

**“HAND HIM OVER TO SATAN...” (1 CORINTHIANS 5:5):  
REFLECTING ON THE PAULINE COMMAND AND ITS  
APPLICABILITY TO THE SCOURGE OF INCEST IN  
NIGERIA<sup>1</sup>**

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**Abstract**

Incest is the sexual union or intimacy between people of close sanguinity. In some societies, sexual union between people of the same lineage or the same village is considered as incest and treated as taboo. The causes are many, ranging from psychological, social, and economic causes. The sanctions are also varied, depending on the religious or cultural rites guarding the particular place in which it occurred. It could lead to banishment of the offenders from the community. Paul handles this issue in the fifth chapter of his letter to the Corinthians. In recent times, cases of incest in many Nigerian societies have been on the increase. The paper looks at the Pauline solution for such an offense in the city of Corinth and considers its applicability to the scourge of incest in Nigeria. The major focus is to understand what Paul means by handing the man over to Satan for the destruction of the flesh and the salvation of the spirit (1 Cor. 5:5).

**Keywords:** Corinth, excommunication, incest, marriage, Nigeria, Paul

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<sup>1</sup> With this paper, I drastically review my position in Onyenali, R., “The Misuse of Excommunication in Church Discipline (A Reflection on Matthew 18 and 1 Corinthians 5,” *Wounded in the Manger: Black Theological Essays on Church Hurt*, eds. Dr. DeWayne R. Stallworth, Ph.D, Mr. Kevaghn Mattis (forthcoming). In this paper written in 2021, I was vacillating between excommunication and ethical purification as the correct interpretation of 1 Cor. 5:5.

## Introduction

Simply put, incest is the sexual relation between family members or close relatives that causes penetration through any part of the sexual organs. The *Webster Dictionary* defines incest as “sexual intercourse between persons so closely related that they are forbidden by law to marry.” In section 19 of the Sexual Offences Bill, 2013 of the Federal Republic of Nigeria, incest is an act of sexual intercourse by a male which causes penetration with a female person who is to that male’s knowledge his daughter, grand-daughter, sister, mother, niece, aunt, or grandmother. From the angle of a female, incest is an act of sexual intercourse which causes penetration with a male person who is to her knowledge her son, father, grandson, grandfather, brother, nephew or uncle.<sup>2</sup> This means that the issue of incest is already foreseen in the laws of Nigeria.

Paul’s first letter to the Corinthians takes up the issue of incest in its fifth chapter. It reports the case of a man living with the wife of his mother. This is understood to mean that he was having a sexual union with his stepmother. Paul condemns this union in the strongest of terms. In this chapter Paul recommended what some scholars have termed excommunication of the incestuous man from the Christian community so as to avoid a possible moral contamination of the entire church. This option of excommunication or banishment from the society is also practiced in some traditional societies.

The incestuous union was condemnable from the Jewish, Christian and Roman angles. Even though the Old Testament allows endogamous marriages (Gen 20:12) and even encourages it (Gen 24:1-4), yet it expressly condemns incestuous sexual unions (cf. Lev 18:7-18; Deut

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<sup>2</sup> Sexual Offences Bill, 2013, <file:///C:/Users/user%20pc/Downloads/267639198-Nigeria-SexualOffences-Bill-2015.pdf>.

23:1; 27:20). Such prohibitions are focused on men and include a sexual union with one’s mother, father’s wife, sister, half-sister, granddaughter, aunt, daughter-in-law, brother’s wife, a woman and her daughter, and a neighbour’s wife. Such a union should be punished with the death sentence (cf. Lev 20:11-12). The Mishnah (*Sanhedrin* 7:4) rules death by stoning as the appropriate response to incest: “These are they that are to be stoned: he that has connection with his mother, his father’s wife, his daughter-in-law, a male, or a beast....”<sup>3</sup> In the story of *Via Cluenzio* Cicero notes: “The mother-in-law marries the son-in-law, no one looking favourably on the deed, no one approving it, all foreboding a dismal end to it.”<sup>4</sup> In the Canon Law of the Catholic Church (CC 109) affinity is an impediment to the marriage of a couple, and is a relationship which “arises from a valid marriage, even if not consummated, and exists between a man and the blood relatives of the woman and between the woman and the blood relatives of the man.”<sup>5</sup>

The question that I confront in this article is to articulate how the Pauline command in 1 Corinthians 5:5 concerning the incestuous union should be understood and how this understanding could be a valuable option to handling the case of incest in a typical traditional Nigerian society.

### **The Focus of Paul’s first Letter to the Corinthians**

Paul’s first letter to the Corinthians ranks as one of the most widely read letters in the New Testament. The letter is a response to a wide range of questions and concerns about incest (chapter 5), lawsuits and sexual immorality in general (chapter 6), marriage (chapter 7), food offered to idols (chapters 8 and 10), the Lord’s Supper (chapter 11), spiritual gifts

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<sup>3</sup> H. Danby (trans.), *The Mishnah* (Oxford: Clarendon Press, 1933).

<sup>4</sup> <https://sites.google.com/site/vicoduomo/thestoryofviacluenzio>.

<sup>5</sup> *Codex Juris Canonici* (1983), *New English Translation* (Washington DC: Canon Law Society of America, 1999), Can 109 #1.

(chapters 12, 13 and 14), and doctrinal error concerning the resurrection (chapter 15).<sup>6</sup> Perhaps Paul had to handle all these issues because the Corinthian Church was close to Paul's heart. This closeness is based on a couple of reasons. First, Paul lived in Corinth for about one and half years (see Acts 18:11). Second, Corinth was arguably the central place of his missionary work, second only to Ephesus.<sup>7</sup> Finally, the church in Corinth was the creation of Paul's. It was a child begotten by Paul (cf. 1 Cor. 4:15). Therefore, he seems to stand in a closer relationship with the church in Corinth than with any other church.<sup>8</sup> The ethical questions Paul addressed could be because Corinth was made up of people from different socio-cultural and religious strata. In this city "Greek culture and Greek sensuality stood in such close connection."<sup>9</sup> As a result of this cosmopolitan nature of Corinth, ethical questions were rife among the members of the Christian community of the city. Apparently, the Corinthian Christians were fast drifting away from what they learnt from Paul. According to Morris, Paul saw that in Corinth, "the Church was in the world, as it had to be, but the world was in the Church, as it ought not to be."<sup>10</sup> Perhaps, the shameless practice of incestuous life in the church is one of such worldly influence among the Corinthian Christians. Paul addressed the issue in the fifth chapter of his first letter to the saints in Corinth.

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<sup>6</sup> For other segmentations of the letter see R. F. Collins, *First Corinthians*, SP 7 (Collegeville, Minnesota: Liturgical Press, 1999), 29-31.

<sup>7</sup> U. Schnelle, *Einleitung in das Neue Testament*, 6. Auflage (Göttingen: Vandenhoeck & Ruprecht, 2007), 76.

<sup>8</sup> F. C. Baur, *Paul, the Apostle of Jesus Christ; His Life and Work, His Epistles and His Doctrine: A Contribution to the Critical History of Primitive Christianity*, two volumes in one (Peabody, Massachusetts: Hendrickson, 2013), 268.

<sup>9</sup> F. C. Baur, *Paul*, 269.

<sup>10</sup> L. Morris, *I Corinthians: An Introduction and Commentary* (London: Billing and Sons, 1971), 25.

## Literary Context and linguistic Considerations in 1 Cor. 5

The fifth chapter of Paul’s first letter to the Corinthians is related to the surrounding chapters. The first four chapters report the boasting of the Corinthian Christians. Paul shows this with the use of the verb *kauchaomai* (to boast) which he employs four times in chapters 1-4. In these places (1:29.31; 3:21; 4:7) *kauchaomai* refers to an attitude Paul considers inappropriate for the holy ones. Again, chapter four is related to chapter five by the application of the word *phusioó* (to puff or blow up) which is used three times in this chapter (4:6.18.19). In chapter four, *phusioó* refers to the arrogance of some members of the church. However, 5:2 broadens out this arrogance to include the entire body of the church of Corinth. Again in 5:6 Paul tells them in clear terms that their boast (*kauchēma*) is not good. There is also a connection between chapters five and six. While chapter five deals with the issue of incest and how to handle the evil doer so as not to contaminate the entire community, 6:8-20 shows that Christian life is incompatible with sins, especially sexual sins. Thus, sexual immorality (*porneia*) and related words appear in 5:1.9; 6:9.13.15.16.18.<sup>11</sup> These show a continuity between chapters five and six. This theme continues till the seventh chapter.

Despite these connections, the fifth chapter of the letter is marked off from the first four chapters in terms of content. While the first four chapters are devoted to addressing divisions in the church, in chapter five, Paul begins to address the issues reported to him. Perhaps, because of the seriousness of the subject matter, the issue of improper sexual relationship in the church of Corinth is the first issue to be addressed. Again chapter five constitutes a unit. First, the allusion to a widely circulated (oral) report (v.1)<sup>12</sup> marks the chapter out as a fresh unit.

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<sup>11</sup> A. Y. Collins, “The Function of ‘Excommunication’ in Paul,” *HTR* 73 (1980), 252.

<sup>12</sup> Notice the use of *holōs akouetai* in this verse.

Again, the reference to the removal of the evildoer at the beginning (v.2) and end (v.13) of the chapter shows that the chapter is a unified pericope. The case described in this chapter is that one of the (male) members of the Corinthian church is living with the wife of his father. In other words, this man is having a sexual relationship with his stepmother. As v.1 shows, this is a case of an enduring sexual relationship. This is the implication of the use of the aorist (*echein*) in this verse. Since Paul makes it clear that he is not interested in judging those outside (v.12) and since Paul's interest was only on the punishment to be meted out to the man living with his father's wife, it is likely that the woman involved was not a member of the Corinthian church.

Some other linguistic observations in the text show that the affair is not a secret one. This is shown by the use of the third person singular verb *akouetai* (it is heard) instead of the first person singular verb *akouō* (I have heard), in v.1.<sup>13</sup> The sin is not only injurious to the purity of the church, it also impinges negatively on her reputation. Second, the allusion to the arrogance (v.2) and boasting (v.6) of the Corinthians concerning this issue means that the incestuous relationship has become a source of inspiration for other members of the community. In other words, it has started enjoying the support of a good number of the Corinthian Christians.<sup>14</sup> Not only was sexual union between a man and his father's wife condemnable in the strongest of terms, the Corinthian Christians were puffed up instead. It means a communal glorification in the sin of a member of Christ's body which could lead to other members of the church emulating the act. In seeing this incestuous union as a case of sexual immorality among the Corinthians (*porneia en hymin*), Paul implies that the effect of this immoral union is not only on the two

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<sup>13</sup> This is contrasted to 11:18 where Paul records another report that reached him with the simple *akouō* (I have heard). Cf. also 1:11.

<sup>14</sup> See Collins, "Excommunication," 253.

people concerned but on the community as a whole.<sup>15</sup> This underlines Paul’s theology of the church as a building or a body. The unity of this body is an overarching theme in the letter (cf. 10:16f; 11:24.27.29; 12:12-27). The sanctity of this body requires the collective action of the community as a corporate entity.

Since this collective action has to be performed by the church in Corinth, Paul proposes a mourning (v2b) instead of the arrogant boasting of the Corinthians. He also proposes the removal of the leaven of incest from the community (v.2d and 13b). Even from a distance, Paul pronounces a verdict on the man who has been doing such a thing (v.3c and v.4a). The verdict is that this man should be delivered to Satan for the destruction of the flesh so that the spirit may be saved for the day of the Lord (1 Cor. 5:5). How are we to understand this command?

### **Understanding the Pauline Command (I Cor. 5:5)**

I now come to the most important point of this article, namely, to understand the Pauline injunction concerning incest in Corinth. At face value, Paul seems to have recommended the expulsion of the incestuous man from the community as solution to the moral impurity he introduced into the church (v.2 and v.13). However, v.5 is the key to the understanding of the entire chapter. In this verse, Paul commands that the *sarx* (flesh) should be handed over to Satan for the salvation of the *pneuma* (spirit). The importance of this verse lies in the application of the *sarx-pneuma* contrast which is important in Pauline theology. The term *Sarx* (flesh) occurs about 91 times in the letters of Paul.<sup>16</sup> Sometimes Paul employs it as the material component of the human body, in the sense of physical flesh (cf. Rom 11:14; I Cor. 6:16, etc.). In

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<sup>15</sup> A. May, *The Body for the Lord: Sex and Identity in 1 Corinthians 5-7* (London, New York: T&T Clark, 2004), 62.

<sup>16</sup> J. D.G. Dunn, *The Theology of Paul the Apostle* (Cambridge: Eerdmans, 1998), 62.

other places, *sarx* is the sinful element of human existence in opposition to God. A typical example of this application is Romans 8:2-9.<sup>17</sup> In 1 Cor. 5:5 Paul does not regard *sarx* as the material component of the body since it stands in opposition to *pneuma*. Since these two terms stand in opposition, it has to be accepted that the specific Pauline usage of *sarx* as the sinful condition of the “old man” is in view.<sup>18</sup> If the *sarx* of 1 Cor. 5:5 is interpreted from the spectrum of Romans 8:2-9 one arrives at the picture of the fleshly life that cannot please God. Since “the flesh person is wholly cut off from God, for that is the character of the flesh”<sup>19</sup> it means that Paul is referring to an attitude that stands in opposition to God. It could be said that “the *sarx* then takes on the aspect of being an anti-godly attitude in man and an enemy power of the Spirit.”<sup>20</sup> This interpretation of *sarx* in 1 Cor. 5:5 seems to be fairly consistent with scholarly views on the Pauline application of the term as the whole person oriented away from God.<sup>21</sup>

In a similar ethical sense, *pneuma* refers to the whole person oriented towards God. It is the eschatological gift of God which the believer has received in baptism which lives in him, “determining his whole life under every aspect, especially ethically.”<sup>22</sup> As such the *pneuma* becomes the norm for a new way of living, which results in corresponding actions (Gal. 5:22f). It is in this ethical sense that von Campenhausen sees the *pneuma* in 1 Cor. 5:5. For him, the *pneuma* is the divine power which must be taken from the sinner “in order that it may form part of the

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<sup>17</sup> See also the contrast between the works of the flesh and the works of the spirit in Gal. 5:17-21.

<sup>18</sup> E. J. Cooper, “Sarx and Sin in Pauline Theology,” *Laval théologique et philosophique* 29/3 (1973), 250.

<sup>19</sup> Dunn, *Theology*, 478.

<sup>20</sup> Cooper, “Sarx,” 251.

<sup>21</sup> Cooper, “Sarx,” 244f.

<sup>22</sup> Cooper, “Sarx,” 251.



perfection and wholeness of the Body of Christ at the Last Day.”<sup>23</sup> If we are correct in this ethical understanding of *sarx* and *pneuma*, it means that Paul was commanding the Corinthians “to cast off the works of the flesh and to return them to their proper authority, Satan, so that God’s Spirit may continue to be present and thus preserve the congregation for the last day.”<sup>24</sup> Hence, Paul is interested in the purity of the Christian community of Corinth. If the Corinthian church keeps tolerating the sexually immoral union, which results from the influence of the flesh and even keeps boasting over it, it would corrupt the life of the spirit among them. The implication is that the passage has an ecclesial interest. The aim is the purity of the congregation.

Perhaps the imagery of the leaven and the dough confirms the above interpretation of the passage. The leaven has an overwhelming negative interpretation in both the Old and New Testaments. The Old Testament prohibits the offering of leaven on the altar (Lev 2:11; 6:17). Milgrom comments that the prohibition from offering leaven on the altar is probably because leaven has been seen as “the arch-symbol of fermentation, deterioration, and death, and hence, taboo on the altar of blessing and life.”<sup>25</sup> In the words of Jesus, the leaven signifies that which makes impure. This made Jesus to warn his disciples to be wary of the leaven, that is, the false teachings of the Jewish authorities which could corrupt their faith (Mark 8:15; Matt 16:12). The rabbis saw the yeast in the dough as “the evil impulse, which causes a ferment in the

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<sup>23</sup> Hans von Campenhausen, *Ecclesiastical Authority and Spiritual Power in Church of the First Three Centuries* (London: Black, 1969), 135, n. 50.

<sup>24</sup> K. P. Donfried, “Justification and Last Judgment in Paul,” *Int.* 30 (April 1976), 150. While some scholars underscore the importance of the *sarx-pneuma* dichotomy, they go ahead to conclude that Paul was recommending the excommunication of the incestuous man from the Corinthian community. See P. C. Onwuka, “Sexual Immorality and Church’s Discipline in 1 Cor 5:1-5: Implications for the Nigerian Church,”

<https://www.cabanalive.org/wpcontent/uploads/2021/01/Acts-12-11>.

<sup>25</sup> J. Milgrom, *Leviticus 1-16: A New Translation with Introduction and Commentary*, Anchor Bible Series (New York: Doubleday, 1991), 189.

heart.”<sup>26</sup> This explains why the traditional Passover involved searching out of all leaven in the home, and burning it. In the ritual of Sephardic Jews, this ritual is followed by a prayer which runs thus: “just as we did remove *chametz* [leaven] from our homes and burned it, so we pray that we should be able to remove evil inclinations from within us always.”<sup>27</sup> If Paul had all this in mind in this chapter of the letter, then “throw out the old yeast” (5:7) is an epexegetis on “hand this man over to Satan.”<sup>28</sup> Hence, the passage is not about banishing the incestuous man from the Corinthian community. It is about throwing out the evil that causes contamination in the community. To give his command a Christological ambient, Paul refers to the sacrificial act of Christ as an example to be emulated (I Cor. 5:7f).<sup>29</sup>

However, the above interpretation is questioned by v.11. In this verse, Paul goes on to argue that to be pure, the church has to avoid associating with anyone who calls himself a (Christian) brother and is sexually immoral, or greedy, or is an idolater, reveller, drunkard, or robber. All these are evidence of the works of *sarx* and such people controlled by the *sarx* should not be allowed association with the Christian assembly. This treatment does not concern those outside the community, otherwise, the Corinthians would have to leave the city (v.10) noted for its life of debauchery. As I said in the introduction, this has led some scholars to read excommunication into this passage. It is in this line that Tertullian interpreted the passage. For him, “that Spirit which is accounted to exist in the church must be presently ‘saved,’ that is,

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<sup>26</sup> Berakoth, 17a.

<sup>27</sup> H. Guggenheimer, *The Scholar's Haggadah: Ashkenazic, Sephardic, and Oriental Versions* (Northvale, NJ: Jason Aronson, 1995), 6.

<sup>28</sup> B. Campbell, “Flesh and Spirit in 1 Cor. 5:5: An Exegesis in Rhetorical Criticism of the NT,” *JETS* 36/3 (September 1993), 340.

<sup>29</sup> See also Rom 14:15; 15:1-3; I Cor. 8:11-12; Phil 2:5-11.

untainted by the contagion of impurities in the day of the Lord, by the ejection of the incestuous fornicator.”<sup>30</sup> Brown is also of the same view. He notes that “in Paul’s command appear the twin notions of separation and curse that underlie the Christian doctrine of excommunication.”<sup>31</sup> For Collins, “the action involved the expulsion of the offender from the community, a procedure which was called “excommunication” later on in the history of the Church.”<sup>32</sup>

I think that the key is the interpretation of *sunanamignumi* (vv.11). Does it mean “to associate with” or “to associate intimately with?” Judging from the context, I adopt “to associate intimately with” as the right translation.<sup>33</sup> Already in v.9 Paul had applied the same word to warn the Corinthian Christians not to associate intimately with the people of Corinth who exhibit immoral behaviours. Not associating at all with the citizens of Corinth would be an impossible imposition on the church at Corinth. In another place where *sunanamignumi* appears in the Pauline corpus (2 Thess. 3:14), it does not imply complete shunning of the offenders. The next verse (2 Thess. 3:15) advises that such people should not be treated as enemies. If I argue from the continuity of meaning in an author, Paul is neither advocating the destruction of the incestuous man nor his total exclusion from the society. It is the moral impurity associated with his continual presence in the community that should be excised. The removal of the moral impurity is to protect the community from the contamination of the old leaven. The image of the church as a building, where every member is part of this building (I Cor. 3:9-17) and the metaphor of the body of Christ as the definition of the nature of the church (I Cor. 12) seem to have the same aim in view. The fact that “if one member suffers, all suffer together and if one member is

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<sup>30</sup> Quoted in Collins, “Excommunication,” 260.

<sup>31</sup> David C. Brown, “The Keys of the Kingdom: Excommunication in Colonial Massachusetts” *The New England Quarterly* Vol. 67, No. 4 (1994), 533.

<sup>32</sup> Collins, “Excommunication,” 254.

<sup>33</sup> Cf. Thayer’s Greek-English Lexicon of the NT, 601.

honoured, all rejoice together” makes the conclusion secure that Paul is concerned more with the corporate welfare of the community as the body of Christ.

In this connection, it becomes important to note that 1 Corinthians 5:5 lacks the pronominal genitive of possession relating to *sarx* (flesh) and *pneuma* (spirit). Paul did not say that the flesh of the incestuous man should be handed over to Satan for the preservation of his body. He rather says that the flesh should be handed over to Satan for the preservation of the body. The absence of the genitive of possession and the ethical interpretation of *sarx* and *pneuma* means that Paul was most likely demanding the destruction of the works of the flesh operative in the man.

Finally, there is no other place in the Pauline corpus where one gets the hint of excommunication or banishment from the community because of moral impropriety. In other words, it does not seem to agree with the Pauline approach to sins in general and sexual sins in particular. Even though Paul condemns sexual immorality in strong terms (cf. 1 Thess. 4:2; 2 Cor. 12:21; Gal. 5:19; Eph. 5:3; Col. 3:5), he never employs the language of excommunication in any of them. Paul had told the Galatians that those who are strong should correct the erring ones in the spirit of gentleness (Gal. 6:1). However, 1 Cor. 5:5 stands out as carrying a stern warning.

### **Reasons for Paul’s Severe Argument against Incest in the Corinthian Church**

Perhaps, Paul’s strong recommendation of handing the man over to Satan for the destruction of the flesh and the salvation of the spirit could be based on a number of reasons. It could be because of the gross nature

of the sin of *porneia* between a man and his stepmother<sup>34</sup> and the fact that the Corinthian Christians should manifest the sort of life that is distinct from their non-Christian neighbours. This is to stress the moral differentiation which is the hallmark of Christian living among nonChristians. Again, there seems to be an arrogant camp leading the Corinthian church astray from what she had learned from Paul.<sup>35</sup> In the words of Fee, it could be the first of the “test cases of the crisis of authority” (5:1-6:20), where Paul deals with those puffed up against his authority.<sup>36</sup> If Fee is correct in his assessment, it appears then that Paul’s aim is to ensure compliance to his teaching by attacking the pride of the congregation towards the incestuous union.<sup>37</sup>

Therefore, the reason for the Pauline severe recommendation in the pericope under consideration could be because of Paul’s conscious effort to separate the Christians from their non-Christian neighbours. This separation is very necessary especially when it concerns sexual ethics.<sup>38</sup> Since the believers in Christ are the temple of God in whom the Spirit of God dwells (1 Cor. 3:16f), they have to be holy ‘*hagioi*’ (cf. 1 Cor. 1:2). In the same stroke, they have to be distinguished from those outside this temple. This is particularly poignant in Corinth that harboured many heathen fertility temples and some important philosophical schools in antiquity.<sup>38</sup> Corinth was also a city that acquired a reputation for sin of various kinds. In the words of Brown, “Greek Corinth acquired an overblown reputation (partly through

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<sup>34</sup> A. C. Thiselton, *The First Epistle to the Corinthians: A Community Commentary on the Greek Text*, NIGTC (Grand Rapids, MI: Eerdmans, 2000), 386.

<sup>35</sup> See G. D. Fee, *The First Epistle to the Corinthians*, (Grand Rapids, Michigan: Eerdmans, 1987), 212.

<sup>36</sup> Fee, *Corinthians*, 194.

<sup>37</sup> May, *Body*, 59. <sup>38</sup>

May, *Body*, 58.

<sup>38</sup> Schnelle, *Einleitung*, 75. Archaeological discoveries reveal the presence of Greek and Egyptian deities. Under Augustus, it became the capital city of Achaia. See R. E. Brown, *An Introduction to the New Testament*, 513.

slander) for sexual license, so that Greek words for whoremongers, prostitution, and fornication were coined employing the city's name.”<sup>39</sup> These make the dwellers in the city susceptible to the corrupting influences of the heathen world. As the holy people of God, the Christians of Corinth are supposed to manifest a kind of morality that is distinct from their heathen neighbours.

However, from every indication, the Corinthian Christians have not been able to manifest this difference because some of them were still living a carnal life (cf. I Cor. 3:1-4). The text of I Cor 5:1-13 sharpens this accusation of carnality by introducing the issue of the existence of an incestuous man in the church at Corinth. The fact that some members of the church were gloating over such an action that should be shameful (cf. 1 Cor. 5:2.6) seems to intensify the Pauline reaction to such a sinful union. This boasting over sin seems to be a principal theme Paul seeks to address in his first letter to the Corinthians.

### **Incest in the Nigerian Society**

The problem of incest is not only encountered in Paul's letter to the Corinthians. Many stakeholders, including religious leaders, sociologists, lawyers and civil rights activists have identified the rise of incest in the Nigerian society. Some of the factors identified to be responsible for this increase is the increasing level of moral decadence in the Nigerian society, broken homes, decline in attention given to traditional family values, emotional imbalance, ignorance, economic hardship, and shift in family roles leading to the absence of both parents from homes. This absence of the parents from homes makes the children to be left alone with none of the parents around to take care of them. Sometimes they are left in the care of some close relatives who take

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<sup>39</sup> R. E. Brown, *Introduction*, 513.

advantage of them.<sup>40</sup> Other factors which I would like to add as contributory for the surging menace of incest in the Nigerian society include poverty, ignorance, the culture of secrecy, occult practices, lack of self-control, drug abuse, psychological disorder, etc. It is no secret that some adults engage in incestuous practices with their wards as a way of gaining some reward for paying the bills of their wards. And when such issues are reported to the parents of the children involved, the parents sometimes command the children to secrecy so as to maintain the dignity of the family. It is also no secret that many people in Nigeria believe that such incestuous union could grant them longevity or fame. This is one of the areas where the rise of occultism in the Nigerian society rears its ugly head.

Perhaps, the most important contributory factor is easy access to pornography. The fact that majority of the teeming Nigerian population has access to pornography through the internet means that many of the youth who are mostly left alone seize the opportunity to exploit their sexual fantasies. When these factors are adequately addressed, it is my humble opinion that the rampant cases of incestuous unions in the Nigerian society would be greatly reduced.

### **The Nigerian Law and Incest**

The Nigerian law is not silent on the issue of incest. Under the Matrimonial Causes Act, Laws of the Federation of Nigeria (LFN), 1990, marriage of people within the prohibited degrees of consanguinity or affinity is considered void. In the Matrimonial Causes Act, Laws of the Federal Republic of Nigeria, 2004 (as amended), marriage by incest

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<sup>40</sup> <https://guardian.ng/news/why-incest-is-becoming-rampant-in-nigeria-experts>.

is also prohibited. Section 3 of the Acts mentions those who are prohibited from contracting marriage. They include the following:<sup>41</sup>

- A man with his:

wife's mother, wife's grandmother, sister, wife's daughter, father's sister, wife's son's daughter, mother's sister, wife's daughter's daughter, brother's daughter, father's wife, sister's daughter, grandfather's wife, son's wife, daughter's son's wife.

- A woman with her:

brother, father's brother, mother's brother, brother's son, sister's son, husband's father, husband's grandfather, husband's son, husband's son's son, husband's daughter's son, mother's husband, grandmother's husband, daughter's husband, son's daughter's husband and daughter's daughter's husband.

However, this prohibition does not imply criminalizing incestuous marriages as we shall see in the next section. Section 4 of the Acts makes provision for appeal to a judge for permission to contract such a marriage.

- (1) Where two persons who are within the prohibited degrees of affinity wish to marry each other, they may apply, in writing, to a judge for permission to do so.
- (2) If the judge is satisfied that the circumstances of the particular case are so exceptional as to justify the granting of the

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<sup>41</sup> Hameed Ajibola Jimoh Esq, A Research into whether 'Incest' is an Offence in Nigeria: A Slight Amendment <https://thenigerialawyer.com/re-a-research-into-whether-incest-is-an-offence-in-nigeria-a-slight-amendment-by-hameed-ajibola-jimoh-esq/>.



permission sought and, may, by order, permit the applicants to marry one another.

- (3) Where persons marry in pursuance of permission granted under this section, the validity of their marriage shall not be affected by the fact that they are within the prohibited degrees of affinity.
- (4) The President may arrange with the Governor of a State for the performance by judges of the High Court of that State of functions under this section.

This shows that incestuous unions are permissible under this Act provided the couple obtained permission from the relevant authorities.

On the other hand, the Violence Against Persons Prohibition Act (VAPP Act) 2015 (section 25), recommends that “a person who knowingly and wilfully have (sic) carnal knowledge of another within the prohibited degrees of consanguinity and affinity contained in the Schedule to this Act with or without consent, commits incest and is liable on conviction to a minimum term of (a) 10 years of imprisonment without an option of fine, (b) where the two parties consent to commit incest, provided that the consent was not by fraud or threat, 5 years of imprisonment without an option of fine.”<sup>42</sup> From resources available to me during the course of this research, this bill was signed as law by the former president of the Federal Republic of Nigeria on 23<sup>rd</sup> May, 2015. Despite this provision, I cannot recall hearing or reading of any convictions on the grounds of incest in Nigeria. This is notwithstanding the increasing rate of incest in the Nigerian society.

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<https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/104156/126946/F1224509384/NGA104156.pdf>

## **Recommendations following the Pauline Model**

We have learned from Paul that incest is a scourge that could contaminate the entire Christian community at Corinth. It is like yeast which leavens the entire dough of morality in the assembly. In Corinth, this evil became so attractive that some members of the community became proud of it. This explains why Paul recommended a very harsh treatment to eradicate the offence from the community. His recommendation is that the evil instinct, the *sarx*, should be removed from the community in order to preserve its *pneuma*. As I have already said, this has nothing to do with the physical destruction of the guilty member. Also it says more about the destruction of the evil instinct than disfellowshipping or excommunicating such a member.

In a similar fashion, having identified the underlining causes of incest in the Nigerian society, the important task would not be first and foremost the criminalizing of incest. There is no rational Nigerian who does not know that incest is condemned and seen as taboo even from a traditional Nigerian point of view. Again, the fact that the Nigerian law has criminalized the action has not abated its occurrence. Furthermore, ostracising offenders from the society would not effectively solve the problem. One has to first commit the offence before one is ostracised.

I therefore feel that the first major issue is to identify ways of eradicating the factors that give room to such a malaise.

1. There is the need for stake holders to spread knowledge of the rampant spread of the evil of incest in the Nigerian society and the harm this causes. In this connection, the words of Pope Francis that “the sexual abuse of children is all the more scandalous when it occurs in families, schools, communities

- and Christian institutions.”<sup>43</sup> This should form the basis of communal moral teaching.
2. There is the need to revive traditional moral values. The effects of incestuous relationships should be emphasized. Just like the Catechism of the Catholic Church underlines, incest imprints a perpetual harm to the physical and moral integrity of the victims.<sup>45</sup>
  3. Parents should endeavour not to leave their children in the care of irresponsible elders.
  4. There is the need of responsible sex education of the youth to help them read and understand the vital signs of potential sex invasion.
  5. The negative impact of occultism should be imprinted in the minds of the youth.
  6. Children and young adults should be taught the responsible use of the internet.

It is my strong belief that when these issues are taken into consideration the Nigerian society would breathe a new air of moral sanity devoid of incestuous relationships. This is particularly important in our era where many forms of sexual perversion are competing for acceptance. It is not weird to postulate that in the next few years a new movement “Relative Attracted Persons” (RAP) would be a global phenomenon asking for recognition. Ensuring a widespread knowledge of the danger this poses to the physical and moral integrity it portends for those involved, especially for children, would approximate the Pauline injunction of destruction of the flesh for the salvation of the spirit.

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<sup>43</sup> Pope Francis, *Amoris Laetitia: Apostolic Exhortation on Love in the Family*, 46.

<sup>45</sup> CCC no. 2398.

