



# Isupo: Assessing the relevance of Deuteronomy 25:5–10 in the Nigerian Christian context, with particular reference to the Yoruba



#### Author:

Solomon O. Ademiluka<sup>1,2</sup>

#### Affiliations:

<sup>1</sup>Department of Religious Studies, Faculty of Arts and Humanities, Kogi State University, Anyigba, Nigeria

<sup>2</sup>Department of Biblical and Ancient Studies, College of Human Sciences, University of South Africa, Pretoria, South Africa

### Corresponding author:

Solomon Ademiluka, solademiluka@gmail.com

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The description of levirate marriage in Deuteronomy 25:5–10 has reminiscences with the same practice in Africa, especially *isupo* (levirate marriage) among the Yoruba of south-west Nigeria. The article seeks the relevance of this text in Nigeria in the possibility of levirate marriage still being of some socio-economic value to Christian widows and the society at large. It employs the historical-critical and descriptive methods. The work finds that in both the Hebrew and African cultures, levirate marriage served the purpose of raising children for the deceased, who would perpetuate his lineage and inherit his property. But in Africa the institution was most significant in providing economic and social protection for widows and their children. Unfortunately, levirate marriage is fast disappearing in Nigeria because of Western influence, particularly Christianity. The effect of this for many widows is abject poverty, by virtue of which some of them resort to illegitimate and dishonouring means to make ends meet. The work, therefore, concludes that resuscitating levirate marriage would be of immense socio-economic value to Nigerian widows and the society.

**Contribution:** The article is a contribution to Old Testament theology and Christian ethics. It proposes that levirate marriage can still be employed as a means of socio-economic protection for Nigerian Christian widows.

**Keywords:** Deuteronomy 25:5–10; levirate marriage; polygamy; Nigerian widows; Nigerian Christians.

### Introduction

Deuteronomy 25:5-10 describes levirate marriage as practised in ancient Israel, the custom that has some similarities with the practice of isupo (levirate marriage) among the Yoruba of south-west Nigeria. The term 'levirate' derived from the Latin levir, 'meaning a brother-in-law' (Tranžík 2021; cf. Precept Austin 2021). A levirate marriage, therefore, is a union between a widow and the brother of her late husband. In other words, 'if after the death of her husband a widow marries her husband's brother it is called a levirate marriage' (Stol 2016:296). In cultures where the practice obtains, the heir need not be of the same parents with the deceased but a relation 'from the wider family clan' or his father or a cousin (Tranžík 2021). Levirate marriage constitutes 'an ancient provision whereby a man who died without male descendants ... could have a son by proxy' to carry on his name and inherit his property (Precept Austin 2021). It was also a means of economic protection for widows, 'as a woman generally cannot live independently' in many traditional communities (Tranžík 2021). According to Stol (2016:296), the practice 'is thought to have been an Indo-European institution introduced by the Hittites'. Maurice (2014:287) attested that levirate 'is found in almost all communities' of the world, but it is perhaps best known in the Middle East, 'the first nations known to practice the levirate [being] the Assyrians, Hittites and Hebrews' (Tranžík 2021). In the modern world, levirate unions have been commonly found in Asia and particularly Africa. In Africa, they 'are found among almost all communities from West to East Africa and from North to South Africa' (Maurice 2014:287; cf. Tranžík 2021). In Nigeria, levirate marriage has been identified as an aspect of Igbo and Yoruba cultures. The tradition is no more prevalent in most parts of the world. In Africa, the decline is because of the influence of Christianity and modernisation with its 'increased awareness of women's rights' (Baloyi 2015:485). However, this is not to suggest that this custom is totally eradicated in the continent. Contrarily, 'levirate marriage is still practised in many African countries ... because some people still want it' for various reasons (Baloyi 2015:486). This position, coupled with the fact that widowhood is an everpresent experience, makes levirate marriage an always relevant research topic, especially in Nigeria where there is little interest in the welfare of widows on the part of government.

In Nigeria, a few scholars have studied levirate marriage in sociology and biblical studies (e.g. Ayodele 2016; Esiri 2021; Olanisebe & Oladosu 2014), but the focus is usually on levirate as a condemnable widowhood practice. The present research differs because it seeks to make levirate marriage a possible means of economic protection for widows in the face of their total neglect in the Nigerian economy. Therefore, the article examines the relevance of Deuteronomy 25:5-10 for contemporary Nigerian Christians, with a special focus on isupo, which is levirate marriage as practised in Yoruba culture. Based on the purposes that this custom served in ancient Israel and Yoruba culture, the work seeks the possibility of levirate marriage still being of some value to Nigerian Christian widows. The essay employs the historicalcritical approach for the study of the text and the descriptive method for the analysis of levirate marriage in Nigeria, particularly among the Yoruba. It begins with the exegesis of Deuteronomy 25:5–10, after which it proceeds to the practice of isupo among the Yoruba. Finally, the article examines the possible continuing relevance of levirate marriage among Nigerian Christians.

# Deuteronomy 25:5–10 in its sociocultural context: An exegesis

Before the regulation in Deuteronomy 25:5-10, there are indications in the Old Testament to the effect that 'levirate marriage [was] a standard marriage regulation among the ancient Hebrews' (Baloyi 2015:485). In the narrative in Genesis 38, for instance, after the death of Er, Judah's first son, Judah told Onan, Er's younger brother, 'Go in to your brother's wife, and perform the duty of a brother-in-law to her, and raise up offspring for your brother' (Gn 38:81). Some scholars also perceive the union of Ruth and Boaz in the book of Ruth 'as a levirate marriage' (Baloyi 2015:485; cf. Olanisebe & Oladosu 2014:4).<sup>2</sup> In the Documentary Hypothesis, the book of Deuteronomy constitutes one of the four Pentateuchal sources, that is, the so-called Deuteronomistic Source (D), believed to have been composed in the late seventh century B.C.E. (Collins 2004:162). In this earliest form, Deuteronomy was meant to justify the religious reform of King Josiah (621/622 B.C.E.) purposed to centralise 'worship in Jerusalem and close down provincial shrines' (Ademiluka 2013:12; cf Rogerson 2005:41; 2 Ki 22-23). Some believe that D was revised in the exilic and/or post-exilic period to accommodate the beliefs and customs of that time (Gerstenberger 2002:222). According to Collins (2004:160), there are four major literary units in Deuteronomy, namely some recollection of Israel's history (1-11), the so-called Deuteronomic Code (12-26), curses and blessings (27–28) and concluding remarks (29–34). Deuteronomy 25, therefore, belongs to the Deuteronomic or D code. The regulations in the code are of three groups (Ademiluka 2013:14), which are ceremonial laws (12:1–16:17),

civil laws (16:18–20:20) and social laws (21:1–26:19). Thus, the code was apparently a living guide for the Israelites in the pre-exilic through post-exilic times. It was the 'written deposit that defined [Israel's] social order, the codification of her legal principles and juridical procedures and her self-understanding under the rule of God' (Ademiluka 2013:15). In view of its comprehensiveness, Longman and Dillard (2006) stated that the code 'in effect became the "constitution" of ancient Israel' (cited in Ademiluka 2013:15).

In the context of this 'constitution', Deuteronomy 25:5–10 is best understood as the regulation on levirate marriage. Verses 5–6 provide that when a man dies without a son, his widow shall not marry outside the family but his brother shall marry her in order to sire a male child for the deceased so that the dead brother's name will not be forgotten. In view of Numbers 27:6-11 that makes provision for daughters to inherit their fathers' property where there are no sons, some argue that 'child' (as in the Authorised Version, AV) is preferable to 'son' in verse 5 (as in most other versions), in which case 'there would be no need for the levirate marriage if the deceased had daughters' (Precept Austin 2021). However, although the Hebrew term בנים [sons] is used in many instances in the Old Testament to mean 'children', in this passage 'son' is used in its literal sense. For, in the ancient Near East marriage was primarily constituted in order to raise sons who would ensure the perpetuation of 'the husband's line and the retention of family land and wealth' (De-Whyte 2014, cited in Ademiluka 2021:3). This is seen clearly in verse six where levirate is inextricably tied to inheritance because the purpose was to raise a son 'who would be the legal inheritor' of the name and property of the deceased brother (Utley 2012). Nonetheless, as Kilchör (2015:433) observed, in this law there seems to be 'a problem with the hereditary right of daughters' in Numbers 36:6–12 (cf. Ahiamadu 2005:22; Ndekha 2013:41). According to Numbers 36:8, the inheritance of a man who dies without a son goes to his daughters, in which case such daughters shall marry only within their father's tribe. In Numbers 27:8-11, which Hiers (1993:125) called the basic Hebrew 'law of intestate succession', the deceased man's inheritance shall pass to his brothers or male relatives if he has no daughters. Hence, Kilchör (2015) pointed out that the provision for levirate marriage is unknown to the laws in Numbers. Therefore:

The most straightforward way to understand levirate marriage is to read it as an improvement on the hereditary right in Numbers. The closest person to the dead man who has no son is neither his daughter nor his brother but his wife. Now, if the dead man's brother takes her as his wife and the firstborn son will succeed to the name of the dead man, then the continuity of this name is ensured and the daughters are free to marry anybody. (Kilchör 2015:433)

The levirate law makes provision for the deceased's brother to decline if he does not want to marry his widow (Dt 25:7). In view of Numbers 27:9, the refusal might 'imply that the brother hoped himself to inherit the dead man's property' (McConville 1994:222; cf. Davies 1981:258) 'in the absence of a male heir' (Precept Austin 2021). For this reason, it was seen

<sup>1.</sup>Unless otherwise indicated, all the Bible references quoted are from the Revised Standard Version (RSV).

<sup>2.</sup>There are others who argue to the contrary. For example, Belkin (1970:277) contended that the union of Ruth and Boaz is better described as an agnate marriage (i.e. marriage within the family) and not a levirate marriage because Boaz was not a brother to the deceased.

as betraying 'a want of fraternal affection' (Precept Austin 2021) and was, therefore, met with social consequences. The widow shall report his brother-in-law's refusal to the court of the elders.<sup>3</sup> If the court is unable to make the brother of the deceased husband change his mind, in the presence of the elders the widow shall remove his sandal from his foot and spit in his face (vv. 8–9). This humiliating ritual of shoe removal indicates that 'the relative had abandoned his responsibility [with] spitting in his face symbolising the shame of such negligence' (Precept Austin 2021). This ritual is reminiscent of the custom in Israel in which the removal and exchange of shoe signified the renunciation of ownership of property (Rt 4:7–10). The custom is thus explained:

[*W*]hen any one took possession of landed property he did so by treading upon the soil, and asserting his right of possession by standing upon it in his shoes... [*T*]he taking off of the shoe and handing it to another became a symbol of the renunciation of a man's position and property... But the custom was an ignominious one in this case for the shoe was publicly taken off the foot of the brother-in-law by the widow whom he refused to marry. He was thus deprived of the position which he ought to have occupied in relation to her and to his deceased brother, or to his paternal house (Precept Austin 2021:n.p.).

As expressed by Carmichael (1977:322), by removing his shoe the widow symbolically caused her brother-in-law to renounce any right of ownership on her. In this way, he 'no longer has any right to her, and she is now free to marry another man' (Olanisebe & Oladosu 2014:2). In the Torah, spitting in someone's face is an indication of utter disdain (Lv 15:8; Nm 12:14); hence in this custom such is the emotion of the rejected widow 'towards her uncooperative brother-in-law' (Precept Austin 2021).

This ritual will become the treatment for such men who would not perform this duty for their dead brothers (Dt 25:9b). In addition, such an uncooperative brother-in-law is to receive a ridiculous name in the society: 'The house of him that had his sandal pulled off' (v. 10), meaning 'the barefooted man', that is, 'the miserable fellow', 'for it was only in miserable circumstances that the Hebrews went barefoot' (Precept Austin 2021; cf. 2 Sm 15:30; Is 20:2-3; Mi 1:8). This appellation becomes 'the terms of reference not only to the immediate family [of the uncooperative brother-in-law] but to [his] upcoming generation' (Olanisebe & Oladosu 2014:3). Tranžík (2021) stated that the humiliating nature of the ritual indicates that it 'was clearly intended to motivate a man not to refuse the levirate' even though the law allows him to do so. In later Jewish custom, the degrading nature of this ritual, chalitzah as it became known, was weakened when polygamy 'was forbidden by rabbinic authorities in practically all Jewish communities' (Tranžík 2021). It thus became mandatory for the brothers of a man who died without children to perform chalitzah because 'they were not allowed to marry the widow' (Tranžík 2021). As an official written

permission, *chalitzah* was issued to the widow to marry any other man of her choice 'except the priest' (Olanisebe & Oladosu 2014:3).

Deuteronomy 25:5–10 is relevant among the Yoruba of Nigeria in the context of *isupo*; hence the next section of the article examines this concept.

# Isupo: Levirate marriage as practised in Yoruba culture

Opo is the Yoruba word for 'widow' while isupo or opo sisu refers to the act of a man inheriting a widow as a wife. In the Yoruba traditional culture, isupo refers to the situation in which a widow got married to a younger relative of her deceased husband. Isupo apparently became necessary in view of the fact that young women were usually given in marriage to old men who, in many cases, died shortly after, 'leaving the young ladies widowed' (Ademiluka 2003:138). Sometimes, by the time a young woman was married to an old man, the latter had lost his sexual vitality because of old age, in which case, in reality, the young wife was married for one of the old man's grown-up sons (Ademiluka 2003:138). Where the old man had married a young wife or wives for himself, usually before his death he made arrangements as to which of his sons or relatives would inherit his wife or wives.4 Sometimes, a young wife would have identified herself with one of her husband's relatives even while the old man was still alive. In cases where this arrangement had not been made, the family of the deceased performed this responsibility after his death. In rare circumstances where there were several relatives interested in a widow, she would be guided to choose one of them, following a sort of democratic approach. As narrated by Olanisebe and Oladosu (2014):

Before the day agreed upon for the choice of the new husband by the widow, the men from the deceased's family who qualified would have been going to make their intentions known to the widow. On the agreed day, place and time, various items belonging to all the contestants would be brought.... [Such materials] ... included chewing sticks, head caps and shoes. The widow would be [told] to choose or point to only one of [these] items. [Invariably, the owner of the item chosen by the widow would be her inheritor]. (p. 5)

This custom is reminiscent of a similar tradition in KwaZulu-Natal, South Africa. There, the widow to be inherited 'is provided with sticks representing [the deceased's] brothers and relatives to select from and whoever is represented by the stick she chooses is the one to care for her' (Maurice 2014:289). Denzer (1994:3) observed that in Africa levirate marriage represents the fact that the responsibility of a wife to the family of her husband extends beyond his death. Some see levirate marriage as the act of sharing women like property (Adeoye 2003:33). Akanmu (2004:97) seems to share this view when he defines *isupo* as the 'concept where widows without their consent are forced to be inherited by the brothers' of the deceased. This perception is, however,

<sup>3.</sup>The Torah makes reference copiously to this judicial institution at 'the gates of villages and towns' (Adu-Gyamfi 2020:90) where the elders presided (Dt 16:18; 21:19; 22:15) 'to administer justice and decide disputes' (Amissah 2011:128). The prophets later criticised the judicial process in which the operators 'take a bribe, and turn aside the needy in the gate' (Am 5:12).

<sup>4.</sup>This custom is well known to me, being a product of isupo myself and having lived in a community where it was commonly practised.

not necessarily correct because while the term means widow inheritance, it need not involve force, and Yoruba culture certainly views women differently from property. Hence, while defining *isupo* as 'the means by which a younger wife of the deceased is handed over to another man for proper care', Olanisebe and Oladosu (2014:5) added that she might 'decide to accept or reject' the proposal.

The levirate arrangement served several purposes in the traditional African society, particularly among the Yoruba. Similar to the Hebrew culture where the first male product of a levirate marriage belonged to the deceased husband (Dt 25:6), among the Yoruba the children arising from isupo are 'for the deceased' (Olanisebe & Oladosu 2014:5; cf. Mbiti 1969:134; Shorter 2001:84). This fact is demonstrated by such children usually bearing the family name of the deceased rather than that of their biological father, that is, where the family names are different. Most often when the issue of raising children is discussed, the focus is on procreation, with little thought for the role of sex in the process. But, outside the need for children, both partners are naturally in need of sex. To this end, the immediate advantage of levirate marriage is that it provided an avenue for a legitimate sexual relationship. This happened, for instance in some cultures, like that of the Yoruba, where there was 'the belief that women in menopause might no longer engage in sexual intercourse' (Ademiluka 2020a:5; cf. Baloyi 2013:168-173; Mwambene 2017:5). For a man in such a situation, the levirate wife, who usually would still be young, would satisfy the sexual emotion of the new husband who would still be sexually vibrant. Maurice (2014:289) opined that in the traditional African society, levirate marriage 'provided sexual satisfaction to the widow without having to pose as a prostitute'. Rather than turning to prostitution to meet sexual needs through levirate marriage a widow was able to 'access partners known in the society without shame, guilt or fear' (Maurice 2014:290).

In the traditional African setting, raising children for the deceased became very important if the widow did not have a male child before the demise of her husband. This is because in Africa, the perpetuation of the husband's lineage is performed through male children (Edewor 2013:55; Mbiti 1969:134). In this regard, the Yoruba traditional thought 'is that when a man dies, he needs somebody to bear his name, so that his name does not die' (Ogoma 2014:96; cf. Familusi 2012:301). Therefore, if a man died without male children, his family would get males through his widow by marrying her to a relative of the dead husband in order that 'the deceased's line would continue and succession to a particular social position would be ensured' (Baloyi 2015:487). Connected to lineage continuity is the issue of inheritance. In Yorubaland, isupo was also necessary to raise male children who would inherit the property of a man who died without any. Thus, 'if a man died, leaving behind wealth', usually landed property in the Yoruba traditional setting, a male child would be required to inherit it (Baloyi 2015:487; cf. Familusi 2012:301; Ogoma 2014:96). Ancestral land was (and still is) very important for Yoruba people; hence *isupo* was a means of retaining land within 'family links in the form of blood relationships.... [In this way,] property remained intact under the care of one family' (Maurice 2014:289). With levirate marriage, then, it did not really matter if a man did not have a son before he died, as a relative of his could 'sire for him sons to inherit his ... property' (Maurice 2014:289). At the same time, the issue of inheritance through male children would make levirate marriage attractive even for a widow who already had males before the death of her original husband. This is because if she got married within the family of her late husband, the status of her children as heirs to their father's property ensured her economic protection.

Nonetheless, the most important reason for levirate marriage in Africa was to care for the widow and her children. That is why in Yoruba culture old women were excluded from isupo even if they had no children before the demise of their husbands, but 'preparations were made for their care' (Olanisebe & Oladosu 2014:5). According to Ayodele (2016:117), in the traditional Yoruba society, the significance of isupo was in 'providing widowed households ... economic and social protection'. Hence, as Baloyi (2015:487) observed, even if the 'heir might not engage in conjugal relations with' the widow, he had the responsibility to care for her and her children. Mbiti (1969:134) is therefore right when he asserted that levirate marriage 'provided matrimonial accommodation for widows and their children' (cited in Ademiluka 2020a:5). As Esiri (2021:232) puts it, the purpose of 'marrying a widow is to help the woman to care for the children of the deceased husband'. Maurice (2014:289) buttresses this point when he stated that levirate marriage was of immense economic support particularly for poor widows who 'required support in terms of wealth and farm management which the guardian would do'.

There is no denying the fact that levirate marriage 'is fast disappearing' in sub-Saharan Africa (Kudo 2017:34). With respect to Nigeria, Olanisebe (2015:6) asserted that 'this practice has been totally abandoned and rejected especially among women of great economic means and high level of education'. Akanmu (2004:97) stated that among the Yoruba, isupo is no longer 'fashionable today [even though] its traces can still be located in the interior'. Before the factor of Western education, however, it was Christianity that did the first blow to the institution of levirate marriage in Africa (Afolayan 2011:33). The missionary enterprise of the midnineteenth century brought Christianity with the teaching that 'polygamy had no place among Christians' (Stent 2019; cf. Esiri 2021:229). All the missions held that polygamy was 'fundamentally inconsistent with the teaching of Christianity' (Muthengi 1995:57). It is no surprise, then, that 'today most of the mainline churches [in Nigeria] still keep to the doctrine of monogamy' (Ademiluka 2020b:3; cf. Maurice 2014:291). This is often emphasised during each wedding solemnisation at which both parties to a marriage are made to pledge to forsake all others 'till death do us part' (Ademiluka 2019:2). The implication of this oath for levirate marriage is that a man whose wife is still alive cannot inherit a widow.

Baloyi (2015:488) opined that levirate marriage encourages polygamy because the inheritor of a widow is not 'expected to divorce his wife, but to marry the widow as another wife'. The Christian insistence on monogamy would have strengthened many widows to oppose levirate marriage and 'rather stay alone than enter into quarrels with other people's wives' (Maurice 2014:291). Milazzo and Van de Walle (2018:9) are therefore correct when they state that the 'influence of Christianity [has] significantly reduced' the prevalence of levirate among many ethnic groups in Nigeria, including the Yoruba.

Christianity came along with Western education, influence and modernisation, all of which have introduced 'changes in the traditional Nigerian marriage structure' (Esiri 2021:229). One significant factor in this regard is the Marriage Act of 1990 under which the only form of marriage statutorily recognised is monogamous marriage. In respect to levirate marriage it states categorically that neither party to 'the intended marriage [should be] a widower or widow' (Bassey 2020). This means that a man who has undergone statutory marriage (commonly called court marriage) is forbidden to enter into levirate marriage. In addition, Western education and modernisation have not only enhanced the status of women but also empowered the modern educated lady to be 'rich and independent' (Maurice 2014:291). Thus empowered, she views levirate marriage as an encroachment on her freedom to 'get married anywhere she likes' (Maurice 2014:291). Moreover, she is encouraged by the women's rights awareness groups, which identify levirate marriage as an act of oppression against the womenfolk (Maurice 2014:291).

In discussing the decline of levirate marriage in Africa, however, it is important to note that the practice has not been completely eradicated. This hint is already seen in Akanmu (2004:97) that among the Yoruba, for instance, isupo is still practised in some rural communities. Ayodele (2016:127–128) found that at the Yoruba community of Ilara-Mokin in Ondo State, some relatives of deceased men still seek to impose themselves on widows. In some other Yoruba communities, certain relatives of the deceased jointly attempt to force a widow 'to remain under the guardianship' of one of them (Afolayan 2011:32). Ezejiofor (2011:152) found that even 'nowadays, sometimes, if the man had no children or only one kid before his death, his relatives plead with the widow' to marry one of them. Hence, Maurice (2014:290) plausibly suggested that for the 'custom of levirate marriage to survive up [until] today it must have several advantages either to the widow, brother-in-law or the family of the deceased as a whole'. Hence, the next section identifies the means by which levirate marriage can possibly still be of some socioeconomic value to Nigerian widows and the society at large.

# The continuing relevance of levirate marriage in Nigeria

As demonstrated in this study, in ancient Israel and Yoruba traditional culture levirate marriage served the purpose of

raising male children for the deceased husband, who would perpetuate his name and ensure that ancestral land was retained within the family. Nonetheless, as also mentioned already, in the traditional African setting the most significant advantage of levirate marriage resided in the care for widows and their children. It is for this reason that Tranžík (2021) described it as 'an institute for the care of African widows'. While not many people would care for ancestral land today, the issue of welfare remains crucial for all. Akanmu (2004:97) opined that levirate marriage is justifiable against the traditional African background in which 'women are seen as perpetual low-income earners' and therefore had to be catered for by someone after the death of their husbands. To this end, many believe that 'levirate marriage can ... serve as protection for the widow and her children, ensuring that they have a male provider responsible for them' (Baloyi 2015:487). Commenting on the social and economic significance of this institution in Africa, Kudo (2017:35) observed that because it was a kind of 'safety net for widows' who had been dependent on their husbands, it is expected that the disappearance of the custom should affect them economically. Olanisebe (2015:8) identified the major causes of poverty for widows in Nigeria as 'lack of stable sources of income and over dependence on the husbands for financial and material responsibilities'. Hence:

[I]f the widow had been a full-time house wife before her husband's death, the bulk of the financial and material responsibilities which had been shouldered by the husband are automatically transferred to her without any adequate preparation for it. (Olanisebe 2015:7)

Milazzo and Van de Walle (2018:9) stated that the African patriarchal culture makes most women to be completely dependent on their husbands, and this exposes them to untold hardship after the demise of their husbands by which they lose all economic assets that 'are conditional on marriage'. It is, therefore, important to ask what 'measures [have been] put in place to take care of widows' in view of the virtual disappearance of levirate marriage in Nigeria (Olanisebe & Oladosu 2014:1). Obviously, there is little provision made for 'widows and their children, either by the relatives of the deceased husband or by government' (Olanisebe & Oladosu 2014:1). Actually, until recently education for female children was not accorded much significance by parents and government (Edewor 2013:57) and when women were given formal education it 'was not regarded as an instrument of empowerment but of women's domesticity, ... to make them good housewives and mothers' (Okeke 2018:322). It is true that government often institutes certain women empowerment programmes that should be able to ensure a better life for women in case of the loss of their husbands but the problem has been that such attempts are rarely sustained. Ozoya et al. (2017:12) observed that the Nigerian government has shown interest in 'empowering women ... [but] much is left to be done'. Hence, Kelvin-Iloafu, Igwe and Enemuo (2019:8) recommended that government should equip women 'with the requisite knowledge and skills required ... to establish [them] as income earners'.

Thus, as Nigerian women are not adequately empowered, at the death of their husbands they become 'victims of circumstances' (Olanisebe & Oladosu 2014:1), as the loss of their husbands exposes them to painful experiences. Commenting on the experiences of Nigerian widows, Ezejiofor (2011) wrote that:

[*W*]idows are exposed to untold hardship including homelessness, insecurity, hunger, poverty, illness and rejection. In many cases, they will have to withdraw their children from school because they do not have enough means of livelihood let alone paying the fees of the children in school. (p. 147)

Olanisebe and Oladosu (2014:1) affirmed that because of the attendant poverty upon the loss of their husbands, many widows have had to withdraw their children from school, some of whom in turn 'have become victims of child labour and trafficking'.

For many Nigerian widows, then, resultant poverty is the outcome of the disappearance of levirate marriage without any provision made for their welfare. Hence, Tranžík (2021) observed that:

[W]hilst the fading of old customs such as levirate can be seen as a sign of progress and women emancipation in African societies, the actual impacts on the widows may be rather negative. (n.p.)

Apart from poverty, the decline of levirate marriage has other effects on widows and the society at large. With the displacement of this institution, widows who would have been given some care and protection are 'abandoned by [their] brothers-in-law and relatives' (Maurice 2014:291). Some young widows, in order 'to make ends meet' (Ezejiofor 2011:147) or to have 'sexual satisfaction or to have children' (Tranžík 2021) resorted to 'keeping many male sex partners' (Akanmu 2004:97). Out of the fear of getting illegitimate children in the process (Tranžík 2021), some get married somehow while 'some ladies resort to prostitution to support themselves and their children' (Maurice 2014:291). Several writers affirm that because of their circumstance, some Nigerian 'widows take to prostitution' (Ezejiofor 2011:147; cf. Baloyi 2015:487). Tranžík (2021) stated that 'widows not taken into levirate union may have to become prostitutes which is definitely [a] worse option'. Akanmu (2004:97) was, therefore, right when he asserted that 'when widows are inherited the society is relieved of the problems of prostitution and distress'. Acknowledging 'the lofty traditional motive behind' isupo in the traditional Yoruba society, Akanmu (2004:97) observed that it can still give 'emotional succour or psychological balance ... to the widow and the society'. Similarly, Milazzo and Van de Walle (2018:9) opined that 'Some protection for widows may be provided by the opportunity to remarry', and the levirate arrangement was a perfect form of remarriage in Africa. One reason why levirate marriage is a better option for a widow is that it keeps all her children within one family. This is because a widow 'may be forced to leave her children behind' (Milazzo & Van de Walle 2018:9) if she remarries outside her original husband's family. Oftentimes, children of the same mother belonging to

different paternal families can hardly see themselves as one. In this regard, levirate marriage constitutes 'one form of concrete African expression of cultural bond' (Ayodele 2016:117). As expressed by Shipton (2007:173), widow inheritance 'communicates messages about relative worth ... of people and of the bonds between them' (Shipton 2007:173; cf. Baloyi 2015:487).

In summary, some benefits accrue to Nigerian widows and their families and the society at large if the institution of levirate marriage is resuscitated. Apart from economic protection for these families, Nigerian widows are saved the trouble of having to resort to non-legitimate means of economic and emotional satisfaction. Adoption of levirate marriage today will also enhance the African concept of the family bond. By this suggestion, one is not oblivious of the argument already alluded to that levirate 'is polygyny in another form' (Akanmu 2004:97), and polygamy is commonly condemned in modern times because of its detrimental effects on women. It is acknowledged that polygamous homes have distinct domestic problems arising 'from jealousy between co-wives over the husband's affections and resources', which sometimes results to 'psychological and emotional distress' for women (Bahari et al. 2021:1). However, for many reasons, particularly the desire for male children, polygamy 'still remains a significant and widespread phenomenon in Africa' (Ademiluka 2020a:1; cf. Mwambene 2017:7). In Nigeria today even some Christians 'whose wives do not bear [male] children engage in polygamy' (Ademiluka 2020a:1). This means that for Africans, polygamy cannot be eradicated because of the traditional purposes it serves. But the value of levirate marriage goes beyond raising children for certain men who would otherwise have been childless. As already discussed, its significance resides most in the care for poor widows and their children who would have otherwise been destitute, meaning that levirate marriage can be a matter of necessity in certain contexts.

It is equally noteworthy that the stand of Christianity on polygamy is controversial because it is not expressly forbidden in the Bible. As discussed earlier, the mode of Christianity introduced by the Western missionaries and inherited by the mainline churches, condemn polygamy. The Old Testament passage usually quoted to support monogamy against polygamy is Genesis 2:24: 'Therefore a man leaves his father and his mother and cleaves to his wife, and they become one flesh'. It is claimed that this text sets the order for monogamy because it talks about singular 'man' and 'wife', and that God could have created several women for Adam if he intended him to have more than one wife (Jerome 2016:531; Waltke 2007:237; Wenham 1994:63). However, Ademiluka (2020b:11-12) argued decisively that Genesis 2:24 is an aetiology that is meant only 'to explain the origin' of marriage and does not say anything about the form of marriage. Moreover, apart from Deuteronomy 25:5–10, some other passages in the Torah contain 'regulations that reflect the practice of polygamy' (Ademiluka 2020b:11; cf. Ex 21:10; Dt 21:15-17), while 2 Samuel 12:8 indicates that 'God not only supported polygamy but it was he who gave' multiple women to David (Ademiluka

2020b:12). It is also argued that the fact that Jesus quoted Genesis 2:24 in Matthew 19:6 'supports monogamy rather than polygamy' (Muthengi 1995:65; cf. Sarfati 2019). Some equally hold that Paul's citation of the Genesis passage in Ephesians 5:22–31 implies that he 'assumed monogamous ... marriage as the norm' (Köstenberger 2019). But in Matthew 19:3-6, Jesus cites Genesis 2:24 to support his argument on 'indissolubility of marriage' and not a reference to polygamy or monogamy (Ademiluka 2020b:12). In Ephesians 5:22-31, Paul stresses the need for mutual love between husband and wife. It is for the reason of love that a man leaves his parents to join his wife (v. 31). Therefore, deducing a support for monogamy in this passage presupposes 'a teaching that the Apostle Paul was not really talking about' (Ejenobo 2010:47). This view is buttressed in 1 Timothy 3:2, 12 (cf. Tt 1:6) where Paul unequivocally 'limits the order of [monogamy] to church leaders.... Therefore, neither Jesus nor Paul applied Genesis 2:24 to monogamy' (Ademiluka 2020b:12). The conclusion is that Genesis 2:24 does not contain an injunction for monogamy or against polygamy (Reid 2015). Many scholars are of the view that there is not any biblical text 'in which polygamy is expressly forbidden and monogamy universally decreed' (Ejenobo 2010:55).

Unfortunately, the Western attitude to polygamy advanced to the stage where each party in the marital union is made to take an oath to forsake all others till death, which in itself arose 'from the erroneous generalisation of [1 Cor 7] for all times and all marriages' (Ademiluka 2019:9; cf. Baumert 1996:128). When the Western missionaries insisted on monogamy, some early African converts probably saw it as inconsistent with the Bible, just as it was 'a form of marriage considered foreign to them' (Handan 2003:25). It is, therefore, no surprise that 'the mission churches' attitude to polygamy was a major factor underlying the emergence of African Independent Churches [AIC] at the turn of the 20th century' (Muthengi 1995:65). Today, a remarkable doctrinal difference between the mainline churches and the AICs is that the latter endorse polygamy as 'part of their conscious indigenisation of Christianity in Africa' (Hillman 1975, cited in Muthengi 1995:58).

The fact that the Bible does not forbid polygamy enhances the position that levirate marriage can still be a means of Nigerian Christians providing both economic and emotional protection for widows who are in need of it. This means that when a young woman in this condition loses her husband, the family of the deceased will come together to appoint one of them who has the economic wherewithal to cater for the widow and her family. This arrangement will, of course, be in agreement with the man and the widow. But then, the arrangement still has to contend with the problems associated with polygamy. The inheritor will have less difficulty if he is a member of the AICs, as most of these churches are not opposed to polygamy, as earlier mentioned. The situation is different if he is a committed member of a mainline church and got wedded there under oath. There will also be problem if the inheritor has undergone statutory marriage under the Marriage Act, which forbids widow inheritance. That is not to say, however, that inheriting a widow is an impossibility

for Christians of this category because in Nigeria 'many members of the anti-polygamy churches ... engage in polygamy', especially if the first wife does not have a child (Ademiluka 2020a:1; cf. Egboh 1972:431–444; Ekpendu 2015:81–96). This means that as problematic as it may be, polygamy continues to be practised among Nigerian Christians. Moreover, just as there are problematic polygamous homes, there are also peaceful ones. Hence, levirate marriage can still be managed harmoniously by Nigerian Christians.

### Conclusion

In both the Hebrew and African cultures, levirate marriage served the purpose of raising children for the deceased. In both contexts, the desire for the perpetuation of the husband's lineage made raising male children for the deceased very important. It was also only male children that could inherit the property of the late man. Among the Yoruba, for instance, isupo was a means of retaining ancestral land within the family. Nonetheless, in the traditional African society, the significance of levirate marriage resided more in providing economic and social protection for widows and their children. However, in Nigeria, the prevalence of this institution has been drastically reduced because of Western influence, particularly mission-oriented Christianity with its condemnation of polygamy. But in Nigeria, the disappearance of levirate marriage equally presupposes the eradication of the purposes it had served hitherto. In this regard, the issue of widows' welfare is most crucial in view of their neglect in the economy. For many widows and their children, the outcome of the decline of levirate is abject poverty, especially those who had been completely dependent on their husbands before the demise of the latter. As a result of this circumstance, some widows resort to illegitimate and dishonouring means to make ends meet. Therefore, resuscitating levirate marriage will be of immense socio-economic value to Nigerian widows and the society at large. It may be employed as a matter of necessity in caring for widows in spite of the argument that it is a form of polygamy. In the first place, the Bible does not forbid polygamy as claimed by the mainline churches. Moreover, many members of the anti-polygamy churches engage in polygamy, with some of them managing their homes happily.

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S.O.A. is the sole author of this article.

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