

The Christian View of Levirate Marriage in a Changing South Africa

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ABSTRACT African people respected marriage to an extent of trying to protect it at all costs. One of the protective measures was the introduction of levirate, in which the deceased's brother was expected to marry the widow. Similarly, a man who lost his wife would marry her sister to replace her; the Tsonga people term a new wife, married to take the place of a deceased wife, *xipfula-yindlu*. Levirate marriage is practised in the African community, although currently economic and legal factors exert an influence on the situation. The aim of this article is to examine whether the practice of forced marriage, particularly in instances of the death of a husband, still occurs in light of the democratic changes that are taking place in South Africa. This study discusses levirate practices from ancient times to the present in South Africa to check whether levirate marriage remains relevant in the current context.

INTRODUCTION

"In the name of culture or not, I will marry the person I love" (Nkhwashu, 2012: 2). These are the words of Reneilwe, who, according to custom, shortly after the death of her husband was forced by her late husband's family to have sexual intercourse with his younger brother. Furthermore, pressure was placed on her to marry this young man. In response, she fled from the home, insisting that she should not be forced to marry someone she did not love. The practice of sexual cleansing forced upon Reneilwe is described as follows by Malungo (1999: 44): "someone has to have sexual intercourse with the spouse of the deceased in order to chase away the spirit of the dead." As Malungo observes, the relationship between sexual cleansing and the strong belief in the ancestral spirits is pivotal to a discussion of the ritual of sexual cleansing.

On 29 August 2012 between 07: 50 and 08: 00 the South African Broadcasting Corporation radio station Munghana Lonene invited listeners to phone in to express their views in response to the question, *Xana ntlovelo wo sala mi hlayisa nsati wa buti wa ha ri kona ke, na swona mi ri yini ha wona?* ("Is the custom of a younger brother's marrying his deceased brother's wife still practised, and what do you think about this custom?") It is important to note that the Xitsonga *ku hlayisa* (meaning "to take care of") also signifies "to marry". This originates in the

belief held by most African tribes that sexual intercourse and marriage was a way of showing compassion to the widow. The very recent nature of this radio discussion is indicative of the relevance of the topic to contemporary society. Although some people may argue that the practice of levirate marriage and its consequences are very old, from the recent story and the radio topic discussed above the researcher is personally convinced that the discussion about this is still relevant to the contemporary people. It is the researchers' opinion that it is unfair to evade the responsibility to address this issue since it is affecting people in their present lives. Any culture that dominates or oppresses other people within their own rights should be interrogated and evaluated.

A number of African writers have argued that the African tradition retains levirate marriage as part of the culture, particularly because the widow is regarded as still being married to the family. Mbiti (1991: 112) argues that inheriting the wife of a deceased brother or the husband of a deceased sister ensured that nobody was excluded from marriage. For Waruta and Kinoti (2000: 108), one of the reasons in support of levirate marriage was that in African society very few men would agree or want to marry a woman who belonged to other people who had paid bridewealth for her. In other words, once a woman was married to another man, not many men would be interested in marrying her following the death of her husband, a situation which would compel the family to look for someone in

the immediate family or clan to take care of her. According to Ntozi (1997: 126), the practice of widow remarriage within the husband's extended family is common among many African tribes, for instance, the Fulani of Mali (Hill and Thiam 1987), the Burkinabe (Women's Union 1990), the Kuranko of Sierra Leone (Jackson 1977), Zimbabweans (Armstrong 1993), Zambians (Aids Analysis 1994), Namibians (Andima 1994), the Luo and Gussi of Kenya (Levine 1984), and the Rwandese (Butlerys et al. 1994). This practice still prevails among many South Africans, and while some widows agree to it, others oppose it.

LEVIRATE MARRIAGE IN THE AFRICAN CONTEXT

Among the Tsonga people, the *Nhlantswa* was the woman a man married to replace his dead wife; frequently this was the younger sister of the deceased. The same word was used for a woman who was married as a second wife so that children would be born: if a woman failed to fall pregnant, the family would decide that a second wife must be introduced for the sake of procreation.

Ku nhingenela, XiRonga for "levirate", is a custom in terms of which a widow continues to have conjugal relations with a legal substitute for her late husband. Certain conditions must be fulfilled prior to this, however: (1) a substitute authorised by custom must be appointed and must agree to play that part; (2) the widow must give her full consent; (3) a year of mourning must pass before married life may be continued; and (4) the substitute must notify the woman's family that her married life is to continue. (Clerk and Borel, 1938: 45).

Robison (2012: 1) explains that the term "levirate" is derived from the Latin *levir*, "husband's brother," and that levirate marriage is therefore the duty of a man to marry the widow of his deceased brother if his brother had produced no male heir. The Ronga custom (from which the Tsonga or Shangaan custom is derived) prescribes who marries whom: the widow of the eldest brother will be required to marry the second brother, and the youngest brother's widow will be required to marry the brother nearest in age to the deceased. Thus, the widows are entrusted to the various brothers, the widow of the eldest to the next surviving brother, and so on, so that the hierarchic order of the women

belonging to the deceased man's village is maintained through their distribution in order of seniority to the deceased man's brothers.

At Catembe, a younger deceased brother may not be replaced by his elder brother, because the young wife calls her brother-in-law *tatana*, meaning father. (Clerk and Borel, 1938: 45).

Schwimmer (2003) notes that another form of levirate marriage is marriage between cousins. In countries such as South Africa, where a levirate marriage is known as *ukungena*, the obligation for a woman to enter into a levirate marriage is on the decline due to increasing awareness of women's rights. It is alleged that among the Zulu people, the levirate and ghost marriage (the vicarious marriage of a woman to the name of a deceased relative) was practiced from long ago and it is still prevalent amongst some people. The Zulus were/are not alone in this practice because most of Southern African peoples practiced it also.

Bahemuka and Brockington (2004: 267) speak of "returning a woman to normal active life" after the hustle and bustle of the funeral. The woman is regarded as still being married to her late husband's family, and therefore the family is considered to have the right to decide on her next destination. Afolayan (2004: 185) states: "The death of the man or husband need not bring an end to the marriage. The woman may remain in her husband's homestead where she is regularly visited and supported by the surrogate husband (*levir*), or she may move to his homestead." For this reason, the family can disown a woman who makes a decision that goes against the family's suggestions in this regard (Fasoranti and Aruna 2007: 60).

In Reneilwe's experience, cited in the introduction to this article, we find a direct echo of an incident cited by LaFraniere (2005: 1), in which, after her husband had died, a widow was forced to have cleansing sex with a man from her late husband's family in Malawi:

I cried, remembering my husband. When he was finished [with the sexual intercourse], I went outside and washed myself because I was very afraid. I was so worried I would contract AIDS and die and leave my children to suffer.

Malungo (1999: 44) explains that the ritual of cleansing sex stems from the belief in the influence of ancestral spirits; a sexual cleansing is considered necessary in order to chase away the spirit of the dead husband from the wife, as

otherwise the spirit may cause misfortune and trouble. This explains why some women consent to this life-threatening practice. It is sad to note that after the rite had been performed, the man in question has the option to declare his interest in marrying the woman; if he is not interested in doing so, she will have to wait for another man (Kalinda and Tembo 2010: 4).

In the Zimbabwean film “Neria”, Phineas (the younger brother of a deceased older brother) is angered by the fact that the widow is unwilling to marry him. Although as a result of the influence of western culture the family may say that their wish for the widow to marry someone from the family is purely a suggestion, in reality they do in fact want this to happen. In a number of cases where the widow remarried outside the family, the family became bitter and sometimes even disowned the children.

Children born of a levirate marriage are considered to belong to the deceased husband (Shorter 2001: 84).

In some communities, the family identifies the people from among whom the widow must choose her new husband. In the film “Neria”, the widow is given a calabash containing traditional beer, and is then required to make a choice from among the seated relatives. To avoid selecting one of her late husband’s relatives, she chooses her own son, and in consequence receives no support in defending herself from the abuse directed at her by her brother-in-law.

Mills (2012: 5) contends that levirate marriage is not practised among the peoples of South Africa. The researcher disagrees, having been born of a levirate marriage myself: following the death of her sister, the researcher’s mother was asked to be *xipfula-yindlu*, meaning “the one who opens the house” (Rikhotso 1985: 37). *Xipfula-yindlu* is a reference in Xitsonga to a woman or girl who marries to take the place of her dead sister, particularly in cases where there is a young child who still needs a mother’s care. The researcher is aware of a similar instance that took place in 2010, when, on being widowed, a church elder at Giyani married a younger sister of his wife’s, as she had died leaving a son under the age of two years (Personal communication). The case of Reneilwe, mentioned earlier, also occurred in South Africa.

LEVIRATE MARRIAGE IN BIBLICAL TIMES

The Torah states that marriage is not just about romance; in ancient Jewish times, it was

about maintaining the tribal name and the land associated with it. Therefore, according to Robison (2012: 1), God preferred that men marry women within their tribe. According to Leviticus 18: 16 and 20: 21, under ordinary circumstances a man could not marry his brother’s wife (whether divorced or widowed); however, he could do so if his deceased brother had *ein ben* (no son) or no male heir at all. Exequy (2011) also interprets these verses as forbidding this: “Marriage with a brother’s widow was normally forbidden among the Jews.” The LXX translates *ben* in Deuteronomy as *sperma* (seed or child), referring to a child of either sex, and the Sadducees in the New Testament seem to have interpreted it in this way (Mark 12: 19), as did the first-century CE historian Josephus (*Antiquities of the Jews*, Books 4, 8 and 23).

Schwimmer (2003) notes that levirate marriage is mentioned in the Bible as a standard marriage regulation among the ancient Hebrews, and Williams (2012) notes that the levirate marriage law is stated in Deuteronomy 25: 5–10.

A number of Old Testament stories can be cited as evidence that Old Testament society practised levirate marriage. Of these, the story of Judah and Tamar is well known: “Then Judah said to Onan, Go in to your brother’s wife, and perform your duty as a brother-in-law (Heb. *Yam*) to her, and raise up offspring for your brother” (Gen. 38: 8). Furthermore, the story of Lot and his daughters in Genesis 19: 31–32 is recounted as follows: “Then the firstborn said to the younger, our father is old, and there is not a man on earth to come in to us after the manner of the earth. Come, let us make our father drink wine, and let us lie with him that we may preserve our family through our father.”

In both these accounts the motive was the continuity of lineage, the passing on of the name to another generation. Although some Rabbinic scholars do not regard the case of Ruth and Boaz as a levirate (*yibbum*) marriage per se, particularly because Boaz was not Ruth’s brother-in-law, since Naomi had only two sons, both of whom died, Exequy (2011) is of the opinion that theirs was a form of levirate marriage.

The issue of levirate marriage was a thorny one for the New Testament generation, who asked Jesus: “Moses wrote for us that if a man’s brother dies and leaves a wife but no children, the man must marry the widow and have children for his brother. Now there were seven broth-

ers. The first one marries a woman and died childless. The second and then the third married her, and in the same way the seven died, leaving no children. Finally, the woman died too. Now then, at the resurrection whose wife will she be, since the seven were married to her?" (Luke 20: 28–31).

The Pauline letters also give some interesting information concerning widows. In Timothy 5: 14–16 Paul appears to be applying the Torah obligation of *yibbum*, that is, marrying the widow of a brother in an instance where there is no male heir. Although this is not the focus area of the present study, one could ascertain what type of need Paul is discussing with reference to widows. This may provide an understanding of the type of assistance Paul is trying to achieve for them.

LEVIRATE MARRIAGE IN A DEMOCRATIC SOUTH AFRICA

Although levirate marriage is still practised in many central and southern African countries, it is no longer so prevalent in South Africa owing to increased awareness of women's rights. I believe that this decline does not make the topic irrelevant, however, as there is evidence that widows continue to suffer abuse.

During the radio phone-in session mentioned earlier in this article, five listeners called in. Three callers were of the opinion that although levirate marriage is still customary in some families, it is a bad practice:

- ♦ Because I traditionally regard my brother's wife as my mother
- ♦ The marriage would be enforced, but not out of love
- ♦ It is an abuse of the woman, she would be better off if she returned to her parents' home

Two callers stated that the custom is still observed in some cases:

- ♦ Not bad custom, since it will ensure the security of one's brother
- ♦ It is still happening because some people still want it

Although the tradition or practice of levirate marriage is considered to be less prevalent in the South African context, *lobolo* or bride wealth is nevertheless often cited as a reason to enforce it. However, the South African Constitution has some wisdom to offer on this point. Although the Constitution does not provide

specific answers to every question, chapter 2, the Bill of Rights, is of particular relevance to the present discussion. In section 12 we read that everyone has the right to freedom and security of the person; moreover, everyone has the right to bodily and psychological integrity, which includes the right to make decisions concerning reproduction and the right to security in and control over their body (South Africa 1996). Section 12 can certainly be viewed as guaranteeing a woman's right to choice of marriage partner, even after the death of her husband, and as protection against being forced to do anything against her will either by family or anyone else. Some traditionalists would undoubtedly wish to argue this point on the basis of culture, but no culture or practice should be used as ground to infringe on someone's rights.

THE RATIONALE BEHIND LEVIRATE MARRIAGE AND THE SEXUAL CLEANSING RITUAL

The Stigma Attached to Unmarried Status

The fact that indigenous African people view unmarried people in a negative light makes it more difficult for a woman to accept singlehood as a normal way of life; she may therefore accept the family's suggestions or offer to marry her late husband's brother. Baloyi (2010: 726) observes that death has always been one of the unavoidable causes of singlehood, and Phaswana (2005) explains that unmarried people may be viewed in a negative light because they are suspected of witchcraft. Because they struggle financially to take care of the family, single people often experience loneliness (Monaghan 1991: 230), denial (Fagerstrom 1996: 138), withdrawal (Koons and Anthony 1991: 115) and low self-esteem.

According to Kalinda and Tembo (2012: 4), if the sexual cleansing ritual is not performed, the widow is considered a dangerous person, and some men are afraid to marry a widow who has not undergone the rite. The rite was a means of protecting a woman still mourning her husband from unwanted advances from men, since some men would not respect a woman's widowed status. For a young widow who wanted to remarry, the sexual cleansing rite would be the best option to consider. For the reasons cited above, not many young women would want to be single, and the rite would allow her the opportunity

to remarry, either by entering a levirate marriage or by marrying outside her late husband's family. Since the cultural expectation is that every man should grow up and get married, the entire community regards being single as an abomination (Kimathi 1994: 14).

Protecting the Woman, the Wealth of the Deceased and Her Children in the Family

It has been suggested that in the African context, once a woman loses her husband, she is left to cope with the challenges of life alone. It has been argued that since women were dependent on their husbands for financial support for the family as well as decision-making, she would need a man to fulfil these roles, previously fulfilled by her husband. That is why it has been argued that [l]evirate marriage can, at its most positive, serve as protection for the widow and her children, ensuring that they have a male provider responsible for them. Although this can only be a positive in a society where women are not allowed self-reliance and must rely on a man to provide, especially in societies where women are seen as under the authority, dependence, servitude, and/or possession of their husband. Thus practice of levirate marriage is strongly associated with patriarchal societies. The practice was extremely important in ancient societies (for example, Israelite and Near East), and remains so today in parts of the world. Having children enabled the inheritance of land, which offered security and status. A levirate marriage might only occur if a man died childless, in order to continue his family line (Levirate marriage, www.aadet.com/levirate_marriage).

Many societies which practised levirate marriage believed that this would protect the dignity and integrity of the widow and children of the deceased. The family could not afford to lose his children, and would use every means available to retain the widow in the family, for instance to prevent her from taking her children back to her home, which would mean that the children were lost to their father's family. In countries such as Senegal, where marriage is a key means to obtaining rights to land, a woman becomes vulnerable in the societal context if the marital bond is broken, either by divorce or death; levirate marriage would therefore constitute an option (Platteau et al. 2012), as it keeps the dead man's children and wealth within his family. Al-

though this practice may have had its own consequences, the motive of trying to protect the widow and children is not a bad one, as in the traditional African context children need to belong to a particular family; moreover, an unmarried woman may easily fall prey to prostitution.

Having an Heir to Take Care of the Deceased Man's Belongings: Continuity

In the traditional African context, the continuity of the husband's line was very important, to the extent that if a married man were to die without children, male children in particular, his family would expect his widow to marry someone in the family, usually a brother of the deceased, so that the deceased's line would continue and succession to a particular social position would be ensured.

Similarly, in the traditional African context, it was expected that boys will become heirs, and this expectation is one of the reasons for levirate marriage. It was believed that if a man died, leaving behind wealth in the form of cattle, for instance, an heir would be needed to take care of what had belonged to the deceased. According to Kathide (2007: 105), even though the heir might not engage in conjugal relations with his father's wives, he must nevertheless continue to care for the family in whatever way possible. It was therefore extremely important that there should be a male heir in the family. There is therefore considerable pressure on a widow whose husband has died before a male heir is born to have a son with the same surname. This may force a woman to accept her late husband's younger brother as her husband, as in that way she may be protected from eviction or loss of her husband's wealth, since the heir would take care of all property. According to Ntozi (1997: 127), a widow without a son who may claim a share of his father's property would be left without any physical assets such as cattle or land.

Avoiding the Return of Bride Wealth

Ntozi (1997: 127) explains that if a widow is still young and does not want to be inherited by one of the agnatic relatives of her late husband, she returns to her natal home and her parents pay back the original bride wealth to her late husband's clan. Schwimmer (2003) provides

similar information, stating that since the man's family paid bride wealth to acquire the reproductive powers of his wife as well as other economic and social services, they are considered to retain these rights even after his death. They may therefore require that she remarry within the family, or alternatively they may arrange a marriage with another family, from which they are reimbursed the bride wealth that they originally paid. In this way, the issue of *lobolo*, seen by some as a means to abuse and oppress women, was used to ensure that a woman always belonged to a certain family. However, the return of bride wealth was an option only if the woman decided not to stay with the family. The researcher subscribes to the notion that "it is not the load that breaks you, but the way how you carry it": in my view, *lobolo* in itself is not an oppressive practice; however, it can be misunderstood and abused. Platteau et al. (2012) are in agreement with Boserup (1970) and Goody (1976) in considering that the dowry would provide some protection as women would find it more difficult to be re-accepted on to their family land. Although it is not the focus of this study to detail the differences that exist between dowry and *lobolo*, it is fairly important to mention that the two concepts should not be confused to mean one thing.

CRITICAL EVALUATION

Ossrea (2008: 3) notes that despite evidence of increased knowledge about the high risk of HIV/AIDS, there are nevertheless people who enter into levirate marriages. It has been confirmed by many medical doctors that although HIV/AIDS can be transmitted in different ways, sexual intercourse is one of the most common means of infection. Whether forced sexual intercourse is a tradition or not, the fact that it exposes the parties to the risk of infection with HIV/AIDS cannot be denied, and either the younger brother of the deceased or the widow may be HIV positive, and thus infect the other. The vulnerability of widows to contracting HIV/AIDS through the cleansing ritual and the fact that there is no guarantee that following the ritual they will be married to the man they have been required to have intercourse with make it a form of sexual harassment and abuse. Political and tribal leaders have expressed the opinion that so-called ritual cleansing should be condemned, as it is one of the factors contributing

to the spread of HIV among 25 million sub-Saharan Africans (LaFraniere 2005: 8).

The custom of *lobolo*, states Baloyi (2010), was arguably intended to be a good and enriching practice for African people. It is both unfortunate and unfair that *lobolo* should be used as a reason to force women into a second marriage, as that is not its purpose. If *lobolo* were given as a gift to the in-laws, which was the original intention behind the practice, then the death of the husband could not ethically change the situation. In my view, if the husband were to die and the wife decided not to remarry within his family, her husband's family should accept this and allow her freedom of choice, without citing the custom of *lobolo*, because through bride wealth they were not buying a person, but giving a gift.

For Baloyi (2001: 30), love should be the driving force behind marital choices: "The kind of love that exists between two partners in marriage should be unique in nature" – in other words, no culture or tradition should stand in the way of love between the two people who want to marry. The parental or family role in insisting that the widow should marry within the family is no substitute for love. I therefore fully endorse Reneilwe's statement, "I will only marry someone I love" (Nkhwashu 2012: 2).

Levirate marriage in certain contexts also encouraged polygamy in the sense that if all the brothers of a deceased man were already married at the time of his death, the one who was to inherit the widow would not be expected to divorce his wife, but to marry the widow as another wife. It is not within the ambit of this paper to discuss the problems associated with polygamy, but these are known to include economic depression (Baloyi 2012: 12), and oppression (Mbeya 1994: 26). Oduyoye and Kanyoro (1990: 208) see polygamy as denying women the human right to the undivided love of their husband.

The absence of a male heir should not be taken as an argument for levirate marriage, as there is no guarantee that a son will be born following the new, forced marriage. Moreover, a husband may die before it is discovered that his wife cannot have children, in which case a levirate marriage may be entered into with expectations that cannot be fulfilled, which will possibly cause further problems in the family. I fully agree with Mills (2012: 3), who states that families should not try to force anyone into a marriage against their will. Family violence is a very likely outcome of a forced marriage.

The stigmatisation of women through forced marriages is a violation of human rights. The right to marry as well as the right to choice are all protected by the Constitution of South Africa. Waruta and Kinoti (2000: 132) correctly state that a woman is not an object, but a subject who is to be treated with respect and honour. The family needs to understand that every human being is an individual, which means that some people may be in favour of levirate marriage, and some may oppose it: families must respect both views.

Having examined an aspect of traditional African culture relating to womanhood, the researcher wishes now to turn my attention to how inculturation relates to the gospel of liberation, and how the latter proposes a transformation of the culture of bondage, setting the African woman free to achieve her own development.

THE POSITION OF THE CHRISTIAN CHURCH ON LEVIRATE MARRIAGE

Pastoral Services

It is the church's responsibility to provide professional pastoral counsellors who will work directly with the abused and the abuser towards Christ and his reign of love and peace (Waruta and Kinoti 2002: 134). The church must become a healing force as well as a safe haven for the marginalised and oppressed, particularly through its pastoral services. Cone (1986: 19) correctly argues that God has always been on the side of the poor and oppressed, and that to be relevant to the community, the church must identify itself with the poor and suffering, among whom are the widows. It should also be very clear to pastoral caregivers that, in denying the element of choice, levirate marriage is more dehumanising than polygamy (Umoren 1992: 2). The establishment of forums and widow support groups in which widows may be trained to help other widows through workshops may also prove helpful. By introducing an initiative of this nature, the Christian church could help women to claim their human rights both in the church as well as in the community in which they live.

Church Teaching on Sexual Matters

Church teaching must denounce all wrong interpretations and heresies which are used to subject and humiliate recently widowed women.

However, it is not enough merely to denounce these discriminatory practices: the church must seek ways to correct those of its members who condone the practice of sexual cleansing. In the words of Cone (1982: 122): "One should afflict the oppressor in support of the oppressed." Liberation theology must involve itself in the fight against any form of women abuse in the church and community. This it could do through its teaching, among other ways. Umoren (1992: 64) rightly argues that the gospel of liberation in this context should refer equally to the person of Jesus Christ and His spoken dynamic message of setting human beings free in order to have life in abundance.

Transforming African Culture

The church's immediate and initial calling is to preach, but it must not sit back and do nothing when culture is used as an excuse to oppress other people. Pastoral caregivers as well as preachers must involve themselves with the community and society in order to play a pivotal role in its transformation. Oduyoye and Kanyoro (1989: 210) are of the opinion that in transforming the African culture of oppressing women, the Christian church will also develop the culture's latent potential to view women as created, like their male counterparts, in the image and likeness of God. The gender imbalances that are orchestrated by culture and the church in some instances need to be rooted out by the very same church that promoted them.

Premarital and Family Counselling

The new couple preparing to marry needs to know about these things so that they can be prepared together for the future. Premarital counselling must therefore also attempt to cover the cultural practices that are involved in marriage as a way of preparing for the future. It is not enough for premarital counsellors simply to inform young people about the joys of married life: they must also inform them of possible future hardships. Counsellors should also be ready to engage with the parents or guardians of the marrying couple in order to prepare them. Phaswana (2008) commendably points out that indigenous African people should understand that one of the benefits of family communal counselling is that it gives people the opportunity to share ideas.

CONCLUSION

Indigenous African people had ways to protect widows and ensure that children whose father had died were not lost to the family; in this context, levirate marriage was an option for many. Although some favour the practice, for those forced into it, it constitutes abuse. The researcher fully supports Ntozi that the experiences of some widows on remarriage, particularly in the case of levirate marriage, are unhappy in many societies all over the world. The issue of sexually transmitted diseases remains a concern for those forced to engage in this practice. Levirate marriage is one of the traditions which pastoral caregivers should be alert to, as they may need to find ways to help women should there be signs that they are being forced into such practices against their will.

RECOMMENDATIONS

It is imperative that South African researchers engage in the topics affecting their communities. The churches through their premarital and marital counselling should consider that to ignorance to knowledge about levirate marriage issues may haunt our children or even land them in difficult times in the course of life. It is therefore recommended that the future study focuses on the South African Law regarding issues of marriage, with a particular focus on levirate marriage. The other study for the future is to concentrate on levirate practice in a cross-cultural marriage in a democratic South Africa. It has also been realized that there is need that young people who are intending to marry should be aware of their African practices and should be encouraged to be as critical as possible before deciding either to uphold or abandon them.

LIMITATIONS

This study was made in the context of South African black people, although they always related to a wider African continent in many traditional as well as cultural practices, hence some wider African references will also be touched on in order to emphasise the existence of this problem in Africa-South African context.

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