Reflections on the Challenges Negating the Obligations and Rights of Spouses Within the Partnership of Conjugal Life: That We May Lay Siege.

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ABSTRACT

Marriage is a divine and sacred institution. In the divine economy, husband and wife became interchangeably fused; they become one whole as partnering helpers with obligations and rights. Despite this truth, it is sad to note that societal trends and survey reveal that some people no longer revere the institution of marriage as a serious commitment for life. Today, many marriages are on the verge of extinction and separation. This article argues that there is no gaining saying that amidst its divine origin, sacredness, irrevocable and irreplaceable value, the obligations and rights of spouses within the partnership of conjugal life have been besieged by enormous challenges. Thus, in the quest of promoting equity and love between spouses, this paper is a reflection on the challenges vitiating the obligations and rights of spouses in sustaining and promoting equality between spouses in marriage partnership. In addition, it articulates ways of laying siege to the challenges bearing in mind that marriage as a divine institution, confers on spouses' equitable rights and responsibilities.

INTRODUCTION

In its entirety, marriage is a divine institution. No wonder, in the divine economy, husband and wife became interchangeably fused; they become one whole as partnering and helpers with obligations and rights. By faithfully carrying out their obligations and asserting their rights, within the partnership of conjugal life, spouses live out their special calling and a commitment for life. However, regardless of the efforts of the Church and the legal provisions of Nigeria, it is sad to note that this is no longer the reality. The suppression, oppression and negligence on the part of some spouses poses a threat to their obligations and rights within the marriage. Bearing in mind this problem which appears to be cancerous, and regardless of the current trends and orientations in society, this reflection argues without prejudice that "a helper within a marital context designates someone who comes alongside another to render support in a manner that both strengthens and adds value to the person being supported." Such a relationship is one of giving of oneself for the sake of the other by contributing to making the other more productive and beneficial to the church and society (Biwul 172). Some spouses no longer revere the institution of marriage as a serious commitment for life; one of the obvious reasons and foundations why spouses within conjugal life neglect and substitute their obligations and rights.

This article is a reflection on the challenges negating and vitiating the obligations and rights of spouses within the partnership of conjugal life. It is of great importance to state that the objective of this work is promoting and sustaining equity, equality and love between spouses. Furthermore, the article delimits itself to sacramental marriages and marriages under the Act.

Beginning with conceptual clarifications on the key terms, this refection goes further to present an expose on marriage as a noble vocation and partnership. It also presents the obligations and rights of spouses within the partnership of conjugal life. In addition, it succinctly presents the challenges negating this partnership today. As a contribution to knowledge, it articulates ways of laying siege to the challenges negating the obligations and rights of spouses within the partnership of conjugal life bearing in mind that marriage as a divine institution, confers on spouses equitable rights and responsibilities.

Clarification of Terms

Obligations

T. FitzGibbon, avers that obligation has much to do with the good and the right (FitzGibbon 42). According to the author, the Latin root of "obligation" is *obligatio*. Translated literally, it means a binding up; so, to have an obligation is to be tied (FitzGibbon 42). To wit:

To have an obligation is to be tied tight, not loose; with rope, not with rubber. Obligation involves duty; it is not supererogatory; it involves requirement or strong demand, not just suggestion or recommendation. In marriage, sexual fidelity is an obligation; entertaining conversation and a good income are merely desiderata. (FitzGibbon 43).

To drive this stats home, obligation in its fullest form is social: it involves commitment to some specific person or group (FitzGibbon 43). In addition, "Obligations" as used in this reflection connotes duty, commitment, and responsibility, which spouses are bound by the provisions of natural, divine, and canonical laws to abide by in order to sustain their marital union. It is pragmatic and binding on both males and females, regardless of their status. Obligations are essential and cannot be replaced or denied.

Rights

From the legal dimension, in Nigeria Article 12 of the Human Rights Guarantees men and women of marriageable age the right to marry and establish a family. Every individual in Nigeria possesses the fundamental right to enter into a marriage contract based on their free will and full consent. The need for mutual consent is also recognized by Nigerian Law, which ensures that neither party is forced or coerced into marriage (https://lawpavilion.com/blog/the-legal-rights-of-spouses-in-marriage-under-nigerian-law. Accessed 20/11/2024). Furthermore, Dayo and Esther Randle, in "Fundamental Human Rights Under the 1999 Constitution

As Amended, opined that "Every Nigerian has rights, duties, liabilities and privileges entrenched under various existing laws; some of these rights are constitutionally guaranteed under Chapter IV of the 1999 Constitution of the Federal Republic of Nigeria. Under the constitution, these rights are designated as inalienable rights" (https://www.mondaq .com/nigeria/ human-rights/1221232/fundamental-human-rights-under-the-1999-constitution-as-amended/ Accessed 20/11/2024). Admitting this position, Unini Chioma, in, "The Rights of a Nigerian Citizen Under the 1999 Constitution of the Federal Republic of Nigeria (As Amended)", submitted, "Nigerian citizens need to be aware of their constitutional rights; which are rights different from statutory rights and which have their unique ways of enforcement different from the ways or modes of enforcing statutory rights under the law https://thenigerialawyer. com/the-rights-of-a-nigerian-citizen-under-the-1999-constitution-of-the-federal-republic-of-nigeria-as-amended/Accessed 20/11/2024). Sequel to the above, Mary Jane Aririguzo in "Marital Fundamental Rights, Their Exercise, And the Nullity Process: A Comparative Analysis" posited that, "rights as a noun is a moral and legal entitlement to have or do something; something that one has a just claim (Aririguzo 146); also, rights are goods and benefits to which persons are entitled (Aririguzo 146). In addition, these rights also connote duties and responsibilities by which they are bound (for instance, one has a right to life as well as duties and obligations to preserve it as much as he/she can and as long as he/she lives (Aririguzo,146). Furthermore, in its entirety and composition, "human right is a gratuitous gift from God the Creator. Right is that which is good, proper, suitable, objectively prescribed by law and that which is the law itself as a rule and standard of what ought to be done, especially in the relations of men towards one another (Aririguzo 146-147).

Paul Kylao, in "A Reflection on the African Traditional Values of Marriage and Sexuality", postulated that in truth, marriage in the African sense conferred status and dignity (Kyalo, 90). Furthermore, he asserts that it conferred certain rights on the wife and corresponding duties on the husband and vice versa (Kyalo, 90). He revealed that the various rights that a man acquires after he has performed all the necessary customs (presentations) are divided into two classes: rights in *uxorem,* meaning rights in genetricism, which are the rights of a woman as a mother. Against this backdrop, it therefore means that the man must feed and protect

the wife and children (Kyalo, 90). He further admonished that these rights, although obvious, are supposed to be taken seriously, for failure to perform this sacred function could lead to a demise of the marriage and eventually to family breakup and shame (Kyalo, 90). It is against this backdrop that L.A.E Colaco in "Christian Marriage Divine Law and Fulfilment," maintained that man and woman have in ideal marriage equal rights and identical duties. The right to be gratified, the duty to gratify or far better, the right to give gratification (Colaco, 29). Notwithstanding, the "rights" of the man must not encroach and predominate the woman, and equally the woman's rights must not do so either (Colaco,29).

Uchenna Cletus Amuh in "Dynamic Canonical Complexities Surrounding the Freedom of African Women in the Choice of Spouses" averred thus "to legitimately be the protagonists of their actions in this case, obligations and rights; the subjects who posits the juridical action must be free in his/her knowing, free in his/her willing and free in his choice to execute the act. In this sense, for every juridical act to be validly performed, it is required that it be knowingly, willingly, and freely performed by a legally capable person (Amuh,42-43) who is not restricted or impeded by law.

Spouses

Spouses for the purpose of this research mean men and women who have been canonically joined together by the sacrament of Holy Matrimony. They are members of Christ faithful who have been vested with obligations and rights according to the provisions of the Code of Canon Law. As members of Christ faithful who have been incorporated through baptism, they are bound to promote and preserve the teachings of the Church.

Partnership

The word "Partnership," as used in this study signifies coexistence, unity, and a formal agreement between a man and a woman to live together in marriage, as a result of the sacrament of holy matrimony. Therefore, for the purpose of this research, it functions as a strong connection and foundation that ultimately unites couples towards achieving the goals of conjugal life, in accordance with the Rights of Spouses.

CHRISTIAN MARRIAGE: A NOBLE VOCATION AND PARTNERSHIP

Cletus Amuh, aveered that "Marriage is both a natural and a sacred reality (Vatican Council II, 1975). A man and a woman establish it through their freely given and mutually accepted consent exchanged by both for the purpose of committing themselves totally to each other". (43) During the creation of man and woman, God's graciously situated the reciprocal nature of their respective sexual attraction in view of conjugal union, partnership and procreation (Amuh14) Christian marriage sanctified by Christ conjures the whole work of creation of the world, which finds its zenith in man, made in the image of God (Amuh 15). It is a marriage celebrated under the guiding principles of an ecclesiastical law. It could be between two baptized persons which is sacramental (can. 1055, §2), since marriage between two baptised has been raised to sacrament by the sanctifying power of Christ or between a Catholic and non-Catholic in which the Catholic matrimonial law binds them. Thus, mixed marriage (Catholic and baptized non-Catholic) or disparity of cult marriage (Catholic and a non-baptized) could be referred to as Christian but not sacramental marriage. Every validly celebrated sacramental marriage is a Christian marriage, but not all Christian marriages are sacramental marriage. Christian marriage, by nature, intends the good of the spouses as they mutually and perpetually give and accept each other. Procreation becomes one of the outcomes of the mutual gift of themselves, a living reflection of their love, a permanent sign of conjugal unity and a living and inseparable synthesis of their being a father and a mother (Amuh16) This union is indissoluble for it is a union of "whole of life" involving every aspect of their daily life and not limited either in scope or intensity (Amuh 17). By this each spouse embraces the good of the whole person of the other an embrace that encourages their "persevering endeavor to bring each other to the state of perfection." (Amuh 18) It is the sum of all the goods which flow from the interpersonal relationship of spouses, (Amuh 19) and promotes the spiritual, intellectual, physical, moral and social good of the spouses (Amuh 20) as it fosters unity and indissolubility of marriage (Amuh, 105, The Role of Knights).

To adequately implement the roles of obligations and rights, all forms of fear and force should be alienated and

discouraged. He bemoaned the effect and impact of age to the freedom of choice of a life partner which by extension affects the roles of spouses within the conjugal life (Amuh, 52, dynamic).

According to its original purpose and goal, the marital relationship is meant to be a consistently suitable, supporting type of relationship that supplies specific needs to remove loneliness and boredom (Gen. 2:18, 20b). In the divine economy, husband and wife became interchangeably fused; they become one whole as partnering helpers (Joel. K. T. Biwul, 172). Therefore, creating a sustainable future through marriage, as Mwandayi suggests, is an act of partnership with God in creation. It is a partnership which God through the participation of people who enters into a marriage union. A partnership which should be characterised by mutuality, respect and love. In other words, this should defeat any sign of negative cultural ideologies which may attempt to denigrate other person. (Baloyi 5-6). If a marriage is to be enacted as a drama on stage, two people must play in a delicate and complementary way that not only shows respect and love for each other but also respects the rights of individuals in totality. Masenya as cited by Baloyi raises a similar point that "a husband and a wife should exude a spirit of mutuality and complementarity rather than a competitive spirit". She goes on to state that: "If any marriage or family is to flourish, both husband and wife should jointly work together for the welfare of such institutions" (Baloyi 6-7).

OBLIGATIONS AND RIGHTS OF SPOUSES WITHIN THE PARTNERSHIP OF CONJUGAL LIFE

Monrad G. Paulsen opines that the moment the marriage relation comes into existence, certain rights and duties necessarily incident to that relation spring into being. One of these natural and essential duties is the obligation imposed by law upon the husband to support his wife (Paulsen, 713). Hence, the male spouse has the obligation to be the initiator of love (Gaya,41). Arguably for a fact, "A husband's most important responsibility is to support and nurture his wife's spiritual growth, ensuring that she is deeply connected with God (Gaya, 41). He must recognize that her happiness, fulfilment, and purpose as a woman, wife, and mother are all inextricably linked to her relationship with the Lord (Gaya, 41) and humanity around her. In the same vein, a wife has a corresponding obligation and right to support her husband's spiritual growth (Gaya, 41-42) and personal development, recognizing that his relationship with God is crucial to his well-being and the marriage (Gaya, 42). Again, she has the obligation to be her husband's biggest fan, value his husband's opinions, wisdom, and character and also prioritize his needs, values and fulfilling sexual relationship (Gaya, 42). Not losing sight of the kpim of our reflection, Gaya insisted that submission on the part of the female spouse is not about inferiority or blind obedience but about embracing God's design for marriage and honoring her husband's leadership (Gaya, 42).

Bearing his mind on the subject matter, Uche Amuh submitted that spouses have obligations and rights to the mutual donation and acceptance of each other (106). This consists in donation in sociality which ultimately signifies and involves a call to non-violation of social unity of the couples (106). He added that: The donation of one's sexuality implies granting one's spouse right to one's body. In this way, the unitive and procreative dimensions of conjugal acts become inseparable. Couples cannot engage in conjugal act solely for procreation deprived of the unitive essence of marriage since such would vitiate marriage consent. Right to a conjugal act is a basic unitive element of marriage consent. By the act of conjugal love couples express in action the mutual gift of themselves to each other during the institution of marriage (Amuh, 106).

Scott T. FitzGibbon, in *"Marriage and the Good of Obligation*, stated that "Marriage would not be fully marriage without obligation. Marriage comes into its own as man and wife embrace obligation to one another. Marriage seeks obligation, fosters it, and even rejoices in it (FitzGibbon,42). The revered scholar maintained that Marriage involves obligation just as fundamentally as it involves respect, mutual knowledge, and love. It is worthy of note that many marital obligations are not even mentioned in the wedding vows. (FitzGibbon 45). For example, the groom does not usually swear to live with his spouse in the same dwelling or to support her materially or to help with the babies (FitzGibbon 45). Interestingly, some of the obligations have an open-ended character unfamiliar to the world of business agreements (FitzGibbon 45) and other areas of life. As witnessed and experienced in society and our world today, empirical evaluation and verification, many go unspoken and many do not emerge until later in the course of the marriage and conjugal relationship

(FitzGibbon,45). Interestingly, even those that are specified at the outset of marriage life and partnership seem to have a deeper, sub promissory basis. No one would think he had an excuse for adultery if he could reread his wedding vows in some future year and discover that they had omitted the part about forsaking all others (FitzGibbon,45). Furthermore, relying on the provisions of the Pastoral Constitution on the Church in the Modern World (Gaudium et spes) and Canon 47$1, Patrick O. Okuta posited that spouses have the obligation and right to "live a healthy state of conjugal and family life for the well-being of the individual person and of both human and Christian society (Okuta,123). In addition, "Christian couples and indeed families are bound to enjoy a peaceful, happy and fulfilled conjugal life which they established in their irrevocable personal consent to be partners for the whole of life together (*consortium totius vitae*)" (Okuta, 123).

L.A.E Colaco emphasized that "it is a grave obligation imposed on the couple by God that the couple should for that purpose do what is required to be done on their part and leave it to God, in humble submission to His Divine Will, to create the child and to infuse the soul in that child" (Colaco, 23).

In line with the above submissions, Miriam Perpetua Egbuna averred that "the roles of husband and wife in marriage are complementary and equal in dignity (Miriam, 717). No doubt, it is paramount as part of their obligations and rights to have clear roles and responsibilities that are recognized and valued in conjugal life (Gaya, 43); as a matter of prime relevance and importance each of them should take on certain tasks in the marriage and be accountable for them (Gaya,43-44). Sequel to this, spouses/couples have vital obligations and rights to always look inward about the needs of their family; most especially the wife's essential needs. To wit, it is natural to focus on your partner's actions, but true growth starts with looking inward (Gaya, 40). Therefore, husbands have the natural obligation to love their wives with unwavering dedication and unrelenting passion; the wife, on her part, is empowered to respond to this love with submission and devotion (Gaya, 41).

Without prejudice and bias to the on-going discussion, Pius Barinaadaa Kii, simply stated that duties/obligations and rights are the responsibilities expected of the couples/spouses and the entitlement they anticipate (Kii, 100). Furthermore,

they are fundamentally the responsibilities and benefits that arise from the *bona matrimonii.* From the *bonumconiugum* comes what appears to be a duty and a right to potential proactivity. From the *bonumprolis*comes a duty and right to exclusivity. From the *bonumsacramenti*comes a duty and right to perpetuity. Those things that belong to marriage flow from these duties and rights (Kii, 101).

We must admit that spouses have the innate right and obligation to beget and educate their children (Miriam, 718) in the essential values of human life (Miriam,1071). Interestingly, education in love as self-giving is also an indispensable duty and obligation for spouses who are called to give their children a clear and delicate sex education (Miriam, 1071). They have the most serious obligation and the primary right to do all in their power to ensure their children's physical, social, cultural, moral and religious upbringing (Miriam, 1070) and create a family atmosphere inspired by love and devotion to God, Blessed Virgin Mary and their fellow human beings (Miriam, 1071). Furthermore, "fundamental to this obligation and right is the conduct of the couple towards one another (Miriam,718). Unequivocally, their exemplary life, of disinterested or unselfish love in itself, teaches the children the meaning of true love and Christian ethics (Miriam,723)

The obligations and rights of spouses within conjugal life cannot be over-emphasized, and the effects and impact on the children cannot be neglected. It is against this backdrop that Miriam said:

Parental rights are correlated with parental duties. In Nigerian Law, parents are responsible for the maintenance of their legitimate Child. They are also charged under the Children and Young Persons Act with the physical condition of their child. Parents who left their children uneducated in its entire ramification may be guilty for the criminal act of their children or incur tortuous liability for the wrongful act of their children (Miriam, 1051).

Notwithstanding, since marriage exposes the spouses within the conjugal life to a close and intimate associa-

tion and partnership for life, as not seen and witnessed in any other interpersonal relationship, virtues such as love, patience, the ability to forgive, and assiduousness are fundamentally and highly encouraged and demanded (Miriam,1073) within the partnership. Going forward, Richard P. Maggi, Esq stated thus: The Catholic Church has many teachings on the obligations and rights of couples, including: Marriage is a partnership between a man and a woman that is ordered towards the good of the spouses and the education and procreation of children. Spouses must always remember that Marriage is indissoluble, meaning that it is unbreakable and Xrequires total fidelity from both spouses. As an obligation and right, partnership to conjugal life should always be a public declaration of affection between a man and a woman. To this end, marriage requires sacrifice, loyalty, and devotion within the context of a committed and loving partnership (https://www.hprweb.com/2021/12/the-churchs-teaching-on-marriage-part-one Accessed 14/07/2025). Maintaining this position, Mike Isiguzo admonished that one of the obligations of spouses is showing love and submitting to each other (Isiguzo 24). For him, the best way to show love is by giving (Isiguzo,34). For husbands, one of the cardinal obligations is to give your wife your time, your money, your listening ear, your attention, sexual satisfaction, good and appreciable gifts, romance, praise and appreciation (Isiguzo 25). On the other hand, women are obliged to reverence their husbands at all times (Isiguzo 25).

Spouses are obligated to submit to each other to ensure the sustainability of their partnership. Mike maintained thus: “Even though the man is the head of the family, in marriage both spouses are equal. They have equal rights, equal privileges, equal benefits, mutual love, acceptance and appreciation. The husband is to love the wife and the wife is to reverence the husband” (Isiguzo, 28). Love is reverence and reverence is love (Isiguzo,33). Therefore, a husband that loves his wife is obligated to respect her. In the same vein, a wife that respects her husband will love him (Isiguzo, 34). Spouses are obligated to listen attentively and consider each other each other’s opinion, views and decisions. They are to collaborate and conclude on the best options and decisions for their family. Principally, spouses are obligated to bend their rules in order to suit each other (Isiguzo, 34), bearing in mind the fact that personalities, characters and temperament is different.

To support this position, Paul Danbaki Jatau maintained that spouses have an obligation to know and appreciate the temperament of each other (Jatau, 93). Spouses must realize and admit that temperaments are the basic template with which they are created (Jatau,93). Owing to this fact, Christian spouses should know about temperament in order to enable them; (i) Know what kind of person they are naturally inclined to mary. (ii). Make spouses aware of their natural strengths. (iii) Make spouses discover and become aware of their natural weaknesses. (iv)Help spouses accept and relate amicably with their marriage partner. (v) Help spouses accept and accommodate the people they work or relate to (vi) Become Indispensable (Jatau, 93-94).

A deeper search into the Old Testament reveals that, to a large extent, it does not in clear terms or explicitly presents a concise and clear “job description (Jatau 14). Furthermore, created in the image and likeness of God, the female spouse like the man as recorded in Genesis 1 and 2 has the obligation and right to conquer the earth with the male spouse (cf. Gen 1:27:28) as his “suitable helper” and partner in filling the earth and subduing it, and as his complement provided by God, she is worthy of full respect and dignity and is to be cherished as his trusted companion and friend” (Jatau15). In order to adequately and effectively assume his obligations and rights, a male spouse has a duty “to leave his father and mother and hold fast to his wife, and they will establish a new family unit (cf. Gen 2:24) (15). Gen 1:28 imposes a duty and right on the spouses to be open to procreation of offspring (Jatau 15).

The female spouse is not left out regarding obligations and rights within the partnership. Jatau carefully classified these duties and rights according to ancient Israel to include: a, begetting children for her husband (especially male ones), which was considered a woman’s noble contribution; b, prudent management of the household; c, adequate provision of comfort and companionship for her husband (cf. Genesis 2:18 (Jatau 15), confidant, trusted friend of her husband (cf. Mal 2:14) (Jatau 15). The O.T also recognised the obligations and rights of second wives. Second, wives were to manage their household, fulfilling the divine mandate of keeping the Garden of Eden prior to the fall of humanity (Gen 1:28; cf. 2:15)” (Jatau 16).

It is important to unequivocally state that “while there was a general division of labour along those lines, the boundaries were not rigid, and some of these activities were not limited exclusively to women. Hence,

Abraham (Gen 18:1-8), Lot (Gen 19:3), and Esau (Gen 27:30-31) are all shown to be involved in meal preparations in the Old Testament. Wives were also to supervise household servants involved in domestic chores. While legally his subordinate, ideally the wife served as her husband's confidant and trusted friend (cf. Mal 2:14) (Jatau 16).

Song of Songs 2:16; 6:3; 7:10 succinctly articulates and celebrates the mutual trust and intimacy that this research avers to be the ideal characteristics of an ideal partnership in conjugal life (Jatau 16). At this point, let us quickly examine without prejudice the biblical foundations of the obligations and rights of Fathers and Mothers to each other and by extension to their children, since they all make up the structure within the partnership of conjugal life. Jatau clarified that regardless of the various debates, the primary responsibilities of the father in ancient Israel include:

Personally modeling strict personal fidelity to Yahweh; Leading the family in the national festivals, nurturing the memory of Israel's salvation; Instructing the family in the traditions of the exodus and the scriptures; Managing the land in accordance with the law (Lev 25); Providing for the family's basic needs for food, shelter, clothing and rest; Defending the household against outside threats (cf. Judg. 18:21- 25); Serving as clear and representing the household in the official assembly of citizens (Ruth 4:1-11); Maintaining family members' well-being and the harmonious operation of the family unit; and Implementing decisions made at the clan or tribal level (69).

Evidences and testimonies from the Old Testament reveal that at the same time, it is clear that the wife and mother was functionally subordinated to her husband and male head of the household (Jatau 70). Citing Daniel Black, Jatau provides the following evidence for the dignity of the wife and mother and her influence within the household in ancient Israel which reflects their obligations and rights. They include: Relating to their male spouses on a complementary level in both courtship and, once married, in lovemaking (Song of Songs); Wives and mothers often named their children; Mothers rose to their daughters' defense if their virginity at the time of her wedding was called into question; she instructed and guided by wisdom in parallelism to that of a father (Prov 1:8; 6:20); she exuded initiative, creativity, and energy; while subordinate to her husband, she is not subservient to him (cf. Proverbs 31); Women often exercised great influence over their husbands, both positive and negative and although excluded from official leadership roles in the community, they were occasionally appointed in ad hoc prophetic roles and participated in religious affairs (71). After a child's birth, mothers would cut the umbilical cord, bathe the child, and wrap it in a cloth (cf. Ezek 16:3-4). During the first decade of the child's life, the child was the special concern of his or her mother. Since, in ancient Israel, the home was the primary place of education, the mother's example and instruction were vital (Jatau 72).

Furthermore, the obligations and rights of spouses toward their children are as follows: Naming their children (together with their wives), Consecrating their firstborn sons to God; Circumcising their Sons on the eighth day, Delighting in, having compassion on, and loving their sons; Nurturing their sons' spiritual development, modelling before them their own deep personal commitment to God and the Scriptures, instructing them in the Scriptures and the traditions of salvation and covenant, and giving public witness to their spiritual commitment; Guarding their own ethical conduct so as not to involve their sons in their sin (Exod 20:5; Deut 5:9); Instructing their sons in the way of wisdom, developing their character and skills for life and vocation and teaching them to follow in their father's steps (Prov 1-9); Disciplining their sons when they erred and presenting them to the communal leaders for discipline when the sons refused to be corrected; judiciously managing their household affairs, especially with regard to inheritance, so as to ensure a smooth transition to the subsequent generation; arranging for their sons' marriage to suitable wives (Gen 24; Judg 14); Pronouncing blessings on their sons prior to their death (Gen 27; 48-49). The list of fathers' obligations toward their daughters is shorter, given the Old Testament's generally male-oriented perspective. Protecting his daughters from male "predators" so they would marry as virgins, thus bringing honour to his name and purity to their husband (cf. Exod. 22: 16- 17; Deut22: 13-21); Arranging for his daughters' marriage by finding a suitable Husband and making proper arrangements, Ensuring a measure of security for his daughters by providing a Dowry (cf. Gen29:24, 29); Protecting his daughters from rash vows (Num 30:2-15); Providing security for his daughters in case their marriage failed; and perhaps also Instructing his daughters in the Scriptures (Jatau 69-70).

According to Gordon Fee, as cited by Jatau, the household was a place of production, run by a man, wherein slaves, women, and children existed in hierarchical relationships that benefited the male-dominated household business. Men and women were not considered equals and did not exist in loving marriage relationships as we understand them. Thus, Paul's words to the Ephesians, especially those concerning household relationships, address a particular context and culture quite foreign to ours, so much so that great care must be taken when seeking to apply his instructions to our present circumstances (Jatau 42).

In his teaching on marriage, Jesus admonished spouses to maintain their conjugal partnership. They are obliged to ensure the unity which God ordains for marriage. As he said, “What God has joined together, let no man put asunder” (cf. Matt 19:6) (Jatau 35). Spouses are to refrain from divorce (Jatau 36). Therefore, “underlying Christ’s repudiation of divorce and remarriage is the recognition of the basic right of the woman to the permanent and undivided affection of her husband, a right essential to covenant marriage” (Jatau 36). Bearing this in mind, Jatau averred, “before Christ could restore marriage to covenant status, he had to restore to woman the marital rights which had been denied her” (Jatau 36). Driving home this message, the Gospel of Mark records Jesus’s teaching, “Whoever divorces his wife and marries another commits adultery against her” (cf. Mark 10:11) (Jatau 36). This translates into an obligation and a right for spouses to do everything possible to sustain their partnership and not to view their conjugal partnership as an end in itself, but rather to anchor it in God’s plan for the salvation of humanity (Jatau 37).

Christ also teaches that spouses have an obligation and right to value discipleship. Against this backdrop, Jatau explains, “while discipleship in Jesus’s teaching is not set in contrast with valuing marriage, it is presented as the indispensable requirement for any true, committed follower of God, transcending and encompassing his or her familial obligations” (Jatau 38).

Furthermore, in the NT, Peter’s contribution cannot be overlooked. Female spouses are to be submissive to their unbelieving male spouses (1Peter 3:1) (Jatau 38). John J. Collins submits that “Peter urged Christian wives to be outstanding such that their conduct draws respect and admiration, thus leading to husbands being won over (1816). According to Peter, Sarah's virtues in her relationship with Abraham should serve as a model for women (Collins et al 1816). With this, Jatau reports that Peter, like Paul, envisions marital relationships between believers that are characterized by wifely submission and husband’s considerable treatment of their wives (39). Concluding his reflection, Peter advised spouses within the partnership of conjugal life as follows: “Relationships between Christian husbands and wives are therefore not determined by the larger society; rather, principles of valuing inner selves, hoping in God, doing good, and not giving in to fear. What is asked of wives applies equally to husbands. Women must have full agency without fear of intimidation or retribution” (1 Peter 3:4, 6) (Collins et al 1816).

Sequel to the above, Paul, the evangelist and apostle to the Gentiles contributed immensely to the teaching on the obligations and rights of spouses within the partnership of conjugal life. In 1 Corinthians 7:2-5, Paul advised spouses to fulfil their sexual obligation to each other as follows: “the husband should fulfill his marital duty to his wife, and likewise the wife to her husband. In the same way, the husband’s body does not belong to him alone but also to his wife. Do not deprive each other except by mutual consent and for a time, so that you may devote yourselves to prayer. Then come together again so that Satan will not tempt you because of your lack of self-control” (1 Cor 7:2-5) (Jatau 40).

In Ephesians 5, Paul takes the normative social structures of his day for granted. He addresses the relationship between husbands and wives in a descriptive manner that would have made sense to his original readers. Thus, Ephesians does not provide prescriptive guidelines for marriage. As Philip Payne states, Jatau admonishes that "While Paul's wording was framed in order to speak to people in his own social structure; one must not assume that he intended to make those social structures normative for all societies.” Quoting Umoren, Jatau succinctly lends credence to that when he maintains, "the focus of the text is not all men and women, but husbands and wives. It is wrong, therefore, to draw a general directive for all men and women from the text, and especially to infer that all women are subject to men” (Jatau 42).

As a caution, spouses have the obligation to and right to avoid sin. This is because “their sinful nature will lead

them to rebel against God's plan unless aided by the Holy Spirit, and that the devil will seek to use their sinful tendencies and inclinations to lead them astray" (Jatau 50).

Furthermore, spouses have an obligation and right, as inferred from 1 Corinthians 7:5, not to abstain from sexual relations "except by mutual consent and for a time" for the purpose of prayer, but then to come together again, so Satan may not tempt them because of their lack of self-control (Jatau). They have an obligation and right to avoid anger and hatred. Jatau records that Paul admonished the Ephesians in 4:26-27, "Do not let the sun go down while you are still angry, and do not give the devil a foothold." In line with this, there are "Related injunctions pertaining to child rearing found in Paul's epistles to the Ephesians and Colossians, where fathers are enjoined not to provoke their children to anger lest they become discouraged (Eph 6:4; Col 3:21)" (Jatau). As part of their obligation and right, Paul enjoins husbands to love their wives and not to be harsh with them (Col 3:19) (Jatau). Peter writes similarly, "Husbands, in the same way be considerate as you live with your wives, and treat them with respect as the weaker partner and as heirs with you of the gracious gift of life, so that nothing will hinder your prayers" (1 Pet 3:7).

From the foregoing, one will agree without compromise and bias that the role of obligations and rights of spouses within the partnership of conjugal life cannot be over emphasized. Regardless of socio-cultural, economic and ideological differences and orientations, the good of the *bonum conuignum* in its entirety cannot be substituted or relegated.

CHALLENGES MILITATING AGAINST THE OBLIGATIONS AND RIGHTS OF SPOUSES WITHIN PARTNERSHIP OF CONJUGAL LIFE

Marriage as a divine institution is confronted with several challenges and factors. For this reason, Okuta noted that "by and large, the sanctity of marriage and family life is seriously undermined" (122). Put together, these factors affects the very essence of which the marital union is established. It is also worthy of note that these challenges could be caused due to poor preparation and the regime of sin (124). Some of the other causes could be social, personal, psychological or pathological and in the words of Miriam Perpetua natural, super natural and man-made (Egbuna 1057).

Going forward, Anthony Etemma Ekong in *What God has Joined together, Let No Man Put Asunder: A Canonist Viewpoint* articulated several foundational elements and challenges confronting the obligations and rights of spouses within Conjugal Love. He submitted that "it is widespread that there are many fake and pseudo marital relationships in our modern society than the past years due to greed, poverty and economic meltdown;" (83) therefore leading many to forget that all that glitters is not gold and the need for discernment, calmness and counselling in marriage vocation, by which a man and a woman establish between themselves a partnership (Egbuna 1061). Biwul agrees with this position by asserting that poverty and greed can become real challenges for a family (178). This notwithstanding, marriages today even Christian marriages are crumbling because people no longer take marriage as a serious commitment for life (173). Asim revealed that fidelity to marriage vows (13), appears difficult for some spouses and eventually it leads to poor communication, dead passions, conflict about gender roles, intimacy with other people, unwillingness to forgive and let go and irreconcilable differences (13-18).

Relying on the depositions of Mbiti, Paul Kyalo in his article "A Reflection on the African Traditional Values of Marriage and Sexuality" revealed that in some parts of Africa, parents choose marriage partners for their children even before they are born. This is to make it absolutely sure that they do get someone to marry (88). In some other parts, the choice is made for the young people by their relatives, while another custom is to let the young people themselves find the person they wish to marry and then inform their parents or other relatives. The opportunities for them to do this are provided by social gatherings, dance and communal work and by their knowing other people in the neighborhood (88).

As a consequence, Uchenna Cletus Amuh in "Dynamic Canonical Complexities Surrounding the Freedom of African Women in the Choice of Spouses" bemoaned that force and fear greatly impacts the obligations and rights of spouses in the partnership of their entire life. In his deposition:

Force, also classified as violence or physical force, is a true ingredient of coercion externally imposed with the intention to alter a subject's free execution of a juridical act. It is a physical violence externally imposed on an individual with the intention to modify the free exercise of their juridical action. On the other hand, Fear, known in Latin as vis impulsive (impulsive fear), or vis *animoillata* (fear indicted on the mind), is the psychological pressure exerted by an agent over the passive subject by means of threats. Fear is the internal effect of this moral coercion, which affects the psyche of individuals and distorts their ability to freely make legal choices (44)

It is sad to admit that "Such psychological pressure creates fear in the mind of a passive subject through threats of harm, thus compelling the subject to choose marriage with a particular party so as to escape the threat (Amuh 44) and eventually neglecting his/her obligations and rights within the conjugal life. When marriage is chosen not as an intimate partnership of life and love (*Gaudium et Spes*), but as a way out of common or reverential fear, it is another challenge (Ekong 99).

In another publication, Amuh averred that it is imperative to note that "the violation of the social unity of marriage entails arbitrary exclusion of one's spouse in planning of all family events (106-107) is a major challenge. Against this backdrop, Amuh articulated other challenges militating against the obligations and rights of spouses within conjugal life to include: declining consciousness of the indissoluble nature of marriage bond (that is imitation of the life style of divorced celebrities as ideal and the tendency to seek divorce as a remedy when marriage becomes unpalatable) (108), declining intra-family bonding and exclusivity in marriage (today in some marriages, spousal confidence is lost owing to this reality) (109). Sadly, some young couples in Nigeria have replaced conjugal sexuality with sexualization of marriage (sexualisation of marriage includes but not limited to the denial of a partner the right to the exercise of the conjugal act, use of sex toys and an unreasonable demand of conjugal rights) (111). In support of this position, Biwul unequivocally maintained that coital abnormality and deprivation greatly affects the obligations and rights of spouses (176).

Sequel to this, some of the spouses lack proper understanding of marriage as a special and holy vocation which needs deliberate care and attention (Egbuna 1058); they fail to realize and admit that conjugal life is a lifelong vocation and not the vocation either spouse will decide to embrace today and desert the next day (Egbuna 1058). This lack of an in-depth knowledge concerning the nature, ends and properties of marriage greatly affects obligations and rights of spouses within the conjugal life. (Egbuna 1058).

Bemoaned and troubled by this fact, Okuta maintained thus "sadly with regards to marriages, modern parents are more concerned about meeting the standards of providing the material needs of the family than the core values with regards to setting boarders for holistic formation as well as calling out the obligation of their kids" (125). Eventually this leads spouses toward preparing for the wedding day *matrimonium in fieri*and not living out the marriage union itself *matrimonium in facto esse* (Egbuna 1058), that is marriage without adequately preparing for conjugal life (Egbuna 1059).

Joel K. T. Biwul in "Twenty-First Century Challenges for Sustainable Christian Marital Relationships in the Nigerian Context: Post-Marital Counselling as a Pastoral Care Recipe" agreed that the foundations of some marriages are faulty. To wit: Families are also disintegrating at an alarming rate today. It is normal that people who are preparing to marry look forward to it with great anxiety and excitement. But ironically, soon after the occasion, sometimes even during the honeymoon period, some of them become already disenfranchised, loathing the marriage. When this happens, the vows, the marriage, the crown, the merry-making, the dignity and the honour of the "D Day" are easily forgotten (175).

As evidenced in society, some of the men take their fiancées to the altar only after they confirmed pregnant with child (Egbuna 1059); because childlessness in marriage is taken to be one of those monsters of African culture and a family without a child has no say (Egbuna 1061). It is not surprising therefore to observe a situation where parents pressurized their sons to get married even when they are not yet economically, emotionally and psychologically ready (Egbuna 1059). Indeed, there is no gainsaying the fact that the effect of age to the freedom of choice of a life partner (Amuh 52) is another stumbling block. In Nigeria today, the pressure on some women and men to go and fish for pregnancy outside their marriage (Egbuna 1062) is deva-

stating. These factors cause a great challenge for spouses while carrying out their obligations and rights within the conjugal life. Sequel to the above, "some unavoidable cultural ideologies and social factors (early marriage, desire to have particular in-laws, arranged marriages, pressure to beget children, peer pressure, only son syndrome and pre-marital relationships, preferred gender choices between spouses, the threat of replacement, financial constraints and quarreling which is anti-love) is a great threat to conjugal life and the obligations and rights of spouses" (Egbuna 1059-1064).

Another threat and challenge are the fact that some of the couples (especially the women), enter and seek marriage as a means of social security, economic redemption, psychological liberation and the ultimate escape from the frustrating conditions in their families (Miriam, 1059); while some appear to be fruitful, many of such conjugal unions have turned into hell (Egbuna 1059). Hence, emphasizing and lamenting on the impact and effect of early marriages (Egbuna 1060), Miriam averred that marriage undertaken at a very tender age is devoid of freedom and free choice (Egbuna 1060). Commenting on this fact, Amuh maintained that the modern notion of freedom makes it difficult to grasp the exclusive nature of marriage bond thereby leading to gradual spousal detachment. Such detachment begins by the spouses' loss of emotional interest in each other and graduates into each seeing the other as an object of procreation and/or sexual gratification (110)

Going forward, the fact that "one may go through marital ceremony, pledge love to each other, sojourn together under the same roof after social and religious ceremonies, jointly build a house, perhaps generate children; and yet did not establish marriage because he/she has no basic human ability to understand what the person is agreeing to; or has not freely chosen that state of life or has no intention to make the relationship permanent(Ekong 84), greatly affects the obligations and rights of spouses and the partnership of conjugal life/love. Propelled by this fact, Hilary Odilichukwu Benezenwa, in, "*Failed Marriages and Broken Homes in our Time: Major Contributive Factors and Possible Remedies",* revealed that: through the deceitful comportments of some prospective partners to marriage, the other partner often enters into marriage inveigled by the deceit. Such fraudulent acts may lead him or her into error concerning the qualities of the other person, sometimes principally and directly intended in the marriage (68).

Furthermore, Douglas Gaya in *"Marriage: A Journey Together,* averred that "managing finances can be a significant source of conflict in marriages if couples fail to apply God's timeless principles to their financial situations" (Gaya 42-43). Gaya added that in-balance between work and family life can have a negative implication; including strained relationships, higher stress and a decreased feeling of well-being (Gaya 52). Interestingly, fear of vulnerability is a significant obstacle (Gaya 21). Sequel to this, emotional unavailability can hinder intimacy (Gaya 22) and negate the obligations and rights of spouses within conjugal life.

It is also pertinent to note that one of the factors militating against the obligations and rights of couples to partnership of conjugal life is a defect in matrimonial consent. "According to the teachings of the Catechism of the Catholic Church (CCC1626), the exchange of Consent between the spouses is *an indispensable element that makes the marriage*" (Ekong 85) hence, this consent consists in a human act by which the partners mutually give themselves to each other because it is what binds the spouses to each other and gives them fulfilment in the two becoming one flesh (Ekong 85) "While the ultimate object of the act of consent is establishing of a marriage, its immediate purposes is the mutual giving and acceptance of parties in partnership of the whole of married life" (Ekong 85). Therefore, if the expressed consent is defective, that is to say, lacking freedom of either of the parties, or there was no sufficient awareness on the rights and duties that go with this state of life" (Ekong 86), often time obligations and rights of the spouses is threatened. In addition to this defect, some embrace polygamy. Uchenna Amuh lamented that polygamy radically contradicts the unity of man and women within conjugal life (106). When practiced, polygamy contradicts man and woman's equality in dignity contained in the mutual and exclusive gift of themselves (106). In support of this position, Okuta added that polygamy is necessitated and encouraged by the cancer of secularism. According to Okuta, Christian marriage is exclusively monogamy in which other forms are negation and unacceptable (129). However, "secularization has expanded this narrow understanding to include polygamy and recognize what has popularly known as LGBTQ (Lesbian, Gay, Bisexual and Transgender Question)" (129).

Another grave challenge that confronts the obligations and rights of spouses to partnership of Conjugal Life is

lack of sufficient use of reason. “Marriage is a lifelong union in which the partners promise to assist and support each other till death separates them” (Ekong 87). It is expected that such decision should be undertaken in full consciousness and knowledge; however, a deficiency or suppression in this regard” (Ekong 88) as often is the case affects couples eventually.

Ekong further highlighted that a grave lack of discretion of judgment is another factor. “One may be induced into marriage with shallow knowledge of that state of life in order to avoid the embarrassment from family and friends (88). Mention must be made of the fact that “the expression discretion of judgement does not refer so much to cognitive resources or sufficient intellectual perception but to that degree of personal maturity which enables the contracting parties to discern their rights and duties in marriage to bind themselves to same” (90). Some of the youths/spouses believe more in technology, fashion, and attachments to social media than they believe in God who for some has been marginally relegated from their normal life (Okuta127).

The inability to assume the essential obligations of marriage due to causes of a psychological nature, according to Anthony Ekong impedes the obligations and rights of spouses to partnership of conjugal life. As a consequence, this factor has “limited the capacity of the parties in fulfilling the essential marital rights and duties towards one another and the family” (89).

It is also important and of great interest to note that:

whereas cases of Error of persons are rare, those involving error inquality of the person are very rampart in our contemporary society in which marriages are often arranged without the contracting parties meeting themselves face-to-face but via drop box, online/internetnegotiation, arrangement by men and women of God as commanded by the spirit for the welfare of the parties, arrangements by proxy of the parents, family members and friends (Ekong 90).

Double standard of living greatly challenges the partnership of conjugal life. With the words of Christy Essien Igbokwe, *“never meaning what you say, and never saying what you mean* (Ekong 94-95), Okuta lamented that the moral fiber of spouses within conjugal life is persistently eroded and the spirituality is steadily deteriorating (128). This sad reality in most cases leads the spouses to infidelity (Biwul 176). Infidelity leads to marital irresponsibility which greatly impedes the obligations and rights of spouses (Okuta132) and dims the splendor of marriage blessings and some have died in the course of their marital infidelity (Okuta135). Although some couple/spouse seem not to consider its gravity, implication and eventual consequence in the partnership of their life, infidelity in Christian marriage is radically opposed to the property of unity (cf. can.1056) and a sin against the sixth commandment (Okuta134).

Going forward, Anthony Etemma bemoans the radical impact of simulation while contracting marriages. “Simulation can either be partial or total. Simulation is total when it entails an exclusion of all the essential elements and properties of marriage, and someone merely goes through the wedding ceremony as rituals. In other words, the person in his/her mind completely rejects or excludes marriage itself and all the obligations and rights involved therein, but externally through the ceremony for reasons which may be extraneous or extrinsic to marriage itself. For instance, one who goes into marriage for the purpose of obtaining a visa to travel, citizenship in a country, to secure a job or to gain any other social/material benefits. In such cases, the individual has no real intention to establish partnership of life with the other party or fulfil any of the essential rights and obligations of the married state. It is sad to say, but it is true that in such a situation, the marriage is chosen only as a means to an end (Ekong 94-95). On this, Okuta revealed that “the couple themselves are sometimes carried away by the personal material gain foreseeable in the marriage and are pushed to marry a spouse they have never met, know nothing about and do not really love (128). No wonder, this kind of pseudo-relationship is very rampant in most poverty-stricken areas and our country Nigeria is susceptible to these practices (Ekong 94-95).

Without bias Aririguzo reiterated that “the Couple undoubtedly possessed the marital right in sexual intimacy, a fundamental aspect of Marriage” (Egbuna 160), however their conscious, deliberate and mutual decision to exclude procreation through contraception transformed the exercise of this right into something fundamentally

different. This act not only contravened the Church's understanding of marriage as a procreative union but also, according to ecclesiastical court invalidates it" (160). As a consequence of this act, the obligations and rights of the spouses will not be in existence or sustained.

Cosmas Aluede Ojemen, in "Psychological Factors in Matrimonial Consent in the Light of Canonical Legislation", pointed out that there are millions of people living in very unhappy marriage situations (24). Many married people do not know what they are doing. Others get married too hastily and in no time find that they cannot live together with their partner because of personality incompatibility (24). Consequently, these persons find themselves in a grave situation of insecurity and lack of peace or spiritual longing (24), which forms the ultimate nucleus of conjugal life.

Concluding his deposition on the subject matter, Gaya postulated that the impact of conflict between spouses cannot be overemphasised. This phenomenon greatly hinders and challenges their obligations and rights (Gaya 23-24). He categorized three (3) types of conflicts within conjugal life, namely: Solvable Conflicts, Perpetual Conflicts and Personality Conflict (Gaya 24).

In addition to the above, Gift Thlarihani Baloyi, in "Marriage and Culture within the Context of African Indigenous Societies: A Need for African Cultural Hermeneutics", testified that the institution of marriage is as old as humanity itself and exists globally with several cultural diversities. While marriage exists globally, its meaning and significance are understood within people's cultural affiliations, and these differ from one culture to another (1). Driven by this reality, it is sad to admit that cultural orientations and a recursive of certain expectations (5) greatly vitiate and impede the obligations and rights of spouses. Hence, quoting Emelobe, Baloyi asserted that the understanding of marriage as being connected to culture is the reason why "a woman's position in her matrimonial home is often determined by her ability to procreate" and "obey" the oppressive structure (5). Natural as it may appear, here is a recursive of certain expectations within the institution of marriage which are argued to be cultural and traditional, yet that which is argued to be cultural is purely an endorsement of masculinity and manhood ideologies (5). With this, the marital roles accorded men and women are based on the different expectations that societal groups have of individuals based on their biological makeup and each society's values and beliefs about gender (5). Hence, it is of uttermost importance to submit at this point that although men tend not to have as great a need for conversation as women, one thing a wife cannot do without is intimate conversation with her husband. This is because a communication gap suffocates either or both partners because it stands in the way of a romantic, marital relationship (Biwul 178), when this is deficient and absent, obligations and rights of spouses will be hampered.

In line with our reflection, Gbagyi traditional society in Nigeria upholds and practices a cultural system rooted in a resilient patriarchal structure. This largely influences the acceptance, enforcement and implementation of spouses' obligations and rights. As a result, the equality that the Church preaches regarding the obligations and rights of spouses within the partnership of conjugal life does not find expression. There is no doubt that cultural orientation and expectations are engraved in the minds of spouses. Therefore, whether we like it or not, and regardless of the teachings of the Church and state legislation supporting them, spouses view and live their partnership of conjugal life from this perspective. Hence, culture controls and determines what they do or do not do. To effectively and efficiently fulfil their obligations and rights within the conjugal partnership, the recommended age for marriage in the Nigerian church is 16 years for males and 14 years for females. Unlike in the church, the age at which marriage can be contracted in Gbagyi traditional society varies. Reports indicate that the age at which marriage is contracted differs between the two cultures. In traditional Gbagyi society, the age for betrothal for girls is typically between 8 and 10 years old, while boys are considered ready for marriage between 15 and 18 years old. Sadly, early marriages cause a significant problem. Interestingly, divorce as an obligation and right of spouses is encouraged in Gbagyi traditional society. Hence, the obligations and rights of spouses in Gbagyi traditional society allow and encourage multiple unions and relationships. Marriage is not binding to a particular person. The male spouse has the right to multiple partners and acquaintances. Furthermore, Otonko reports that a potential association can be observed between the practice of polygamous marriage among the Gbagyi tribe and the use of talismans.

Unlike Christian and civil marriages, rights of women are not emphasised in Gbagyi traditional society. It is

assumed that women exist and have an identity in society because of their husbands. Owing to this, their rights are not promoted or emphasized regardless of the teachings of the church and civil legislations. Another point of divergence is that, unlike men, women have reduced gender roles and fewer opportunities in the Gbagyi traditional society. In Jake O. Otonko and Eucharia Ugochi Opara's assertion, "Gbagyi women's parity contexts seem understudied. Notably, women cannot sacrifice to God and their ancestors on prescribed altars, unlike men. In politics, economics, and society, women are often subordinate to men. Gbagyi's gender inequality cannot be over emphasized (https://www.igwebuikeresearchinstitute.org/o_journals/AMAMIHE_21.4.11.pdf Accessed 28/08/2025).

From the foregoing, Okuta succinctly admonished and posited that discussing the challenges vitiating the obligations and rights of spouses in Nigeria calls to mind some factors that could be substantially responsible in addition to the different texts and positions above (133). These include: domination, discord and conflict, discontentment, faithlessness and non-availability (133). Yet again, some of the male spouses believe that their wife lacks the mental capacity to take decisions let alone advise them (134).

LAYING SIEGE TO THE CHALLENGES CONFRONTING THE OBLIGATIONS AND RIGHTS OF SPOUSES WITHIN CONJUGAL LIFE

From the foregoing, there is no gain saying that the Obligations and rights of spouses within conjugal life is besieged with different challenges. However, attempts at resolving these challenges is possible when certain virtues and practices necessary for a happy and successful marriage are carried out (Egbuna 1066).

According to Joel K. T. Biwul in "Twenty-First Century Challenges for Sustainable Christian Marital Relationships in the Nigerian Context: Post-Marital Counselling as a Pastoral Recipe," findings from the research revealed that personality differences influence spousal behavioral disposition in marriage.

When a spouse is not psychologically, sociologically, emotionally, and spiritually mature, personality differences will stand in the way of their communication and relationship (Biwul, 179) But, when properly harnessed, personality differences can be an asset, not a deficit. Spouses should complement each other by ensuring that the strengths of the one make up for the weaknesses of the other. It is the failure to understand the composition of individual personalities and the ability and maturity to properly manage them that create many enemies, divisions, contentions, and strife in the family, in society and in the church (Biwul179-180). Intending couples and spouses must always remember that marriage is for adults, not children (Biwul 193).

Uchenna Cletus Amuh advised that spouses need to be free from coercion, fear and intimidation. For him, freedom, a requirement of both natural and ecclesiastical laws, is an essential element for the establishment of marriage contract. Hence, freedom needs to exist between the spouses always in their daily activities (43). He added that the exchange of matrimonial consent requires specific protection from undue interference because it confers rights and obligations on the spouses. He warned that any form of coercion that inflicts grave fear or violence, which compromises the will, undermines the integrity of the marital union and renders it invalid (44). Anchored on this freedom, Miriam Perpetua advised that through participation and celebration of the sacraments (for example, Holy Eucharist), spouses find a lasting and faithful expression of their obligations and rights towards each other (Egbuna 1066). This is so because in the Eucharist, which is the very source of Christian marriage and the sacrifice of the New and Eternal Covenant, Christian spouses encounter the Source from which their own marriage covenant flows and is interiorly nourished and continuously renewed (Egbuna 1066).

The popular adage that *marriage is neither for boys or girls but for men and women* (Etemma 89), if considered, pondered upon and applied by couples, is in *inter dem* and *ad rem* in resolving the challenges militating against and confronting the obligations and rights of spouses to partnership of conjugal life. Anthony Etemma believes that "the parties to be involved in marriage need sound knowledge of the marital commitment and mature disposition required to know that marriage cannot be an escape from the control of parents or tensed/abusive homes" (90).

Miriam believes that more than ever necessary in this modern age is the preparation of those about to enter into marriage (Miriam, 1067). Intending couples/spouses must not lose sight of the hierarchy of values (Egbuna 1067). In support of this position, Etemma succinctly articulated qualities, requirements and basic knowledge which those embracing/ entering or are in marriage must necessarily possess.

i. Knowledge that marriage partnership is a relationship that is permanent in nature, and not an ordinary friendship or a temporary association with expiry or termination date (92),
ii. Knowledge that marriage which brings about partnership to conjugal life is heterosexual, that is, between a man and a woman and not homosexual (92),
iii. Knowledge that obligations and rights to partnership of conjugal life, involves procreation through sexual cooperation. Ipso facto for child bearing, the parties would have to surrender and accept each other (92).

Furthermore, Miriam advised that there should be suitable and adequate time mapped out for marriage preparatory classes, a solid spiritual and catechetical formation with regard to the teachings of the church on the nature and essential properties of marriage for the spouses (Egbuna 1067). The need and place of personal preparation for both parties (Egbuna 1067), cannot be over emphasized. In addition, spouses in marriage ought to be given special pastoral attention (Miriam,1068), owing to the fact that for instance in mixed marriages, most often such religious differences do cause tension and so require added adjustment and greater giving on the part of each other (Miriam, 1068). In the light of the above, Okuta recommended remote preparation, proximate preparation and immediate preparations (124-127) as measures and a way out in solving the challenges confronting the obligations and rights of spouses within conjugal life.

Furthermore, Mark A. Pilon in his book "M*agnum Mysterium (The Sacrament of Matrimony)* averred that the role of conjugal love in absorbing the challenges which confronts the obligations and rights of spouses within conjugal life cannot be neglected. According to him, "the ends and goods of marriage flows from two necessary founts, from the institution of marriage with its laws and properties and from conjugal love" (12). Bearing in mind the importance and pride of place conjugal life embraces, he argued that spouses should always bear in mind that "Conjugal love is not of tremendous importance, not only for the good of the couple, but also for the proper realization of all the ends of marriage not excluding partnership of their entire life and existence" (12). Indeed "this love is rather the dynamic human element. This informs the whole institution of marriage, enabling this partnership to be truly and fully personal, and thereby humanly fruitful, fully human in the way it is lived out day to day, in the way its ends are effectively fulfilled (12).

Uche Amuh in "The Role of Knights in Sustaining Christian Marriage Amidst Growing Trends of Resentment Amidst Nigerian Youth" advocated that the gradual sexualization of marriage between spouses must be replaced (110). Advancing a suitable and lasting ideology of obligations and rights of spouses within the partnership of conjugal life, Amuh posited that spouses/couples must realize that:

The conjugal act of spouses is more than just a performance of a sexual act; it is unique in its kind. It is not just any kind of sexual intercourse one can get anywhere and with anyone. What happens in the exercise of conjugal act is not just a touch or mere feeling, but an act of communication, an offer and acceptance, an exchange of something that uniquely represents the gift of oneself and the union of two selves. It is a rich expression of equality in dignity between husband and wife in the manifestation of their male and female sexualities. Conjugal act arouses the desire from each party to give to the other the gift of one's seed of himself. Every single conjugal encounter fulfills the matrimonial end of good of spouses and of procreation (110).

In our society today, it is interesting and strange to note that Some deny their spouses the act of sexual love and intercourse as a means of punishment or in retaliation for a wrong done (Amuh 111). Sequel to this, some impose conjugal abstinence on their partners during the Lenten season or when they are praying by arguing that they need to remain pure throughout the season and vice versa (Amuh 111). No doubt, this is a demand for the right to conjugal act in a wrong manner, time and place (Amuh 111). Hence, while there is nothing wrong in abstaining from the exercise of conjugal act during Lent and spiritual activities, there should be an agreement to embark on this spiritual journey as a couple (Amuh 111). This act will naturally sustain their

obligations and rights in the partnership and fight challenges arising therein.

In, "Marriage: A Journey Together", Douglas E. Gaya advocated that couples, while carrying and living out their rights and obligations should see Christ as their model. As such, when considering and carrying out their roles in marriage, they are to look to Christ's example on earth, who at all times demonstrated a servant leadership model, balancing leadership and submission (39). To effectively combat the challenges militating against their rights and obligations, "couples need to see themselves the way Christ saw the church" (30). In addition, by growing continually in their communion through day to-day fidelity to their marriage vows/promise of total mutual self-giving (Egbuna 1068). Furthermore, their sustaining importance will come from serving and not been served; hence there is need at all times for joint efforts in all their dealings as it will nor cost anything (Gaya 39-40). Love and transparency among spouses must be encouraged (Egbuna 1069); each must be ready to admit and accept their conjugality (Egbuna 1070) and mutually accept each other as such with all related rights and obligations flowing from the conjugal union (Egbuna 1070). Gaya advocated spouses must always engage in self-reflection (Gaya40) because something special happens within conjugal life. Spouses must wear the garments of transparency in their relationship and a spirit of forgiveness (Egbuna 1071).

It behooves the spouses to admit that "No one is too Holy and Perfect not to fall into sin and make mistakes or too sinful not to be forgiven. Since there is no perfect marriage, spouses within conjugal life must always remember that they are not living in an imperfect world" (Egbuna 1073). Therefore, as an obligation, spouses must always remember and uphold that to err is human and to forgive is divine (Egbuna 1073)

Bearing in mind the dare economic and financial crisis in the country, it is essential for couples to walk together, sharing financial responsibilities and goals, to create a harmonious and prosperous financial future (Gaya 42-43); financial unity is key to a harmonious and prosperous marriage where obligations and rights are celebrated (Gaya 43). To achieve this, both spouses must be assiduous, and industrious (Egbuna1076), imbibe financial prudence, and avoidance of squander mania, mutual love and trust (Egbuna 1064). Clear and proactive communication without prejudice can help couples navigate the challenges as they arise (Gaya 45), because it is both therapeutic and a healing remedy (Gaya 113). Furthermore, in an attempt to resolve the issues arising from their obligations and rights, spouses within conjugal life ought to at all times identify their problems in the partnership, establish boundaries, prioritize their conjugal love and marriage, address without bias and prejudice work related stress, support each other's careers, discuss societal norms together, define individual values and open discussions about their finance (Gaya 37-38).

Cosmas Aluede Ojemen further maintained that "the alarming problems militating against the obligations and rights of spouses to partnership of conjugal life could be ameliorated if the right step is taken at a correct time (24) "Psychologists, sociologists, and pedagogical scientists have proved it could be ameliorated the more we begin to understand man and the motivating factors in his behavior (24) To this end, " he submitted that it is our candid opinion that pastors of souls need some sound knowledge in general psychology, pastoral psychology and psycho-pedagogy to the degree that is commensurate with their arduous pastoral responsibilities, for a more pastoral ministry to engage couples (25).

Providing a contemporary and existential approach towards arresting the challenges confronting /militating against the Obligations and rights of spouses to partnership of Conjugal Life, Mike Isiguzo, *Marriage Without Tears: A Practical & Powerful Guide to Handle Marriage Issues*, outlined the following measures as healing antidotes. He strongly advised that in moments of difficulties, couples should not seek to change each other based on their expectations. For him, "it is so funny how many spouses want to retrain their husbands and wives. Retraining yourselves is not entirely evil; however, what effect does it have on the marriage? Hence you cannot succeed changing somebody without the person's willing consent (15). Furthermore, while asserting and establishing their obligations and rights, spouses should always remember that shouting, bullying, complaining, nagging and so on may not save the situation (16). As much as possible, don not change your spouse to suit you, change yourself to suit your spouse, (17) bearing in mind the working principle and golden rule which states "Whatever you want your spouse to be for you, be it for him or her first. By so doing, the golden rule will be guaranteed that you receive equal or greater measure, the good seed you

have sown" (16-170). Going forward, Mike insisted that at all times and circumstances, the husbands first injunction is appreciating the wife in all things in love because she is his best and by virtue of their matrimonial consent his final bus stop (23); hence, whatever be her shortcoming or limitations should be tolerated and embraced (24). Therefore "to husbands, if love is deep affection, devotion, sexual desire, great liking, and fondness, then let all this be for your wife she deserves it" (24) Women should always remember that "a husband may be a wife beater, non-caring, selfish, money waster, good for nothing, lazy to mention but a reasonable few, yet they should accord him reverence, to see him as sacred and respect him in every way possible (28-29, 56). Summarizing his reflections on the best way to curtail the challenges militating against the obligations and rights of spouses to partnership of conjugal life, Mike outlined the following remedies: Honour Your Spouse, Change your bad character, Do not seek or imitate other partnerships, Fidelity is a good name, Obligations and rights can only thrive and survive where there is One Spirit, Soul and Body, Admitting faults, mistakes and apologizing to your spouse, Commend and do not condemn your spouse, Spouses must learn to forgive, forget and forgo in their partnership, Prayers and mutual reciprocity (56).

While appreciating this Going further, Rafael Díaz Dorronsoro, in, "Conjugal Love and Marriage in the Homily Marriage by Saint Josemaria Escriva" submitted that St. Josemaría "was well aware of the difficult situation of some people who find themselves separated, at times without any fault on their own part, and who have to carry on with the obligations stemming from their union (Web) Without prejudice, the saint's "response was always that the free self-giving in accepting God's will, following Christ's example, is the sure path to happiness (Web). Calling on the church to be more proactive in their responses to marital crisis owing to the obligations and rights of spouses he further advised that sequel to this "the significant increase in marriage breakdowns in recent decades has resulted in the need for the Church to approach with pastoral concern the situation of many divorced Catholics, some of whom have contracted a civil marriage" (Web).

Anthony Grugni, M.D., in, *"Preparing for Marriage*", advised that spouses should fully agree at all times to the idea itself of marriage; that is, its meaning and processes (33). To effectively manifest their obligations and rights within conjugal life, it is very important for couples to have the same orientations and conceptions about fidelity, reciprocal roles in the family, sex, children and in-laws (33).

Paul Danbaki Jatau advised that ongoing pastoral care of marriage and family life is indispensable in the life of spouses; this fact is inevitable because the pastoral care of the married cannot end with the marriage ceremony (122). Hilary OdilichukwuBenezenwa, in, "*Failed Marriages and Broken Homes in our Time: Major Contributive Factors and Possible Remedies"* submitted that the only needed and viable prospect to stem the tide of failed marriages as a result of the challenges vitiating obligations and rights of spouses within conjugal life is to improve on catechesis about marriage, parental roles, and the quality of courses designed and given to candidates preparing for marriage (82). He bemoaned that from objective assessment, there is not enough conscientization of parents nor adequate preparation or catechesis given to prospective couples (82).

Furthermore, Jatau averred; Though the church and her ministers should provide support and assistance to all, it is of paramount importance that they help the newly wedded to adjust to the responsibilities of their vocation to married life. This is indeed crucial, the fact that a sizable proportion of all divorces take place in the first five years of marriage, or the situations, which precipitate divorce later on often, have their roots in the early years of marriage (122). Going forward he advised;

The many demands and challenges the marriage couples face in our times require not only moral support and encouragement from the church, but also resources from which they may draw assistance and support they may day by day achieve a holier and fuller family life. Though the need for pastoral care is patently imperative in case of troubled families, it is also necessary for families that are not in crisis. Visits to families by the pastors is one of the helpful means to provide positive support for married couples and their families; in addition, programmes like family seminars, couples retreats, family encounters and the like can be of great help in this direction (123).

Victor Umoh in *The Unity of Marriage & Moral Responsibility in Marriage (Church's Teachings and Challenges)*, advised thus:

So that the "I do" of the spouses may be a free and responsible act, and so that the marriage covenant may have solid and lasting human and Christian foundations, preparation for marriage is of prime importance." "It is imperative to give suitable and timely instruction to young people, above all in the heart of their own families, about the dignity of married love, its role and its exercise, so that, having learned the value of chastity, they will be able at a suitable age to engage in honourable courtship and enter upon a marriage of their own (Web)

Richard P. Maggi, Esq. in, *The Church's Teaching on Marriage, Part One* aligned to this position. In addition, Kate Nkume advised that it is important for spouses to be aware of their rights under the Marriage Act to ensure that their union is based on mutual respect, equality, and understanding. Legal counsel and advice should be sought when dealing with specific issues related to marriage rights to ensure compliance with the applicable laws and regulations (Web).

In addition, Brıkena Buda Dhulı and Egı Dhulı in their article, "Marriage and the Obligations Arising from It" advised spouse to always remember that the rights and obligations between spouses do not violate or affect the essence of their human rights. Marital rights and obligations are also of particular importance in guaranteeing the rights enjoyed by children born from this marriage. (202).

Going further, Gift Thlarihani Baloyi, in her article "Marriage and Culture within the Context of African Indigenous Societies: A Need for African Cultural Hermeneutics" admonished and advised that spouses within conjugal life should see their obligations and life as act of partnership with God in creation. They must always remember that it is a special partnership with God through the participation of people who enter into a marriage union. Unequivocally, the partnership of spouses within conjugal life should be characterized by mutuality, respect and love. Furthermore, any sign of negative cultural ideologies which may attempt to denigrate either of the spouses should be defeated (6). The custodians of culture should not (7) be decorating culture at the expense of the rights of women in marriage. This is why citing Ruether, Baloyi argued that marriage is not a means within which women's voices are silenced based on the male-female hierarchical order debate (7)), and the institution or societal structure which denies women the rights and opportunity to speak freely without prejudice. Thus, while culture is like a fabric which is woven with many shades of colours (7), those shades should not be to the detriment of women.

Responding to the above depositions, Anthony Grugni, M.D. pointed that the traditional values of our family system are still very important and should not be easily given up (23). However, sensitive as the debate on obligations and rights of spouses within conjugal life, one must agree and accept that many old customs and habits are bound to die out (23). Okuta believed and advocated that "cultural and social tranquility must be abolished." Hence to promote equality between the spouses through their obligations and rights, new models of family life and of relationship among its members are necessary to meet the needs and expectations of the modern generation (Grugni23). Supporting this deposition, Amuh added that conscious imparting of family identity and Christian values would improve the Nigerian youth (spouses/couples) perception of family identity and integrity entail quality of being holistic, inseparable, unbroken bond and organic state of family life (114). Other ways by which the challenges of obligations and rights of spouses within conjugal life can be resolved include: effective premarital counselling for intending couples (Biwul 188). Ensuring the centrality of Christ in the home of the spouses (190), prioritizing scriptural values over culture and tradition (190), cultivating transparency, sincerity, honesty and effective family communication (191),

In the long run, if obligations and rights of the spouses within conjugal life are to be upheld and promoted, the institution of marriage ought to provide space for the partners to have total freedom to act to the maximum of their abilities (Baloyi 8). With this, Colaco admonished spouses to work out their conjugal obligations and rights through the virtues of charity, hope, domestic prudence, patience, justice and conjugal chastity (157-158). Again, as much as possible, it should be established that there are limits to the parental role between spouses in conjugal life and such ought to be well spelt out and collectively observed (Benezenwa 82).

EVALUATION AND CONCLUSION

The world is quickly becoming a devourer of its inhabitants. Almost every society is experiencing a downward spiral as the universal law of fairness, equity, justice, and love for humanity are being adhered to less and less by nations and citizens. Flagrant human abuses and disrespect for the dignity of the same appear to be on the increase with rising global crises (Biwul, 175)

Marriage is for adults, not children. Only a psychologically and spiritually mature person understands the value of respect for the marriage institution. The surveyed spouses also indicated that a mature person knows the importance of respect for one's spouse. The original conceptual designer of marriage and family is God, not humanity. Marital and familial relationships are gifts from him. As such, God did not intend for marriage to end in dissolution. Rather, marriage should be lifelong (Biwul 193).

Reality is just what it is: Reality! It is only when a married couple live together under the same roof and in the same room that they can each discover the real person they are married to. Certain hitherto-hidden character traits, attitudinal exhibitions, mannerisms, behaviours, and lifestyles begin to manifest themselves in the marriage relationship. They can be quite shocking to the other partner, catch them off-guard, and throw them off-balance if not well-managed (Biwul 194).

We must remind ourselves at this point that Marriage is frequently referred to as a contract entered into by the parties, but it is more than a contract (Paulsen, 715); it is a relationship established according to law, with certain duties and responsibilities arising out of it which the law itself imposes (Paulsen, 715). Accordingly, spouses within conjugal life must always remember that

The marriage establishes a status which it is the policy of the State to maintain. Out of this relationship, and not by reason of any terms of the marriage contract, the duty rests upon the husband to support his wife and his family, not merely to keep them from the poorhouse, but to support them in accordance with his station and position in life. This works both ways. When he is prosperous, they prosper; when financial misfortune befalls him, the wife and the family are also obliged to receive less (Paulsen, 715).

Quoting Mbiti, Baloyi defined marriage as "a drama in which everyone in marriage becomes an actor or actress and not just a spectator" (Baloyi 2). With this in mind, We have tried to establish and ascertain through the articulations and prescriptions of the legislators and authors that the conjugal role of obligations and rights of spouses within conjugal life serves as a life guard and irreplaceable principle upon which their partnership is sustained and promoted. Within conjugal life, it promotes love, fidelity, commitment, intimacy, equality, trust and the goods and properties of marriage. These roles cannot be over emphasized, articulated, exhausted or substituted by natural and divine law. Hence, it is the prerogative of spouses to embrace their roles with uttermost dignity, frater fidelity, faithfulness and unwavering dedication and commitment. By doing this, the ultimate goal of the marriage covenant will be achieved.

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