and Stuart Rachels (New York: McGraw-Hill, 2010), 49-60.

never countenance adultery; whereas, situation ethics would.”⁴⁷ According to McHugh and Callan, as cited by Brother Andre Maria, the Catholic tradition prior to the Second Vatican Council held that there are exceptions to moral norms. For instance, “if a slight impurity of intention (for example, praying publicly to edify *and to get a good reputation*), or a minor evil of circumstance which is not sufficient to transform the act (being distracted while praying) enters into the act, it is still a good act, albeit only *partly* good, and not *entirely* good.”⁴⁸ Here, the freedom of a person as an acting agent is very central to the act.

Freedom and the Moral Conjugal Act

Freedom means the decision whether to act or not as one feels or thinks is right or reasonable. As the *Catechism of the Catholic Church* puts it, “God created man a rational being, conferring on him the dignity of a person who can initiate and control his own actions.”⁴⁹ As the Bishop’s Conference of England and Wales puts it, “Freedom is not the license to do whatever we wish but is the responsible choice to do what is good.”⁵⁰ People discover this freedom by listening to the voice of conscience.⁵¹ It is in freedom that people make rational choices and own up to their actions. Thus, the *Catechism of the Catholic Church* teaches: “Freedom makes man *responsible* for his acts to the extent that they are voluntary.”⁵² Unfortunately, Tiv women’s social position takes away their freedom. This study indicates that women

⁴⁷ Brother Andre Maria, “The Three Integral Parts of a Moral Act,” Brother Andre Maria’s Weblong, last modified August 30, 2007, <http://brotherandre.stblogs.com/2007/08/30/fun-with-moral-theology-the-three-integral-parts-of-a-moral-act/>.

⁴⁸ Ibid. See also John A. McHugh, OP and Charles J. Callan, OP, *Moral Theology: A Complete Course Vol. 1* (New York: Wagner, 1958), 27-28.

⁴⁹ *Catechism of the Catholic Church*, 2nd edition, 1730.

⁵⁰ Bishops Conference of England and Wales, “Pastoral Letter on Veritatis Splendor,” *Doctrine and life* 43 (1993): 566.

⁵¹ Ibid.

⁵² *Catechism of the Catholic Church*, 2nd edition, 1734.

are not part of sexual decision-making in Tivland. How are they culpable for what arises from such decisions? The table below shows women’s predicament.

Table 5.1: Are women responsible for marital decisions?

<i>Responses</i>	<i>Number of Women</i>	<i>Percentages</i>
No, men are solely responsible	1,303	90%
Yes, women are solely responsible	56	4%
Partially responsible	87	6%
Total	1,446	100%

The table above shows the control men exercise over women in the home. Out of 1,446 women in the survey groups, 1,303 (90 percent) strongly feel that men are solely responsible for sexual decision-making. Only 56 (4 percent) of research participants see women as having an active decision-making role in the home, and blame women for wrongs in the home. The remaining 87 (6 percent) are dissatisfied with women’s status in marriage and would like something to be done to help women. In many African societies, marriage only transfers the ownership of a woman from her father to her husband. “Whereas marriage confers full responsibility and a measure of autonomy on a man as a member of the community, the woman remains a subject.”⁵³ Freedom entails lack of constraints. It means to have within oneself the reason for one’s actions. Freedom refers to the possibility of the subject to act as a person. The cultural constraints on women make it difficult for them to act freely on their own. The table below explores the question of women’s liberation.

⁵³ Mercy A. Oduyoye, *Daughters of Anowa: African Women and Patriarchy* (New York: Orbis, 2000), 135.

Table 5.2: Is it possible for women to liberate themselves?

<i>Responses</i>	<i>Number of women</i>	<i>Percentages</i>
Yes, women have the capacity	563	39%
No, women need help	543	38%
Men will not allow it	340	23%
Total	1,446	100%

The table shows the anxiety surrounding women’s oppression and desire for freedom. Of 1, 446 women in the study groups, 563 (39 percent) accept that women have the capacity to fight for their freedom in Tiv society. The rest of the 783 women are in doubt. While 543 (38 percent) accept that with help women can assert themselves, 340 (23 percent) fear that men can still block women’s freedom. One can imagine the power of patriarchy and women’s position regarding those sexual decisions in which they are involved. Are these women then responsible for their actions? What difference does it make when they do not act according to the “ideal” sexual morality? What sort of decisions should they make? The *Catechism of the Catholic Church* says that, “The imputability or responsibility for an action can be diminished or nullified by ignorance, duress, fear, and other psychological or social factors.”⁵⁴ The central idea is that individuals should have the enabling means to live to the best of their potential because “freedom is essential for a good human life.”⁵⁵ According to Paul Wadell, people ought to work for freedom. People “must learn to be free. ...must work at growing in freedom by reckoning with all that diminishes

⁵⁴ *Catechism of the Catholic Church*, 2nd edition, 1746.

⁵⁵ Paul J. Wasdell, *Happiness and the Christian Moral Life* (New York: Rowman and Littlefield, 2008), 93.

it.”⁵⁶ The church can help liberate women from things that take away their freedom in Tiv society. It is only when a human person is free to act in a way that appeals to him or her that such a person is also obliged to take full responsibility for the action. In effect, such a person is opened either for good results or repercussions that may result from his or her action. The central problem of this research is that women’s freedom to have good reproductive health is compromised in Tivland. This has resulted in pastoral ethical dilemmas enmeshed in the ongoing contraception controversy in Catholic sexual ethics.

Contraception Controversy

Catholic tradition does not reject family planning, but rejects artificial means of family planning because it results in contraception. The difficulty in using a condom as HIV/AIDS prevention strategy hinges on the fact that it is also a form of contraception. This section of the research explores what the Catholic tradition teaches on contraception, and the moral legitimacy for Tiv Catholic women to request that their husbands use condoms as a self-defense strategy against HIV/AIDS.

Family Planning and Contraception

The church recommendations on responsible parenthood accepts family planning, cautions the faithful on the use of artificial means of family planning, and recommends natural family planning methods.⁵⁷ According to John E. Perito,

Natural Family Planning is often seen incorrectly, even by physicians, as the old calendar, temperature, and ‘rhythm’ method. Rather, it is based on the findings of Doctors John and Evelyn Billings, that a woman’s vaginal mucus serves as a reliable indicator of the hormonal changes that occur at the time of ovulation. This method can be used to either avoid a pregnancy or to create

⁵⁶ Ibid., 94.

⁵⁷ Paul VI, *Humane Vitae*, secs., 10 and 14.

one, depending upon a couple's choice and appropriate use of the fertile periods.⁵⁸

At the Second Vatican Council, the church taught that couples should “thoughtfully take into account both their own welfare and that of their children, those already born and those which may be foreseen.”⁵⁹

The church recommends NFP when couples have serious social, psychological, physical, or financial reasons to avoid another pregnancy for the time being or indefinitely.⁶⁰ Though both AFP and NFP may result in limiting family size, the object and intention of both methods make the difference. As noted above, in Catholic moral theology, the end does not justify the means. A common purpose does not make morally equal all the possible means of achieving that same purpose. Thus *Humanae Vitae* teaches, “It is not licit, even for the gravest reasons, to do evil so that good may follow therefrom.”⁶¹ A prime purpose of the divine positive law, as contained in the Decalogue, indicates that people are not to act against the created human nature in pursuing some purpose or pleasure.⁶² Thus, the Church holds that birth regulation “must be done with respect for the order established by God.”⁶³ The established order of nature respects the institution of marriage in forbidding premarital and extramarital sex; ensures that in the natural completed conjugal act, there is a symbolic bodily unity of man and wife, which is opened toward procreation. Sharing of creative powers in the world is part of God's divine providence.

Of course, NFP may succeed with exactly the same contraceptive mentality as AFP. The contraceptive mentality is to control birth for hedonistic and utilitarian

⁵⁸ Perito, *Contemporary Catholic Sexuality*, 105.

⁵⁹ Vatican II Council, *Gaudium et Spes*, sec. 50.

⁶⁰ Paul VI, *Humanae Vitae*, sec. 16.

⁶¹ *Ibid.*, sec. 14.

⁶² *Ibid.*, sec. 16.

⁶³ *Ibid.*

principles alone without recourse to the divine law.⁶⁴ *Gaudium et Spes* states that, “On the strength of these principles, the children of the Church are not allowed, in the matter of regulating procreation, to adopt methods which are reprobated by the teaching authority of the Church interpreting divine law.”⁶⁵ Some theologians call for a shift in the Church's teaching regarding the pill, claiming that it is not a barrier method and could be used without a contraceptive mentality where couples are not stable, and NFP fails them.

NFP works well for couples in stable, loving, committed relationships based on mutual respect. Such couples understand sex and sexuality as a gift from God and act accordingly. NFP challenges couples not to see sex primarily as a means of gratification and pleasure, and for spouses not to see the other as an object of their gratification. NFP enables couples to identify the times of fertility and infertility of the wife and collaboratively work toward abstinence and self-control. Couples seeking to achieve pregnancy have intercourse during the most fertile times in a calendar month. Couples seeking to avoid pregnancy have intercourse only during the infertile times and avoid genital sex during the fertile times.

[The] Billings Method teaches a woman to recognize in her body one sign, which tells her clearly and without doubt, that her ovulation is coming soon. This is the Mucus Sign. She can avail of that sign in order to achieve or avoid pregnancy as she and her husband desire and also to preselect the sex of their baby if necessary. Once a woman is able to identify the time of ovulation and

⁶⁴ Divine law comes directly from God so cannot be changed. That is also part of the Natural Law interpretation in the Catholic tradition. See, M. Aloysius Admimonye, IHM, *My Conscience: My Guiding Light* (Enugu: Snaap, 2002), 29-64.

⁶⁵ Vatican II Council, *Gaudium et Spes*, sec. 51.

understand its significance, she knows how to control their combined fertility.⁶⁶

This study acknowledges the tremendous benefits of NFP and of Catholic sexual teaching in general. At the same time, it sees the human struggles of countless committed Catholic women as they make sexual decisions (or not, due to patriarchy) in Tivland amidst the HIV/AIDS pandemic. It is an issue for serious pastoral engagement. Data presented in this study clearly shows that facilities for teaching NFP are often unavailable. The few women who attempt to practice NFP are taught inadequately. The result is that many who try to use NFP end up being pregnant when they already have many children and can provide for no more. These are poor families living below the poverty level and they must work all the time to care for the children they already have.

The most troubling finding of this study is the documentation of the constant risk of faithful Catholic wives being infected with HIV/AIDS by their husbands. These men are free to have more than one wife as per their cultural norms. As noted in Chapter 1, Nigeria has the second highest rate of maternal and child mortality in the world. When women with HIV get pregnant, the likelihood is that the resulting child will also be infected. Thus, both women and children are condemned to long, lingering deaths. This is a major issue requiring an appropriate pastoral response. Maternal health has long been recognized as a critical factor in magisterial teaching. Pius XI in *Casti Connubii*, for example, clearly noted the importance of reproductive health, specifically the health of the mother.⁶⁷ The issue of women's health, and the need for protection from HIV/AIDS in a culture where HIV-positive husbands

⁶⁶ Leonie McSweeney, MMM, *Love and Life: Billings Method of Natural Family Planning* (Ibadan: African University Press, 2002), 11.

⁶⁷ Pius XI, *Casti Connubii*, sec. 58.

commonly coerce women into sex, is a true challenge to the church in Tivland, and cannot be ignored in its witness to the gospel. This issue can only be authentically addressed, however, as Catholic tradition engages the actual narratives and lived experiences of Tiv Catholic women. What resources in the tradition can these women tend to? Often, the debate hinges on the morality of contraception.

Moral Status of Contraception

In the encyclical, *Humanae Vitae*, Pope Paul VI questions humanity's right to entrust the objective of birth regulation to its reason and will, rather than biological design. "Man has made stupendous progress in the mastery and rational organization of the forces of nature, so that he tends to extend this mastery to his own total being: to the body, to psychic life, to social life and even to the laws that regulate the transmission of life"⁶⁸ Paul VI calls on husband and wife to recognize fully their duties toward God, themselves, the family, and society.⁶⁹ In the task of transmitting life, they are not free, therefore, to proceed at will, as if they can determine with complete autonomy the right path to follow, they must conform their actions to the creative intention of God, expressed in the very nature of marriage and its acts.

One criticism of the encyclical⁷⁰ is the lack of a clear link between the divine mandate for humanity to multiply and fill the earth with the mandate to have dominion over the earth (Genesis 1:28). Creative stewardship is, thus, not present in this encyclical. This, of course, is not the intent, and it does provide a moral basis for responsible parenthood and the unitive nature of conjugal love in marriage. Second,

⁶⁸ Paul VI, *Humanae Vitae*, sec. 2.

⁶⁹ Ibid., sec. 10.

⁷⁰ See Robert B. Kaiser, *The Encyclical that Never Was: The Story of the Pontifical Commission on Population, Family and Birth, 1964-66* (London: Sheed and Ward, 1987), and Leslie Woodcock Tentler, "Drifting Toward Irrelevance? The Laity, Sexual Ethics, and the Future of the Church," in *The Church and Human Freedom: Forty Years After Vatican II*, ed., Darlene Fozard Weaver (Philadelphia: Villanova University, 2006), 88-105.

the encyclical opens up a new emphasis on respect for women's body. In outlining the grave consequences of artificial birth control, Paul VI observes that such methods will result into the loss of respect for women, with men no longer caring for women's physical and psychological equilibrium, but rather using women as instruments for pleasure and not as beloved companions. This encyclical thus raises one of the fundamental values at the core of this work: respect for women.

With the encyclical seemingly categorical that there is no moral justification whatsoever for the use of artificial means of birth regulation, the Jesuit ethicist Vacek, observed that there is in fact flexibility on this.⁷¹ "In brief: Nature is not inviolable to us; we can rightly change the course of nature, and often do."⁷² Vacek "however admits that the nature to which this nature is changeable is hotly debated today."⁷³ On the other end, Lawler, Boyle, and May insist on a sharp distinction between the "morality of principles" and the Catholic Church's moral teaching, based on Thomas Aquinas' understanding of natural law. They see the "morality of principles" as seeking to maintain the centrality of truth in line with the church's moral teaching and with the best of the moral thinking in the theological tradition, but "does not defend Christian moral teaching."⁷⁴ Catholic tradition based on natural law teaches that 'moral absolutes' are integral to a good human action. By moral absolutes, it refers to certain precepts that are always, everywhere, and at all times binding on people. Such absolutes are part and parcel of the very nature of being intended for human flourishing. There are objections "that this line of reasoning misconstrues the natural

⁷¹ Edward Vacek, SJ, "Catholic 'Natural Law' and Reproductive Ethics," *The Journal of Medicine and Philosophy*, 17 (1992).

⁷² Gareth Moore, OP, *The Body in Context* (New York: Continuum, 2001), 159.

⁷³ Vacek, "Catholic 'Natural Law' and Reproductive Ethics," 332.

⁷⁴ Lawler, Boyle and May, *Catholic Sexual Ethics*, 89.

law's concern for wholeness and relationships."⁷⁵ In brief, the tension is around in human reproductive technologies. In order to understand the underlying issues of this teaching, Vacek offers two of the classical natural law arguments of Thomas Aquinas, with interpretations accompanying them. First, for Thomas Aquinas, sexual activity is primarily "for the benefit of the species, not the individual and not the couple."⁷⁶ Second, Thomas Aquinas held that humans must "ensure that each part of a person and each of a person's acts should attain the goal envisioned."⁷⁷ In other words, "neither intentions nor results can override a defect in the structure of the act."⁷⁸ Here Thomas Aquinas is evaluating some types of acts, judging their rightness or wrongness apart from their context. This can lead to a situation where specific contexts, Tiv Catholic women's context, are not taken into consideration. However, this need not be the case.

Thomas Aquinas himself acknowledged that the goodness or virtue of a thing is to be and act in a manner befitting its nature, but "whatever is in accord with reason, is in accord with human nature."⁷⁹ Such a position is open to the larger and deeper meaning of human existence made possible by the revelation of Jesus, which can teach the rather "narrow, secular, and this worldly" ethics⁸⁰ some theologians offer as an alternative to Catholic teaching. There is also good reason to argue that "traditional natural law, which was developed before most of the current epistemological debates, generally assumes that basic human structures and their finalities are knowable and more or less adequately known."⁸¹

⁷⁵ Vacek, "Catholic 'Natural Law' and Reproductive Ethics," 340.

⁷⁶ See Thomas Aquinas, ST I-II 151.3.

⁷⁷ See Thomas Aquinas, SCG III 122.

⁷⁸ Vacek, "Catholic 'Natural Law' and Reproductive Ethics," 336.

⁷⁹ Thomas Aquinas, ST I-II 71.1-2.

⁸⁰ Lawler, Boyle and May, *Catholic Sexual Ethics*, 91.

⁸¹ Vacek, "Catholic 'Natural Law' and Reproductive Ethics," 336.

In dealing with Catholic women and HIV/AIDS in Tivland, casuistry and *epikeia* (reasonable judgment) are appropriate tools for a discussion regarding contraception and reproductive health challenges in the midst of a life-threatening situation. Given a growing understanding and awareness today, the principles of casuistry and *epikeia* must be invoked in accordance with new developments and proper context. This does not mean that the nature of morality has changed, but rather that the conditions surrounding human existence have changed. When Vacek points out that “Scientific discoveries about the reproductive system made possible the papal approval of natural family planning methods, an approval that permitted what much of the classical tradition condemned,”⁸² he is merely stating a fact. This implies that, (a) the reproductive means are not always wrong but should be evaluated in terms of marital and societal life, and (b) “freedom is not absolutely bound by the structure of the natural processes of reproduction but is charged above all with the promotion of persons.”⁸³ While Vacek gives a sound basis for the flexibility of natural law, he fails to articulate a theology of the body. This is important since papal teaching on family planning and reproductive technologies center on the theology of the body, the Christian anthropology of what it means to be human and promote the human good.

Some theologians argue that both natural family planning and contraception are the same, and in fact perform the same function;⁸⁴ therefore, separating them is an obscure and unsatisfactory distinction.⁸⁵ In reality, there is a distinction between natural family planning and contraception. Lawler, Boyle, and May argue that grouping natural family planning and contraception as having the same purpose (avoidance of conception), and morally being the same, is based on flawed logic.

⁸² Ibid., 342.

⁸³ Ibid., 343.

⁸⁴ Ibid.

⁸⁵ Moore, *The Body in Context*, 163.

“The purpose of one’s acts and policies is not the only factor relevant for determining the morality of these acts. What one does, as well as one’s reason for doing it, is morally relevant.”⁸⁶ This is where the problem lies between artificial family planning (including condoms) and contraception.

Moral theologians like Janet Smith, William E. May, Germain Grisez, and Anthony Fisher⁸⁷ oppose the use of condoms saying it is a very grievous sin against nature. Their arguments rotate around these four pillars. First, sexual intercourse with a condom is not a reproductive act, thus contradicting the primary ends of marriage and conjugal love. Second, the condom is a barrier to the physical union of spouses, and sexual intercourse with a condom fails to create intimacy, preventing spouses from becoming ‘one flesh;’ going against the common good of society with grave consequences. Third, such sexual intercourse qualifies as onanism in scripture, something condemned and punished by God (Genesis 38:9-10). Fourth, continuous Catholic moral tradition over the years, as echoed by the magisterium, condemns intercourse with a condom as contraceptive and intrinsically evil.

According to Moore, there is no established condemnation of contraception in the Old Testament or the New Testament. The text on Onan’s act (Genesis 38:6-10), often cited in condemnation of contraception by *coitus interruptus*, needs to be re-examined. Onan was punished for two things: first, refusal to raise the children of his dead brother, a failure in his obligation to his brother. Second, since he was instructed by his father Judah to do this, his refusal constituted filial disobedience. “It is indeed

⁸⁶ Lawler, Boyle and May, *Catholic Sexual Ethics*, 160.

⁸⁷ Janet Smith, “The Morality of Condom use by HIV-Infected Spouses,” *The Thomist* 70, no. 1 (2006): 27-69; William E. May, *Catholic Bioethics and the Gift of Human Life* (Huntington: Our Sunday Visitor, 2008); Germain Grisez, “Moral Questions on Condoms and Disease Prevention,” *National Catholic Bioethics Quarterly* 8, no.3 (2008): 471-476; Anthony Fisher, OP, “HIV and Condoms within Marriage,” *Communio* 36, no. 2 (2009): 329-359.

through a contraceptive act that Onan both refuses to raise up children for his brother and disobeys his father, but it appears to be for the refusal and the disobedience that he is punished, not the contraception.”⁸⁸ Moore argues that much of the Catholic tradition on sexuality comes from Augustine. The roots of Augustinian theology are in an effort to engage and attack the teaching of the Manichees, among whom Augustine at one time numbered himself. The Manichees,

Had a dualist belief of a kind that saw matter as an enemy. Human souls were particles of light trapped in matter by the Lord of darkness. They were trapped particularly in semen. If the semen went to producing a new fleshly human being, what that meant was that the spirit was once more trapped in matter. Hence it was bad to have sexual intercourse leading to the birth of children. If you were going to have sex at all, and that was a bad thing because it was so irrational and bound up with matter, you had at least to ensure that the spirit did not become entrapped again; you had to practice contraception.⁸⁹

The Manichean practice of contraception was based on a view of matter profoundly opposed to the Christian understanding that saw material creation as good, allowing for human freedom and flourishing, not imprisonment. “Hence opposition to contraception became for Augustine a symbol of opposition to the Manichean theology as a whole and of defense of Catholic theology.”⁹⁰ Augustine’s influence through the ages has found its way into Catholic theological thought on contraception.

Today, some moral theologians critique the tradition when it reduces sex to vaginal intercourse and the procreation of children. They note that sometimes doing nothing itself constitutes a human act. Moore, thus, criticizes the arguments of

⁸⁸ Ibid., 158.

⁸⁹ Ibid., 158-159.

⁹⁰ Ibid., 159.

Germain Grisez, Joseph Boyle, John Finnis, and William E. May.⁹¹ Moore suggests their analysis shows a limited understanding of what it means to be open to life. He concludes that, “The church’s teaching on contraception is only properly understood when it is seen not as an attempted, perhaps unwarranted restriction on people’s liberty, but as an aspect of the charity of the church, as part of its loving attempt to preserve and foster human goods.”⁹² In other words, precisely within the Catholic tradition, there is to be found a wealth of wisdom in the field of sexual ethics that goes far beyond seemingly reducing everything to marriage and contraception. One only needs to understand the depth of the church’s tradition and apply that appropriately. It is sad that in the ongoing debate over Catholic sexual ethics and HIV/AIDS prevention strategies, “important Christian teachings on the richness and power of human sexuality are often ignored. The church has become known for what it forbids rather than what it promotes.”⁹³

Matthew Hanley and Jokin de Irala claim that the HIV/AIDS pandemic in Africa is spread through promiscuity, and this is also the thinking of many in church circles.⁹⁴ In the context under study, the very opposite is the case. The women in this study are living in conjugal unions, though some are polygamous relations. Even though the church does not accept polygamy, ignoring Tiv polygamous relationships is problematic. Failure to acknowledge the realities of differing cultural views and experiences sounds condemnatory and is unhelpful in a real pastoral context. The

⁹¹ Germain Grisez, Joseph Boyle, John Finnis and William E. May, “‘Every Marital Act Ought to be Opened to New Life’: Toward a Clearer Understanding” *The Thomist* 52, no.3 (1988): 365-426.

⁹² Moore, *The Body in Context*, 180.

⁹³ Vacek, “Contraception and Responsibility,” 14.

⁹⁴ See Matthew Hanley and Jokin de Ira, *Affirming Love, Avoiding AIDS: What African Can Teach the West* (Philadelphia: The National Catholic Bioethics Center, 2010); and “Vatican Maintain Stance on Condoms at HIV/AIDS Summit,” *PBS Newshour*, May 30, 2011, <http://newshour.tumblr.com/post/6021955092/vatican-maintains-stance-on-condoms-at-hiv-aids-summit>.

section that follows will consider marriage and procreation in light of the Second Vatican Council.

Procreation and Marriage

In recent years, conflict has increased between Catholic sexual ethics and ordinary pastoral practice in the face of threats to women's reproductive health and their ability to protect themselves from sexually transmitted diseases, such as HIV/AIDS. In the USA, "Numerous studies, polls, and surveys highlight the fact that there is a disturbing gap between official Catholic teaching regarding sexuality and the actual beliefs and practices of large numbers of the baptized."⁹⁵

Over the past century, Catholic moral theology has moved from a procreative model of marriage to an interpersonal one.⁹⁶ This shift has led to profound new Catholic understandings of human sexuality. This may be seen in the marked difference between the Code of Canon Law before and after the Council. The current Code, completed in 1983, was written with the work of the Council in mind, and replaced the pre-Vatican II revision of the Code that dated from 1917. In the post-Vatican II code, marriage is an "act of the will by which a man and a woman, through an irrevocable covenant, mutually give and accept each other in order to establish a marriage."⁹⁷ In the pre-Vatican II code, marriage had been understood as an "act of the will by which each party gives and accepts a perpetual and exclusive right over the body, for acts which are of themselves suitable for the generation of children."⁹⁸

Lawler notes that "the marriage contract was [previously defined as] about bodies and acts; the procreative institution was not about persons and their mutual love. Couples

⁹⁵John S. Grabowski, *Sex and Virtue: An Introduction to Sexual Ethics* (Washington DC: The Catholic University of America Press, 2003), 2.

⁹⁶Michael Lawler, "Changing Catholic Models of Marriage," *America*, March 19, 2001, http://www.americamagazine.org/content/article.cfm?article_id=1796.

⁹⁷CIC, c. 1057 §2.

⁹⁸CIC/1917, cc. 1081 §2.

who hated one another could enter into the procreative institution as long as they exchanged legal rights to one another's bodies for the procreation of children."⁹⁹

In his 1930 encyclical, *Casti Connubii*, Pius XI expressed the primacy of procreation,¹⁰⁰ but also recognized the legitimacy of engaging in marital intercourse with no possibility of having children.¹⁰¹ On the whole, the encyclical sees mutual love as the purpose of marriage¹⁰² and acknowledges the difficulties involved in marital continence.¹⁰³ The Second Vatican Council is built on the teachings of *Casti Connubii* and highlights the idea of "free and mutual self-giving"¹⁰⁴ as central to sexual love. Pius XI also acknowledged the dangers of ill health that could make it permissible to engage in marital intercourse without procreation while retaining the other ends of marriage,¹⁰⁵ a theme later acknowledged by Paul VI in *Humanae Vitae*, but often missed by scholars.¹⁰⁶ Can this not hold in case of a couple affected by HIV? Often, the answer is abstinence. However, such an understanding "neglects experiential dimensions of human sexuality."¹⁰⁷ Following Aquinas, there is a difference between "reproductive acts that are essentially (*per se*) closed to reproduction and reproductive acts that are accidentally (*per accidens*) nonreproductive."¹⁰⁸ If the Church allows these two, how is a non-reproductive sexual act between an HIV-positive couple, when a condom is used solely with the purpose of preventing the spread of the deadly virus to a spouse and for potential offspring, not ethical?

⁹⁹ Lawler, "Changing Catholic Models of Marriage."

¹⁰⁰ Pius XI, *Casti Connubii*, sec. 10.

¹⁰¹ *Ibid.*, sec. 59.

¹⁰² *Ibid.*, sec. 23-24.

¹⁰³ *Ibid.*, secs. 60-62.

¹⁰⁴ Vatican Council II, *Gaudium et Spes*, sec. 49.

¹⁰⁵ Pius XI, *Casti Connubii*, secs.58-59.

¹⁰⁶ See Paul VI, *Humanae Vitae*, sec. 15.

¹⁰⁷ Todd A. Salman and Michael G. Lawler, "The Truly Human Sexual Act and Complementarity," in *Applied Ethics in a World Church*, ed. Linda Hogan (New York: Orbis, 2008), 244.

¹⁰⁸ *Ibid.*, 242.

Paul VI's *Humanae Vitae* of 1968 specifically teaches that the Church considers “therapeutic means necessary to cure bodily diseases” licit even if procreation is impeded, provided this result is not directly willed.¹⁰⁹ “In other words, *Humanae Vitae* gives room for exception so that contraceptive[s] devices can sometimes be legitimate.”¹¹⁰ Bernard Häring observes in this regard that *Humanae Vitae* was written based on the biological understanding of a time that saw medicine as a physiological restoration of the person, but contemporary medicine is about the restoration of the whole person into the community.¹¹¹ This is an area that needs to be developed further in Catholic sexual ethics. Later encyclicals do not make a distinction between a “contraceptive mentality” and the use of contraceptives for prevention of a deadly disease like HIV/AIDS.¹¹² While a contraception mentality could indeed be part of a “culture of death,” surely the prevention of a deadly disease reflects a “culture of life.”¹¹³ In addressing the spread of HIV/AIDS in places like Tivland, Catholic ethicists and pastoral leaders must take into account the distinctive economic and cultural realities in Tiv society, which if left untended will put many more people at risk for HIV transmission — something Catholic moral teaching surely does not intend.

John Paul II's *Familiaris Consortio* of 1981 builds on *Humanae Vitae*'s consideration of women and sexuality.¹¹⁴ It advances the development of Catholic

¹⁰⁹ Paul VI, *Humanae Vitae*, sec. 15.

¹¹⁰ James O. Ajayi, *The HIV/AIDS Epidemic in Nigeria: Some Ethical Considerations* (Rome: Gregorian University Press, 2003), 166.

¹¹¹ Bernard Häring, CSSR, “The Inseparability of the Unitive - Procreative Functions of the Marital Act,” in *Readings in Moral Theology No. 8: Dialogue about Catholic Sexual Teaching*, eds. Charles E. Curran and Richard A. McCormick, SJ (New York: Paulist, 1993), 153–67.

¹¹² Ajayi, *The HIV/AIDS Epidemic in Nigeria*, 167. For more details see John Paul II's encyclical, *Evangelium Vitae* and Congregation for the Doctrine of the Faith, *Donum Vitae*.

¹¹³ See John Paul II, *Evangelium Vitae*. The encyclical calls for a restoration of human dignity and discusses contemporary culture of death and life.

¹¹⁴ Ajayi, *The HIV/AIDS Epidemic in Nigeria*, 167.

anthropology by incorporating John Paul II's theology of the body and teaching that sex is realized in a truly human way only if it is part of the total love of the couple.¹¹⁵ This takes place when the body, instincts, affective feelings, spirit, and will of the couple are involved in the best possible way.¹¹⁶ The cultural norm for sex in Tiv society lacks these attributes, as women are not involved in sexual decision-making and are often treated as non-persons. Further, cultural, social, and economic realities make it impossible for them to leave their husbands or their environments. This study argues for a fuller consideration of the social context in light of the principles of the Catholic tradition, including that of their right to self-defense, which integrates the principles of totality, double effect, tolerance, compromise, and lesser evil,¹¹⁷ and would together suggest that in certain cases condom use in marriage can be morally licit.¹¹⁸ Recognizing that people experience real ethical dilemmas in these matters, Benedict XVI reasoned that such principles render it morally acceptable for allowing prostitutes to use condoms.¹¹⁹ Vacek observes that much of Benedict XVI's reasoning is based on the principle of gradualness.¹²⁰ That is, though condom use is not itself accepted, it is nevertheless tolerated as a first step towards helping the sinner come to terms with his or her sinfulness in imperfect and morally complex situations. This suggests that a woman's request that her husband use a condom may be considered part of an HIV/AIDS prevention strategy in limited circumstances. There are certain

¹¹⁵ John Paul II, *Familiaris Consortio*, sec. 11.

¹¹⁶ *Ibid.*, sec. 13.

¹¹⁷ James T. Bretzke, SJ, "The Lesser Evil: Insights from the Catholic Moral Tradition," *America*, March 26, 2007, 16-17.

¹¹⁸ James F. Drane, "Condoms, AIDS and Catholic Ethics: Open to the Transmission of Death?" *Commonweal* 118 (March 22, 1991): 188-192; See also James F. Keenan, SJ, "Applying the Seventeenth-Century Casuistry of Accommodation to HIV Prevention," *Theological Studies* 60 (1999): 492-512.

¹¹⁹ Edward Vacek, "What's New?"

¹²⁰ *Ibid.*

contexts that require careful dialogue with diverse moral principles within the riches of the Catholic tradition in order to transform current pastoral practices.

Pastoral Practice

This section on pastoral practice reflects on the unchanging truth of the deposit of faith in light of specific circumstances in the lives of the faithful. This entails an examination of the role of the magisterium, the interplay between *sensus fidei* (sense of the faith) and *sensus fidelium* (sense of the faithful), and the real social coercion constraining Tiv Catholic women's sexual decision-making in a time of HIV/AIDS. It calls for an appropriate hermeneutics that responds pastorally to challenges of these women's lived faith as they struggle with the very serious realities of the HIV/AIDS pandemic.

The Magisterium

The magisterium is the teaching authority of the Catholic Church. "The mission of the magisterium is to guard and hand on, with divine authority, the truth and salvation brought to us by the Lord"¹²¹ The magisterium is composed of the bishops and pope who are the direct successors of the apostles. According to the Second Vatican Council in *Dei Verbum*, "In order that the full and living Gospel might always be preserved in the church the apostles left bishops as their successors. They gave them 'their own position of teaching authority.'"¹²² *Dei Verbum* further states that, "the task of giving an authentic interpretation of the word of God, whether in its written form or in the form of tradition, has been entrusted to the living teaching office of the church alone."¹²³ The pope and bishops, together with the faithful,

¹²¹ Lawler, Boyle, and May, *Catholic Sexual Ethics*, 19.

¹²² Vatican II Council, *Dei Verbum*, sec. 9.

¹²³ *Ibid.*, sec. 10.

constitute the people of God.¹²⁴ The bishops are servants of the people of God, and the pope is “the servant of the servants”¹²⁵ of the people of God. Avery Dulles, SJ, recalls John Paul II’s concept of the “community of disciples” in his emphasis on the ecclesial communion that should exist when people see the church as a community of disciples. “It calls attention to the ongoing relationships of the Church to Christ, its Lord, who continues to direct it through his Spirit.”¹²⁶ The Spirit subsists in the church through its members, manifests in different ways through a variety of gifts.

One of the defining elements of the magisterium is infallibility. According to Heinrich Fries and Johann Finsterholzl, infallibility should not be regarded in the negative by simply terming it “inerrancy.” Though this describes what infallibility means, the term “inerrancy” is reserved for the scriptures. “The positive content of the term infallibility is simply ‘truth’ or ‘truthfulness.’”¹²⁷ This means that God is faithfully making good on divine promises in history. The historical form of God’s fidelity takes its unsurpassable being in Christ, who continues to be present within the church. Thus, John Ford, CSC states that, “infallibility as a charism bestowed for the authentic presentation of revelation should not be identified with (infallible) truths or propositions.”¹²⁸ God is the absolute truth, unsurpassable goodness, beauty, and justice.¹²⁹

¹²⁴ Vatican II Council, *Lumen Gentium*, secs. 9-17. Chapter 2 explores the understanding of the church as the people of God.

¹²⁵ One of the titles of the pope is “the servant of the servants of God.” This means that the pope’s primary mission is service to the people of God.

¹²⁶ Avery Dulles, SJ, *Models of the Church* (New York: Doubleday, 1987), 206.

¹²⁷ Heinrich Fries and Johann Finsterholzl, “Infallibility,” in *Encyclopedia of Theology: The Concise Sacramentum Mundi*, ed. Karl Rahner, SJ (New York: The Seabury, 1975), 711.

¹²⁸ John Ford, CSC, “Infallibility: A Review of Recent Studies,” *Theological Studies* 40, no.2 (1979): 273.

¹²⁹ See John 14: “I am the way and the truth and the life.”

Consequently, the Second Vatican Council in *Lumen Gentium* presents three modes whereby the magisterium exercises its infallibility. The first is by the Pope, alone who as “head of the college of bishops, enjoys this infallibility in virtue of his office, when, as supreme pastor and teacher of all the faithful — who confirms his brothers and sisters in the faith (see Luke 22:32) — he proclaims in a definitive act a doctrine pertaining to faith or morals.”¹³⁰ This is the extraordinary magisterium whereby the pope teaches *ex cathedra* and is definitive on certain questions and as noted elsewhere in this study, has been used very rarely. The second mode is by the pope and bishops “assembled in an ecumenical council, they are, for the universal church, teachers of and judges in matters of faith and morals.”¹³¹ It could be seen as an ordinary magisterium, whereby there is no solemn definition, but rather a statement or restatement of something defined differently or nuance in some way. The third mode is by the college of bishops, together with the Pope as its head, even when they are dispersed throughout the world, as they “exercise the teaching office.”¹³² The ordinary universal magisterium, whereby even though there is no simple solemn pronouncement, they are in complete agreement or fairly close to complete agreement. For example, Germain Grisez and John Ford maintain that while *Humanae Vitae* is not in itself an *ex cathedra*, infallible definition, the teaching it contains is infallible by virtue of the fact that its teachings reflect those taught constantly and definitively over a period of many prior centuries by a consensus of popes and bishops around the world.¹³³

¹³⁰ Vatican II Council, *Lumen Gentium*, sec. 25.

¹³¹ Ibid.

¹³² Ibid.

¹³³ Germain Grisez and John Ford, CSC, “Contraception and the Infallibility of the Ordinary Magisterium,” *Theological Studies* 39, no.2 (1978): 258-312.

Church teachings may be dogmatic. Thus, Richard Gaillardetz offers a caution to avoid the two extremes of consumer Catholicism and creeping infallibility. Consumer Catholicism is “deregulated” religion “in which the resources of the ... tradition remain, but they are drawn upon *ad hoc*, according to one’s needs and independent of the demands of church authorities.”¹³⁴ On the other hand, by creeping infallibility, church authorities and ordinary faithful alike may give in “to a naïve, ahistorical ... domesticated view of dogma and doctrine”¹³⁵ without looking at appropriate ways of teaching it. Gaillardetz further gives principles that serve as guides in order to avoid this in Catholic theology: (a) dogma symbolically mediates divine revelation but does not exhaust it, (b) dogmatic statements are historically conditioned and have to be interpreted as such, (c) there is a ‘hierarchy of truths’ among church dogmas, and (d) there exists gradation in the authority of church teaching.¹³⁶

Church teachings operate at three levels: definitive doctrine, authoritative doctrine, and concrete/specific disciplines. The dogmatic teaching of the church can be definitive doctrine, which “includes teachings that are not divinely revealed but are necessary to safeguard and expound revelation (such as the Council of Trent’s declaration of the precise books to be included in the canon of the Bible).”¹³⁷ A teaching is an authoritative doctrine when it “includes teachings that the magisterium proposes authoritatively, but not infallibly, to guide the faith of believers,” for example, conditions for a just war.¹³⁸ Finally, there are also concrete moral applications and church disciplines that “include specific applications of church

¹³⁴ Richard R. Gaillardetz, *Ecclesiology for a Global Church* (New York: Orbis, 2008), 237.

¹³⁵ *Ibid.*

¹³⁶ *Ibid.*, 237-241.

¹³⁷ *Ibid.*, 241.

¹³⁸ *Ibid.*, 242.

doctrine that church leadership might make to a particular situation.”¹³⁹ Edward Vacek’s explanation of Benedict XVI’s position on condoms gives an example of using discretion to apply the church’s teaching this way,

To be sure, a condom may also be used in order to prevent conception. Then it is a contraceptive. An analogy may help. Using a gun to directly kill an innocent person is, the church teaches, an intrinsic evil. It is always wrong. But that does not mean that using a gun is intrinsically evil. It has many other uses, including hunting food for one’s family. Similarly some medications used to fight disease also have the side effect of hampering fertility. Yet they can and often ought to be used, even if they also have a contraceptive effect.¹⁴⁰

It is a good example of how a basic norm can be in dialogue with differing situations. According to James Mulligan, “In each case the results are somewhat different, yet the same norm is applicable and consistent. Furthermore, it [could be] spelled out in an official, authoritative form in papal teaching, but even that does not mean that the application will ever be cast in stone.”¹⁴¹

Mulligan urges both church leaders and theologians to consider the following principles when applying church teachings to particular contexts. First, even though the norms are the same, changing circumstances make people realize that their implications are different. Second, the magisterium and theologians are to work together, mutually complementing one another to ensure growth in knowledge realizing that both are at the service of one truth, who is God. Third, the official church makes no claim to solve all practical problems for the future. Fourth, ecclesial

¹³⁹ Ibid., 242.

¹⁴⁰ Edward Vacek, SJ, “What’s New?” *America*, The Condom Question section, January 3, 2011.

¹⁴¹ James J. Mulligan, *Theologians and Authority* (Braintree: The Pope John Center, 1986), 97.

teaching, while confirming a principle underlying moral decisions, also implies the wrongness of the opposite position.¹⁴² In applying church teaching, the universal faith of the church, as proclaimed in doctrines and the sense of the faith, must be considered.

Sensus Fidei and Sensus Fidelium

Sensus fidei refers to the sense of the faith “belonging to the individual believer within the community of the faithful,” while *sensus fidelium* refers to “the communal sense of the faith.”¹⁴³ *Sensus fidei* and *sensus fidelium* are ancient Catholic theological concepts used by the Second Vatican Council to refer to the continuous discernment of divine revelation by the faithful.¹⁴⁴ This process takes into account the full participation of all the faithful (both clergy and laity) in the prophetic office of Christ. The study is not just discussing the beliefs of the majority of the faithful at a particular point in time, since that can imply that truth itself changes over time. However, truth does not change. As noted previously, the Catholic understanding is that how people understand truth changes, not truth itself.

According to John Burkhard, *sensus fidei* refers to what Christians in their individual situations make of the faith of the universal church, which is the *sensus fidelium*.¹⁴⁵ In this study, the focus is on how Tiv Catholic women make or are prevented from making sexual decisions within the challenge of their context in relation to the church’s understanding of sexual ethics. The universal church offers a vision or ethos that reflects the fullness of divine truth, which is then in dialogue with

¹⁴² Ibid., 97-98.

¹⁴³ Ormond Rush, “*Sensus Fidei*: Faith “Making Sense” of Revelation,” *Theological Studies* 62 (2001): 232.

¹⁴⁴ Vatican II Council, *Lumen Gentium*, sec. 12.

¹⁴⁵ John J. Burkhard, OFM Conv., “*Sensus Fidei*: Recent Theological Reflection (1990-2001) Part II,” *The Heythrop Journal*, December, 2005, 38. DOI: 10.1111/j.1468-2265.2006.00278.x.

peoples' different contexts and localities. According to *Dei Verbum* (as cited in Chapter 2), public revelation has ceased, but God's revelation through the action of the Holy Spirit is ongoing, expressed, and experienced in different places and among different people in different ways. The church, as a community for both the reception and interpretation of a diverse appropriation of the faith, continuously interacts between the *sensus fidei* and *sensus fidelium*.

The Anglican-Roman Catholic International Commission's document, *Authority in Church: Elucidation*, describes *sensus fidei* as one's "active capacity for spiritual discernment, an intuition that is formed by worshipping and living in communion as a faithful member of the Church. When this capacity is exercised in concert by the body of the faithful we may speak of the exercise of the *sensus fidelium*."¹⁴⁶ Among other things, this document recognizes that through baptism the continuous work of the Holy Spirit moves people to participate in the *sensus fidelium*.¹⁴⁷ In this way, the Second Vatican Council understands *sensus fidei* as "the sense of the faith, aroused and sustained by the Spirit of truth, the people of God, guided by the sacred magisterium which it obeys," the entire church (both bishops and faithful) "manifests a universal consensus in matters of faith and morals."¹⁴⁸

The exercise of the *sensus fidei* by each member of the Church contributes to the formation of the *sensus fidelium* through which the Church as a whole remains faithful to Christ. By the *sensus fidelium*, the whole body contributes to, receives from and treasures the ministry of those within the community who exercise *episcopate*, watching over the living memory of the Church (cf.

¹⁴⁶ Anglican-Roman Catholic International Commission, *Authority in the Church III: Gift of Authority*, sec. 29.

¹⁴⁷ Anglican-Roman Catholic International Commission, *Authority in the Church: Elucidations*, sec. 4.

¹⁴⁸ Vatican II Council, *Lumen Gentium*, sec. 12.

Authority in the Church I, 5-6). In diverse ways the “Amen” of the individual believer is thus incorporated within the “Amen” of the whole Church.¹⁴⁹

The interaction between *sensus fidei* and *sensus fidelium* depends on dialogue. The magisterium consults among the people of God to gauge what is happening, to sense the faith appropriated by the faithful.¹⁵⁰ Ormond Rush furthers this understanding, viewing the church as a receiving community that receives a special revelation in Jesus Christ and, at the same time, continues to receive the elaboration of this revelation in changing circumstances under the guidance of the Holy Spirit. Using a Trinitarian understanding, Rush asserts that, “If the church is called to be an icon of the trinity, and *receptio* is at the heart of the trinitarian *communio* . . . then *receptio* must be at the heart of, and indeed constitute, ecclesial *communio* on all levels — vertical, horizontal, and temporal.”¹⁵¹

The Holy Spirit is always in the faith community, self-manifesting in the interaction between *sensus fidei* and *sensus fidelium*. One can easily see this in the formation of the canon of scriptures.¹⁵² It should be understood that the scripture is what the people lived and believed in. The Spirit of God was with the people, the Spirit revealed everything to them, and they believed and lived by it. They were then mandated, given certain powers, selected (inspired) to write. The scripture then is the community’s book.¹⁵³ That is why it is the church (community) that has the power of its interpretation and not the individual.

¹⁴⁹ *Authority in the Church III: Gift of Authority*, sec. 29.

¹⁵⁰ Burkhard, “*Sensus Fidei: Recent Theological Reflection*,” 38-54.

¹⁵¹ Ormond Rush, *The Eyes of Faith: The Sense of the Faithful and the Church’s Reception of Revelation* (Washington, DC: Catholic University of America, 2009), 49.

¹⁵² *Ibid.*, 184.

¹⁵³ *Ibid.* Rush puts it this way, “The exemplar and norm par excellence for how the Holy Spirit works in the reception and traditioning of revelation is the working of the Spirit within the formation, canonization, and inspiration of Scripture. Consequently,

Truth is embedded in the narratives of living communities, as Gadamer puts it, following Dilthey and Goethe. Gadamer distinguishes between personal and communal experiences; however, personal experience follows from the experience of being alive. It signifies the kind of experience one acquires from having lived through something. This is distinct from communal experience, knowledge gathered from others. Personal experience is always first-hand knowledge. It signifies immediacy to the origin of an experience and its lasting significance for a person. It deals with emotions and feelings, and “human passions cannot be governed by the universal prescriptions of reason.”¹⁵⁴

Such lived experience is necessarily meaningful experience and leads people into a historical consciousness that cherishes the context and experiences of others. “Historical consciousness knows about the otherness of the other, about the past in its otherness ... In the otherness of the past it seeks not the instantiation of a general law but something historically unique.”¹⁵⁵ In recent times, scholars like Julia Kristeva, Emmanuel Levinas, and Jean-Luc Nancy, as noted by Graham Ward, have raised the question of the ‘other,’ and how people relate to the other. Kristeva uses psychoanalysis to deconstruct Hegel, making the case that the “movement towards and from otherness constitutes self consciousness.”¹⁵⁶ Kristeva claims that the self is, therefore, in process, living beyond itself in an attempt to reappropriate the unity of the self. The other is, thus, separate, yet integral to the subject-in-process. Levinas works with notions of *alterity* and transcendence (*illeity*) beyond self-transcendence

a pneumatology of Scripture is normative for a pneumatology of the exercise of the teaching office.” see Rush, *The Eyes of Faith*, 184.

¹⁵⁴ Hans-Georg Gadamer, *Truth and Method*, trans. Joel Weinsheimer and Donald G. Marshall (New York: Continuum, 1999), 23.

¹⁵⁵ *Ibid.*, 360.

¹⁵⁶ Graham Ward, *Theology and Contemporary Critical Theory* (New York: St. Martins, 2000), 89.

(*ipseity*), seeing society moving toward the undiscovered self that is different from that of the present.¹⁵⁷ Nancy “depicts the relation of individual bodies to what he calls ‘the community of bodies.’” Individual bodies, even when constituting the community of bodies, still retain their uniqueness, and that sets them apart and makes them different.¹⁵⁸ What is common in these perspectives is that they urge people to accept the other in his or her uniqueness and difference. Herein lies the task of both *sensus fidei* and *sensus fidelium*, that of negotiating the differences of the other (who appears different) from what is considered normative in the universal church.

Two things, therefore, are at the heart of this study, which makes a case for distinctiveness of Tiv Catholic women as Africans in a context of sexual coercion. How can truth be found in the experiences of Tiv Catholic women in their otherness? Tiv Catholic women’s reality of sexuality is different from the ideal envisioned in the normative Catholic understanding, and these women’s sexual decision-making experiences are further rendered critically distinctive given their existence in an HIV/AIDS context. How can Catholic sexual ethics encounter the reality of Tiv Catholic women’s sexual decision-making in an HIV/AIDS context in light of the pastoral challenge for an adequate hermeneutics, understanding of context, and faithful response?

Hermeneutics, Context, and Response

This work argues that Tiv Catholic women’s sexual experience, though negative, is a valid path through which God discloses Godself to these women. God can still be found in their experiences in spite of everything that happens to them. Christ came and preached the Reign of God and called people to discipleship. Christ’s invitation means that people respond to God in their situation. The principal concern

¹⁵⁷ Ibid., 105.

¹⁵⁸ Ibid., 107.

is, “How can people celebrate the gospel...in their daily lives?”¹⁵⁹ In this case, how should Tiv Catholic women live with HIV-positive husbands? As relational human beings created for freedom, people sin when they try to secure themselves by inordinate self-regard and will-to-power at the expense of their neighbors. The church, as the primordial sacrament of God’s presence, helps in discerning what people ought to do as Christians. Catholic sexual ethics must note that “ethical reflection begins with conflicts among premoral values that have evolved in a society at a particular time.”¹⁶⁰ That is why context is important in moral theology. As Hans Kung’s quest for global ethics suggests, there may exist core values that cut across major world religions,¹⁶¹ yet the “danger is that faith is reduced to a ... common denominator and individual aspects of specific faith are abandoned, sacrificed in the search for a global religious ethics.”¹⁶² This leads to the present tension between particularity and universality in theology. The fear is that particular (contextual) theologies may become syncretic.

In problematizing particularity and universality in theology, theologians “need to understand [that] ... Christian particularity is neither particularism nor exclusivity but can be universal, decisive, and inclusivist...”¹⁶³ This shows that the process of knowing is complex and there is no one way of doing it. This to a great extent defines the field of hermeneutics, opening it up to various processes to acquire knowledge and arrive at the truth. This work argues that truth is not cultural, but the process of

¹⁵⁹ Bretzke, *A morally Complex World*, 1.

¹⁶⁰ Ibid.

¹⁶¹ Hans Kung, *Global Responsibility: In Search of a New World Ethic* (Eugene: Wipf and Stock, 2004).

¹⁶² John Reader, *Reconstructing Theology: The Impact of Globalization* (Hamshpire: Ashgate, 2008), 128.

¹⁶³ David Tracy, *On Naming the Present* (New York: Orbis, 1994), 115. See also Robert Schreiter, CSSP, *The New Catholicity: Theology between the Global and the Local* (New York: Orbis, 2004).

knowing is cultural. This understanding reflects the postmodern approach to the question of truth. It

Reflects the broader ‘cultural turn’ in the social sciences, favoring interpretative accounts of cultural phenomena rather than objective, scientific analysis. It also reflects the related perception — heightened by globalization and postmodern relativity — that things are best understood when their particularity is properly taken into account. These ‘cultural studies of local churches provide a portrait of the congregation on its own terms and for the sake of understanding it better.’¹⁶⁴

Upholding the insights of postmodern relativity or, better put, relationality, does not mean this work endorses relativism. This study instead argues for relational responsibility, which entails judging actions in their totality. This means that Catholic sexual ethics judges parts of an action in relation to the whole, including the object, intention, and circumstances of an act. In this connection, Catholic sexual ethics argue that “the moral life primarily comprises of relationships held together by ongoing interaction with God, neighbor, world, and self instead of seeing each as standing alone and being subject to a pre-arranged system of laws or a plan in search of a goal.”¹⁶⁵ Human beings are constitutively part of their cultures, and it is not possible to completely strip cultural layers away from any persons or groups in order to reach some alloyed, but impossible pristine state of moral nature that would be pure without any particular cultural presence.¹⁶⁶

One of the most contentious issues in Catholic sexual ethics in Africa is how to reconcile the natural law with African moral norms. For example, Benezet Bujo, a

¹⁶⁴ Helen Cameron, et al., *Studying the Local Church* (London: SCM, 2005), 8.

¹⁶⁵ Gula, *Reason Informed by Faith*, 304.

¹⁶⁶ James T. Bretzke, SJ, “Cultural Particularity and the Globalization of Ethics in the Light of Inculturation,” *Pacifica* 9 (1996): 69 - 86.

leading African moral theologian, “rejects what he regards as the rationalistic approach of natural law and the process this ‘rationalism’ takes to justify certain conclusions about certain moral questions such as polygamy and homosexuality.”¹⁶⁷ The fact that there are different ways of acquiring knowledge does not mean that any of them should be undermined. In what she calls “dilating our sense of the world,” Mary Boys acknowledges that people need to be sensitive to the different forms of knowing.¹⁶⁸ “In the natural law, prudential reason is prominent. It is the ability to discover the meaning and relevance of our actions or ways of being; to weigh the values that may be preserved, lost, or achieved by our actions; and to incline the self in the direction of the decision that on the whole is best.”¹⁶⁹ While traditional Catholic moral theology must acknowledge African patterns of knowing, “African Christian ethics must engage in a proper, ongoing, and careful articulation of the essence of the natural law as guide and conversation partner in the arduous task of searching for moral truth.”¹⁷⁰

God reveals Godself in interaction with human beings who receive God’s revelation. Though this communication (revelation) occurs in time and place (context), the nature of God (truth) remains the same. “God is the ground of all morality and hence of our moral truth and knowledge.”¹⁷¹ God reveals moral truths to different people through different experiences, while remaining the same with the same message (from the same God). “The difficulty for us though is that what we see

¹⁶⁷ Paulinus I. Odozor, CSSp, “An African Moral Theology of Inculturation: Methodological Considerations,” *Theological Studies* 69 (2008): 607.

¹⁶⁸ Mary C. Boys, SNJM, *Educating in Faith* (New York: Sheed and Ward, 1989), 154.

¹⁶⁹ Edward C. Vacek, SJ, “Natural Law and The Quest for a New Ethics,” in *Morality, Religion and the Filipino*, ed. Javellana B. Rene (Manila: Ateneo de Manila University Press, 1994), 106.

¹⁷⁰ Odozor, “An African Moral Theology of Inculturation: Methodological Considerations,” 607.

¹⁷¹ Bretzke, *A Morally Complex World*, 11.

is not always just exactly what God sees, so we need to discern carefully and reflect on what we consider objective morality to be. The Church stands in service to this project...”¹⁷² Here every voice and everyone’s experience of God counts.

Christian revelation involves God communicating and human beings responding in faith. Discernment and decision-making in Tiv Catholic women’s sexual experiences call for creativity on the part of the church. Creativity requires improvisation. “Improvisation means a community formed in the right habits trusting itself to embody its tradition in new and often challenging circumstances; and this is exactly what the church is called to do.”¹⁷³ Such improvisation is both scriptural and ecclesial. Scripturally, in Acts of the Apostles, when the disciples met at the Council of Jerusalem, they found a way of relating the gospel to the changing circumstances of the gentile mission. Ecclesially, the church creates a new discourse in hermeneutics through a new encounter with its text and tradition under new circumstances. Improvisation is concerned with this new narrative, which is realized through discernment.¹⁷⁴ In an African setting, “The gifts of improvisation and creativity triumph, in the style of a village gathering where some event in community life requires collective decision-making.”¹⁷⁵ In the family gathering style of the village, everyone¹⁷⁶ is treated with warm affection, and is heard and respected.

Everyone is made in the image and likeness of God and, as such, has some share in divine wisdom. The church has rich resources to offer to the plight of Tiv

¹⁷² Ibid., 10-11.

¹⁷³ Samuel Wells, *Improvisation: The Drama of Christian Ethics* (Grand Rapids: Brazos, 2004), 12.

¹⁷⁴ Ibid., 66.

¹⁷⁵ Jean-Marc Ela, *My Faith as an African* (New York: Orbis, 1993), 46.

¹⁷⁶ Women are part of the family gathering meetings but the man who is the head has the final say but everyone’s view counts at those gatherings.

Catholic women in their sexual decision-making in the midst of HIV/AIDS. It is time their voices, and that of the Holy Spirit as it speaks through them, be heard.

Conclusion

This chapter explored the basis and goal of Catholic teaching on human sexuality. Conversing with Tiv women's sexual experiences, it argues that a moral conjugal act is done in freedom. One is responsible for acts that are voluntary. Since Catholic Tiv women are at times coerced into having sex with HIV-positive husbands, this is an involuntary act and they may request that their husbands use condoms to provide them with a means of self-defense. The problem is not the condom *per se* but the contraception that may be involved in the use of condoms. While human life begins at conception, in this instance, due to grave moral and health reasons, conception is not allowed to take place. The magisterium, as the teaching authority of the church, takes into consideration *sensus fidei* (sense of the faith of individual believers) and *sensus fidelium* (communal sense of the faith). The church as a community says no to condom use, but individual experiences of the faith in a Tiv context suggest a limited use for the protection of married women. This issue is both doctrinal and pastoral in nature. In making pastoral responses to situations, the church must take the context into cognizance.

Chapter Six: Toward Pastoral Discernment

Introduction

This chapter is about practical pastoral discernment. It explores how to render the best possible pastoral judgments so as to produce grace-filled living in individual Christians and their relationships and communities of faith. Discernment requires sifting through the cultural complexities of Tiv Catholic women, who have no say in the sexual decisions that concern their health in the presence of HIV/AIDS, particularly their inability to resist having sex with HIV-positive husbands. The exercise of practical pastoral discernment and pastoral moral guidance strongly intersects.

The challenge to the pastoral person is to be true both to the objective norms of morality (such as we find expressed in the moral teaching of the magisterium) and at the same time to be respectful of the limited, subjective capacities of the person to embody the values upheld by these norms. A mark of pastoral sensitivity is to distinguish between the good which ought to be (a normative moral judgment based on the moral order) and the good which can only be achieved for now (a pastoral moral judgment based on subjective capacity).¹

This chapter addresses the moral response of Tiv Catholic women to their sexual ethical dilemma within the limitations of their reality. This chapter explores Catholic moral principles as they encounter the HIV/AIDS pandemic, and engages them with the sexual, pastoral context of Tiv Catholic women.

¹ Richard M. Gula, SS, *Reason Informed by Faith* (New York: Paulist, 1989), 307.

Applying Pastoral Discernment

There are four overlapping and interacting sectors of sources for moral theology: sacred texts, tradition, human experience, and rational reflection on the normatively human aspects of society.² These four sectors may be organized along two principal axes: the “sacred claim axis” (scripture and tradition), and a “rational claim axis” (human experience and the normatively human aspects of society).³ This chapter examines how to apply the sources of Catholic sexual ethics in Tiv society, specifically how it looks when Tiv Catholic women narrate their sexual stories in regards to HIV/AIDS. This concerns the social context of Tiv Catholic women as they struggle to make sexual decisions. “Reality is not just ‘out there;’ reality is ‘mediated by meaning,’ a meaning that we give it in the context of our culture or our historical period, interpreted from our own particular horizon in our own particular thought forms.”⁴

As stated in Chapter 2, this work uses the praxis method, which is akin to Cardijn’s approach (“see-judge-act”), and offers a three-step practical system of Catholic sexual moral reasoning. In this case, it starts with women’s ongoing experience in Tivland, dialogues with Christian classics, and then produces a Christian action.

Women’s ongoing experiences raise critical questions about the present negative sexual situation faced by Catholic women in Tivland. According to Osmer, practical theology “begins when some dimension of our present practice becomes

² James T. Bretzke, SJ, *A Morally Complex World* (Collegeville: Liturgical, 2004), 20.

³ Ibid.

⁴ Stephen B. Bevans, SVD, *Models of Contextual Theology* (New York: Orbis, 2004), 4.

problematic.”⁵ In this process, Immink sees a dialectic tension between religious activities that are productive and receptive.⁶ “This involves exploring ... [an issue] in all its particularity and complexity.”⁷

Christian Classics then interact with the complex sexual situation these women live. It is a dialogical process that moves from sexual life, as these women are experience it, to Christian resources (the Bible and tradition) for a thorough critical reflection on existing sexual practices.

The Christian action stage — the liberating force of the gospel in the daily lives of these Tiv women — produces life-saving alternatives. This is where *phronesis* (practical reasoning) comes into play. These have to be concrete, decisive, and transforming steps. Tiv people, like any African, put community before the individual. The reasoning and action should be community based. “Moral imagination can be skewed ... two ‘checks and balances’ for moral imagination are *experience* and *community*.”⁸ This involves the process of comparing, contrasting, and dialoguing with the collective wisdom of the universal church in the context of Tiv society.

This discernment process is practical moral reasoning that leads to a transforming action that “bridges the moral reflection of Christians and the words and deeds of Jesus. It provides the cognitive content”⁹ for Tiv Catholic women struggling to make meaning of their faith in Jesus, who took on human flesh. Practical moral

⁵ Richard R. Osmer, *Practical Theology: An Introduction* (Grand Rapids: Eerdmans, 2008), 148.

⁶ Gerrit Immink, *Faith: A Practical Theological Reconstruction*, trans. Reinder Bruinsma, (Grand Rapids: Eerdmans, 2005), 146.

⁷ Osmer, *Practical Theology*, 151.

⁸ Russell B. Connors Jr and Patrick T. McCormick, *Character, Choices and Community: The Three Faces of Ethics* (New York: Paulist, 1998), 188.

⁹ William C. Sphon, SJ, *Go and Do Likewise: Jesus and Ethics* (New York: Continuum, 2006), 50.

reasoning directs attention to the three moments: articulating a problem within the human experience (women's ongoing experience) and then proceeding to Christian texts/resources (Christian Classics), which in turn flows into praxis, a decisive, reflective transforming action (Christian action).

Women's Ongoing Experience

The first step in this practical moral reasoning examines women's sexual decision-making and recognizes the role of patriarchy in Tiv culture, as concerns HIV/AIDS. As noted in the tragic story presented at the beginning of Chapter 1, which illustrates women's vulnerability, Tiv women face many forms of oppression, including domestic violence. Women do not have anything close to equality with men. Women's subordination can be directly linked to the increasing number of women becoming infected with HIV/AIDS within the Tiv cultural context. The oppression of women is evident in forced marriages, wife inheritance, and sometimes in polygamous marriages, which are all prescribed and supervised by male-dominated social structures. These realities all increase the prevalence of HIV/AIDS in a Tiv cultural context. In what way can women protect themselves from the high-risk sexual behaviors of their men?

Women's experiences in Tivland have not been documented. Any pastoral approach needs to dialogue with the narratives of these women. Such women are "living human documents."¹⁰ Crucial to African theology is the fact that Africa is an oral culture. Africa has a long, rich oral culture and theology needs to understand the oral presentation of the gospel in Africa. Until recently, Christianity in Africa has been a religion of the written word in a civilization of the spoken word, where oral

¹⁰ Jeanne Stevenson-Moessner, *Prelude to Practical Theology: Variations on Theory and Practice* (Nashville: Abingdon, 2008), 59.

catechesis dominates all other forms. Everything is redeemed by the spoken word.¹¹ The personal narratives of these women point to truth. Truth in one cultural context - or several cultural contexts - is also truth about the universal, and there is no “universal” without the specific and contextual. By exploring the traditional understanding (in both apprehension and expression) of truth in light of Catholic sexual ethics, the faith shapes Tiv moral understanding. This process confirms the truth of Tiv women’s sexual experiences, and clarifies these stories in a Christian mode.¹²

In light of the above, Mary Grey asks, what would the picture be if sexual ethics were done by women? As she puts it, men begin from the bed, but women begin before the bed. Many things happen around women that are important to their sexuality and should not be taken for granted. Grey further cautions against reducing feminine sexuality to gender essentialism that defines women’s embodiment in relation to motherhood or other gender-essentialized roles.¹³ This relates to Carol Gilligan’s studies that underscore basic differences between men and women. Gilligan cautions against the danger of “[i]mplicitly adopting the male life as the norm, ... [and trying] to fashion women out of a masculine cloth.”¹⁴ Ethical studies on sexuality, particularly of this kind, which seriously consider women’s experience, must note the four realities described below.

A Different Sense of Morality. Studies in psychology acknowledge that both men and women approach moral problems in the same way; however, they respond to

¹¹ Jean-Marc Ela, *My Faith as an African* (New York: Orbis, 1993), 34 and 36.

¹² U. D. H. Danfulani, “Integrating Traditional African Morality into the Contemporary Christian Religious Education Curriculum in Nigeria,” *Jos Bulletin of Religion* 3, no.1 (1996): 51-64.

¹³ Mary Grey, “The Female Experience of Sexuality,” in *Embracing Sexuality*, ed. Joseph A. Selling (Hampshire: Ashgate, 2001), 61-72.

¹⁴ Carol Gilligan, *In a Different Voice* (Cambridge: Harvard University Press, 1982), 6.

ethical dilemmas differently according to the situation. Though there is ‘harmony between the sexes,’¹⁵ Carol Gilligan concludes that women’s understanding of the self and morality differs slightly from that of men.¹⁶ While “women’s [moral] judgments are tied to feelings of empathy and compassion and are concerned with the resolution of real as opposed to hypothetical dilemmas,”¹⁷ men engage “in the abstract and hypothetical construction of reality.”¹⁸

In all the locations where this research was conducted, women repeatedly said, *mlu u kwase ngu kposo a u nomso* (women are different from men). By this, the women mean that the physiology of women differs from that of men, but this in no way makes women inferior to men. When asked, “Do you believe that women think different from men?” All 40 of the women interviewed in the various locations where the research was conducted said yes: *se kase se mba a mhonum ma zungwen hembra nomso, man se mba nan civir sha iyol yase hemban nomso* (women are more merciful than men, and women have much self-respect than men). When urged to explain more, the research expressions of the participants were best captured by Mwuese Dajo, a forty-one year old married woman, who replied:

¹⁵ David M. Buss, *The Evolution of Desire: Strategies of Human Mating* (New York: Basic, 1994), 209.

¹⁶ Gilligan, *In a Different Voice*, 70. Carol Gilligan made this conclusion after studying the works of Norma Haan of 1975, and Constance Holstein of 1976, which corroborated her findings.

¹⁷ Ibid., 69.

¹⁸ Ibid., 70. See Nancy A. Clopton, and Gwendolyn T. Sorell, Gender Differences in Moral Reasoning: Stable or Situational? *Psychology of Women Quarterly* 17, no. 1 (March 1993): 85-101, doi: 10.1111/j.1471-6402.1993.tb00678.x. Clopton and Sorell contend that the differences in approaches to moral reasoning between men and women may be due to the different types of dilemmas women and men encounter, rather than differences in the ways men and women approach moral problems. Clopton and Sorell further conclude “that differences in moral reasoning orientation result from differences in current life situations rather than from stable gender characteristics.”

Men sleep with young girls, but how many women do you see doing this sort of thing [referring to sleeping with young boys]? The younger ones are our children, we are mothers, and the younger ones are not husbands, but our children. Don't compare us with men. I don't know why men are like that. They don't have a shame.¹⁹

To balance the research, 40 men were also interviewed to learn what men feel about women. All the men agreed to what the women said. This saying is commonplace among men: *ka mlu u nomso di je la ga. Nomsor ka nomsor, kwase ka kwase nahan mhen zua keng ga* (that is a man's nature. A man is a man; a woman is a woman, so their thinking cannot be the same). Christian teaching calls for love, mutuality, and understanding.

Paul VI advises husbands to respect women's feelings. He says, men tend to "forget the reverence due to a woman, and, disregarding her physical and emotional equilibrium."²⁰ In the process, a man turns a woman into an object for his selfish enjoyment, "reduces her to being a mere instrument for the satisfaction of his own desires, no longer considering her as his partner whom he should surround with care and affection."²¹

Women Invest More in Relationships. Based on studies in sociobiology and psychology as explored in Fisher's work on parental investment, dating back to 1930, women seem to invest more in relationships.²² Studies of the evolutionary effects of sex selection (choice of partner) show that the sex that invests most in its younger

¹⁹ Mwuese Dajo (a forty-one year old married woman at Adamgbe), at a workshop.

²⁰ Paul VI, *Humanae Vitae*, sec.17.

²¹ Ibid.

²² See R. A. Fisher and Henry Bennett, *The Genetical Theory of Natural Selection* (New York: Oxford University Press, 1999).

ones evolves to be more selective in its choice of a partner.²³ Although there are cases of forced marriages in Tiv society, as the society evolves, women are now able choose their partners in many instances.

As Trivers argues, the sex that displays less parental investment develops a more competitive temperament and displays more opportunism in its choice of partner. Observably, women invest more in offspring than men. In most cultural formations, women bear the costs of pregnancy and weaning the child more than men. Due to the higher commitment or investment of women, they will be more careful in choosing their partners.²⁴ This explains why “courtship arrangements in Tiv society proceed cautiously, and often slowly.”²⁵ As *ishioor* (courtship) progresses to “a certain stage, the family of the would-be wife sends a delegation to the home of its future *wankem* (son-in-law). The purpose of the delegation - usually made up of the mother of the woman and other women of the family - is to see the place in which their daughter might be living.”²⁶ David Buss explains mate selection within evolutionary biology, stating that men and women look for specific traits and preferences in each other.²⁷ For healthy relationships, both men and women need to respect each other’s choices.

Women research participants complained that their husbands often do not reciprocate the love they give them. Nguveren Akile, a twenty-three year old healthcare worker puts it this way,

²³ Robert Trivers, *Natural Selection and Social Theory: Selected Papers of Robert Trivers*, ed. Stephen Stich (New York; Oxford University Press, 2002), 56-110.

²⁴ Ibid.

²⁵ Shagbaor F. Wegh, *Between Continuity and Change: Tiv Concept of Tradition and Modernity* (Enugu: Snaap, 2003), 101.

²⁶ Ibid., 103.

²⁷ Buss, *The Evolution of Desire: Strategies of Human Mating*, 7-8.

Men marry us and divorce us at will. At any slightest provocation, a man can call for divorce because men know that they can remarry, while a woman gets old and is rejected by younger men. Who wants to marry an old woman? Nobody. A woman's consolation is her children. As a woman grows older, she looks up to her children and not so much on her husband. I have made up my mind that the day my husband wants to divorce me, I will insist he makes me much younger the way he saw me and married me. What men do to women is wrong.²⁸

In case of divorce, the woman, her parents, or guardians refund the bride-price and any other gift that a man makes during courtship. Tiv Customary Marriage Law states thus:

Where divorce has been granted, the court shall assess the amount of bride-price including customary gifts which the wife or her guardian shall refund to the husband as the court shall deem appropriate and shall make an order for the refund of such bride price and customary gifts.²⁹

The law further states that if a woman chooses to remarry upon the death of her husband, the husband's heir may request a refund of the bride-price. This is often the case for young women. The following is used to determine the amount of the bride-price to be refunded in case of divorce: the number of children from such a marriage, the duration of the marriage, and the woman's positive contributions to the family, the degree of blame to either party that has led to divorce, and the possibility of the

²⁸ Nguveren Akile (a twenty-three year old married healthcare worker at Mkar), in a focus group.

²⁹ Local Government, Declaration of Tiv Customary Marriage Law, Order 1985, Section 16 (1).

woman remarrying.³⁰ In any case, the law does not require a man to pay alimony or any form of compensation to a woman. Women are always on the losing end.

Men have Higher Libido. Studies in evolutionary biology and psychology show that men are more sexually active than women, and more interested in chanced sex than women.³¹ According to Buss, parental investment theory predicts men to be more receptive to anonymous sex. Aside from that, prostitution is judged to be a nearly universally male interest.³² Prostitution is also a product of patriarchy. Prostitution is the sale of sex for financial gains, while patriarchy fosters the economic inequality between men and women that often drives women into prostitution to make ends meet.³³

Though scholars like Crooks and Baur dismiss male high libido as mistaken,³⁴ Buss's research shows a decline in women's sexual desire due to hormonal changes. Women become less sexually active as their fertility declines and menopause sets in.³⁵ While "most men remain sexually active into their 70s. ... women's sexual ardor declines precipitously after menopause."³⁶ Women are more willing than men to go without sex.³⁷ The experience of Nguheer Iyongba, a forty-eight year old married woman from Kanshio supports this:

³⁰ Ibid, Section 14.

³¹ Richard A. Lippa, *Gender, Nature and Nurture* (Mahwah: Lawrence Erlbaum Associates, 2002), 121.

³² Ibid., 73-94.

³³ See Margaret Eletha Guider, OSF, *Daughters of Rahab: Prostitution and the Church of Liberation in Brazil* (Minneapolis: Fortress, 1996).

³⁴ R. Crooks and K. Baur, *Our Sexuality* (Pacific Grove: Brooks/Cole, 1999), 68.

³⁵ Buss, *The Evolution of Desire: Strategies of Human Mating*, 183-208.

³⁶ John Cloud, "The Science of Cougar Sex: Why Older Women Lust," *Time*, July 09, 2010,

<http://www.time.com/time/magazine/article/0,9171,2007422,00.html#ixzz1ZCnnYeg>
1.

³⁷ Roy F. Baumeister, Kathleen R. Catanese, and Kathleen D. Vohs, "Is There a Gender Difference in Strength of Sex Drive? Theoretical Views, Conceptual

I am a businesswoman. I go into village markets to buy agricultural produce in bulk and sell them in retail units in Makurdi city. Whenever I travel, my husband brings in other women. He was in prison for three years and I stayed single. Whenever I complain, he says he is a man and I am a woman. So, is that how to be a man?³⁸

Of the 40 women interviewed for this research, all agreed that, *nomso mba we shima ga* (men do not have patience). Of the 40 men interviewed, all agreed that, *kasev mba hemban wan shima a vese* (women have more self-control than men). “Studies on uncontrolled and unwanted sexual thoughts underscore the conclusion that the male sex drive evokes more sexual thinking even if the person does not wish to have those thoughts.”³⁹ These studies “suggest that men want sex more frequently than women.”⁴⁰ Since the chief source of HIV infection in sub-Saharan Africa is from casual sex, HIV-positive men have a high chance of spreading it because of their dominance over women.

HIV/AIDS Prevalence among Women. Women’s HIV infections are on the increase and conditions that increase these infections have not changed. Ukuma Shankyura, a thirty-three year old married woman from Katsina-Ala who is HIV-positive laments:

Our situation is worse. It seems to me that women easily contract HIV/AIDS. I can count six women in my neighborhood who are down with the disease. Their husbands are still strong. What pains me is that when a man is down

Distinctions, and a Review of Relevant Evidence,” *Personality and Social Psychology Review* 5, no. 3 (2001): 255.

³⁸ Nguheer Iyongba, (a 48 year old married woman at Kanshio), in an interview.

³⁹ *Ibid.*, 245.

⁴⁰ *Ibid.*, 246.

with AIDS, the woman takes care of him. If a woman is down with AIDS and has no children, I am sorry for her. She is in trouble.⁴¹

Unprotected sex is a particular problem for women and girls due to the physiology of the female genital track, the mucosa of the vagina and cervix is permeable and allows bodily fluids to pass through it.⁴² As a result, women are twice as likely as men to acquire HIV from an infected partner of the opposite sex.

The Opportunity in Crisis, a joint publication by UNICEF, UNAIDS, UNESCO, UNFPA, ILO, WHO and The World Bank shows an estimated 2,500 young people are newly infected with HIV. “Globally, young women make up more than 60 per cent of all young people living with HIV; in sub-Saharan Africa their share jumps to 72 per cent. Thus the overall picture of young people living with HIV is predominantly African and predominantly female.”⁴³ In this report, one out of every three young people infected with HIV is either from South Africa or Nigeria.⁴⁴ Of the 36 states and federal territories that comprise Nigeria, Benue State, where this research is primarily located, has been ranked as having the highest level of prevalence of HIV/AIDS.⁴⁵

While HIV prevalence has declined slightly among young people, young women and adolescent girls still face a disproportionately high risk of infection due to biological vulnerability, social inequality, and exclusion. The Opportunity in Crisis

⁴¹ Ukuma Shankyura (a thirty-three year old married woman at Katsina-Ala), in an interview.

⁴² UNAIDS “Women and Girls,” last accessed July 1, 2011.

<http://www.unaids.org/en/PolicyAndPractice/KeyPopulations/WomenGirls/>.

⁴³ United Nations Children’s Fund (UNICEF), *Opportunity in Crisis: Preventing HIV from Early Adolescence to Young Adulthood* (New York: UNICEF, 2011), 4.

http://www.unicef.org/media/files/Opportunity_in_Crisis_LoRes_EN_05182011.pdf.

⁴⁴ *Ibid.* 6.

⁴⁵ Federal Ministry of Health: Department of Public Health, National AIDS/STDs Control Program, *Technical Report on the 2003 National HIV/Syphilis Sentinel Survey Among Pregnant Women Attending Clinics in Nigeria* (Abuja: Federal Ministry of Health). This is the latest official statistical report.

observes that for HIV responses to be effective, governments need to address the underlying problems of poverty, exclusion, and gender inequality that threaten the goal of achieving an AIDS-free future for new generations. “In sub-Saharan Africa, for example, the same social norms that tolerate domestic violence also prevent women from refusing unwanted sexual advances, negotiating safe sex, or criticizing a male partner’s infidelity—all of which threatens the goal of achieving an AIDS-free generation.”⁴⁶ Anmuludu Uduh, a twenty-nine year old married woman from Mkar says women are despondent, and since they do not know what to do, are beginning to focus more on controlling the effects of HIV/AIDS in themselves.

They [Nigeria’s Federal Ministry of Health] say we in Benue State are the champions [highest number of HIV-positive persons]. I am also a victim of this disease. I know that I got it from my husband. Whenever I go for monthly check-ups, majority of people I see are women. Why is it so? Does it mean women are more promiscuous than men? I ask this question without getting an answer. When I discovered my HIV status, I cried for months and wished it were not true. I went to different doctors thinking that they were joking. How did I manage to get this? I have only known one man for the whole of my life. The disease has come to stay with me. What I ask those in my shoes is, “how do we manage ourselves in this situation? What can we do?”⁴⁷

Women who suspect that they are HIV-positive should do three things. First, they should be tested and accept their status. It is good for everyone to undergo this test so that people know their status. Second, they should go to a treatment center for an assessment of their condition. With the availability of drugs, it is possible that they

⁴⁶ UNICEF, “2500 Young People Newly Infected with HIV Every Day, According to Opportunity in Crisis,” June 1, 2011, http://www.unicef.org/media/media_58719.html.

⁴⁷ Anmuludu Uduh (a twenty nine year old married woman at Mkar), in an interview.

can live a normal life. HIV-positive persons interviewed admitted that it is not easy to take this test, and that the drugs have side effects. Third, HIV-positive women should listen to their counselor, healthcare worker, or doctor and be prepared to always go to their clinic on the appointed day, though this may be difficult due to economic hardship. The increasing difficulties call for the church's continuous intervention to help these women. A good solution requires dialoguing with Christian classics of the Catholic tradition.

Christian Classics

Here, Christian classics refer to scripture and the tradition's response to the plight of Tiv Catholic women. In this case, Christian classics can help answer the questions raised by the lived sexual experiences of Tiv Catholic women and their sexual dilemmas.

Scripture. According to Teresa Okure, interpreting the Bible to touch women's lives necessarily requires that theologians use feminist hermeneutics. "As a result [of feminist hermeneutics], it has become widely accepted that to do theology or a fully engaged reading of the Bible, one has to address, if not start with, one's own consciousness of oneself."⁴⁸ The Bible as the inspired word of God needs to speak to people in their distinctive situations in life. Kwok Pui-lan suggests "using the critical lens of a hermeneutics of suspicion"⁴⁹ in interpreting biblical discourses in people's present locations, while being aware that "history is interpreted according to the mental apparatus and framework we have constructed."⁵⁰ The aim is to see how the Bible can speak to women in their concrete situations as the issues affect them. Amba

⁴⁸ Teresa Okure, SHCJ, "Reading from this Place: Some Problems and Prospects," in *Reading from this Place Volume 2*, eds. Fernando F. Segovia and Mary Ann Tolbert (Minneapolis: Fortress, 1995), 54.

⁴⁹ Kwok Pui-lan, *Postcolonial Imagination and Feminist Theology* (Westminster: John Knox, 2005), 60.

⁵⁰ *Ibid.*, 79.

Oduyoye observes that African women turn to the Bible *en masse* for liberation. “Women’s experience in both church and society makes them run to the Bible for consolation and affirmation.”⁵¹ In sexual ethics, it is women who are mostly affected by current ecclesial interpretations. As a result, this research addresses such an interpretation within a Tiv context, as an example of how women’s perspectives need to be addressed.

In the Old Testament, morality is not personal, but a covenant lived in community.⁵² The New Testament intends Christian freedom that envisages love before the law, making an attempt at a list of “dos and don’ts” in vain. It is pastorally more effective and truer to scripture for people to be aware of issues and choices, rather than confront them with lists of commandments.⁵³ However, sexual issues are never purely matters for individuals to do whatever they want. As human beings, people are also relational beings who are also sexual. “Human sexual responsibility cannot be a matter of individualized ethics, since humans are created as sexual beings as part of the corporate body.”⁵⁴ In interpreting Biblical sexual discourse, people should not reinvent ancient texts, but interpret them in light of contemporary insights on human sexuality. “The antiquity of the biblical writings means that they give

⁵¹ Mercy Amba Oduyoye, “Biblical Interpretations and the Social Location of the Interpreter: African Women’s Reading of the Bible,” in *Reading from this Place Volume 2*, eds. Fernando F. Segovia and Mary Ann Tolbert (Minneapolis: Fortress, 1995), 45.

⁵² Joseph Jensen, “Human Sexuality in the Scripture,” in *Human Sexuality and Personhood* (Braintree: Pope John Center, 1990), 19. Jensen noted this at a workshop on Sexual Ethics for Catholic Hierarchies of the United States and Canada held in Dallas, Texas, February 2-6, 1981. He observed that there is conflictual movement in scripture regarding human sexuality.

⁵³ *Ibid.*, 32-33.

⁵⁴ Raymond F. Collins, *Sexual Ethics and the New Testament: Behavior and Belief* (New York: The Crossroad, 2000), 192.

Christians other models of social life to stand alongside those we know directly”⁵⁵ through contemporary experiences. As William Countryman says, using the Bible as a model entails that people use it as part of the past “to understand the present on its own terms and proclaim the gospel in ways pertinent to it.”⁵⁶

There is nothing bad about sex itself, it becomes wrong only when sex becomes the ultimate goal for people. “Jesus, for example, attacked the institutions of the family rather than sexuality itself and that Paul specifically acknowledged the satisfaction of sexual desire as [a] valid reason for marriage (1 Corinthians 6).”⁵⁷ In the interpretation of sexual morality, the focal point should be the reign of God. “The dominant motif might well be that the disciple of Jesus is called to live with his or her sexuality in a way that is different from the way that others live with their sexuality.”⁵⁸ Thus, Collins outlines six things that people can keep in mind when discussing biblical (especially New Testament) understandings of sexual ethics: (a) the biblical texts were written in Aramaic, or Hebrew, and Greek, (b) sexual terms in the New Testament are difficult to translate, (c) the New Testament is not homogeneous because there are different literary genres involved in the writings, (d) the New Testament was written within a time and place to respond to the needs of local churches, (e) consigned to their time and culture, these texts do not have the insights of modern science, and (f) these texts provide witness to the sexual ethics and expectations of the authors.⁵⁹ Applying these to the situation of Tiv Catholic women,

⁵⁵ William Countryman, “New Testament Sexual Ethics and Today’s World,” in *Sexuality and the Sacred: Sources for Theological Reflection*, eds. James B. Nelson and Sandra P. Longfellow (Westminster: John Knox, 1994), 28.

⁵⁶ *Ibid.*, 29.

⁵⁷ *Ibid.*, 50.

⁵⁸ Collins, *Sexual Ethics and the New Testament*, 183.

⁵⁹ *Ibid.*, 190-191.

this study follows Teresa Okure's invitation that Jesus takes a trip to Africa⁶⁰ and read the Bible from the same location with Tiv women whose sexual experiences are part of the ongoing universal tradition of the church.

Within the complexity of Tiv Catholic women's social context, and that of many African communities, it is difficult to address the pastoral care of AIDS to produce a single answer. Since the Catholic tradition derives impetus from scripture, the search for a pastoral approach should examine HIV/AIDS in relation to Jesus' response when confronted with a similar situation in the Bible. As noted by John Paul II, returning to the Bible "as a source of morality represents an authentic explication of the Biblical morality of the covenant and of the commandments, of charity and of the virtues. The moral quality of human acting is dependent on this fidelity to the commandments, as an expression of obedience and of love."⁶¹ John Paul II, quoting from Paul's first letter to the Corinthians (1 Corinthians 6: 9-10), lists adultery as an example of intrinsic evil.⁶²

What was Jesus' response when he was confronted with the case of a woman caught in adultery, an intrinsic evil? The account of Jesus and the woman taken in adultery (John 7:53-8:11)⁶³ shows the inner character of Jesus' working principles,⁶⁴ and is a good text on God's mercy. Francis Moloney divides the story into four parts.

⁶⁰ See Teresa Okure, SHCJ, "Jesus and the Samaritan Woman (Jn 4:1-42) in Africa," *Theological Studies* 70 (2009): 401-418.

⁶¹ John Paul, *Veritatis Splendor*, sec. 82.

⁶² *Ibid.*, sec. 81.

⁶³ Francis Moloney and Daniel J. Harrington, SJ, *The Gospel of John: Sacra Pagina Series Vol. 4* (Collegeville: Liturgical, 1998), 259. Though for sound textual reasons, it is universally admitted that the account of Jesus and the woman taken in adultery does not belong to the Fourth Gospel.

⁶⁴ Christopher D. Marshall, *Beyond Retribution: A New Testament Vision for Justice, Crime, and Punishment* (Grand Rapids: Eerdmans, 2001), 231-332. Marshall argues that Jesus did not recommend the death penalty not in non-conformity with the Mosaic Law, nor was it for fear of the Romans, but as part of divine revelation for who he was.

The first part is the introduction (John 7:53-8:2). Jesus teaches an unspecified crowd in the temple on the morning of the added eighth day of the Feast of Tabernacles, which was a day of rest (Leviticus 23:39).

The second part centers on the Scribes, Pharisees, and Jesus (John 8:3-6a). The Jewish leaders challenged Jesus with a woman caught in adultery. The leaders were probably going to humiliate and likely kill the woman. There is a possibility that she might have committed adultery the previous evening, perhaps around dawn (John 8:2), and they had probably held her all night long and waited for Jesus to show up so they could use her to test him. They publicly humiliate her by putting her in the middle of the temple and setting her before Jesus and the crowd (John 8:3). “They are not interested in either the fate of the woman or the injured husband who is never mentioned,”⁶⁵ but Jesus’ response was different from theirs.

If [Jesus] determined that she was to be stoned, they would scoff at him inasmuch as he had forgotten the mercy that he was always teaching. If he prohibited the stoning, they would gnash their teeth at him, and, as they saw it, rightly condemn him as a doer of wicked deeds contrary to the law.⁶⁶

The Scribes and Pharisees, who were the leaders, had a zeal for righteousness, but the woman herself was no concern to them. What happens to her life?

The third part is the reversal of the above challenge (John 8:6b-9). Jesus responds to the leaders. He writes on the ground, something forbidden on the Sabbath. Many propose different theories for what he wrote on the ground, but one thing is sure, he introduced a new interpretation to the law. No one stoned this woman to

⁶⁵ Moloney and Harrington, *The Gospel of John*, 261.

⁶⁶ Joel C. Elowsky and Thomas C. Oden, eds., *Ancient Christian Commentary on Scripture: John 1-10* (Downers Grove: InterVarsity, 2006), 273. Elowsky and Oden cite the venerable Bede, the English monk of the early middle ages.

death (John 8:9). They left her alone with Jesus. “Only two remain, the wretched woman and the incarnation of mercy.”⁶⁷

The fourth and final part is the conversation between Jesus and the woman (John 8:10-11). Jesus, who is left alone with the woman, straightens up and asks her: “Woman, where are they? Has no one condemned you?” (John 8:10). These “are the first words addressed to the woman in the story. She is addressed as ‘you’ (*se* in the Greek of the New Testament) and is now no longer an object, a necessary evil, but someone who can enter into a relationship with Jesus.”⁶⁸ Jesus says to her, “Neither do I condemn you. Go, and from now on do not sin any more” (8:11). Jesus grants pardon, not acquittal, and acknowledges the sinfulness of the situation, but allows mercy to overshadow the situation.⁶⁹ The Scribes and Pharisees did not allow the woman a chance for physical life, but Jesus grants her both spiritual and physical life, and “offers her the possibility of a newness of life in a right relationship with God.”⁷⁰ According to the Nigerian theologian Onyema Anozie, this story raises a very significant pastoral consideration regarding how Jesus dealt with ethical dilemmas surrounding a moral absolute. With all the legal prohibitions in place, Jesus said, “Neither do I condemn you” (John 8:11).⁷¹ Therefore, in ethical dilemmas, casuistry and *epikeia* should apply. A case judgment using *epikeia* to differentiate between the letter and the spirit of the law permits unchanging truth to be applied to context, situation, and times. To do this involves engaging the tradition.

⁶⁷ Moloney and Harrington, *The Gospel of John*, 261.

⁶⁸ *Ibid.*, 261-262.

⁶⁹ Marshall, *Beyond Retribution: A New Testament Vision for Justice, Crime, and Punishment*, 233.

⁷⁰ Moloney and Harrington, *The Gospel of John*, 262.

⁷¹ Onyema Anozie, “Exceptions in Absolute Moral Norms with Reference to John 8:1-9,” a paper presented at the conference of Catholic Theological Ethics in the World Church, Trent, Italy, July 24-27, 2010.

Tradition. Tradition is “the wisdom of the Christian community.”⁷² As such, it is ongoing: the word of God enters the historical reality of the context where it is proclaimed. It enlightens, challenges, and celebrates the positive aspects of the context. “Tradition, like Scripture, has to be continually re-translated, re-read and re-interpreted, within the context of a faith community that is a believing, worshipping, and acting Community of Disciples.”⁷³ David Power cautions on the misuse of the term tradition:

Tradition may be confused with what is fixed and decisive. In doctrine, it may be thought of as the passing on of truths, well-conceived and defined. In morals, it may be taken to indicate standardized values, even describing some of them as absolute. In sacrament, it can be held to point only to what is ritually fixed and unchangeable. In fact, however, tradition is first and foremost the transmission of life in Christ and the Spirit, down through time and across cultures.⁷⁴

Power’s understanding is in line with the Second Vatican Council, which acknowledges that the tradition that comes from the apostles makes progress in the church through the help of the Holy Spirit. “There is a growth in insight into the realities and words that are being passed on. This comes about through the contemplation and study of believers who ponder these things in their hearts (Luke 2:19 and 51). It comes from the intimate sense of spiritual realities which they experience.”⁷⁵ Here, the Second Vatican Council clearly recognizes tradition as the living faith of the church that is ongoing, not just a digging up of antiquities.

⁷² Bretzke, *A Morally Complex World*, 23.

⁷³ Ibid.

⁷⁴ David N. Power, OMI, *Sacrament: The Language of God’s Giving* (New York: Crossroad, 1999), 39.

⁷⁵ Vatican II Council, *Dei Verbum*, sec. 8.

People should not be dismissive of the wisdom of the past. Before anyone says no to anything, one should be able to ask why the church did what it did when it did.

To this, Bretzke advises,

We need to guard against retroactive or anachronistic readings of the various sources in a reductionistic or dismissive manner that would evaluate authors and texts too harshly in light of contemporary concerns, insights, and sensibilities. For example, if we were to dismiss all of Thomas Aquinas as irrelevant because of his antiquated biology, or the problems in his theological anthropology in reference to women, we would be depriving ourselves of an incredible amount of real moral wisdom we can still draw on today.⁷⁶

Since the revelation of God is ongoing, the tradition continues to develop. It is true that “the gospel, the news of God’s grace in Jesus and the inbreaking of God’s reign, has not yet finished transforming us — and will not [on] this side of the grave.”⁷⁷

Theology’s role is to take a critical look at tradition and creatively work towards reforming the tradition. This is also part of conversion, which is at the heart of the Christian message. Working towards reforming the tradition within the tradition is part of staying faithful to the tradition. As David Power argues, “fidelity to tradition means allowing for moments of evangelical retrieval within the disruptions of history.”⁷⁸ This retrieval does not mean that people go back to the same old ways and keep to them. It means expanding the tradition to go beyond the past to the present, with an eschatological view toward the future. Oduyoye tells the story of the disruption of tradition in Matthew’s gospel. During Mary’s pregnancy, Joseph wanted to terminate his engagement with her. Tradition demanded that he give Mary a public

⁷⁶ Bretzke, *A Morally Complex World*, 25.

⁷⁷ Countryman, “New Testament Sexual Ethics and Today’s World,” 52.

⁷⁸ Power, *Sacrament: The Language of God’s Giving*, 39.

disgrace. Adulterous women were either stoned to death or burned alive, as the story of Tamar and her father-in-law shows (Genesis 38:11-26). Another problem in the tradition was the naming of the child Jesus. Names were given according to the family line; however, Mary introduced a new name to the family. The result is well known. “Joseph wants a middle way [to disengage] to conform to tradition only to the extent that the new would not be hurt. God proposes radical solidarity.”⁷⁹ Here, Joseph becomes part of a move to expand the tradition without breaking away from it.

The power of tradition cannot be underestimated. It has a bearing on all theological reflections, knowingly or unknowingly. “Discussions of tradition is critical in feminist theology because tradition defines the memory of the Christian community.”⁸⁰ Kwok Pui-lan observes that Christianity’s success lies in its adaptation to the cultural practices of the people it encounters, but she joins other feminist theologians in critiquing the Western Christian tradition for suppressing the voices of women, particularly non-Western women. Besides the critiques, “feminist theologians from diverse cultures are exploring the use of myths, legends, and other oral and literary resources for theology.”⁸¹ In Africa, this sort of theology is championed by Mercy Amba Oduyoye.⁸² This theology recognizes that God’s words and the ways in which God reveals Godself, are coded in African proverbs, myths, and stories that

⁷⁹ Oduyoye, “Biblical Interpretation and the Social Location of the Interpreter,” 48.

⁸⁰ Kwok, *Postcolonial Imagination and Feminist Theology*, 66.

⁸¹ *Ibid.*, 68.

⁸² Mercy Amba Oduyoye is a Methodist systematic theologian from Ghana, but is married to a Nigerian. She was a long time professor of religion at Nigeria’s premier university, University of Ibadan. She served as Deputy General Secretary of the World Council of Churches, and has lectured worldwide and engaged in many ecumenical conversations, including being a special guest presenter at the Catholic Theological Ethics in the World in Trent, Italy, July 24-July 27, 2010. Among Oduyoye’s many works are *Daughters of Anowa: African Women and Patriarchy* (New York: Orbis, 2000), *Introducing African Women’s Theology* (Sheffield: Sheffield Academic, 2001), *Beads and Strands: Reflections of an African Woman on Christianity in Africa* (New York: Orbis, 2004).

await work that evangelizes African culture. They originated in the stages of human history, which may be called the “not yet” of the fullness of Christ’s revelation, and they point to the living realities of people today. Oduyoye admits that African proverbs, myths, and stories cast women in negative light.⁸³ This requires that theology interrogate their logic and inner meanings since they are part of the people’s traditional way of life.

Kwame Bediako is right to point out that, “If this view is granted, then it is also another way of saying that the encounter between Christ and the meanings inherent in other ... [cultures] takes place in the terms of those meanings themselves”⁸⁴ By exploring the traditional Tiv understanding and expression of truth in light of the Christian understanding, one can clearly see the degree to which the faith shapes Tiv moral understanding. Comprehending Tiv traditional understanding and its treatment of women requires rational scrutiny in the light of faith.

Reason

In the encyclical, *Fides et Ratio*, John Paul II underscores the importance of faith and reason. A pilgrim people, Christians are on a journey to truth “in the quest for meaning which has always compelled the human heart.”⁸⁵ This work is of the view that Tiv Catholic women are in a search for meaning in life, as they ask questions about their lack of power in sexual decision-making. “In fact, the answer given to these questions decides the direction which people seek to give to their lives.”⁸⁶ Tiv women are not connecting with Catholic sexual ethics as it has been taught, yet revelation can only be meaningful when it communicates or connects with experience.

⁸³ See Mercy Amba Oduyoye, *Daughters of Anowa: African Women and Patriarchy* (New York: Orbis, 2000).

⁸⁴ Kwame Bediako, *Jesus in Africa: The Christian Gospel in African History and Experience* (Glasgow: Regnum Africa, 2000), 43.

⁸⁵ John Paul II, *Fides et Ratio*, sec.1.

⁸⁶ *Ibid.*

The questions raised in this study are real problems for Tiv Catholic women and call for continuous discussion so that better pastoral options may be developed and practiced. This is a journey and a struggle that involves the use of reason to creatively come to a deeper appreciation of the faith of these women as they live it out in their daily lives. “The Church is no stranger to this journey of discovery, nor could she ever be.”⁸⁷

Reason is that process through which people come to knowledge of reality. It is a rational reflection on what it means to be human and in a good relationship with God. Through rational reflection on faith, people can deepen their knowledge of the special revelation from God that comes to people through scripture and the Christian tradition during specific human experiences and circumstances. Here, “we use our human reason to move to the moral application of our individual and collective human experience to the whole human community.”⁸⁸

Reason is what human beings know through the interaction with experience and logic. In the economy of salvation, people know that through faith they come to know the truths of God through the special revelation that comes from the Bible and Christian tradition. The capacity for human reasoning covers what people know through experience and logic alone, and is foundational for understanding divine revelation as grace builds on nature. As long as human beings live in the world searching for truth in faith, there will be an ongoing revelation. This is the general revelation expressed through people’s various circumstances. “No moral problem can be solved simply with a quotation from scripture or an ecclesiastical document. There is no ‘package’ of detailed moral truths to be merely preserved and handed on intact

⁸⁷ Ibid., sec.2.

⁸⁸ Bretzke, *A Morally Complex World*, 28.

to later generation.”⁸⁹ Since faith and reason are both ways of arriving at truth - and since all truths are harmonious with each other - faith is consistent with reason. If people understand faith and reason correctly, there will be no conflict between what faith says and what reason says. For this reason, the *Catechism of the Catholic Church* praises the capability of human intelligence.⁹⁰

Ethicists call for creativity in moral reasoning and encourage the use of imagination to arrive at moral decisions. According to Philip Keane, the use of imagination “involves a different kind of rationality from what we find in logical thought. Imagination can be described as the basic processes by which we draw together the concrete and the universal elements of our notions of how the abstract and the concrete relate to one another.”⁹¹ William Spohn uses the work of David Tracy to distinguish between analogical and dialectical imaginations. “While analogical reflection emphasizes the similarities in relations ordered to the prime analogate, the dialectical stresses the differences.”⁹² Spohn explains that the analogical imagination begins with the workings of God in the ordinary experiences of people, and tries to understand what God requires of them. The dialectical imagination begins with the powerful presence of God decisively manifested in Jesus Christ. Expanding the works of William F. Lynch and David Tracy, Spohn favors the analogical imagination because it plunges “into the particulars of the gospel and human experience.”⁹³ This work also favors the analogical imagination in moral reasoning, because it brings moral meaning to concrete situations. In this case, it leads

⁸⁹ Sean Fagan, SM, “Can Morality Be Taught?” *Doctrine and Life* 58, no. 8 (2008): 44.

⁹⁰ *Catechism of the Catholic Church*, 2nd edition, 286.

⁹¹ Philip S. Keane, SS, *Christian Ethics and Imagination: A Theological Inquiry* (Ramsey: Paulist, 1984), 81.

⁹² Spohn, *Go and Do Likewise: Jesus and Ethics*, 59.

⁹³ *Ibid.*, 56.

to Tiv Catholic women's demand that HIV-positive husbands use condoms for protection as a form of self-defense. Pressed by cultural inhibitions, social coercion to have sex with an HIV-positive husband, the condom becomes a viable tool for self-defense. This work builds on Catholic moral principles to arrive at this understanding in the Tiv pastoral situation.

Catholic Moral Principles

The Catholic Church has been accused of “lacking a sense of reality and of being irresponsible about the HIV/AIDS epidemic in Africa because of its position regarding the use of prophylactics to prevent sexual contamination.”⁹⁴ In this regard, one may make a distinction between prevention and containment strategies in the fight against HIV/AIDS. Prevention is attacking the problem at its root, and containment refers to interventions that lessen the impact of the problem. The church is generally more concerned with primary prevention than containment, which involves the technical aspects of the HIV/AIDS pandemic.⁹⁵ This work is not about examining universally held Catholic moral principles with regards to HIV/AIDS. Rather, it is about exploring contextual principles that can be of use in addressing Catholic pastoral life in Tivland. This shows the richness of the Catholic moral tradition in addressing HIV/AIDS prevention among Catholic Tiv women in the midst of patriarchy. This section examines the principles of relational-responsibility, double effect, and *Veritatis Splendor* and challenges of expediency.

⁹⁴ Jon D. Fuller, SJ and James F. Keenan, SJ, “The Vatican's New Insights on Condoms for H.I.V. Prevention”, September 23, 2000, http://www.americamagazine.org/content/article.cfm?article_id=2281. See also Michael Wrong, “Blood of Innocents on His Hands,” *New Statesman*, April 11, 2005, 8-9, www.newstatesmen.com/coverstory. Wrong praised John Paul II and the Catholic Church for their support of the political liberation of Africa but decried the church's posture on the use of condoms.

⁹⁵ Ibid.

Relational-Responsibility

There is confusion between the terms ‘relational-responsibility’ and ‘relativism,’ but the two are not the same. In relational-responsibility, “one decides what to do by determining what action is most harmonious... to the meaning of the whole relational context. This method does not do away with laws or consequences since these help one to grasp what a harmonious relationship might be.”⁹⁶ On the other hand, relativism is a claim that if a thing feels right for an individual, sufficient warrant exists because no other warrant may be given. In other words, one individual experience or preference is as valid as another. Relativism holds that,

The world as interpreted from any particular viewpoint may be one of many. Standards of reasoning and tests of truth are parochial. The relativists sees no clear distinction between what is really true, good, rational, or just, on the one hand, and what is locally accepted as true, good, rational, or just, on the other hand.⁹⁷

Relational-responsibility, on the one hand, recognizes that a higher value is the “ultimate measure” of reality. It accepts that there is a definitive point of reference whereby something is greater than the ‘I,’ the so called ‘ultimate measure’ for relativists. This research builds on the concept of relational-responsibility to develop a dialogical approach to ethics.⁹⁸ There has been growing tension between relativism and relativity in Catholic moral thought, especially in recent times. Relational-

⁹⁶ Gula, *Reason Informed by Faith*, 304.

⁹⁷ Thomas B. Ommen, “Relativism, Objectivism, and Theology,” *Horizons* 13, no.2 (1986): 291.

⁹⁸ An intercultural hermeneutical approach to ethics seriously considers contexts in the interpretation of theological discourses. It is a further development of proportionalism and relational-responsibility approaches. This first appeared in the works of Richard Bernstein and was developed by Thomas B. Ommen.

responsibility is anchored on relativity. A dialogical approach is necessary to make moral theology more practical, and the faith more embedded in everyday life.

Catholic ethics is rooted in the natural law theory developed by Thomas Aquinas, who acknowledges that objective moral truths are embedded in human nature. He draws out four basic intrinsic goods that cannot be violated under any circumstances: human life, human procreation (which includes raising children), human knowledge, and human sociability, a value that has to do with associations and bonds with others, including friendship, social organizations, and political organizations. “Each of these items ... has intrinsic value and their destruction is intrinsically bad or evil.”⁹⁹ As Timmons puts it, “An action is right if and only if (and because) in performing the action one does not directly violate any of the basic values.”¹⁰⁰ This is known as the moral absolute position in natural law theory. Following this, the Catholic tradition maintains that certain acts, are always, and everywhere, “intrinsically morally evil,”¹⁰¹ no matter their consequences. If these inherent needs and purposes are disregarded, the consequences will indeed be damaging and disruptive to human nature.¹⁰² The conclusion is that such acts are a degradation of the natural sexual act, as well as natural parenthood, with far-reaching destabilizing effects on family structure, which is the foundation for a viable society.

Principles of morality can be structured into value-based moral theories and duty-based moral theories. Value-based moral theories define the rightness of an action in terms of its goodness; these include versions of consequentialism, natural

⁹⁹ Mark Timmons, *Disputed Moral Issues: A Reader* (New York: Oxford University Press, 2007), 12.

¹⁰⁰ Ibid.

¹⁰¹ Richard M Gula, SS, *What Are They Saying About Moral Norms?* (New York: Paulist, 1982), 87.

¹⁰² Karl H. Peschke, SVD, *Christian Ethics, Volume 1* (Manila: Logos, 1993), 161-162.

law theory, and virtue ethics. On the other hand, duty-based moral theories are often called “deontological” moral theories, based on the Greek word, *deon*, meaning “duty.”¹⁰³ The relational-responsibility method brings these two broad theories into dialogue. This is what Gadamer calls a “fusion of horizon,”¹⁰⁴ which is what this work hinges on. On the one hand, this work emphatically appeals to a single standard of revelation, truth, and rationality, but on the other, it acknowledges that “truth emerges on the contrary, through conversation.”¹⁰⁵ While this work objects to relativism and subjectivism, at the same time, it claims that “objective understanding is possible only when an intersubjective understanding has been achieved.”¹⁰⁶ Catholic moral theology must value a “context-orientated study of the history and philosophy...and .. culture”¹⁰⁷ in a Christian understanding of people. The “Context-sensitivity of morality according to which one’s circumstances, including the social norms of one’s culture, may have a bearing on what is right or wrong to do in that culture.”¹⁰⁸ Sensitivity, which is very fundamental in moral theology, implies that morality is not based on abstract principles but on reflections of practical concerns in everyday life.¹⁰⁹ This is why Catholic moral theology often applies the principle of double effect when confronted with ethical dilemmas.

Double Effect

There are times when certain actions carry within them some degree of good and evil. The principle of double effect addresses such ethical dilemmas. Aquinas uses

¹⁰³ Timmons, *Disputed Moral Issues*, 5.

¹⁰⁴ Hans-Georg Gadamer, *Truth and Method*, trans. Joel Weinsheimer and Donald G. Marshall (New York: Continuum, 1999), 378.

¹⁰⁵ Ommen, “Relativism, Objectivism, and Theology,” 301.

¹⁰⁶ *Ibid.*

¹⁰⁷ Martin Prozesky, “Christology and Cultural Relativity,” *Journal of Theology for Southern Africa* 35, no.1 (1981): 45.

¹⁰⁸ Timmons, *Disputed Moral Issues*, 32.

¹⁰⁹ Gula, *Reason Informed by Faith*, 13 and 20.

this principle in discussing the principle of self-defense, which is central to this work. In the nineteenth century, the Jesuit theologian Jean Pierre Gury, building on Aquinas, developed four conditions rooted in reflections on ethical dilemmas, which are necessary for the principle of double effect.¹¹⁰ The first condition is based on the nature of the act. The act-in-itself must not be morally wrong or intrinsically evil. The second condition is based on the means and end. The good effect should not be responsible for the means of the bad effect. The third condition is based on right intention. The agent should not intend the bad effect. The fourth condition borders on proportionality. The bad effect should not outweigh the good effect but, rather, there should be a proportionate reason to cause or tolerate the bad effect.¹¹¹

One can apply the conditions of the principle of double effect to Tiv Catholic women in this way. The ethical dilemma under consideration is the man's use of condoms, which brings about the evil effect of contraception and the good effect of preventing the transmission of HIV to the woman and a possible future child, and can possibly prevent the death of these. The argument is as follows.

First, on the nature of the act. The wife's request that the husband use a condom is morally neutral, and the context is morally permissible. It takes place within a conjugal marital act, and is therefore morally good and right. Thus, the nature of the act in this study is not the use of a condom, but spousal rape and how a wife can protect herself from a HIV-positive husband during forced sex. Emphasis should not be on the use of a condom, but on the protection that is due to the woman.

Second, the means and end. It is not possible to bring about the good effect of preventing an HIV attack except by using a condom that will, in turn, bring about the

¹¹⁰ Christopher Kaczor, "Double-Effect Reasoning from Jean Pierre Gury to Peter Knauer," *Theological Studies* 59 (1998): 297-316.

¹¹¹ Gula, *Reason Informed by Faith*, 270.

evil effect of contraception. In this case, the good is the prevention of the spread of HIV/AIDS from husband to wife when a Tiv Catholic woman requests that an HIV-positive husband use a condom, the bad effect is the prevention of conception. The wife wills the prevention of HIV/AIDS, and contraception only becomes a necessity in the act of preventing HIV infection.

Third, is right intention. The intent is to prevent the spread of HIV/AIDS but not to prevent pregnancy. Contraception is not the wife's end or her chosen means for bringing about the intended end of preventing a deadly disease. There are two critical questions. Is it alright to prevent the infection of a deadly disease that has no cure? Is it alright to prevent the possible conception of a child when there is no guarantee that such a child will be born free of HIV/AIDS?

Fourth, concerns the proportionality of the act. The benefit of preventing the spread of HIV/AIDS outweighs the difficulty of separating the sexual act from its procreative function. As observed in Chapter 4, the evil that will be brought about by the use of condoms among Tiv Catholic women is not out of proportion to the good of preventing HIV/AIDS infection through forced sex. The lack of such a preventive measure may result in these women suffering from HIV/AIDS through no moral failing of their own. Tiv Catholic women are in a moral dilemma regarding what decisions to make when they are faced with the possibility of sex with their HIV-positive husbands.

The ethical dilemma is not whether condom use is morally justified or not. The ethical problem of condom use in Catholic theology lies in the contraceptive effect. Central to this study is not an argument in favor of contraception, but that the evil of contraception can be counterbalanced by the relevant good that can come of Tiv Catholic women's sexual decision-making. The good effect is preventing the

transmission of HIV/AIDS infection from husband to wife, and perhaps a future child, as well as the possibility of avoiding the death of a mother and child. Morality is centered on right and wrong actions. “Right and wrong have to do with the real ... harm we cause ourselves and others, the damage, present or future, we do to our own or someone else’s potential as loving human beings.”¹¹² In moral discourse, the terms ‘good’ and ‘bad’ are used “in assessing the value of persons (their character) as well as experiences, things, and states of affairs.”¹¹³ Moral theology distinguishes between intrinsic value and extrinsic value. Intrinsic value, “depends on features that are *inherent* to [a thing], whereas something is extrinsically good when its goodness is a matter of how it is related to something else that is intrinsically good.”¹¹⁴ Again, there is what one may call intrinsically value-neutral — that is, the category of all those things that are neither intrinsically good nor bad (though they may have extrinsic value).¹¹⁵ Within these distinctions, human acts are classified as either objectively right or objectively wrong actions. Objectively right actions foster authentic human growth, while objectively wrong actions do the opposite. What is decisive in the morality of an action is that a person commit’s the act with full free will and consent. In this case, Tiv Catholic women engaged in forced sex do not act with free will and consent. Therefore, in the case of Tiv Catholic women’s sexual decision-making and their experience with HIV-positive husbands, utilizing the principle of relational-responsibility in relation to the principle of double effect provides a deeper pastoral context for a transforming moral decision.

¹¹² Vincent J. Genovesi, SJ, *In Pursuit of Love: Catholic Morality and Human Sexuality* (Collegeville: Liturgical, 1996), 105.

¹¹³ Timmons, *Disputed Moral Issues*, 2.

¹¹⁴ *Ibid.*, 84.

¹¹⁵ *Ibid.*

The principle of double effect is a source of much tension among Catholic moral theologians when they consider HIV/AIDS prevention strategies. The magisterium has accused many Catholic moral theologians of falling into consequentialism. Consequentialists hold that “a correct moral choice is determined on the basis of the alternative that produces the greatest possible value in its consequences.”¹¹⁶ This means that the rightness or wrongness of an action is exclusively, or at least decisively, determined by the good or evil consequences that an action produces. All other considerations remain subordinate to this criterion. As long as the good consequences prevail over the bad ones, the action is ethically right.¹¹⁷ Thus, in such a line of reasoning, contraceptives may in principle be seen as morally acceptable when such protective devices are used by a husband and wife, since their actions may be seen as motivated by, and expressive of, their mutual love and shared desire for personal and affective complementarity, which is the culmination of their union.¹¹⁸ Such theologians are commonly accused of relativism. This study does not follow this route. Rather, it reflects on the moral challenges of expediency as acknowledged by *Veritatis Splendor*, and faced by Catholic Tiv women in their sexual decision-making in light of HIV/AIDS.

***Veritatis Splendor* and Challenges of Expediency**

John Paul II’s encyclical, *Veritatis Splendor*, highlights the importance of freedom, motives, and moral absolutes in Christian morality. The encyclical reiterates the church’s teaching that there are certain things that are intrinsically evil, so violating them regardless of circumstances means going against the will of God. How

¹¹⁶ Gula, *Reason informed by Faith*, 61.

¹¹⁷ Peschke, *Christian Ethics*, 159.

¹¹⁸ Charles E. Curran and Richard A. McCormick, SJ, eds., *Readings in Moral Theology, No. 8: Dialogue about Catholic Sexual Teaching* (New York: Paulist, 1993), 266.

then, does a Christian handle complex contexts within ethical dilemmas, such as HIV/AIDS prevention and Tiv Catholic women's sexual decision-making in this study?

As a moral agent, the church "has received from the apostles Christ's solemn command to proclaim the truth which saves, and must carry it to the ends of the earth (see Acts 1:8)."¹¹⁹ Drawing on three complimentary sources of moral truth that originate in God's creative and saving work – Natural Law, the Old Testament, and the New Testament – John Paul II argues in favor of objective truth based on natural law. As the *Catechism of the Catholic Church* teaches, "The natural law, present in the heart of each man and established by reason, is universal in its precepts and its authority extends to all men. It expresses the dignity of the person and determines the basis for his fundamental rights and duties."¹²⁰

Some human acts, by their very nature, cannot be ordered to God because they radically contradict the good of the human person made in God's image. These acts are such by virtue of their object, quite apart from the ulterior intentions of the one acting and the circumstances.¹²¹ Consequently, without denying the influence on morality exercised by circumstances, and especially by intentions, John Paul II insists that there exist acts that *per se* and in themselves, independently of circumstances, are always seriously wrong by reason of their object. Thus, "the 'negative precepts' of the natural law are universally valid. ... [they] forbid a given action...without exception, because the choice of this kind of behavior is in no case compatible with the goodness of the will of the acting person, with his vocation to life with God and to communion

¹¹⁹ Vatican II Council, *Lumen Gentium*, sec. 17; see also *Catechism of the Catholic Church*, 2nd edition, 2032.

¹²⁰ *Catechism of the Catholic Church*, 2nd edition, 1956.

¹²¹ John Paul II, *Veritatis Splendor*, secs. 80 and 81.

with his neighbor. It is prohibited — to everyone and in every case — to violate these precepts.”¹²²

The evil of intrinsically evil acts is not removed by good intentions or particular circumstances, but these can diminish their evil. They remain evil, however, and cannot be ordered to God and to the good of the human person. Consequently, circumstances or intentions can never transform an act that is intrinsically evil by virtue of its object into an act that is subjectively good or defensible.¹²³ Acts that cannot be ordered to God, or for the good of the human person, are always in conflict with the good. In the words of John Paul II: “To ask about the good, in fact, ultimately means to turn towards God, the fullness of goodness.”¹²⁴

In considering the question of the morality of human acts, and particularly whether there exist intrinsically evil acts, people find themselves faced with the question of humanity itself, of truth and of the moral consequences flowing from that truth. By upholding the teaching on intrinsically evil acts, the church remains faithful to the truth about the human person. It respects and promotes persons in their dignity and vocation, while rejecting theories that counteract this truth. John Paul II maintains that “when it is a matter of the moral norms prohibiting intrinsic evil, there are no privileges nor exceptions for anyone . . . Before the demands of morality we are all absolutely equal.”¹²⁵ Even in the most difficult situation, a person is obliged to adhere to the law of morality to be obedient to God’s holy commandment and consistent with one’s dignity as a person, remembering that certain acts are prohibited “always and without exception.”¹²⁶

¹²² Ibid., sec. 52.

¹²³ Ibid., sec. 81.

¹²⁴ Ibid., sec. 9.

¹²⁵ Ibid., sec. 96.

¹²⁶ Ibid., sec. 115.

Many theologians have difficulty with this position when confronted by ethical dilemmas. If the human person is intrinsically bound by the moral law and his or her traditional faith to denounce evil, how should people handle ethical dilemmas? In *Veritatis Splendor*, John Paul II acknowledges that these are experiential problems in human society:

There are all kinds of existential and interpersonal difficulties, made worse by the complexity of a society in which individuals, couples and families are often left alone with their problems. There are situations of acute poverty or frustration in which the struggle to make ends meet, the presence of unbearable pain, or instances of violence, especially against women, make the choice to defend and promote life so demanding as sometimes to reach the point of heroism.¹²⁷

Considering the dilemmas that the human person faces in his or her daily existence in all their complexities, John Paul II foresaw a lack of harmony between the traditional response of the church and certain theological positions. According to James Bretzke, “Much of the encyclical is concerned with the perception that contemporary morality has become excessively relativistic and denies both the existence of an objective moral order as well as the possibility that we can know and act in accord with this order.”¹²⁸ John Paul II affirms that the deep moral dignity of a human being is derived from God’s image, and that human beings ought to be treated with the due respect that this dignity gives a human being’s inherent worth. This implies that there are certain actions that promote human dignity and certain actions that diminish this dignity and the self-worth of a human being. “This position is the grounding premise of moral theology that there is an ‘objective’ moral order that is our first ontological claim of

¹²⁷ Ibid., sec. 11.

¹²⁸ Bretzke, *A Morally Complex World*, 70.

the natural law.”¹²⁹ Catholic theology rejects relativism, which is the alternative to this teaching; because relativism holds that every act by an individual is right in itself. “If there were no objective moral order, ‘morality’ would refer to whatever a culture, individual, or group considered to be good or bad, right or wrong.”¹³⁰ Neither good intentions nor a combination of mitigating circumstances can justify an action as morally right.

The use of the term intrinsic evil simply means that supposedly this consideration of intention and circumstances has already been done, [for example] such as when we maintain that while each and every killing of a human person is not intrinsically evil, murder certainly is. What is the difference between killing and murder? Intention and circumstances! In order to look more carefully at just how intention and circumstances enter the moral arena we must now shift our focus from the abstract theory of the natural law and look at how individual men and women seek to foster the good and avoid the evil in their everyday lives. ¹³¹

The problem is to contextualize the church’s teachings on social and sexual ethics so as to make them meaningful to the Tiv people. This study brings Tiv women’s sexual decision-making narratives into dialogue with Catholic sexual ethics, which “refers to the relation between the specific value at stake and the premoral evils (the limitations, the harm, or the inconvenience) which will inevitably come about in trying to achieve that value.”¹³² In this direction, the problem of moral absolutes results from the theological application of natural law theory. Natural law in the broad sense refers to humanity and reason, which all people share in common. In the restricted sense, the

¹²⁹ Ibid., 71.

¹³⁰ Ibid.

¹³¹ Ibid., 76-77.

¹³² Gula, *Reason Informed by Faith*, 272.

term refers to a particular understanding of humanity, based on nature as a principle of operation in every living thing, including human beings. Human nature thus determines how humans should act. At the same time, it is not right to only use the more restricted sense of the natural law to arrive at ethical conclusions.¹³³

Catholic moral teaching contains moral principles that may be applied to moral dilemmas. Adrian Thatcher claims they can be applied to the use of condoms as prophylactics in light of HIV/AIDS.¹³⁴ The principles include tolerance, which follows the “Gospel principle of the wheat and tares, that certain evils must be endured for the time being lest a greater evil ensue from our efforts to weed out the malefactors.”¹³⁵ Toleration of evil is a temporal acceptance of condom use. Thatcher cites Thomas Aquinas as follows:

Those who govern ... society ... may at times — where prudence dictates — tolerate the evil action of others (including some intrinsic evils), if two criteria are met: 1) if a greater good or set of goods would be lost if the evil action were not tolerated; or 2) if *greater* evils would occur were the original evil not tolerated.¹³⁶

The second principle is cooperation, which is similar to the above. Thus, “[t]here are occasions in our morally messy world when it is impossible for an individual to do good in the world without being involved to some extent in evil.”¹³⁷ Here, one must choose the lesser of two evils. In this, one may distinguish between formal and

¹³³ Charles E. Curran, “Is there a Catholic and/or Christian Ethics?” in *Readings in Moral Theology, No.2: The Distinctiveness of Christian Ethics*, eds. Charles E. Curran and Richard A. McCormick, SJ (New York: Paulist, 1980), 81-82.

¹³⁴ Adrian Thatcher, *God, Sex and Gender: An Introduction* (West Sussex: Wiley-Blackwell, 2011), 226.

¹³⁵ James Bretzke, SJ, “The Lesser Evil: Insights from the Catholic Moral Tradition,” *America*, March 26, 2007, 16.

¹³⁶ Thomas Aquinas, *Summa Theologica*, I-II, q. 96, a. 2.

¹³⁷ Adrian Thatcher, *God, Sex and Gender*, 227.

material cooperation with evil. “Thus the distinction between formal and material asks whether we intend, desire, or approve the wrong activity. If we do, we are wrongdoers too [formal cooperation]. If not, then people should consider the other issues [if they are involved in the matter or the actual doing of the action — which is material cooperation].”¹³⁸ Lesser evil indicates that placed between the two evils of the condom as a contraceptive that helps the woman prevent HIV infection, and the deadly risk of exposure to HIV/AIDS infection, it is licit for a woman to choose the first evil (condom use) in order to avoid the latter, greater evil (which is death and perhaps leaving behind orphaned children).

The principle of double effect used in this study refers to “a single action ...[with] two foreseen effects — one ‘good’ and intended, the other ‘evil’ and tolerated.”¹³⁹ Double effect sees the condom as a contraceptive that helps a woman to prevent AIDS infection. Contraception accompanies the act, but is not directly willed. Finally, there is the principle of *epikeia*, derived from a Greek adjective meaning “reasonable.”¹⁴⁰ It entails that the spirit, not the letter of the law, be emphasized. Put bluntly, those in charge of a community have the obligation to adapt the law anew and more perfectly to meet the needs of changing conditions and the demands of greater justice.

This work observes that women are disproportionately affected by sexual issues for which absolute moral laws are applied. Women in the church are in pain and anguish. Not surprisingly, many see themselves as being discriminated against. The tension involved in Catholic sexual ethics affects Catholic families all over the world. Curran suggests a shift in methodology from an emphasis on nature and sexual

¹³⁸ James F. Keenan, SJ and Thomas R. Kopfensteiner, SJ, “The Principle of Cooperation,” *Health Progress*, April 1995, 25.

¹³⁹ Bretztke, “The Lesser Evil: Insights from the Catholic Moral Tradition,” 16.

¹⁴⁰ Thomas Aquinas, *Summa Theologica*, II-II, q. 120.

faculties to an emphasis on the person as a sexual being (a shift from act to person in relationship).¹⁴¹ Every person possesses human dignity as a human being that needs to be protected and defended in situations involving unjust attack.

HIV/AIDS, Condoms, and the Principle of Self-Defense

Can women use the best available means to protect themselves against a life-threatening contagion such as HIV in a culture where men have “all the” power and fail to respect women? Applying the principle of self-defense may offer an authentically Catholic moral theological defense for the use of condoms among married couples affected by HIV/AIDS.¹⁴²

A human being is created in the image and likeness of God with divine life (Genesis 1:27). This image of God deserves unconditional protection, as seen in the story of the killing of Abel by Cain (Genesis 4). After the destruction of human life at the flood (Genesis 6-8), human blood remains sacred (Genesis 9) and is found in the Decalogue: “Thou shall not kill” (Exodus 20:13, Deuteronomy 5:17). *Donum Vitae* explains this part of the Decalogue this way,

Human life is sacred because from its beginning it involves the creative action of God and it remains forever in a special relationship with the Creator, who is its sole end. God alone is the Lord of life from its beginning until its end: no one can, in any circumstance, claim for himself the right to destroy directly an innocent human being.¹⁴³

¹⁴¹ Charles E. Curran, *Tensions in Moral Theology* (Notre Dame: University of Notre Dame, 1988), 87-109.

¹⁴² Not all condom use results in contraceptive intercourse. An HIV-positive couple for instance, may use condoms to reduce the risk of HIV transmission during infertile periods without the intent of preventing conception. See Anthony Fisher, OP, “HIV and Condoms within Marriage.” *Communio* 36, no.2 (2009): 345.

¹⁴³ Congregation for the Doctrine of the Faith, *Donum Vitae*, sec. 5; *Catechism of the Catholic Church*, 2nd edition, 2258; John Paul II, *Evangelium Vitae*, sec. 53.

Of course, this prohibition had exceptions, such as killing in a justified war, even for revenge (Numbers 35, Deuteronomy 19, Joshua 20, and Esther 8). The people understood this over the years as preached by the prophets. This changed with Christ, God made man, who came so that people might have life to the fullest (John 10:10). The gospels emphasize the sacredness of human life in terms that are even stronger than those found in the Hebrew scriptures. However, it is also a long-held part of the Christian tradition that an individual has a social and moral right to defend this life against unjust attacks to his or her body and life. The *Catechism of the Catholic Church* cites Thomas Aquinas on legitimate defense, “The act of self defense can have a double effect: the preservation of one’s own life; and the killing of the aggressor. . . . The one is intended, the other is not.”¹⁴⁴

The first part of the argument on legitimate self-defense is this principle of double effect.¹⁴⁵ In the principle of double effect, “a single action has two foreseen effects - one ‘good’ and intended, the other ‘evil’ and tolerated.”¹⁴⁶ For instance, a Tiv woman who requests that a husband whom she suspects has HIV use a condom for HIV/AIDS prevention does not directly intend to prevent procreation under such circumstances, but to avoid a deadly infection that may arise from sex with an HIV-positive husband. Based on the principle of double effect, though the condom may be act as a contraceptive, its intended purpose as a prophylactic is to avoid HIV/AIDS

¹⁴⁴ *Catechism of the Catholic Church*, 2nd edition, 2263-2264 states the arguments of Thomas Aquinas, *Summa Theologica* II-II q.64 a.7.

¹⁴⁵ According to the principle of double effect, under these circumstances an act must be in itself good, or at least morally indifferent. Good and evil effects must equally follow the act in an immediate way. Only the good effect is to be intended, and the good effect must outweigh the evil effect in the concrete circumstance. When all these conditions are weighed, the evil effect is tolerated, but only for a proportionally grave cause.

¹⁴⁶ Bretzke, “The Lesser Evil: Insights from the Catholic Moral Tradition,” 16.

infection. In this sense, condom use is legitimate for the intended purpose of personal preservation, though it may be contraceptive as well.

Embedded within this argument is the additional application of the principle of the lesser of two evils. That is, when forced to choose between two evils, such as the use of a contraceptive device, such as a condom, which is condemned by natural law, and the very serious risk of HIV/AIDS infection, an incurable and lethal disease, it is licit to choose the lesser evil (condom use) to avoid the greater evil (death arising from HIV/AIDS infection). When Benedict XVI's book-length interview regarding the permissiveness of condom use in certain circumstances appeared in November 2010,¹⁴⁷ theologians in support of this position noted that the pope was using the same principles.¹⁴⁸

Martin Rhonheimer accepts the use of condoms for HIV/AIDS prevention,¹⁴⁹ but cautions against a simplistic view of the principle of lesser evil to justify condom use in HIV/AIDS prevention. Rhonheimer argues that even if Benedict XVI uses this principle, he uses it differently from the way many theologians do. Because Benedict XVI rejects the moral theory that one can do evil for the sake of good, he does not suggest that using a condom is a lesser evil that one might choose in order to achieve the greater good of preventing HIV/AIDS. Nor does Benedict XVI,

¹⁴⁷ Pope Benedict XVI made these comments in his background interview, "Light of the World," in which he said that the use of a condom by a male prostitute could be seen as "a first assumption of responsibility" of growth in the moral life. To further clarify this debate, a few days later, Federico Lombardi, SJ, the Vatican's spokesman, said that, for Benedict, the use of condoms by people infected with HIV/AIDS can be "the first step of responsibility, of taking into consideration the risk to the life of the person with whom there are relations ... whether it is a man or woman or transsexual."

¹⁴⁸ Edward Vacek, SJ, "What is new?" *America*, The Condom Question section, January 3, 2011,

http://www.americamagazine.org/content/article.cfm?article_id=12649.

¹⁴⁹ Martin Rhonheimer, OD, "The Truth about Condoms," *The Tablet*, July 10, 2004, 10–11.

Provide a general justification for using condoms to prevent transmission of disease. He [Benedict XVI] simply says that, by using a condom, these people engaged in immoral behavior at least show some concern about the grave consequences of their acts, and this makes their behavior, while still intrinsically evil, less evil. But, the Holy Father adds, this is not a real moral solution even though for such persons it may be simply a first step towards living sexuality in a more human way.¹⁵⁰

Every person has the right to defend themselves from an aggressor with adequate means. The adequate means to defend oneself from HIV/AIDS infection is condom use. Therefore, a wife in danger of becoming infected has the right to demand the use of a condom by an HIV-positive husband. This argument weighs an action “proportionate to the gravity of the offense.”¹⁵¹ Mexican Cardinal Javier Lozano Barragán, then president of the Pontifical Council for Health Pastoral Care, supports this position with a personal view that holds that in the legitimate defense of one’s own life, one can even kill an aggressor. In the case of an HIV-positive husband, the wife has a right to defend herself, not to exclude having her husband use a condom.¹⁵² British Cardinal Cormac Murphy-O’Connor goes further and “characterized the use of condoms as a ‘moral obligation’ in certain circumstances.”¹⁵³ This position is also supported by Cardinal Danneels of Belgium.¹⁵⁴

¹⁵⁰ John Norton, “Ethicist: Pope intended Condom Use/AIDS Reflection,” *Our Sunday Visitor Newsweekly*, December 19, 2010, <http://www.osv.com/tabid/7621/itemid/7267/Pope-Benedicts-intent-with-condom-remark.aspx>. This article was written in response to the debate that resulted from Benedict XVI’s 2010 comments on the use of condoms.

¹⁵¹ *Catechism of the Catholic Church*, 2nd edition, 2266.

¹⁵² Stacy Meichtry, “AIDS, Condoms and Grass-roots Reality,” *National Catholic Reporter*, February 25, 2005.

¹⁵³ *Ibid.*

¹⁵⁴ John L. Allen Jr., “The Word from Rome: Cardinal Danneels on Condoms,” *National Catholic Reporter*, January 16, 2004.

The act of a woman having sex under duress will generally “be seen under these circumstances not as a moral act (*actus humanus*) but as some form of *actus hominis* since it happens in a sphere which has nothing to do with morality in the strict sense.”¹⁵⁵ According to Thomas Aquinas, the first precept of the moral law is that “good is to be done and pursued, and evil is to be avoided.” All other precepts of the natural law are based upon this basic precept.¹⁵⁶ The basic good here is the protection of human life when a woman’s life is threatened with a lethal sexual act by an HIV-positive husband. The argument favors the woman’s life rather than requiring her and her husband to be open to conceiving a child. Martin Rhonheimer considers the relevance of intention to the effect of an act and argues that using a condom for HIV prevention, in this instance, is akin to using it for medical purposes; it is justified on the same ground as an associated nonprocreative sexual act for medical purposes, something not directly intended but tolerated as a side-effect.¹⁵⁷ Rhonheimer continues,

It is worth recalling that in 1961 this problem [the case of contraceptives and rape] was submitted to the authoritative judgment of three prestigious moralists, who unanimously considered the use of contraceptive measures to be legitimate in this case [rape, a form of coerced sex]. According to these authors, such use of contraceptives pertains to a legitimate act of self defense.¹⁵⁸

¹⁵⁵ Josef Spindelböck, “The Catholic Church and the Sanctity of Human Life,” A lecture given at a symposium on the general theme of “Justice and Injustice” in Karkku at the Lutheran Evangelical Association meeting in Finland on August 15 to 17, 2010, http://spindelboeck.net/sanctity_human_life.pdf.

¹⁵⁶ See Thomas Aquinas, *Summa Theologica*, I-II, q. 94, a. 2.

¹⁵⁷ Martin Rhonheimer, OD, *Ethics of Procreation and the Defense of Human Life* (Washington DC: Catholic University of America, 2010), 1-152.

¹⁵⁸ *Ibid.*, 134.

Great care should be taken in understanding the general moral norm at the universal level and the application of that norm in a complex situation. A critical consideration of how to apply a norm in a particular situation does not undermine the norm but fosters its significance. Handling the HIV/AIDS pandemic in Africa is a complex issue that involves understanding a culture that allows men to oppress women, take advantage of women, and have sex with women without their consent. Practical moral theology strikes a balance between principles and practice¹⁵⁹ in such complex circumstances. “A valuable principle, if not carefully applied, can lead to the negation of what it intends.”¹⁶⁰

Most Tiv Catholic women “agree whole-heartedly with *Humanae Vitae*’s principles of life-affirming love and responsible parenthood, but many wonder what to do when these principles lead to conflicts.”¹⁶¹ As Edward Vacek puts it, “high-level values justify more concrete policies, and these in turn inform even more specific actions.”¹⁶² Thus, the value of life is the basis for the rejection of condoms in general, but the use of condoms in the case of sex with an HIV-positive husband suggests a love for life and an approach to self defense. Christ came so that people may have life and have it to the fullest (John 10:10). This is part of the mission of the church.

The Church’s Mission

The church’s mission is defined in terms of evangelization so that people enter into the reign of God. The *Catechism of the Catholic Church* holds that, “As the ‘convocation’ of all men for salvation, the Church in her very nature is missionary,

¹⁵⁹ Edward Vacek, SJ, “Striking the Balance between Principles and Practice,” *Momentum*, December 1983, 24-25.

¹⁶⁰ *Ibid.*, 24.

¹⁶¹ *Ibid.*, 25.

¹⁶² *Ibid.*, 24.

sent by Christ to all the nations to make disciples of them.”¹⁶³ The mission of the church involves announcing the good news of Christ to those who do not know him, as well as preaching the good news, giving catechesis, and building a strong and flourishing community of faith among those who are believers. This study is concerned with making the gospel real in the lives of Tiv Catholic women struggling with issues of sexuality. Salvation in Christ brings life and love, not death. In the face of the life-threatening HIV/AIDS pandemic, Tiv Catholic women are in need of love.

As noted in Chapter 4, these women face many major ethical dilemmas as they try to live their faith in the Tiv patriarchal culture. They seek recourse in the church for help with these dilemmas. The church looks to God and the world and to itself as the people of God in the world, agents for reconciliation in a world filled with evil. The evil that originates in the garden of Eden is humanity’s fall from grace. People are assailed by original sin, but “Christianity tells the story of our humanity not only in terms of fallibility but also in terms of reedemability.”¹⁶⁴ This understanding brings one closer to the writers of the New Testament, for whom the challenge of mission was the context in which they worked. This is still the chief concern of the church today: to announce Christ and bring his Gospel to bear on the problems of society and the cry of humanity for authentic life.

The mission of the church can be divided into four motifs: the universal motif, the rescue and liberation motif, the missionary motif, the and antagonism motif.¹⁶⁵ The universal motif raises the awareness that the story of Babel (Genesis 10), far from being a story of human divisions in the world, brings the consciousness of an

¹⁶³ *Catechism of the Catholic Church*, 2nd edition, 767.

¹⁶⁴ Stephen J. Duffy, “Genes, Original Sin and the Human Proclivity to Evil,” *Horizons* 32, no. 2 (2005): 211.

¹⁶⁵ Florence Oso, Missiology course notes, St. Augustine’s Major Seminary, Jos, Nigeria, 1997. Oso was trained in missiology at the Gregorian University, Rome.

inclusive God whose activities are directed to all. In Acts 2, what was lost at Babel is reunited at Pentecost. God's love excludes no one. In spite of Christ's exclusive missionary mandate in Matthew 10:1-5, Christ again tells the disciples to extend it to all nations (Matthew 28: 18-19, Mark 16:15, Luke 24:47). The rescue and liberation motif of the mission story is a reminder that just as God freed Israel from slavery in Egypt, God wants to set all humanity free. Christ's Lucan manifesto was real, good news to his hearers (Luke 4:18-19). The missionary motif emphasizes the necessity to reach out to others that might be different from a missionary. Melchizedek, a mysterious figure and pagan king of Salem, blesses Abraham and lingers in Israel as an ideal (Genesis 14:18-20); Ruth, a Moabite woman is presented as a model of filial devotion (Ruth 1); and Job, an Edomite from Ur, one of the areas held in contempt by Israel, lived in Israel and became a model. The early Christians at Pentecost embraced their differences and mutually understood each other (Acts 2). Lastly, the antagonism motif highlights the fact that God counteracts powers contrary to divine liberating powers. In the Old Testament, God used the prophets and Israel to destroy opposing powers (Isaiah 32, 65; Micah 4). In some other instances, Israel herself was punished for making false gods. These were moments of critical self examination for Israel as a nation. In the New Testament, Christ deals with forces that block the gospel from touching people's lives.

The church is a continuation of Christ's mission and depository of the gospel. As such, it has the task of seeing that Christ is everything to everyone (1Corinthians 15:28). Where there are cries, the church must listen to the people. Christ brought real, good news to the poor and downtrodden. He brought tidings of the kingdom of God that were hopeful and encouraging to a depressed people who were glad to welcome the reversal of their oppressed condition. The news he brought was not some

ideal hanging in the air. It was not something for life after death, but a message that spoke to the people's situation, a promise of freedom and liberation.¹⁶⁶ It was truly good news to those who heard him. Christ entered the fears and the pains, the tears, the worries, and the anxieties of the people and transformed them. Compassionate phrases often occur on the lips of Jesus in the Gospels: "Do not fear, only believe" (Mark 5:36), "Why do you make a tumult and weep?" (Matthew 5:39), "Take heart, it is I, have no fear (Matthew 6:50).

The good news Christ brought was truly good news that spoke of the reversal of the life experience of the people. This is evident from Christ's reply to the disciples of John the Baptist: "Go and tell John what you have seen and heard: The blind receive their sight, the lame walk, lepers are cleansed, and the deaf hear, the dead are raised up, the poor have the good news preached to them. And blessed is he who takes no offense at me" (Luke 7:22-23). This is what Tiv Catholic women are expecting to hear from the Church.

A Virtuous Life

Flowing from the mission of the church to announce good news to people, the Christian moral life may be seen as "training" because all human beings seek happiness to find meaning in life. According to Wadell, "We are made for happiness, fashioned for bliss."¹⁶⁷ Wadell further explains that the system and method necessary to accomplish happiness is by living virtuous lives in the community. According to the *Catechism of the Catholic Church*,

A virtue is a habitual and firm disposition to do the good. It allows the person not only to perform good acts, but to give the best of himself. The virtuous

¹⁶⁶ See N.T Wright, *Surprised by Hope: Rethinking Heaven, the Resurrection, and the Mission of the Church* (New York: HarperCollins, 2008).

¹⁶⁷ Paul J. Wadell, *Happiness and the Christian Moral Life* (New York: Rowman and Littlefield, 2008), 1.

person tends toward the good with all his sensory and spiritual powers; he pursues the good and chooses it in concrete actions.¹⁶⁸

In short, virtue is habit. As N.T. Wright puts it, “the dynamic of ‘virtue,’ in this sense — practicing the habits of heart and life that point toward the true goal of human existence — lies at the heart of the challenge of Christian behavior, as set out in the New Testament itself.”¹⁶⁹ Jesus Christ becomes the goal of Christian behavior since the New Testament centers on Christ revealing God to humanity, and also revealing humanity to humanity. God as a father and friend is active in people’s lives, criticizing and challenging people to better lives. But God is also loving and caring. “Love is another word for grace. Christianity is a religion of redemption. You cannot be a Christian if you are not a sinner.”¹⁷⁰

Ethics is about hope. Though there are sinners in the world, people live and hope in Christ. People live for what does not yet exist, and long for it in Christ. Virtue ethics asks what kind of people there are. Virtue helps people to work in the path of holiness, practice justice, compassion, and patience. Cultivating the various virtues appropriately changes people’s lives for the better. Virtue ethics are a reminder that morality is not all about rules, principles, and values and their application in various circumstances. Wright makes a helpful distinction between principles, values, and rules in this way,

A principle is a general statement of how things should be, from which specific rules might be derived; a value is some aspect of human life which is

¹⁶⁸ *Catechism of the Catholic Church*, 2nd edition, 1803.

¹⁶⁹ N. T., Wright, *After you Believe: Why Christian Character Matters* (New York: HarperCollins, 2010), 24.

¹⁷⁰ Edward Vacek’s famous quote on virtue, sin and divine love in the course, *Fundamental Moral Theology at Boston College*, Chestnut Hill, Massachusetts, 2008. This saying is based his reflection on the *Catechism of the Catholic Church*, 2nd edition, 1697.

prized in itself, and from which principles and thereby rules might be generated. You *uphold* a value - say, of the sanctity of life. You *act from* a principle - say, that one should always (“in principle,” as we say) preserve life and not destroy it. You *obey* a rule - “Do not commit murder.” but of course in ordinary life people often use these words in a much more fluid, almost interchangeable fashion.¹⁷¹

At the heart of the issue examined in this work is a struggle between two ethical frameworks. The first is about “discovering the correct rules and applying them,” while the second is on “discovering ‘who you are’ and being true to it, in line with Jesus’ radical welcome to all comers.”¹⁷² According to Wright, “We cannot simply play ‘off ‘virtue’ or ‘character’ against ‘rules.’ ... The problem comes ... not with rules themselves (though there are problems there too), but with a rule-based mentality: not so much ‘what to do’ but ‘how to do it.’”¹⁷³ The difficulty with rules is not that people do not keep them not that there are exceptions. The most striking “problem is that rules always appear to be, and are indeed designed to be restrictive. But we know, deep down, that some of the key things that make us human are being creative...”¹⁷⁴ Being creative entails the exercise of human freedom and reasoning. Human beings are created as free beings with free wills to choose right things. By using right reasoning in a timely manner, people can make wise choices in good and difficult times. Thus Wadell holds that, “virtues constitute a humanizing way of being and living because through them everything about us, our passions and emotions, our

¹⁷¹ Wright, *After you Believe: Why Christian Character Matters*, 46.

¹⁷² *Ibid.*, 43.

¹⁷³ *Ibid.*, 45.

¹⁷⁴ *Ibid.*, 47.

intelligence and our reason, our imagination and our perceptions, our freedom, and our choices, even our memories, work together to help us achieve the good.”¹⁷⁵

This research observes that Tiv men have a deep commitment to patriarchal convictions that come from their cultural background. In Vacek’s words, this is “one-sided agapism,” a kind of love for self, doing acts that benefit the self. Virtue ethics remind Tiv men to be compassionate and show love to their wives and to respect all women. Wadell places special emphasis on the virtue of prudence because it puts a good conscience to work.¹⁷⁶ “Conscience is completed in action,” he explains, “but for this to occur we must become skilled in bringing goodness to life in the most fitting possible way, and this is the function of prudence, conscience’s primary virtue.”¹⁷⁷ In this case, the patriarchal convictions of Tiv men can be a case of an erroneous conscience. Conscience is the moral faculty in a person that tells him or her what is subjectively right or wrong. By erroneous conscience, it refers to being ‘sincerely mistaken in convictions’ due to a number of factors, including sheer ignorance. Ignorance is vincible (conquerable) or invincible (unconquerable). In whichever case, the person’s knowledge and basis for acting is defective or impaired. In the case of Tiv patriarchy, as with all cases of ignorance, reasonable efforts have to be exerted to overcome this situation. But first, Tiv society needs to be brought to an awareness of the wrongness of the situation. It requires “fostering a broadly human conscience, that is, a conscience that has goodness of what being human requires ... Conscience involves becoming ever more knowledgeable about the sort of things we do ... involves correcting our previous knowledge...”¹⁷⁸ This typically involves

¹⁷⁵ Wadell, *Happiness and the Christian Moral Life*, 49-50.

¹⁷⁶ *Ibid.*, 182.

¹⁷⁷ *Ibid.*, 182-183.

¹⁷⁸ Edward Vacek, SJ, “Discipleship and the Moral Life,” *Catechist*, January 2003, 56.

turning to outside help, something the church is in a position to provide, though this may suggest that it has not done so yet.

It must be admitted that “the bulk of the harm we do flows from warped affection and from insensitivity.”¹⁷⁹ That is why men’s oppression of women calls for a re-examination of the Tiv social conscience in the spirit of continuous ongoing conscience formation. “Conscience formation requires conversion experiences.”¹⁸⁰

It begins with the conviction that we live in a set of relationships. By our creation, we belong to the world. By our birth, we belong to humanity. By our personhood, we belong to various communities. By our baptism, we live in friendship with God and with fellow Christians.¹⁸¹

People must know that, “what we perceive depends on the sort of character we have, because that defines our point of view ... Moral perception relies on specific character traits, especially the virtue of empathy and compassion.”¹⁸² As relational beings, people respond to divine love by loving fellow human beings, no matter the gender. All are God’s children in God’s image. As practical wisdom, prudence is critical in this context. It is the “the skill of making right judgments about things to be done.”¹⁸³

Virtues are habits that define people’s characters, showing the kind of persons they are. The *Catechism of the Catholic Church* calls people to practice virtues because they are habits that can be acquired. “The moral virtues are acquired by human effort. They are the fruit and seed of morally good acts; they dispose all the powers of the human being for communion with divine love.”¹⁸⁴ Therefore, Wright submits, “Rules matter, it seems, but character matters more, and provides a

¹⁷⁹ Ibid., 57.

¹⁸⁰ Ibid.

¹⁸¹ Ibid., 55.

¹⁸² Sophn, *Go and Do Likewise*, 75.

¹⁸³ Wadell, *Happiness and the Christian Moral Life*, 183.

¹⁸⁴ *Catechism of the Catholic Church*, 2nd edition, 1804.

framework within which rules, where appropriate, can have their proper effect.”¹⁸⁵

Christian morality means that people are on a pilgrimage trying to foster the reign of God on earth as humanity awaits its final meeting with God. In between the here and the end, people have choices to make, and these choices shape their characters and determine the kind of communities they build. For Thomas Aquinas, those good choices will lead people to happiness. “Throughout his analysis of happiness, Aquinas maintains that the ultimate end or supreme good of men and women is whatever brings us to our most proper and complete development as human beings.”¹⁸⁶

Humanity’s ultimate or supreme good, the *summum bonnum*, is God. Since the history of humanity is beset with human brokenness, the church must also look for creatively healing ways of restoring the human person, in this case, Tiv Catholic women under lethal threat from HIV-positive husbands.

Conclusion

This chapter discussed the role of pastoral discernment in handling complex and challenging pastoral questions, most especially Catholic Tiv women’s sexual experiences. It applies the teaching of condom use in Tivland, noting that it is in line with Catholic tradition. A sound pastoral judgment includes women’s sexual experiences in conversation with Christian classics (tradition and scriptures) and practical reasoning under the invocation of the Holy Spirit. Catholic moral principles are critical in making such decisions. Central to this discussion is the role of moral absolutes, as in *Veritatis Splendor*, with its accompanying challenges in the face of ethical dilemmas. But then, moral absolutes recognize the value of human dignity and human life. Therefore, Catholic moral teaching contains principles of tolerance, lesser evil, *epikeia*, and double effect, that may allow condom use as self-defense in the

¹⁸⁵ Wright, *After you Believe: Why Christian Character Matters*, 49.

¹⁸⁶ Wadell, *Happiness and the Christian Moral Life*, 15.

situation discussed in this work. Christ brings life to the world. The mission of the church is to continue with the saving work of Christ and make disciples live virtuous lives. The next chapter focuses on the summary of the entire work, practical suggestions, and conclusions on how to arrive at a transforming pastoral action.

Chapter Seven: Conclusion

Introduction

This work studies Tiv Catholic women's sexual decision-making in regards to HIV/AIDS, and observes an apparent conflict between Catholic sexual ethics and pastoral practice. Using the praxis method within a feminist ethical framework, the study suggests that Tiv Catholic wives that are socially coerced to have sex with their HIV-positive husbands can legitimately request that their husbands use condoms as a form of self-defense. This understanding is grounded in a dialogue between their experience and the Catholic moral tradition. This final chapter presents a summary, practical suggestions and conclusions on transformative pastoral action.

Summary

What should a Tiv Catholic woman do when she is coerced into having sex with her HIV-positive husband? This work denounces that kind of action by the husband as “unjust love” and explores Catholic moral ethical principles to propose that, for their protection, women in this situation can legitimately demand that their husbands use a condom.

As an empirical theological research, this study uses the praxis method that John XXIII recommended for pastoral theological analysis. Based on the Cardijn approach of see-judge-act, it begins with Tiv Catholic women's negative sexual experiences, bringing them into dialogue with Catholic tradition, to arrive at a transforming pastoral action that changes the lives of these women. This approach recognizes that revelation is ongoing, and that God can be found in the experiences of these women.

The study further explores the social context of Tiv Catholic women. Their patriarchal culture treats them as non-persons. Marriage and family life turns a

woman into a man's property. Women live in a culture of silence. A practical theological study in the context of Tiv Catholic women is needed to dialogue with Catholic sexual ethics in order to deepen a theological understanding of Tiv Catholic women's sexual ethical dilemma in the midst of HIV/AIDS.

There are critical findings from the study of Tiv Catholic women as they struggle to make sexual decisions that are faithfully Catholic and respect Tiv traditions. The work deals with the social status of women in Tivland, women's power in sexual decision-making, sero-discordant couples, and family planning issues. Other related findings are presented on abortion, contraceptive pills, and premarital sex and dating, which represent major intervening factors in terms of women's sexual lives in Tivland.

The study's findings underscore the need to explore socio-cultural, ideological, and pedagogical factors in understanding the dynamics of sexual decision-making and sexual behavior when discussing HIV/AIDS in a Tiv context. Men are the bosses in the house in Tiv culture and their decisions are final, including decisions on birth control and family planning. Due to patriarchal control, wives do not go to prenatal clinics without their husbands' consent, even when they are ill during pregnancy. Prenatal care given to women before and during pregnancy helps keep a baby healthy and improve the general obstetric condition of the mother. Responsibility goes with freedom, but based on what was obtained, women in this culture are used as "hatching" machines at best. The husband is in control of the wife, including her reproductive health.

This work also explored moral theological reflections on Catholic sexual ethics. Topics included a theology of the body, moral acts, and the role of freedom. The work also discussed the controversy surrounding contraception in Catholic sexual

ethics, showing that marriage is not exclusively tied to procreation alone. The work shows that a dialogical pastoral theology that brings magisterial teaching into mutual exchange with Tiv women's experience is needed, introducing the interplay between *sensus fidelium* and *sensus fidei*. This involves hermeneutics that value context, thereby resulting in pastoral responses that not only reflect orthodoxy but ortho-praxis as well.

The experiences of Tiv Catholic women underscore the importance of pastoral discernment in the life of the church. Pastoral discernment presents a model of pastoral moral guidance to serve Tiv Catholic women as they struggle to make moral sexual decisions when their husbands are HIV-positive. This study proposes a pastoral moral model of discernment that begins with Tiv Catholic women's experiences, moves into the resources of Catholic moral tradition, and brings out a transforming action that is liberating to the women. This pastoral moral discernment model balances objective sexual moral norms as expressed by magisterial teaching and the limited possibilities of Tiv Catholic women to uphold these moral norms in their marriages when confronted with HIV-positive husbands. Working within the Catholic moral tradition, this study shows how Tiv Catholic women may request their husbands use condoms as a legitimate form of self-defense. Condom use in this limited case amounts to proclaiming the gospel of life, striving to live a virtuous life, and to simply live.

The work ends with a summary chapter, which also offers practical suggestions for transformative pastoral action, and then draws a conclusion. Faced with the complex case of HIV-positive husbands forcing their wives to have sex with them, limited use of condoms may be the best recommended pastoral action.

Practical Suggestions

Following Benedict XVI's statement that someone in danger of spreading HIV/AIDS may use condoms as a first step towards the good of protecting the other partner, many construed it as legitimating the use of condoms. It is not true that the doctrine of the Church on condoms has changed. This study proposes limited use of condoms as a practical pastoral approach within a specific context.

ABC Approach and Tiv Women

There is fear of accepting condom use in the context of women's oppression — that men will further demean women as objects for their sexual gratification, which is well understood. But Tiv women and Africans in general, want large families and will not willingly want to use contraception for the same reasons associated with carefree sex. The situation is about women being socially coerced into having sexual intercourse with HIV- positive husbands. The ABC (Abstinence, Be faithful, Condomise) approach is therefore applicable. The abstinence and be faithful aspects should be emphasized without leaving out the possibility of women requesting that their husbands use condoms as a protective device.

The church should take into consideration the peculiarity of the situation under discussion in this study. Some argue that women should be heroic in faith, like the female martyrs of the first centuries of the church, and not request that their husbands' use condoms so as to avoid sin. In the service of life, one may strongly argue that forced by an aggressive HIV-positive husband to choose between submitting to him or facing the consequences of societal ostracization, violence, and even death, the woman should heroically choose the latter and not search for ways of sinning to avoid health risks. However, Tiv Catholic women and their children often have no means of self-sustenance. Who takes care of the woman if she and her

children are expelled from the compound? Some women may resort to prostitution, but that makes a bad case much worse. Teresa Okure invites Jesus, and by extension any author who wants to talk about African women, to first come with her to Africa and see the plight of women.¹ This research invites all to do so, including pastoral leaders in Africa who might not always think about the reality of African women.

In principle, condoms are not to be used for birth control but condoms, along with abstinence and fidelity, have their place in the prevention of HIV/AIDS.² While it “is never the role of the church or its agencies, pastors, or members, to help people do wrong things more efficiently or safely,”³ the church has a moral obligation to save souls, and this includes their whole selves, their lives. Drake and Solimeo cite Cardinal Lozano Barragán’s moral basis for the use of condoms.

First, because it is difficult in these situations to rely on the normal means of containing the AIDS epidemic, which would be “educating people on the sacrality of the human body.” Secondly, because “the virus is transmitted through a sexual act; and thus there is a risk of transmitting death along with life. And it is at this point that the commandment ‘Thou shalt not kill’ becomes applicable. Above all, one should respect the defense of life.”⁴

The emphasis here is on the protection of the human life and not on encouraging sexual permissiveness. Some theologians insist that the use of condoms within marriage would lead to a culture of moral permissiveness and, therefore, should never

¹ Teresa Okure, SHCJ, “Jesus and the Samaritan Woman (Jn 4:1-42) in Africa,” *Theological Studies* 70 (2009): 401-418.

² Mary Jo Iozzio, “In Reference to HIV/AIDS, Condoms? In Principle, Yes!” a paper presented at the conference of Catholic Theological Ethics in the World Church, Trent, Italy, July 24-27, 2010.

³ Anthony Fisher, OP, “HIV/AIDS and Condoms within Marriage,” *Communion* 36, no. 2 (2009): 357-358.

⁴ Raymond E. Drake and Luiz S. Solimeo, “The Church’s Infallible and Immutable Doctrine on Contraception Stands Amid Growing Opposition,” accessed January 29, 2012, <http://www.catholicculture.org/culture/library/view.cfm?recnum=6719>.

be tolerated in Catholic teaching. The discussion here is ultimately about preserving life from death, and that should be the focal point of reflections on this issue.

Catholic Moral Principles

In dealing with HIV/AIDS in an African context, the basic Catholic moral principles of dealing with dilemmas should be applied. According to Bishop Kevin Dowling of Rustenburg, South Africa, the use of condoms in certain cases is in line with Catholic moral teaching. In those circumstances, a condom is allowed not as a contraceptive but to prevent disease. Citing an example from his HIV ministry program, Bishop Dowling says, “I do not give out condoms nor encourage people to use them, but fully inform people about prevention methods under these grueling circumstances, and help them to make informed decisions about how they can protect themselves, and if they themselves are HIV-positive, how they can avoid infecting someone else.”⁵

The principles of double effect, lesser evil, and toleration of evil are helpful in this context. Theologians opposing the application of these principles insist that one may never desire an evil end or use an illicit, morally condemnable means to achieve a good. “In the former case, one would be choosing evil for evil, and in the latter, one would be accepting that the end justifies the means. In both cases one would be violating the fundamental principle of natural law, ‘Good is to be done and pursued, and evil is to be avoided.’”⁶ The central point here is that, the direct intent is not to prevent procreation but avoid infection. Theologians may critically apply the principles of double effect, lesser evil, and toleration of evil, which support this position.

⁵ Kevin Dowling (Bishop of Rustenburg, South Africa at Trent, Italy), in a personal discussion, July 28, 2010.

⁶ Drake and Solimeo, “The Church’s Infallible and Immutable Doctrine on Contraception.”

As discussed in Chapter 6, according to natural law there is a right to legitimate self-defense, which allows one to defend oneself proportionately against an aggressor. The proportionate available means for a Tiv Catholic woman to defend herself from HIV/AIDS is to request that her husband use a condom. This is the case of a woman who is already in danger. A woman in danger of becoming infected has the right to demand the use of a condom on the part of an HIV-positive husband. The church does not accept the use of condoms to avoid HIV/AIDS, but it is morally permissible that a condom can be used where one partner is HIV-positive and forces the other to have sexual relations. In the case of Tiv Catholic women, this research considers women's right to health and protection of their lives by asking the husband to use a condom as a means of self-defense.

Catechetical Challenge

The Catholic Church in Tivland has a large, unattended catechetical challenge as a result of HIV/AIDS. The enormity of these problems raises difficulties for Tiv women to understand the usefulness of Catholic sexual ethics as currently discussed. Lack of clarity in presenting the church's sexual teachings is a major obstacle that the Catholic Church in Tivland needs to overcome. The church needs to clarify the content of its message and its teaching methods so that the message reaches more men and women. The problem is not what the church teaches but how the message is presented and received by all concerned in Tiv society.

Pope Benedict XVI's statement on the use of condoms shows that, from a moral theological point of view, none of this is new, except perhaps that now a pope is speaking explicitly on these matters. According to Benezet Bujo, many Catholic bishops and Catholic ethicists have been underlining the problem of lesser evil in the use of condoms. According to the principles of double effect, lesser evil, and

toleration of evil, if one of the partners in a marriage has HIV, or is suspected of having HIV, the couple should use condoms to avoid transmitting this deadly, incurable disease.

Of the 20 Tiv seminarians interviewed in this study, all recognize that women look up to the church for direction.⁷ But how are they as future church leaders prepared to respond to women's sexual needs in their ministry? These words and phrases were common among these seminarians during the interviews: "freedom and responsibility, co-responsibility, fundamental human right, mutuality, dialogue and personal will."⁸ Of the 20 Tiv seminarians interviewed, 17 (85 percent) were of the view that women should be educated on their rights in sexual issues and that men should be taught to respect women's rights as human beings equal to them. Only 3 (15 percent) said that women should accept their situation as part of the cross they have to bear and, if necessary, seek spiritual counseling on how to live with a situation of irregularity. This marks a big shift since a majority of the priests interviewed in this study have a very different attitude towards women's concerns and support traditional, male dominance. Bishop Usuh acknowledges that, "there is great concern over the way women are treated and at the same time there is growing awareness over the marginalization of women in Tiv society today. This is part of the global feminist trend."⁹

According to Bishop Avenya, the Catholic Church in the Catholic Diocese of Makurdi has always taught NFP and HIV/AIDS prevention. Avenya says that late Tiv

⁷ The twenty seminarians are studying for the Catholic priesthood for the diocese of Makurdi. Besides being Tiv, they are also in the last stage of their theological studies. These seminarians go out to the villages for two months to stay with the faithful, experience parish life, and involve themselves in religious education/catechetics. They have first hand experience and information on Tiv Catholic family life.

⁸ Ibid.

⁹ Bishop Usuh, interview.

Catholic woman leader Patricia Aondoakaa was a pioneer and promoter of this method, and other leaders, like Maria Feese, have done remarkable works in this regard. Bishop Avenya, however, says that many priests are not able to teach NFP methods well to the faithful and that those relationships between husbands and wives need to be improved. “Women need help especially when their husbands fail to cooperate with them in natural family planning and HIV/AIDS issues.”¹⁰

Education

Ignorance is a major factor in this discussion. Priests that often give marriage counseling and premarital courses are not knowledgeable enough. Priests fail to provide proper marriage courses. Unfortunately, due to lack of trained personnel, priests take on these tasks without preparation. Experts should be invited for sex education, HIV/AIDS prevention strategy seminars, and NFP training for priests and engaged couples alike. There should be constant education on the part of the church regarding these issues. Such education should not be exclusive to women but should be available to both men and women. The women interviewed in this study commonly suggested that there should be seminars and workshops to bring men and women together under one forum for intensive discussions on this subject. Women repeatedly advised that the church should bring both husbands and wives together for sex education in general. Sex education in Tivland should include those things that can destroy marriages. Most importantly, the emphasis should be on the positive value of sex in the life of couples and families.

Couples need discipline to sustain themselves. This discipline can come through education so that couples know themselves, their rights, and can dialogue. Due to the fact that HIV/AIDS is complicated, people should be given all the facts

¹⁰Bishop Avenya, interview.

regarding the situation. This study recognizes that condoms are not completely safe. World renowned HIV/AIDS researchers like Edward C. Green, Rand Stoneburner, and Norman Hearst all attest to this fact.¹¹ The church does not give people condoms, but the church can give people information to make informed choices.¹² This is well explained by Eric Mooring, an undergraduate student at Georgetown University who traveled to Botswana, a southern African country for a study abroad program:

In the case of sero-discordant married couples ... the Church advises that they may make good and reasonable choices for themselves concerning condom use. While the Church does not encourage condom use at times like this, it does not discourage it either. The theological underpinning of this position is that, "it is not love to [leave behind] orphans," which, of course, is more likely to happen if one partner infects the other.¹³

While keeping to the tenets of traditional Catholic morality, the church should listen to the plight of these vulnerable Tiv Catholic women. This is a situation where the option to be faithful to a single partner within marriage is not available.

¹¹ Patricia Thickstun and Kate Hendricks, eds., *Evidence that Demands Action: Comparing Risk Avoidance and Risk Reduction Strategies for HIV Prevention* (Austin: The Medical Institute for Sexual Health, 2004). Edward C. Green and Norman Hearst have specifically contributed chapters in this work to state their research and claims.

¹² In the words of Bishop Dowling, the church should in these extreme circumstances "give people the information they need to make an informed decision in conscience about what they are going to do in their lives." See "Vatican Maintain Stance on Condemns at HIV/AIDS Summit," *PBS Newshour*, May 30, 2011, <http://newshour.tumblr.com/post/6021955092/vatican-maintains-stance-on-condoms-at-hiv-aids-summit>.

¹³ Eric Mooring, "The Catholic Church's Response to HIV/AIDS in Botswana," Berkeley Center for Religion, Peace, and World Affairs, Georgetown University, Washington DC, November 4, 2011, <http://berkeleycenter.georgetown.edu/letters/the-catholic-churchs-response-to-hivaids-in-botswana>.

Separation of Couples

When couples fail to engage in meaningful dialogue, or take proper precautions, separation should be recommended. Long-term celibacy within marriage is a very difficult option. Since the church is close to the affected families, to help them have fruitful lives, the best option under the extreme circumstances of social coercion is to separate the couple and support the woman in order for her to live well with her children. The 1983 Code of Canon Law accepts separation (not divorce) of couples for their good.¹⁴ Catholic Social Teaching opts for the common good, which includes the principle of equal regard and mutuality of the couples.¹⁵

Conclusion

This study shows a need for a newer understanding and treatment of sexual decision-making and women's reproductive needs, especially with regards to HIV/AIDS. There is a need for a theology that awakens Tiv men to realize that procreation is not the exclusive and final end of marriage, but that the well-being of both husband and wife is part of the ends of marriage. Thus, couples endangered by HIV/AIDS should respect the life of their fellow partner. There is also a need for a theology of justice and care that strengthens women's power to say "no." Women are not slaves and objects for men's self-gratification. Every Tiv man and, by extension, every African man should be educated in this regard.

¹⁴ CIC, cc. 1151-1155.

¹⁵ *Catechism of the Catholic Church*, 2nd edition, 1995-1999.

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APPENDIX A

IRB Approval Form

Institutional Review Board

16400 N.W. 32nd Ave., Miami, Florida 33054
Proposal Approval Form
St. Thomas University

PRINCIPAL INVESTIGATOR(S):

Daniel Ude Asue

PROJECT TITLE:

A Conflict between Catholic Sexual Ethics and Pastoral Practice? A Case Study of Tiv Catholic Women's Sexual Decision-Making in Regards to HIV/AIDS

In accordance with St. Thomas University policy and national guidelines governing the ethical use of human participants in research, the university Institutional Review Board certifies that the above stated project:

- _____ being exempt from full review was peer reviewed by the IRB under the expedited review process and in its original form was
- X was revised according to suggestions made by the IRB to the investigators and was
- _____ being subject to a full review by the IRB was

REVISION REQUESTED ON 3/20, 4/10, 5/10, 5/25; 5/28.

APPROVED ON 6/7/2012

DISAPPROVED ON _____

A follow-up progress report should be submitted to the IRB by one year from the date of approval. Investigators may request continuation of a project using the IRB project submittal form and procedure.

Human Subjects are adequately informed of any risks:

Signature:  _____
Chair, St. Thomas University IRB

Date: 06/07/2012

APPENDIX B

Request for Revision of IRB Form

Print

Page 1 of 2

Subject: RE: IRB concerns
From: Feinberg, Gary (GFeinberg@STU.EDU)
To: asue1ng@yahoo.com;
Date: Monday, August 20, 2012 5:11 PM

Mr. Asue:

I will generate a revised approval form to reflect the change in the title of your dissertation. Since only the title changes and not the content or methodology, it is considered a cosmetic change and not a substantive change therefore no additional information is required.

I will e-mail or fax an updated IRB approval form to you shortly. Meanwhile attach a copy of your request and this e-mail to your current approval form.

Best.

Gary Feinberg, Ph.D.

Gary Feinberg, Ph.D.
Chair, The Department of Social Sciences and Counseling
St. Thomas University
16401 NW 37th Avenue
Miami Gardens, Florida 33054
305-628-6578 (Office)
305-628-6749 (Fax)

<http://us.mg5.mail.yahoo.com/neo/launch?.rand=c2rdi15bble67>

9/5/2012

Print

Page 2 of 2

From: Daniel Asue [mailto:asue1ng@yahoo.com]
Sent: Monday, August 20, 2012 4:53 PM
To: Feinberg, Gary
Subject: IRB concerns

Professor Gary Feinberg,

I write to notify you of the change in the wording of my dissertation topic. The topic I submitted to you for IRB was: "A Conflict between Catholic Sexual Ethics and Pastoral Practice?: A Case Study of Tiv Catholic Women's Sexual Decision-Making in Regards to HIV/AIDS." I have now reworded the topic to: "Catholic Sexual Ethics and Tiv Women: A Case-study of Pastoral Practice in Regards to HIV/AIDS." The content is still the same. I have to reword it because the librarians told me the subtitle was more than nine words as prescribed by pro-quest for dissertation publication.

How do I get another IRB form which reflects this change so as to include it in my appendix?

Have a good day.

Daniel Asue

<http://us.mg5.mail.yahoo.com/neo/launch?.rand=c2rdi15bble67>

9/5/2012

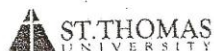
APPENDIX C

Revised IRB Form

08/24/2012 12:17:10 PM

STU ->

Page 2 / 2



Developing Leaders For Life

Institutional Review Board

16400 N.W. 32nd Ave., Miami, Florida 33054
Proposal Approval Form
St. Thomas University

PRINCIPAL INVESTIGATOR(S): Daniel Asae

PROJECT TITLE: Catholic Sexual Ethics and TIV Women: A case study of sexual practice in regards to HIV/AIDS.

In accordance with St. Thomas University policy and national guidelines governing the ethical use of human participants in research, the university Institutional Review Board certifies that the above stated project: TITLE

being exempt from full review was peer reviewed by the IRB under the expedited review process and in its original form was

was revised according to suggestions made by the IRB to the investigators and was

being subject to a full review by the IRB was

REVISION REQUESTED ON

APPROVED ON 8/20/12

DISAPPROVED ON

A follow-up progress report should be submitted to the IRB by one year from the date of approval. Investigators may request continuation of a project using the IRB project submittal form and procedure.

Human Subjects are adequately informed of any risks:

Signature: Mary Pawley
Chair, St. Thomas University IRB

Date: 08/24/12

IRB tracking # 2007-

APPENDIX D

Consent Form for Women

You are invited to volunteer for a research study about the experience of sexual decision-making by Catholic Tiv women in their marriages. All participants are married Catholic Tiv women. A total of 8 focus groups of 7-8 married Catholic Tiv women each are being conducted in multiple locations across Tivland for this study. This project is being conducted by Daniel Ude Asue, a doctoral candidate at St. Thomas University in Miami, Florida, USA, for his doctoral dissertation. The objective of this research project is to better understand how married Catholic Tiv women practice sexual decision-making in a time when HIV/AIDs is a reality. You have the right to end your participation at any time and to refuse to participate without any consequence. There are no costs and no cash payment for participating in the study. The information collected may not benefit you directly, but it may help develop a clearer understanding of the challenges women face in their marriages in Tivland today. Your participation is confidential and anonymous but do understand that it is impossible to prevent people from failing to keep their promise of confidentiality.

The research will not affect your relationship with the Catholic Church. Though there may be some risks to reputation as well as family relationships in this research, the benefits of the study far exceed the risks. Utmost care will be taken to do whatever that can reasonably prevent the breach in anonymity and/or confidentiality and any related repercussions. Any identifying information or revelatory characteristics, including any personal stories or background that could identify a person in any way, will not be published or shared in any way. Any such details are to be presented in the written materials that result from this project in such a way that would mask identities or be based on composite stories or details. All notes and all digital audio recordings from the interviews, along with all other research records, will be stored securely. Only the primary researchers will have access to the records, which will be maintained for a minimum of ten years under secure storage to provide for the fullest possible use of the data. Utmost care will be taken to minimize any possible identification of each participant. Participants are not to share what other participants say with anyone outside the group.

Throughout this study, participants shall be understood as equal collaborators, not simply sources of data but also sources of self-reflective, interpretive understanding. Participants are seen as a privileged opportunity from which we can see and learn the wisdom of the Holy Spirit within all of us. For this reason, this project places great value on all aspects of research ethics from standpoint of respect for human subjects as well as a theological standpoint that emphasizes the transcendent value of human dignity. Ethical concerns have been an integral part of the planning and implementation process and will remain central throughout the conduct of this work. All efforts will be made to follow these principles and prevent anything that would threaten a person's privacy.

Your participation is strictly voluntary. If you choose to participate, please sign this form below. By signing, you are indicating that you are of a legal age to participate. By your signature, you are indicating that you will hold all you hear

confidentially, and that you also understand that it is impossible to prevent people from failing to keep their promise of confidentiality. If you have any concerns about this study in any way, please contact Daniel Ude Asue, at (786) 552-2109 or asue1ng@yahoo.com, or his doctoral advisor, Dr. Bryan Froehle, at (305) 628-6636 or froehleb@stu.edu.

I understand the procedures described above. My questions have been answered to my satisfaction, and I agree to participate in this study. I have been given a copy of this form.

Printed Name of Subject

Signature of Subject

Date

Signature of Witness

Date

APPENDIX E

Takerada U Kasev Nan Mlumun sha Mtov

(Consent Form for Women in Tiv)

Ngun ka u pinen we u lun wegh ke mtov u kwagghenen sha mkav u ian i Kasev Tiv mba ve er noov shi ve ze adua u fada ve luna mi sha u kwagh mnyam ma kwase vea nom yo. Mba ilehe ve cii ka kasev mba zan adua u fada mba ve er nov yo. A zom ve iorov utankaran-u-har shin anieni nahan sha atihi kuma er anieni nahan sha a aven kposu kposu ken tar Tiv. Kwaghtovun ne ka u Daniel Ude Asue, wanye makeranta ke St Thomas University, Miami sha u ngeren takerada u nguhol degree i tamen. Mtov ne ka u pase mfer sha mlumun shi mvenda u yaven a nov he iaven i angev mbu HIV/ AIDS. Ma zaiyol ngu ke u we lumun u lun wegh ke mtov ne, shin agba ape u kimbi ma kwagh ga. Alaghga mfe u una due ke mtov ne una lu a iwasen hi we jim jim ga, kpa una wase ior mbagenev mba mlu u uuma vev a zough sha akaa aa we kpa a u kar keregh ne. Er ilu kwagh u kere myer nahan kpa a, ashie ngen ior mba ngen ka ve ningin ve za uun ankwagh ngen kpa shin inya.

Mtov ne una bende a mlu wou vea iyou adua ga. Se hen se alaaga, mlu wou shi tsombor u lu bughum mlu u tsombor wou, kpa mtsera u mtov hembra kwagh u une saa se la. Se nongu tsuung u kuran myerem nev man hanma or u nan nyer iyol ken mtov ne di tso yo. Hanma kwagh u ifer nan amin tso yo, kua mlu unan u ke jime u ke hanma gbenda u or afa nan amin cii yo a ver ken myer. Hanma ngeren u akaa a mtov ne cii alu sha er or nan fa liam ikase or mom ga yo. Nahan yo, hanma kwagh u una va tese mlu u or cii yo se paregh, kpa gema di ka hange hange yo, shi se too ian sha ngeren u takerada u ngen. Nahan hanma ngeren shin kwagh u kuran sha tser shie u liam ne cii a kura un gban gban. Ka mba ve lu eren tom sha mtov ne tseer vea aa aver ker ye, man a kosun er ayom pue nahan cii ata kera ye. Se nongu sha afatyo wase cii u kuran ulum u hanman or cii. Mba ve lu ken mlu u nan ikyagh sha mba mtov mban cii vea lam a or sha kwagh u a ze hemen hen ga.

Ken shie u kwagh henen ne cii, mba ve lumun u nyoron ke yo ator ve vough er mba wasen mtov ne nahan, or kpa nana nenge ave er ka akaa a zuan a mfer tso tan kera ga. Ito ver er ka ian i henen mfer u ichighan jijingi ken avese tso. Sha kwagh ne yo, mtov ne ngu nenge sha akaa a shamin a igbe ape a er u kuran icivir i or uma iche la tsemberee sha awashima u itsen i kwaghaondo itesn icivir i umache dedoo la. Mlu u shami u umache ngu hange hange ke mtov sha mhi zanzan ar ken mkur u tom ne cii. Se nongo tsung sha u kuran atindi man a kav a paren mvihi u icivir man myerenem ma hanma or cii.

Mlumun wou u eren kwagh ne ka aa mkighir shio. Aluer u lumun u zan hemen ke mtov ne yo, wa wegh ke takerada ne shin nya. Sha u wan wegh shin takerada ne yo, u lumun we u kuran zwa wou sha kwagh u a ze hemen ken mtem ne yo, kpa shi ashie ngen ior mba ngen ka ve ningin ve za uun ankwagh ngen kpa shin inya. Sha wegh ku wan ne, u ngu tesen we anyom a mar ough sha tindi kuma u u er kwagh ne. Aluer ma kwagh tsumeu yo u faityo u pinen Daniel Ude Asue, sha (786) 552-2109 shin asue1ng@yahoo.com, shin or u wan wen kwagh, Dr. Bryan Froele, sha (305)628-6636 shin froehleb@stu.edu.

Mkav kwagh u ipase hen ne. Anzughur a am kpa inam iwanger shami kuman, man mngu lumun u nyoron ke mtov ne a mkighir shio. Shi inam takerada u shiada u tese ne kpa.

Iti i or u nan mlumun

Ikyav i or nan mlumum

Wer ayange

Ikyav i orshiada

Wer ayange

APPENDIX F

Consent Form for Men

You are being invited to participate in a research study about the sexual decision-making experience of married Tiv Catholic women in regards to HIV/AIDS. This research project is being undertaken by Daniel Ude Asue, a doctoral candidate at St. Thomas University, Miami for his doctoral dissertation. Though there may be some risks to reputation as well as family relationships in this research, the benefits of the study far exceed the risks. There are no costs for participating in the study. The information collected may not benefit you directly, but this study may help extend our understanding of people with experiences such as yours. Your participation is confidential and anonymous but do understand that it is impossible to prevent people from failing to keep their promise of confidentiality.

Your participation is confidential and anonymous, and your actual name will not be used in the research, eventual dissertation, or any other presentation or publication resulting from this work. Not only will the name of the interviewee be held on an anonymous and confidential basis, but also that any other identifying information or revelatory characteristics, including any personal stories or background that could identify a person in any way, will not be published or shared in any way. Any such details are to be presented in the written materials the result from this project in such a way that would mask identities or be based on composite stories or details. The utmost care will be taken to minimize any possible identification of each participant. All research records will be stored securely and only the principal investigator and his dissertation committee will have access to the records. Upon the completion of this study, the data will continue to be maintained by the principal investigator for a minimum of ten years. Should the principal investigator entrust the data to an external archive, your name will not be given to the archive without express permission.

Your participation is strictly voluntary. If you choose to participate, please sign this form below. By signing, you are indicating that you are of a legal age to participate. By your signature, you are indicating that you will hold all you hear confidentially, and that you also understand that it is impossible to prevent people from failing to keep their promise of confidentiality. If you have any concerns about this study in any way, please contact Daniel Ude Asue, at (786) 552-2109 or asue1ng@yahoo.com, or his doctoral advisor, Dr. Bryan Froehle, at (305) 628-6636 or froehleb@stu.edu.

Signature of Interviewer

I understand the procedures described above. My questions have been answered to my satisfaction, and I agree to participate in this study. I have been given a copy of this form.

Printed Name of Subject

Signature of Subject

Date

APPENDIX G

Takerada U Nomso Nan Mlumun sha Mtov

(Consent Form for Men in Tiv)

Ngun ka u pinen we u lun wegh ke mtov u kwagghenen sha mkav u ian i Kasev Tiv mba ve er noov shi ve ze adua u feda ve luna mi sha u lumun shi vendan u yaven a or hi iaven i angev mbu HIV/ AIDS. Kwaghtovun ne ka u Daniel Ude Asue, wanye makeranta ke St Thomas University, Miami sha u ngeren takerada u nguhol degree i tamen. Se hen se alaaga, mlu wou shi tsombor u lu bughum mlu u tsombor wou, kpa mtsera u mtov hembra kwagh u une saa se la. Ka kimbin or mom injaa sha kwagh ne ga. Alaghga mfe u una due ke mtov ne una lu a iwassen hi we jim jim ga, kpa una wase ior mbagenev mba mlu u uuma vev a zough sha akaa aa we kpaa u kar keregh ne. Er ilu kwagh u kere myer nahan kpaa, ashie ngen ior mba ngen ka ve ningin ve za uun ankwagh ngen kpa shin inya.

Wegh wou ku lun ke mtov ne a lu kwagh u myer je, man iti you mayange ia due ke mtov ne shin ke ma tom u kehemmen uu adue ke mtov ne ga. A va gba hange hange u eren gbaiyol aa iti you yo, a pine ian hi awe waang kposu aa wegh wou ku wan heen. U ngu er ka iti inan tseer a fa ga ze, kpa hanma kwagh u ifer nan amin tso yo, kua mlu unan u ke jime u ke hanma gbenda u or afa nan amin cii yo a ver ken myer. Hanma ngeren u akaa a mtov ne cii alu sha er or nan fa liam ikase or mom ga yo. Nahan yo, hanma kwagh u una va tese mlu u or cii yo se paregh, kpa gema di ka hange hange yo, shi se too ian sha ngeren u takerada u ngen. Se nongu sha afatyo wase cii u kuran ulum u hanman or cii. Haama kwagh u ke mtov ne cii a kosu un tsembelee, alu mo tseegh, kua komoti u nengen sha takerada u been kwagghenen wam la veal u aa ian i nengen amin ye. Shie u kwagghenen ne una bee yo, haama kwagh u I zough ami ke mtov ne cii una lu sha ikyev ii ortovun. Aluer ortovun una soo unan kwagh u a zough ami ne he ijiir igen I kosun mbamtov yo, una faityo u nan iti you aa u pinen we shio ga.

Mlumun wou u eren kwagh ne ka aa mkighir shio. Aluer u lumun u zan hemen ke mtov ne yo, wa wegh ke takerada ne shin nya. Sha u wan wegh shin takerada ne yo, u lumun we u kuran zwa wou sha kwagh u a ze hemen ken mtem ne yo, kpa shi ashie ngen ior mba ngen ka ve ningin ve za uun ankwagh ngen kpa shin inya. Sha wegh ku wan ne, u ngu tesen we anyom a mar ough sha tindi kuma u u er kwagh ne. Aluer ma kwagh tsumeu yo u faityo u pinen Daniel Ude Asue, sha (786) 552-2109 shin asue1ng@yahoo.com, shin or u wan wen kwagh, Dr. Bryan Froele, sha (305)628-6636 shin froehleb@stu.edu.

Ikyav i or tovon u vesen

Mkav kwagh u ipase hen ne. Anzughur a am kpa inam iwanger shami kuman, man mngu lumun u nyoron ke mtov ne a mkighir shio. Shi inam takerada u shiada u tese ne kpaa.

Iti i or u nan mlumun

Ikyav i or nan mlumun

Wer ayange

APPENDIX H

Interview Protocol

The following preliminary interview protocol is for the focus groups and individual, in-depth interviews in this study. While focus groups will be conducted with Tiv Catholic married women, the interviews will be conducted with Tiv-speaking Catholic women, men, and pastoral leaders of the Catholic Diocese of Makurdi. In the focus groups, these women will narrate their sexual decision-making experiences in regards to HIV/AIDS. Individual, in-depth interviews will follow the focus groups, which will be characterized by testing the insights that will emerge from the sexual narratives of the focus groups.

While not all Catholics in the Diocese of Makurdi are Tiv, all those interviewed will be Tiv. This will be for two reasons. First, the contextual demands of the practical theological method will be best served in this case to the extent that all research can be properly contextualized within Tiv culture and tradition, the culture and tradition that is most central to that of the state of Benue, the city of Makurdi, and its surrounding areas, and most importantly for this study, the local cultural root of Catholicism. The second reason flows from this and is also a critical technical consideration: all interviews and data-gathering will be conducted in the Tiv language. This will allow for a clearer interpretation, since participatory research involves the participants, most of whom speak only Tiv language.

The protocol envisions a semi-structured focus group discussion with five main parts. Section I deals with the social status of women in Tivland, sections II to V hinge on women's involvement in sexual decision-making in Tivland, the problem of HIV/AIDS in Tiv society and the dilemmas women encounter when they are forced to have sex without protection. As a qualitative study, the questions are open-ended giving room to an in-depth-discussion as much as possible. These research questions are developed with clarity so that all participants will follow the discussions. The questions make room for the emergence of new additional questions as the participants tell their story. Priority questions are marked with asterisk (*), and there are neutral follow questions wherever is appropriate and applicable. The questions seek to find out the social conditions of Catholic Tiv women, their involvement in sexual decision-making, the practices that are going on, pastoral effects as well as trends that are developing. The interviewer will specifically be guided by this protocol pattern: thematic questions are in bold, instructions are in capital letters, and the script is in italics.

Introductory Script

Thank you for agreeing to participate in this focus group (or interview as the case may be). As you know, I am interested in understanding your sexual decision-making experience as Tiv Catholic women as part of my doctoral dissertation. I am most interested in your sexual decision-making experience in this time of HIV/AIDS pandemic, and what you share would help transform pastoral practices in Tivland, Nigeria, other parts of Africa and even beyond.

Feel free to express yourselves because in whatever we say here, no one's real name will be used both in research records or reports, and I will keep your entire participation confidential and anonymous. Your participation is entirely voluntary. You have the right to withdraw your participation at any time without fear of penalty, reprisal or repercussion. To indicate that you are aware of these

protections and have formally agreed to participate in this research, kindly sign the Consent Form. Sign two copies to keep one, and I will also keep one copy.

Opening

My first question asks you about the standing, honor or prestige given to women in Tivland. The social position of a person influences one's social status, but one can have several social positions, but only one social status. How about you?

*What is the social status of women in Tivland?

Women and sexual decision-making

Now I would like to explore how your status affect your marital life.

*To what degree are women involved in family sexual decision-making?

*How do women make independent sexual decisions in Tivland?

*How Christian are these marital sexual decisions?

HIV/AIDS and Sexual Decision-making

My next set of questions has to do with your sexual decision-making experiences in the time of HIV/AIDS. Some women are hurt themselves or have seen others hurt, oftentimes by cultural inhibitions that condition their sexual experiences.

*Could you share with me an experience of a family torn apart by HIV/AIDS infection?

IF ASKED: I mean, who was most affected, the man or the woman?

*What decisions should HIV/AIDS infected couples make?

IF NECESSARY: What happens to the uninfected partners of people with HIV?

*what sexual decision should people born with HIV make?

*What happens to the hemophiliac who contracts HIV through infected plasma?

Family Planning and HIV/AIDS?

Tiv Catholic women are often in a dilemma as whether to accept the use of condom or not because it is a contraceptive. These questions explore the intent of using the device in regards to HIV/AIDS.

* What do you consider as the best size of a family?

IF NECESSARY: Why?

* How do you understand responsible family planning?

*what should a woman do if her husband refuses to cooperate with her in the practice of natural family planning?

Women's Encumbrances and Dilemmas

* What are the difficulties/challenges that women experience with Catholic teaching on sexuality?

*How do these dilemmas affect their sexual decision-making in times of HIV/AIDS? IF APPROPRIATE: Can you give examples of some cases you know of?

Concluding Remarks

As we conclude, I would like to ask you for your final comments. Could you share what you think is the best way to handle these sexual dilemmas as a Catholic?

**What advise can you give to women who are forced to have sex with HIV-positive husbands?*

Thank you very much for taking to participate in this research interview. I deeply appreciate your participation as very helpful to this study. If you have any questions, kindly contact me with my contact information as listed on your copy of the Consent Form.

APPENDIX I

Aaven a kuran kwaghtovun vea Ior

(Interview Protocol in Tiv)

Ngun ka aaven aa alu kuran ieren I kwaghtovun wam vea ior imongu shin angbianev tswen tswen er mnger ke takerada heen ne. Mba me tov vea a ve imongu shien mom yo, alu kasev Tiv mba ve er noov shi ve zough ivese ke iyough adua i feda yo, mba me tov vea ve mom mom yo a lu mba ve lamem zwa Tiv, kasev man nomso mba ve ze adua u feda shi mba ve hemem sha aaven kposu kposu ke iyough adua i feda ke Diocese u Makurdi yo. Ke ukyasen mba tovun imongu la, kasev mban vea lu pasen mbamkav vev sha ian i ka ve lu ami uwan zwa shin lumun man vedan u yaven a or he iaven i angev mbu HIV/AIDS ne. U tovun vie vie vea or mom mom la una dondu sha gun ne, man una lu sha awashima u fan mimi u mba mpase mba vea due ke mtev vea ior imongu la.

Er i lu mba zan udua u feda hi Diocese u Makurdi cii ve lamem zwa Tiv gayo, mba se tov vea ve cii a lu mba lamem zwa Tiv. Se er nahan sha atooakyaah ahar. Hiihii yo, ka ieren man mlu u Tiv a hembem lun tsee tsee hi tar u Benue, man geri u Makurdi mba ve lu awashima u mtov ne una wase ije ii mkav u kwaghaondo heregh sha gbaaondo man ieren i Tiv ye. Ityokyaah ii sha u har due ke ii hiihii la sha mnenge u tsura: mba mtov mban cii se er ve ke zwa Tiv. A hembem lun zange sha gbenda ne u wanger ior mba se lu tovun vea ve cii, er kpishi ke ave ve lamem i lu zwa Tiv tseegh yo.

Aaven ne ver shima ye liam i tovun vea ior imongu sha ukyasen ne ia alu aa avegher ataan. Vegher u hiihii una nenge sha ulum u kwase hi ityo i Tar Tiv, vegher u sha uhar zan zan utaan vea har sha ian i kwase ka nan lu ami u lumun shin u vendan u yaven a or hi Tar Tiv, zayol u angev mbu HIV/AIDS hi Tar Tiv man u zayol mba kasev ka vè nyor keregh u yaven a ior sha mkiighir a kwagh u kuran vè shio. Er i lu kwagh u tovun a tov yo, mba mpin mban mba viegher sha u nan ian ii tovun vie vie er se faityo yo. Mba mpin cii mba waang sha u wasen mkav u mba se lu tovun vea ve er vea dondu liam ne vough yo. Mba mpin mba hev vea faityo uduen er ior vea lu pasen mba mkav vev yo. Mpin mba hange hange i ver ve ikav nahan (*), man mbampin mbagenev vea dondu ape a lu aainja cii. Awashima u mpin mban ka u fan mlu u kasev mba zan adua u feda he Tar Tiv, chi u ka ve lu ami sha u lumun sin uvendan u yaven a or, igbinda ii akaa ne a ze hemem higen, man uzayol mba ve lu van hegen man ke hemem. Or eren mtov ne una dondu aaven ne nahan vough: homun mpin mba ke ngeren u gboun man bouun, kwaghwam ke aseember a vesen, man ityokyaah shin awashima u mtov ne ke ngeren u vegh vegh.

Mpase u Ityokyaah/Awashima

Msuugh kpishi u lumun u lun wegh ke kwaghtovun wam sha ukyasen ne (shin vea we ne). Er u fe nahan, ka awashima wam u fan mkav wen er kasev Tiv mba zan adua u feda, ian ii kan e lu ami u lumun shin vedan u yaven a or, sha u ngeren takerada u ngohol degree i tamen. Msoo u fan mkav wen sha kwagh ne hembem je yo he ayange aa zaiyol u HIV/AIDS ne, man gbinda ii ne nenge ye ia wase u sorun aeren ne hi Tar Tiv, Nigeria, man avegher aa Tar uu ior iii cii, shin u yemen ke hemem je kpaa. De lun nen aa mciem ma orun kwagh gbar gbar ga sha ciu u ke haama kwagh u se or heen cii, se nger itii i mo wen ke takerada ne ga, men mlu wen ke mtov ne cii

kpaa una lu kwagh u hi ato wam vea ven tseegh. Kwagh ne cii ka sha mkighir shio. Ne mba aa ian ii den shin dughun wegh keregh sha haama iaven cii aa mciem ma mtsaha shin iyughshima shio. Nahan u tesen ye ne mba aa mkav sha atindi man ikyuran ii ne lu ami cii, man ne lumun a vangertior u lun wegh ke kwaghhenen ne yo, wa nen wegh shin tekerada u tesen mlumun wen. Ne wa ave ajiir ahar, ne lu a copi mom, mo me lu ami mom.

Ihiin

Mpin wam u hiin ka u pinen mlu man civir ii kwase hi ityo i Tiv. Iaven i u lu shami hit yo ka i sue icivir you, u faityo u lun sha aaven kpishi kpa icivir ii hi tyo yo ngi mom tso. Kwagh ne ngu nena hi wee?

*Mlu u civir i kasev hi Tar Tiv ngu nena

Kasev man ian ve i lumun shin vedan u yaven a or

Hegen me nongu u kaven er Icivir i kwase hi tyo ka ier aa ivese ve yo

*Ka sha haama iaven nahan i we imo i kwase iko sha myav u kwase man nom hi tsombulo?

*Ka sha nyi gbenda nahan kasev ve lun aa tseeneke ve u lumun shin vedan u yaven a or hi Tar Tivi?

*Ieren ne ngi sha gbenda u ityesen ii kwaghondo?

HIV/AIDS man mlumun shin mvende u yaven a or

Mpin av hegen vea har sha mlumun shin mvende u yaven a or he ayange aa angev mbu HIV/AIDS ne. Kasev mbagenev nyor ke uzaiyol shin ve nenge mbagenev nyor ke zaiyol sha ciu mlu u tyoo sha kwagh u kwase vea nom.

*U faityo u orun mo kwagh u ma tsombur u unenge zaiyol a va nyer ve ato sha angev mbu HIV/AIDS nee?

*Aluer me pineu yo: U nenge we ka ana yange zaiyol he hembra tan sha nan naa, nom shin kwase?

*U nenge we kanyi I doo u ichombur ii ve lu aa HIV/AIDS vea eree?

ALUER KA HANGE HANGE YO: Aluer ke ato u kwase man nom, mom ngu aa angev mbun ga yo, nana er nena?

*Mba I mar ve aa HIV ve er nena sha u yaven a kwase shin nomsoor?

*Or u nan zough a HIV sha awambe nana er nena?

Umaren sha iyol korun tsaha man HIV/AIDS?

Kasev Tiv mba zan adua u feda ka ve lu aa apkeran a tan sha u lumun shin vendan ijubu sha ciu yough adua tese er ka kwagh u yangen mar. Mba mpin mban vea nongu u tovun u eren gbaiyol a ijubu sha iaven i HIV/AIDS

*U nenge we tsombur u a lu iorov ume ve a hembra doonoo?

ALUER KA HANGE HANGE YO: Er nena u nenge nahana?

*Kanyi i lu mkav wou sha ityesen ii maren sha injaa?

*U nenge we kwase nana er nena, aluer nom u nan venda u korun iyol tsaha sha u maren onovo?

Akaa a wan kasev mba agbe man akperan a tan

*ka nyi u zaiyol kasev ka ve zua mi ke tyesen ii iyough adua i feda sha kwagh yav a oroo?

*Uzaiyol mban ka ve er nana sha mlumun shin mvende ve u yaven a or hi ayange aa HIV/AIDS neen?

ALUER KA HANGE HANGE YO: U faityo u honun wegh sha aamba ne aa avande eren yoo?

Kwaghorun u Kuren

Er se lu kuren liam ne yo, msoo u masen pinen we ishember kwagh you i masetyo. U nenge we kanyi (i)gbenda nahan I hembe doon u Karen aa uzaiyol mban er kwase kristu u zan adua u feda yoo?

*Kwaghwan wou hi kasev mba ka ikighir ve u yaven aa noov mba ve lu aa angev mbu HIV ka nyi?

M suugh kpishi u lun wegh ke kwaghtovun ne. Mwuese iwasen ii mlu wou ke kwagghenen ne. Auer wea alu aa ma mpin yo, u faityo u tagher a mo sha ngeren u alu ke kwa takerada u uwe wegh u nan mlumun wou la.