

THE CHALLENGES OF FAILED MARRIAGES IN THE NIGERIAN SOCIETY

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Abstract

Marriages are intended to last forever or at least, till death do the couple part. This ideal is however becoming a mirage in recent times. The phenomenon of failed marriages are on the increase in Nigeria with its attendant bad effects on families, society and the nation. Marriages are not supposed to fail if pre-martial, and marital precautions are taken. These pre-martial precautions include courtship, during which period the spouses are supposed to learn the ways of life of each other. Instead of doing this, would-be spouses nowadays concentrate on having sexual knowledge of each other, ignoring the noble ideals of courtship. Instead of emphasizing love, they emphasis material wealth. They carry this concept into the marriage and other wrong shenanigans combined with their wrong notion which result in a crash of the marriage. When marriages crash, the family, the society and the nation are worse off. The family suffers the broken-home phenomenon, ill-bred children are turned into the society where they constitute various social problems like armed robbery, prostitution, cultism etc. This article analysis this concept of ideal marriage and the cankerworms that eat it up, resulting in failed marriage, and what can be done to stem the tide. Firmary and secondary sources of information will be used for this research work. Inter-alia it is recommended that would-be spouses should benefit from the period of courtship to study themselves for the preservation of their marriage.

1.0 Introduction:

Marriage is said to be a divine institution created by God when, after creating man, he saw for himself that man was incomplete.

He was lonely! He created the woman¹. This is the institution of marriage, whereby a man leaves his father and mother and joins to his wife and they become one body. Marriages have attendant benefits such as companionship, procreation care of those procreated e.g. training them etc referred to in family law as consortium. Marriage is a joyful institution as Adam confirmed: the flesh of my flesh and the blood of my blood².

Unfortunately, joyful marriages have become scare in our society today as evidenced by the High rate of separation and divorce. A large number of families are failed marriages, broken down irretrievably while some can be described to be in shambles. The true character of marriage are increasingly being mitigated as many people treat marriages with levity. For these reasons marriages are crashing, leaving very unpalatable taste in the mouth of society. In society once marriage is entered into, a family starts.

Families form the bedrock of society as the families make up a community that grows into state and country. The family is majorly of 2 types: the nucleus and the extended family. The nucleus family is made up of a man, wife and their children, as obtains in Europe America and other countries. while the extend family system is practiced mostly in Africa, Nigeria inclusive. The extended family involves the Husband, wife, children,

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¹The New Community Bible (Catholic Bible) St. Paul Publications, Ibadan, 2015, Gen 2:18

² Ibid Chapter 2:23

uncles, nieces, brothers etc. In both situations, the members of the family are connected by blood.

1.1 Conceptual Definition

Ethymologically, marriage is derived from the Latin word “matrimonium”. Matrimonium means “munus matrix”, that is “office of the mother”³. By this definition it means that in marriage the burden of procreation weighs heavily on the mother rather than on the father”⁴. Matrimonium may also mean “muniens matrem” – the protection of the mother.

Marriage further co-notes other terms such as “consortium” meaning “the same lot” or “coniugium” meaning “the same yoke”, nuptiae which means to cover, a term whose origin is traced to the custom of the bride using the veil⁵.

Marriage is an enduring and excluding covenant of love between a man and a woman⁶. Okpaloka⁷ defines marriage as that bond in which two marriageable people of different sexes associated in an indissoluble communion of life and love by mutual agreement for the generation and education of offsprings”.

Lord Penzance in *Hyde V. Hyde*⁸, define marriage as “a voluntary union of man and woman for life to the exclusion of all others”. For the purpose of this Article, we adopt the definition of Lord

³T. Pazhayam Pallil, *Pastoral Guide* Vol. 2 Bangalor Kristi Loyti Publication

⁴ Ibid.

⁵ Ibid.

⁶ T. Pazhaymapallil, *Pastoral Guide* Vol 2, P 773.

⁷ Okpaloka *Legal Protection of Marriages the family institution*, Owerri, Trinitas Publishers 2002 P. 50

⁸ (1886) LR1P & D 130, 133

Penzance as it tallies with the definition of marriage under the matrimonial causes act 1970, the law governing marriages in Nigeria till date.

From its divine origin emanates the fact the marriage is a universal institution, though Monogamous marriage is one in which a man marries one wife for life, to the exclusion of all others as provided under matrimonial causes it could have variants. For instance we have two broad types of marriages in Nigeria namely the monogamous marriage and the polygamous type. Act. Primary ingredients of this marriage are that both parties must freely consent to the marriage. Absence of such consent will vitiate the marriage. Another factor is that at all times material, only one man and one woman will be involved in the marriage to the exclusion of all others. Furthermore the union must be for life meaning that at the formation of the union, the parties must have intended to take each other as husband and wife for life. This situation may however be disrupted by either divorce or death.

Another point to note is the sex of the parties. Lord Penzance's definition which tallies with matrimonial causes Act envisages that the parties to the marriage, must be of opposite sex. It therefore means that gay marriages do not qualify as marriage as defined by Lord Penzance and even, under the matrimonial Cause Act⁹ now Gay marriages are contracted by persons of the same sex, that is a man marrying another man or a woman marrying another woman. Same sex marriage as highlighted above is Sodomy. It is to be distinguished from "woman to woman" marriage which is a feature of customary law in some parts of

⁹LFN 1990

Nigeria. In this customary law marriage, a woman who has no biological child can pay the bride price of another woman who now becomes her co-wife, for the purpose of bearing children for her husband¹⁰. Similarly, an unmarried woman, who is prosperous and desires to have a family if she cannot bear children, can marry another woman to do so on her behalf by living in her house and bearing children. This marriage normally contradicted in the name of a male member of the woman's family, that financed the marriage. It should however be noted that this type of woman to woman marriage, even though performed in the name of an existing man, has been frowned at by the Supreme Court.

In *Meribe V. Egwu*¹¹, the Supreme Court considered the validity of woman to woman marriage as practiced in Nigeria. Facts of the case were that the land in dispute belonged to one Nwanyiokoli who died without issue in 1937. The plaintiff who contended that the land devolved on him under native law and custom claimed that because Nwayiokoli was barren, she married one Nwanyiocha (plaintiff's mother) for the husband as a wife. Under the applicable customary law, issues of such marriage are regarded as children of the barren woman. The Defendant who also relied on customary Law, contended that on the death of the grandfather, Chief Egwu, his own father, Meribe being the eldest surviving son, inherited Nwanyiokoli, she being one of the wives of the deceased. On her death, Meribe inherited her properties which later devolved on the plaintiff and other sons of Meribe. He also submitted that woman to woman marriage was contrary to public policy and good conscience. The trial Court found for

¹⁰ See the case of Sarah and Hagar in Genesis Chapter 16

¹¹ (1976) All NLR 216

the plaintiff but on appeal, the supreme Court dismissed the appeal, the Supreme Court dealt specifically with the validity of the woman to woman marriage, stating:

“In every system of jurisprudence known to us, one of the essential requirements for a valid marriage is that it must be a union of a man and a woman, thereby creating the status of husband and wife. Indeed the law governing any decent society should abhor and express its indignation of a “woman to woman” marriage and where there is proof that a custom permits such an association, the custom must be regarded as repugnant by virtue of the proviso to Section 14(3)¹² of the Evidence Act, and ought not to be upheld by the Court”.

If ‘woman to woman’ marriage is recorded in the Bible and even practiced in some Nigerian communities does not qualify as marriage on account of the sex of the parties, then gay marriages cannot even be considered in any discussion of a valid marriage under Nigerian Laws, that is, both under the Matrimonial Causes Act and Customary Laws. Similarly Hermaphrodites or persons who use technology to change their sex cannot contract valid marriage under Nigerian laws. Yet a Nigerian actor known as Bobrisky has changed his sex into woman and claiming to be pregnant. In the English case of *Corbett V. Corbett*¹³, decided under a law similar to the Nigerian Matrimonial Act, the Court refused to recognize the “new sex” of a person who underwent sex change.

Lord Panzance’s definition of marriage also is applicable under the native laws and customs of various communities in Nigeria. By

¹² Now, Section 18(3) of the Evidence Act. 2011

¹³ (1970) 2 WLR 1306

marriage under the act is meant marriages conducted in Nigeria in compliance with the provision of the Matrimonial Causes Act. It must necessarily be a monogamous marriage. The essential ingredients for a valid marriage under the Act are:

1. That the parties to the marriage must be of singles status before they can marry. In other words, an already married man or woman cannot contract a valid marriage under the Act. A violation of this provision¹⁴ is same as committing the crime of Bigamy. A person can however marry under the Act, the same person he has marry under native law and custom. A person who had married under the act and divorced can however still marry another person if he has duely divorced his earlier partner.
2. The parties to a marriage under the Act must be of marriageable age. The MCA did not state the age but the Child's Rights Act¹⁵ puts it at 18 years
3. Prohibited Degrees of consanguinity and affinity: The parties to a valid statutory marriage must not be within the prohibited degrees of consanguinity and affinity. Consanguinity refers to relationship by blood while affinity refers to relationship through marriage. By the prohibited degrees of consanguinity and affinity, a man is prohibited to marry a woman if the woman is or has been related to by consanguinity such as ancestors, descendants sister, mother's sister, brother's daughter or by affinity that is like wife's mother, wife's grandmother, wife's daughter, wife's sons daughter, wife's daughter's daughter, father's wife, son's wife, son's son's

¹⁴ Matrimonial Causes Act Cap M7 Laws of Federation of Nigeria 2004 Section 21 thereof

¹⁵ Child's Right Act Laws of Federation of Nigeria (2004)

wife, grand father's wife, daughter's son's wife¹⁶. A woman is prohibited if the man is or has been related to her by consanguinity like ancestor, descendant, brother, father's brother, mother's brother, brother's son. Should parties who have affinity want to marry under the Act, they would have to apply for a waiver, to the High Court, showing exceptional circumstances, to warrant same.

4. Two consents are required (a) the consent of the spouse and (b) the consent of the parents, particularly of the bride. Both parties must expressly consent to marry each other under the Act. Such consent must not be obtained by fraud or misrepresentation otherwise the marriage becomes voidable. Parental consent is
5. Also necessary to be obtained even though where it is unreasonably withheld, it can be dispensed with¹⁷. Parties to a marriage under the Act have to be sane as an insane party would lack the capacity to understand the nature and implication of marriage.

With the exception of praying the High Court for a waiver to people who have married others within the prohibited degrees, every other requirement of marriage under the Act also apply to customary law marriages in Nigeria.

Reasons Why Marriages Fail in Nigeria

It is obvious that the marriage institution on a free fall in Nigeria, especially in view of the high number of divorce petitions that inundate the Courts. Some of the contribution factors are:

¹⁶ First Schedule, MCA 2004

¹⁷ Section 33 (3) MCA 2004

2.0.1 Adultery

Adultery is an aspect of infidelity in marriage and is a serious problem among couples. Adultery is voluntary sexual intercourse or enjoyment of sexual pleasure by a man and a woman, at least one of whom is bound by the marriage bond with a third person. When only one party is bound by the marriage bond, the sin is simply adultery; when two parties are bound by the marital bond, the sin is “double adultery”¹⁸. It is an offence against the dignity of marriage and chastity. Biblically, adultery is condemned. In the Old Testament the act of adultery was not only condemned, but the penalty was death¹⁹ The prophet used adultery figuratively calling the breaking of God’s covenant the seeking of false gods which adulterous²⁰. In the Gospel of Matthew²¹ Jesus condemns even the adultery of mere desire. The Holy Koran also condemns it, but in Southern Nigeria is not a criminal offence.

However, many reasons have been listed as why people indulge in adultery. These include impotency, sex maniacism, frigidity, lust, lack of self-control, inequality of sexual desire leading to dissatisfaction, an act of revenge, lack of care and affection, etcetera. Whatever the reason may be, marital infidelity is unholy and destructive. It is an infringement on the rights of the innocent spouse. Adultery is an injustice. He who commits adultery fails in his commitment. He does injury to the sign of the covenant which the marriage bond is, transgresses the right of the other spouse, and undermines the institution of marriage by breaking

¹⁸ Thomas P. S., *Pastoral Guide*, Vol. 2, 4th Revised Edition, (Bangalore: KristuJyoti Publications, 1977), P. 1523.

¹⁹ The New Community Bible (Catholic Bible) St. Paul Publications, Ibadan, 2015 Gen 16:38; Lev. 21:9

²⁰ Ibid Jer. 2:22; 5:7; 13: 22

²¹ Ibid Matt. 5:27 -28

the contract on which it is based. He compromises the good of human generation and the welfare of children who need their parents' stable union.

Similarly, Pescke is of the view that adultery involves destructive consequences for the love, harmony and stable condition in the family of the spouses. It violates the fidelity promised by the spouses to each other and the pledges made in the marriage²².

Furthermore, it is important to note that the primary evil of adultery is found in its vision of the original creation covenant: therefore a man leaves his father and mother and cleaves to his wife, and they become one flesh (Gen 2:24), in accordance with Lord Penzance's definition and in the violation of the marital vows the couple made before God at marriage. Though fornication and adultery are both evil, in comparing the two, the latter is worse than the former in that it is injustice to the innocent party and breaking of one's solemn promise of fidelity²³. The issue of infidelity is one problem many marriages face in Nigeria today. In recent times many cases of separation and divorce have been reported on the dailies, following adulterous acts. For instance, the daily sun newspaper of Thursday 3rd October, 2013 reported an adulterous case, with the caption: "9 year old marriage crumbles" or man impregnates wife's cousin²⁴. This act of his, led to the end of his marriage.

²² Karl H.P., *Christian Ethics*, Vol. 2, newly revised Edition, Bangalore: Theological Publications, 1996, p. 475.

²³ John F.K., *Sex and The Marriage Covenant: A Basis for Morality*, 2nd Edition, (San Francisco: Ignatius Press, 1993), p. 36.

²⁴ Charles A., "9 years old Marriage crumbles as man impregnates Wife's Cousin" in daily sun newspaper, vol. 101, n. 2725, (3rd October, 2013), p.8

2.0.2 Childlessness

It is a state of not having children. In most Nigerian cultures, any wife that do not bear a child is seen as a curse to the family, hence she becomes a laughing stock to in-laws, neighbours and the society. She is cajoled with many derogatory nicknames, even when the fault may have come from the man. They call her witch and term her wicked and possessed. This situation is always a threat to the love, unity and peace of the family. It is capable of tearing the family apart. Once a case like this happens, what normally follows are distrust, infidelity, visitation of Juju houses and the so-called miracle churches and a possible divorce. Childlessness has caused the breaking of many homes in Nigeria.

An example is the case of a woman who dumped her husband on the grounds that he was responsible for her being childless after the death of her three babies consecutively. This was reported in sage newspaper of February 17th 2017, with the caption; “man, wife in bitter fight over dead babies”²⁵.

2.0.3 Lack of Male Children

In Nigeria, even Africa in general, there is a belief that any family without a male child is on the verge of extinction. So, the patrilineal system is of paramount importance. That is why a child born into a family bears the name of the father. A family having only female children makes effort to bring male children as well, since for them, female children are bound to leave the family in the future. Thus every father needs a male child to answer his name and as well to ensure continuity. John S. Mbiti writes: Where inheritance is through the father, it is very important to have sons so that the family line of inheritance may be

²⁵ Charles Al. Man, *Wife in bitter fight over dead babies*, “Sage Newspaper, Volume 8, (17 February, 2017). P. 23.

maintained. They become the heirs, and African people do not wish to die without heirs.²⁶

Following from the above, one can see why the absence of a male child is a huge disaster. It brings about a lot of pain and agony; and creates possible avenue for quarrels and conflicts. The woman is left with too much pressure to give birth to a male child even when the man is the cause of their ugly and pitiable situation. This can lead to infidelity, disunity and other forms of suffering in the home. Sometimes, in order to arrest this ugly situation, the wife may suggest for adoption or to marry second wife, yet some families do not welcome such options. Having tagged the woman evil and unproductive, they prefer her dismissal forgetting that marriage is an indissoluble and permanent relationship, in line with Lord Penzance's definition.

2.0.4 Crime

The Oxford Advanced Learner's Dictionary defines crime as "activities that involve breaking of the law or an illegal act or activity that can be punished by law or an act that you think is immoral or is a big mistake"²⁷. Crime is seen as a taboo in African. This is why people look at criminals as those under a curse, thus they are discriminated against and disregarded in the society. Many marriages in Nigeria have suffered a lost of setbacks following the involvement of some married men and women in crimes. Their partners find it difficult to withstand the public shame associating with them will cause them. In

²⁶ John S., *Introduction to African Religion*, London: (Heinemann Educational Books 1975), p. 109

²⁷ Walker S. A. (e.d, *Oxford Advanced Learner's Dictionary*, 7th Edition, (London: Oxford University Press, 2005), p. 347.

substantiating this fact, Jude A. Onuoha and Simon A. Nwachukwu write:

Most marriages crash as a result of one partner getting involved in crime. People with very good moral background cannot take it to continue living with a man or woman who is arrested and probably imprisoned for crimes; this is normally as a result of lack of adequate knowledge of the partner before marriage²⁸.

2.0.5 Divorce

This is the termination of marriage in civil law by Court decree or judgment²⁹. For B.N. Maduekwe, “Divorce is the legal dissolution of a marriage relationship, which leads to a permanent separation of a husband and wife”³⁰.

Under the Matrimonial Causes Act, 2004, and even under most Nigerian Native Laws and Customs, Divorce is obtained by any spouse upon proof that the marriage between the spouses has broken down irretrievably³¹. Under sub Section 2 of the same section, the facts to be proved to succeed in a divorce proceeding are listed (a – h)³² as –

²⁸ Okonkwo J. A. ; & Simon A.N. “*Divorce in Nigeria: Causes and Problems*” in Okonkwo J.I., Chief (Ed.) Amamihe: Journal of Philosophy, Vol 9 (Enugu: San Press Ltd., 2011), pp. 43-47.

²⁹ Lahey J., and Scharfenberger E., “*Divorce*” in McBrien R.P. , (Ed.), The Harper Collins, Encyclopedia of Catholic, (New York: Happer Collins Publishers, 1995), P. 423.

³⁰ Ndjine B. M., *Family Living and Development*, 3rd edition, (Enugu: Ujuno Publishers , 1998), p. 17

³¹ Section 15(1) of the MCA 2004

³² Ibid.

- (a) Wilful and persistent refusal of a spouse to consummate the marriage³³.
- (b) Adultery and intolerability³⁴
- (c) Behaviour by the Respondent 15(2)(c) MCA 2004 e.g. where the Respondent is a rapist, commits sodomy or bestiality³⁵.
- (d) Frequent conviction of Respondent³⁶
- (e) Prolong imprisonment of the Respondent³⁷
- (f) Conviction of Respondents attempt to murder or assault the petitioner³⁸.
- (g) Habitual and Wilful failure of Respondent to support petitioner as Order by Court
- (h) Desertion.

2.0.6 Interference by In-Laws and Other Third Parties

According to the Oxford Advance Learner's Dictionary, to interfere (in something) is "to get involved in and try to influence a situation that does not concern you in a way that annoys other people"³⁹. This interference is the act of meddling in other private lives or dealing, this time in marriage.

In Nigerian customary laws and even under the Act, marriage is still seen not only as a relation of husband and wife, but also of the two families, involving parents, brothers, sisters and even uncles and aunts, villages, communities, and even States. Thus a

³³ Section 15(2)(a) MCA 2004; see also *Owobiyi v Owobiyi* (1965) 2 ANLR 200

³⁴ Section 15(2)(b) MCA 2004

³⁵ Section 15(2)(c) MCA 2004

³⁶ Section 16(1) (c) of the MCA 2004

³⁷ Section 16(1)(d)

³⁸ Section 16(1)(c) MCA 2004

³⁹ Section 16(1)(f)

person from Okigwe regards another person from Owerri who has married from Okigwe as an in-law and stakeholder in that marriage. The temptation is always there for these stakeholders to meddle in the marriage relationship by way of advice. However, when couples get married, they should always endeavor to settle their difference themselves. They should know that marriage is not bed of roses. Any home, where in-laws and other third parties have undue influence, always risks failing apart.

2.0.7 Career Engagement

In Nigeria today, many families face the challenge of struggling for survival due to the harsh economic situation. Life is hard and getting more costly that couples need to work hard to enable them survives. Consequently, more families are deprived of both long and short term due to work demand. In as much as money is very important for the upkeep of the family, its pursuit should not be to the detriment of the family. Hence anyone who desires to have a family should be very careful and plan well so as to have enough time to build up. Couples should always endeavour to stay close to one another to keep their marital love warm. The husband needs the wife and vice versa, the children need the parents for a holistic formulation at least at a good degree.

2.08 Immaturity

It means the state of not being fully developed or grown. And to be immature is to behave in a way that is not sensible and is typical of people who are much younger, or not fully developed or grown⁴⁰. Immaturity of the one partner or both creates problems in fulfilling their marital duties or in living up to their ideals. Experience has shown that men could be immature due to

⁴⁰ Sally A.W, *Oxford Advanced Learner's Dictionary*, p. 779

the fact that they are only issue of the parents and thus marry very early when they have not develop the requisite maturity of mind to enter into marriage. Sometimes parents lure their children into early marriage just to have grandchildren. Today many ladies jump into marriage because of their inability to face harsh conditions of life in their poor homes.

2.0.9 Unrealistic Expectations

Today people go into marriage with a lot of expectations. Some couples anticipate rose covered cottages, walk-down primrose lanes, and unmitigated joy in marriage. If these intentions are not met or cut short, there would be trouble in the home which may lead to separation and later divorce. Many marriages have crashed because couples compared themselves with unrealistic images in films and on television and concluded that their marriage is not as idyllic as it should be.

2.010 Conflicts and Abuses

Generally speaking, arguments and conflicts are among the major reasons for divorce for both sexes. Experience has revealed that the seeds of dissatisfaction are often sown years before marriage. A strong predictor of divorce is negative interaction before marriage and unless people change their interaction pattern, marital distress grows, increasing the likelihood of divorce. At times conflict escalates in abuse. Today in Nigeria, many families are experiencing different types of abuse-abuses of children, spouse, and the elderly physically, sexually, emotionally and verbally. Verbal abuse is very destructive. Words hurt severely if they demean intent to cut and focus on victims' weakness. Couples should always try to use words that can build up their homes and avoid harmful utterances.

2.0.11 Lack of Communication

Communication is the activity or process of expressing ideas and feelings or of giving people information. Communication problems derail many marriages. For a smooth running of the family, couples should ensure that there is no communication gap between them, as well as between themselves and their children. The husband needs to make sure that the wife knows what he is doing at all times, where he is going, what he does, his plans etc. on her own, the wife should hide nothing from the man. Any time any of the parties begins to feel that there are some things he/she does not know, mistrust, insecurity and suspicion set in and this may lead to separation and latter divorce.

Commenting on the poor communicating between couples, B.N. Maduekwe articulates:

Without communication, couple cannot achieve the intimacy, mental and physical, which makes relationship work. Poor communication makes a couple slowly to drift apart. The couples live as co-tenants who accidentally share the same roof. A couple under this category is known jocularly as a “married single”. This married singles are in effect spiritually divorce because there is no longer a bond of love holding them together.

In any relationship where effective communication is lacking, poor communication reigns and where this is the case what follows is emptiness, loneliness, self-centeredness, frustration, suspicion and doubts, alcoholism, infidelity, etc.

2.0.12 Substance Abuse

Today, one of the problems plaguing the family is caused by the abuse of substances e.g. alcohol and other drugs. A good number of the ladies are more interested in getting married than in

building a stable and stable home. This is why they rush into marriage without first of all taking precautions. Later on, when they discover the true nature of their partners, their relationship begins to go sour and they engage in substance abuse in order to live a life of self denial of their predicament. This can lead to divorce.

One major reason why a lot of people indulge in drug and alcohol intake is that some states' policy favours it. As researchers have said, alcohol and drugs are very dangerous to the body when taken excessively.

The resultant effects of too much alcohol are drunkenness. It causes the drunkard to stagger, lose muscular control, think and speak incoherent, become boisterous and disorderly, and act rashly with poor judgment. In greater quantities, it may produce violence, acute physical illness and loss of consciousness... one can see that drunkenness can make a victim of it to go into acts of daring such as: driving unnecessarily at high speed, walking out on a boss in the office, infidelity, sleeping in the drainage, fighting, rapping and being raped.

It is very obvious that alcoholic families are usually marked by poor communications, denial, lack of trust, sexual abuse, physical and emotional neglect, quarrels, hatred and poverty. The children of alcoholics are faced with the problem pain and personal problems.

2.0.13 Lack of Openness and Insincerity

Insincerity is all about saying what other person wants to hear. It involves not being sincere, honest, genuine and truthful. Insincerity means being hypocritical, artificial, counterfeit,

double-faced, and fake. In other words it implies one not to be trusted; such a person cannot be relied on⁴¹.

A lot of marital homes have crashed as a result of insincerity and lack of openness. This has led many marriage counsellors to attribute such to lack of truth and openness to the marital partners. Little wonder the Latin adage adds; “*nemo dat quod non habet*”, that is, no one gives what he or she does not have. Spouses should be not secret between the two partners.

2.0.14 Incompatibility

When two people are said to be incompatible, they are very different from each in terms of their idiosyncrasies of life. Marriages between such people do not last. Such a marriage occurs because none of the spouses took time to study the other before marriage. Recently most young people venture into such marriages and try to jump out again.

2.0.15 Male Chauvinism

The superiority complex which is the irrational belief of the superiority of man over the woman is the root cause of male chauvinism. Any man with such mentality sees the woman as a slave. Thus he does not see the woman as a lifelong partner but someone he can control at his whim and caprices. In our society today, such is not the mode because, women are now more enlightened and will not welcome such attitude. It is high time that men understand that human dignity is equal in relation to both sexes. Men and women are created by God in his own image and likeness and are of equal status. Therefore the genesis account on the creation of woman as a helper to Adam (Gen 2:18) should not

⁴¹ Walker S. A., *Oxford Advanced Learner's Dictionary*, p. 745

be interpreted wrongly. Woman is not less human than man; both have the same dignity.

2.0.16 Negative Media Influence

The media has a lot of influences on the lives of most Nigerians. Cinema, Television, Radio, Novels, Internet, Mobile Phones, Newspapers, etcetera, create and favour a new culture. They present a picture of marriage relationship far from what obtains in our society. People who go into marriage with this distorted vision will definitely create many problems in their homes. The media propagate marital ideals that are utopian, thus leading people especially prospective couples astray.

Today, people show a disdain for the sacredness of family values, like martial fidelity, indissolubility, family commitments etc., because of the media. The media present these values as burdensome and harmful to the personal happiness of the individual. This kind of view affects the family negatively.

Pope John Paul II writes:

They could also become a vehicle – sometimes cleverly and systematically manipulated as unfortunately happens in various countries of the world for divisive ideologies and distorted ways of looking at life, the family, religion and morality, attitudes that lack respect for people’s true dignity and destiny.

2.0.17 Consumerism

It is the belief that is good for a society or an individual person to buy and use a large quantity of goods and services. Consumerist culture is the order of the day in our society. People carelessly buy and accumulate any number of goods, without considering its necessity. In consumerist environment, people confuse needs

with wants. They buy many properties, television, mobile phones, big houses, fleets of cars etc, when they do not need them. Here, a person valued because of what he/she has and not because of what he/she is. So what is enjoyable and useful is considered good and worthwhile. Consumerist homes are very likely to collapse in the absence of money. Also the elderly and the children are seen as obstacles to the enjoyment of life in the family.

2.0.18 Joblessness

It has left many people poor and sad, especially men. It has equally made marriage dissolution so common. A lot of marriages have collapsed because the man is not able to work and provide for the upkeep of the family. Many ladies lack understanding and would not tolerate such a situation. Once the man does not perform his family responsibilities as and when due, they begin to insult, curse, disrespect and make caricature of him. For some ladies, marriage which lack money on the part of the man (husband) will not work out.

2.0.19 Objectification of Women

Many marriages have crashed because some men see their wives as object of sexual pleasure. They have turned them to sex machine; no regard for the woman and her desires. Some men see sexual intercourse as food and will not want to be denied of it any time they want it. Such men do not care about the feelings and reaction of their wives. This attitude is unacceptable to women.

2.0.20 Inequality in Education

Experience shows that so many marriages have failed because the women are more educated than the men. This kind of situation can lead to ‘ego-problem’ due to the fact that the woman is richer

and occupies a higher position in the society. Hence, it is difficult for her to be under her husband; and the man in the bid to show that he is in charge of the family will not accept it. Unless this is handled well, the marriage will fail.

2.0.21 Other Causes

Some other factors that affects marriage includes: marriage without understanding what commitment and permanence really means; lust; abandonment; cultural and religious difference; family background; nagging; fighting; negligence; having a divorce mentality, meaning that “when the marriage runs into difficulties I can divorce”; going into marriage with a hidden agenda; going into marriage out of deceit; suffering from personality disorder; lack of models; selfishness; jealousy; pornography; costly wedding, where people borrow huge sums of money just to sponsor their wedding and are unable to pay back after wedding; responsibility; lack of mutual understanding between couples; family violence; women emancipation; impotence; lack of proper preparation for family life.

3.0 The Challenges of Broken Families

When a marriage crashes, it has adverse effects on the spouses, children and society, jointly and severally in the following ways:

3.0.1 Social-Political

As its social and political function, the family institutionalizes procreation and provides guidelines for regulations of sexual conduct. Sadly, this function suffers following a separation/divorce. Hence, the reverse becomes the case. Divorce creates single-parenthood which is an obstacle to procreation. Children in single parent families usually experience less contact with other adults in the community. This ‘less contact’ is what

sociologist, James Coleman, describes as ‘social capital’. For him, social capital consists of the bonds between parents and their children’s friends’ parents, their children’s teacher, coaches, religious leaders as well as other adults⁴². These ties children have with other adults help parents in the supervision and guidance of the children. And these ties having been cut by divorce, parents are put in difficulties as regards the proper care, supervision and guidance of their wards. In this situation children become like sheep without a shepherd. What follows then is misbehavior. Another sociologist, Robert Sampson, has it that in communities composed primarily of single parents, people are less involved in community politics, in recreational and service organizations, and in the educational organizations such as the library, which teach teens vital skills, connect them to other adults and wider social institutions and assists parents inculcate values and beliefs that encourages good conduct⁴³.

In a related development, Jude Onuoha and Simon Nwachukwu sum up:

Boys and girls tend to react differently to their parents’ divorce. As a rule, girls tend to become anxious and withdrawn, while boys tend to become more aggressive and disobedient. Girls from divorced families may become sexually active earlier than girls from intact families. This is more obvious when the child suffers abandonment by both parents. This exposes the child to precarious situation which tend to mar his/her personality as he or she grows⁴⁴.

⁴² Madu K. (ed.), “*Man Divorces Wife for hiding receipt of Child’s School Fees*”, Lumen newspaper, November Edition, (2017).p\

⁴³ Ibid P. 130

⁴⁴ Pope JohnPaul II, *Familiaris Consortio*

The children from broken families are likely to be involved in more crime and delinquency due to their detachment from their parents whose duty is to call them to order. Such children are used by some selfish politicians in our country to perpetuate their selfish plans. The resultant effects may be going into crimes such as armed robbery, cultism, kidnapping, militancy, political thuggery. This makes them enemies of the society.

Physical

Divorced individuals also have more health problems and higher mortality rates than married or other non-divorced persons. They face loneliness and other difficulties especially when they are innocent parties⁴⁵. Linda J. Waite and Maggie G, research evidence shows that the children living in female-headed homes are more likely to be hospitalized, to have chronic health conditions such as asthma, heart ailments, or convulsions than those in two parent homes⁴⁶.

It is equally observed that divorced people pass through emotional problems while women suffer depression; men mostly end up in alcohol and drug abuse as well as smoking. In a country where there are many victims of divorce, the wellbeing of such country is threatened because many of her citizens will be unhappy and distorted.

3.0.3 Psychological

Among the problems faced by the victims of divorce is psychological stress and disorders. Research has shown that divorced individuals exhibit higher level of depression and

⁴⁵ Ibid P. 130

⁴⁶ Waite L. and Maggie G., *The Case for Marriage.*, p.130

anxiety than individuals who are married, and those divorced also tend to have poorer self-concepts and exhibit more symptoms of psychological distress.

In their studies, Paul R. Amato and Alan Booth discovered that divorced parents show slightly higher levels of behavioural and psychological problems and average than to those from stable home. Divorce, despite the reason, goes with a deep sense of loss and anger. Affirming this view Martin H. Padovani writes; “Accompanying the deep sadness connected with most divorces are the string and at times overwhelming feelings of anger, rage and even hate. The deep hurt, fear and frustration connected with divorce will naturally evoke tremendous anger”⁴⁷. It is unfortunate that many Nigerian have developed one psychological disorder or another due to divorce.

3.0.4 Educational

“The test of giving education is rooted in the primary vocation of the married couples to participation in God’s creative activity...”⁴⁸ regrettably, this noble task suffers a huge setback when couple’s divorce. The education of many Nigerian children has met a sudden death as a result of their parents divorcing each other. Studies have shown that children from divorced homes experience lower academic achievement. While poverty has forced some to abandon their schooling, others have been transferred to low grade schools due to the inability of a single parent, probably the mother, to see to the cost of training his/her children in high grade schools.

⁴⁷ Martin H. Padovan, *Healing Wounded Relationships*, (Mumbai: Pauline Publications, 2006), p. 166.

⁴⁸ Martin H. Padovan, *Healing Wounded Relationships*, (Mumbai: Pauline Publications, 2006), p. 166.

There are many dropouts today who roam the streets hopelessly. While the boys have taken to alcoholism, smoking, armed robbery and other social crimes, the girls have fallen back to prostitutions and some have been patronizing the so-called ‘babies factories’ (where they are impregnated by hired men and on the delivery of the babies they are paid some amount by the owners of these ‘baby factories’, in exchange for the babies). Such children will definitely have a bleak future. This is because they do not enjoy once more ‘the marriage advantage’ as children which their counterparts in stable homes enjoy even to their adulthood. Studies done by McLanahan and Sandefur, revealed that less education means that as adults, children raised outside of intact marriages have no average, lower incomes, less prestigious jobs and greater unemployment rates than their more fortunate peers⁴⁹.

What we have stated so far is a clear pointer that in future most children from divorced homes are most likely to be intellectually, morally economically, socially, psychologically, religiously poor and powerless. They will end up in becoming agents of social disorder.

3.0.3 Economical

Economically speaking, the family provides food, shelter, clothing and physical security for her members. Many of whom may be too old or going to provide for the basic necessities of life may not be available at all or may be provided in a very meager form when couples are separated. Divorce does a great harm to the individual partners, their children and the elderly in a home. No matter how far divorce can go in reducing family conflict as

⁴⁹ ibid

many have claimed, it creates financial difficulties especially for women. It increases the lack the woman will experience which is capable of reducing the quality of her parenting. On the side of the man, there is lesser reductions or little increase in their incomes. This is so with the working class. In a family where the wife is only a house wife and is dependent on the husband's wealth for her needs, divorce will have a greater harm on her. The reverse is the case where the wife is bread-winner of the family.

Divorce equally reduces the standard of living of the divorced partners which will in turn affect their children. Divorce costs children many of the advantages that money can buy. Linda J. Waite and Maggie Gallagher observe that "on average, divorce causes a child's standard of living to drop by about one-third. And for middle-class children, the losses may even be larger"⁵⁰. More so, children in single-parent families are often doubly disadvantaged because they have access to the earnings of only one adult, usually the wife. They lose the self-in economic gains of the married partnership – economics of scale (capable of reducing expenses) and specialization (that boost productivity both inside and outside the home)⁵¹. Lastly in some communities in Nigeria, divorce leads to the sharing of the family assets by two parties. But often times this causes a lot of conflicts and fighting.

3.0.4 Cultural

In Nigeria cultural values such as honesty, hospitality, sacredness of life, communal life, respect for elders, purity of life and religion are deteriorating day by day. Many Nigerians, especially the products of broken homes who lack disciplines and proper

⁵⁰ Waite L. & Maggie G., *The Case for Marriage.*, p.136

⁵¹ Linda W. and Maggie G., *The Case for Marriage.*, p.126

natural upbringing shun these values and behave any how. They live like people without faculty having forgotten their values. Such a reckless way of life has put the image of Nigeria in international circles into opprobrium. Little wonder Nigeria is listed as one of the most corrupt countries in the world. This is highly regrettable and disheartening.

3.0.5 Religious

The term religion derives from three Latin words as its roots, namely: *ligare* (meaning, “to relate”) *religare* (meaning, “to unite”, or “to link”) and *religio* (meaning, relationship). Thus religion from its etymological sense is essentially a relationship; a link established between two persons, namely, the human person and the divine person believed to exist⁵². the divine person is God. Man’s relationship with God demands total and true worship to God from man. He does this by obeying the commands of God, the Supreme Being. As part of their parental duties towards their children, parents should inculcate in them both moral and religious values. Unfortunately, this task is neglected by divorced parents due to their condition. Hence their children lag behind in the areas of morals and religious values. Commenting on this ugly situation John Burke says: “Many children who suffer from the effects of separation find it very difficult to believe in God given the deep level of alienation from the love of their parents”⁵³.

The level of suffering being undergone by the victim of divorce makes them to feel that people and even God hate them. Being

⁵² Ibid.

⁵³ Omoregbe I. J., *A Philosophical look at Religion*, (Lagos: Joja Educational Research and Publishers., 1993), p.11

exposed to the challenges of collapsed families, the question remains: what could be the way to address these problems?

4.0. How To Maintain A Stable Marriage

One of the ways of maintaining the stability of marriage is for the government to empower her citizenry especially the married both economically and socially so as to enable them cater for themselves and their families. A poor family cannot make a happy home. And a sad home has every tendency to disintegrate at any time. The issue of empowering the married man was emphasized by Pope Pius XI in his *Casti Connubi*:

...that in the state such economic and social methods should be adopted as will enable every head of a family to earn much as according to his situation in life, is necessary for himself, his wife and for the rearing of his children, for the labourer is worthy of his hire⁵⁴.

Besides individuals and corporate bodies and organizations that have the wherewithal can help in this regard.

4.0.1 Enacting of Pro-Marriage Legislations

The Nigerian government should see it as one of her most important administrative duties to enact and enforce of pro-marriage laws. Such laws should help the married to cater for their needs without incurring any harm. When the state takes adequate care of married people and their families, those who are indifferent to marriage or afraid of getting married will be encouraged to see marriage as a precious and interesting way of

⁵⁴ Apostolic Exhortation, *Familiaris Consortio*, of His Holiness Pope John Paul II p. 66.

life. A good way of doing this is by providing social security for all unemployed and vulnerable members of the society.

4.0.2 Encouragement of Model Marriages

There is urgent need for the society and the church to provide adequate models for young couples whom they will look up to in living their lives. They will help to put to an end people doing things haphazardly, not caring, even though they have taken part at the wedding. Often times, couples forget their marital vows and lead any type of life they want. But where there are models, such as a situation of ‘do what you like’ will be checked.

4.0.3 Outlaw Of Unmarried Pregnancies And Childbearing

Every effort should be made to stop unmarried pregnancy and childbearing. The consequences of single parenthood for teens are especially worrisome. Studies have revealed that having a baby outside marriage makes getting married later much more difficult and much less likely. Giving birth before completing secondary and even University education makes both parenthood and education a bigger challenge.

4.0.4 Parental Control Of Media Access For Their Children

In the world today, some film industries have targeted at the youth with the aim of exposing them to pornography. This is done by production of sexually explicit films which they make available for sales in the market. This is dangerous. Thus there is need for parental surveillance and control over the media which their children can access.

4.0.5 Effective Communication In Marriage

The role of communication in marriage cannot be over emphasized. Good communication springs many good things in

its wake. According to J. Maurus, good communication in home and office makes life at home or office smoother and more efficient⁵⁵. Communication in marriage opens to couples great ambiance for information concerning their rights and responsibilities. Couples should try and keep communication alive at all times as its death marks the beginning of crisis in their relationship. Silence is the real killer of marriages.

4.0.6 Forgiveness In Marriages

Marital forgiveness is that special virtue of marriage where one forgives the hurts inflicted upon him or her ones spouse either intended or unintended⁵⁶. Due to man's sinful nature and human limitation, it is very obvious that couples will from time to time offend each other. Cultivating the spirit of acceptance and forgiveness will support an on-going relationship. Forgiveness is very important for a happy and stable marriage.

4.0.7 Fatherhood Should Be Honoured And Supported

As more children grow up in single-parent homes (which are mainly female-headed homes) fathers appear irrelevant. They are considered as problem and dispensable. It is observed that children who grow up in fatherless homes are more likely to be involved in criminal activities because they lack a positive male role model in their lives. Fathers are very important in the upbringing of children. While young girls from fatherless homes have been observed to be more likely to be involved in unmarried pregnancy and childbearing, young boys in fatherless homes are twice as likely to father a child out of wedlock as boys from intact families. Fatherhood is necessary and should be given adequate

⁵⁵ Pope Pius XI, *Casti Connubi*, p. 115.

⁵⁶ Maurus J., *Its' Human Relations that Count*, Munbai: (Better Yourself Book, 1979), p. 35.

support by government by materially encouraging them to fulfilled their roles towards their children, for example by paying paternity allowance. Without fathers, erecting strong families cannot be realizable.

4.0.8 Organizing Sensitization Programme

The parents, guardian, teachers, religious leader, counseling experts and non-governmental organizations should always organize seminars and workshops for couples, bachelors and spinsters so as to inculcate love and true concept of marriage in them. This should be done from time to time. In fact, it will be wonderful if the government creates an agency which will be saddled with this responsibility.

4.0.9 Inclusion Of Moral Instruction At All Levels Of School Curriculum

The government should ensure that moral instruction is not only inserted in the curriculum of all public schools, but that its teaching is taken seriously. Similarly, all private schools should see that their students are ingrained in moral instructions and virtues so as to be responsible and God-fearing citizens in future. Good families make up a good society. It is pertinent to state all that we have said herein concerning remedying broken homes is not exhaustive.

Conclusion

Lord Penzance had emphasized in his definition of marriage that

1. It should be a voluntary union
2. Between a man and a woman i.e. people of opposite sexes.
3. The intended marriage is to be permanent i.e. until death do them part.

From our analysis here-in-above, it is apparent that marriages that break up mostly are those that are not compliant with Pensance's definition. His emphasis that the spouses should have it at the back of their minds that marriage is a permanent thing at least till death do them part, imposes the obligation on the couple, thou not to even think of failing in the marriage, whatever it takes them to succeed because as we have seen above, the consequences of failed marriages are far reaching on the family system, in the society, the State and the Nation at large.

Before now, marriages in Nigeria were much more stable. Marriages were viewed as sacrosanct as the traditional African and Nigerian societies held it. It could be contracted between one man and many women but the ideal value of it lay in its permanence or dissolubility. But the craze for human right education and enforcement has dealt a big blow on the above traditional concept of marriage.

African and indeed Nigerian marriages were built round the man; as the superior partner. There were no pretences that the man was in charge of the marriage. Even the traditional African and indeed Nigerian society was a male-dominated society. The man was king in the society. His being a man entitled him to numerous advantages over the woman. So many privileges, which sometimes translate into stepping on the toes of the woman were taken for granted up to the ridiculous extent of designating certain parts of meat as the exclusive preserve of the man to eat. The man was held in very high esteem that he could trample on the rights of the woman without her complaining. Thus, the Nigerian man was promoted by society to that of a dictator. This dictator also dictated in his marriage and there was stability in marriage. But over time the insistence of women on having their rights without

infraction has challenged the dictator position of men. Women can now slap their husbands, which was once a taboo. Women can now “starve” their husbands under various guises and get away with it, which was also taboo. Yes, the English Women’s Property Right of 1882 had been in our statute books as a statute of General Application but only as decorative enactment. Today Nigerian women are enforcing this law. Nigerian women have enforced their right to inherit their father’s property, like their male counterparts⁵⁷, making them have double portion i.e. from their father’s family and from their husband’s family. The trend wherein Nigerian women boldly enforce their rights which were hitherto trampled upon by men is eroding the stability and indissolubility of marriages.

Our conclusion is that Nigerian women should strike a balance between wholesome enjoyment of their rights and stability of their marriages.

⁵⁷ David, M. Todd, ‘*Marriage*’ in Joseph A. K., (Ed.), *The New Dictionary of Theology*, (Bangalore Theological Publication, 2006). P. 626.