

Women in the Family Structure of Pre-colonial Benin Kingdom, Edo State, Nigeria

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Abstract

Women in the pre-colonial Benin Kingdom of present-day Edo State, Nigeria have been interpreted by many scholars as being constrained by cultural practices. They believed that their roles were felt secondarily, and that it was colonial rule with the introduction of Western education and spread of Christianity that revised the position and status of women in the pre-colonial Benin kingdom. This paper examines women in the family structure of the pre-colonial Benin Kingdom and determines the position of women in the family structure, which was essentially constituted through marriage. Although different relationships made up the family structure, in the sense that the family structure constituted interrelationships among the units of a family and among members bound by marriage or bloodline, women in the traditional Benin Kingdom, just like the men, were organized into an age-grade system. This classification for women was based on their marital status. This paper explores the nature of pre-colonial Benin marriage and family life using qualitative research methodology and a close reading of extant literature. It investigates the role and status of women in the family structure and how they navigated and established themselves in society. Public women (free or unmarried women) were uncommon in Benin since a girl child was betrothed from infancy to her prospective suitor. It was rare to see public or free women in the pre-colonial Benin Kingdom. The findings of this study show that women in the kingdom were part of households headed by males, father or husband, outside of which they hardly had an identity.

Keywords: Benin Women, Family Structure, Marriage, Law and Custom, Pre-colonial Period

Introduction

The idea of the family is universal, even though its content has changed with time and place. In a sense, a family structure defines the interrelationships among the units of a family, and among members bound by marriage or bloodline, although it is the role or function that every member performs that is usually referred to. Thus, a family structure has been defined as the organizational roles of different units within the family (Benson, 1981; Vidrovitch, 1997). Just as

the family is central to the constitution of human society, so is the family structure central to the make-up of a social structure. Therefore, the study of the social structure cannot proceed without an understanding of the family structure (Levy, 1965). During the pre-colonial era, the family structure of Benin was essentially constituted through marriage. Although different relationships made up the family structure, it is the place of women in this structure that is of relevance to this study.

Kaplan's cycle provides a working outline of the place of women in the family structure of pre-colonial Benin. According to her,

In Benin, as in Africa, generally, a woman's most important status derives from her role as mother. Motherhood is the focus of her economic activity and her life. It is as the bearer of children, especially males, that a woman defines her status in the polygamous family and forges lasting ties to her husband, home and kin. It is as a mother and through her children that a woman is assured of support in case of abandonment by her husband; in her old age; and 'in memoriam' when a proper burial is carried out by her son, or a daughter if she has no sons, and by other relatives. A woman begins her lifecycle as a daughter and sister, continues as wife and mother and then concludes as a widow (Kaplan, 1997, 76, cited by Akintan, 2002).

Kaplan correctly presents Benin as a patrilineal society, with the political organization of Benin Kingdom being male-dominated. Women in the Benin Kingdom operated at two levels during the pre-colonial period: (1) in the family and (2) in the larger society.

Data Sources and Research Methodology

The primary data used for this study are intelligence reports on the Benin Division obtained from the Edo State Archives, Ministry of Local Government and Community Affairs, Benin City. The study also relied on oral sources: interviews with persons knowledgeable about traditional Benin law and customs, particularly as they have to do with marriage. The recordings were transcribed and analyzed. Oral information helped to validate the information from written sources.

The oral sources provided information that complemented the extant literature. Secondary data included published works like articles in journals. Primary and secondary sources were synchronically (or thematically) analyzed to ascertain their validity as regards the women in the family structure of pre-colonial Benin Kingdom.

Women, Marriage and Family Life: The Law and Custom

Like the men, women in traditional Benin society were organized into age-grades; but unlike those of the men, this classification was not distinct. The distinction was only pronounced as it affected the unmarried (*alume*), the married (*amwebo*), and the widows (*okhuonodegbe*). This classification was based on marital status. In pre-colonial Benin society, the *alume*, the first grade of women, who were mostly expected to remain virgins till marriage, were between the age range of 14-21 years. It was from this group that marriage was contracted, and the life's journey of the girl began. Most often, the suitor started his preparation from the day the girl was given birth. When a baby girl was born, suitors approached the parents by sending a log of wood

'*imuikerhan gbo oto*', and a bundle of yam (the *ivbuomo*) asking for the child (Ebohon, 1996). In other words, the family of the husband-to-be dropped a log of firewood at the back of the house of the wife-to-be to register his presence and interest in the life of the child, and to also prevent others from trespassing. Quadri captures this as follows: "Child betrothal emerges as the oldest system in Benin and was the most common form of marriage in the distant past" (quoted by Suleiman, 1995, 1). It was a form of reinforcement that the boy fetched some firewood for the family of the girl, accompanied them to work on the farm, or rendered some other forms of assistance or service from time to time (Suleiman, 1995).

It is important to note that whether marriage is by betrothal or by request, there is a bride price attached. In the period before the advent of standardized exchange rates, farm produce and other products served this purpose. Before the marriage proper, the girl's father conducted a series of investigations on the family's background of the suitor. Such a family must be disease-free, free from scandals, free from debts, free from witchcraft, and not linked with slavery (Egharevba, 1946). The family of the suitor makes similar inquiries about the girl's family and if both sides are satisfied and both families have found themselves worthy as in-laws, the betrothal proceedings are allowed to proceed. When a suitor had been accepted, he was notified of the date for the formal betrothal. The suitor and his family went with gifts, which included gourds of palm wine, coconuts, and kola nuts, to the bride's family. When they got there, the suitor was asked to kneel where a prayer was said to notify the gods and ancestors that a suitor had performed all of the services required for his prospective in-laws. The girl's father responded by declaring the betrothal (Egharevba, 1946).

When the girl came of age and ripe for marriage, no father will give her hand in marriage until she had reached puberty, which falls between 12 and 14 years old, as noted by Ebohon (1996), Egharevba (1946), Roth (1903), and Thomas (1910). The father of the girl informed the family of the suitor to get ready to complete the marriage ceremony and was given a date to come for his wife. The family of the suitor was notified of the items needed for the completion of the marriage rites, which included 20 pieces of kola nuts, 20 pieces of coconuts, two bundles each containing seven yams, two legs of an antelope, a calabash of palm oil and *ugiamwen* or (six shillings and sixpence in colonial Nigerian money), and a bottle of gin (Egharevba, 1946). If the bridegroom was unable to provide all of the articles listed, he was asked to replace them with money payment of one pound (Egharevba, 1946). On the appointed date, the suitor and his family came with the required articles. In all, marriage was not merely a ritual between a bride and bridegroom; the family was the key factor in any marriage procedure or institution.

It was a joyful thing for the bride's mother if her daughter was a virgin as this completed the final marriage rite. The bride's mother visited the daughter on the seventh day after her betrothal and was given a warm feast and white cloth of virginity as a testimony. The mother was very proud of herself and of her daughter, which means that her daughter kept herself pure, and "she also received the customary sum of twenty-one shillings" (Egharevba, 1946). The bride was also given a present by the husband as she was seen as a virtuous bride. The gift could be an ox or a coral necklace. This act ended the final marriage ceremony that lasted for one week. The completion of the ceremony did not automatically put an end to the obligations the suitor had to fulfill to the family of the bride, primarily rendering service to the family. These obligations usually lasted for a lifetime, although not all suitors kept up with them.

Free or unmarried women were not common in Benin Kingdom. There were no free women since a girl was betrothed from infancy to her prospective suitor. It was rare to see public women in Benin Kingdom during the pre-colonial period. It was the custom in the kingdom for a

man to have many wives, and some noblemen could marry up to 80 or more; even the so-called poor men married up to ten or 12 wives (Roth, 1903; Egharevba, 1946). This made it clear that the community had more females than males; it also prevented the possibility of having public or unmarried women, as there were hardly free females who were not betrothed. Every man married as many wives as he could afford, besides keeping a great number of concubines (Roth, 1903). A woman would neither offer herself nor would she cohabit with any man that was yet to consummate his marriage or conclude the marriage rites. The difference between the wives of noblemen and common men in Benin during the pre-colonial period is that while the latter could go everywhere their work obliged them to go, especially the farm, the former were almost shut up in their homes as their work in the farms was done by slaves acquired by their husbands (Roth, 1903). Whenever a visitor was around, the women moved to their various chambers. They only came around whenever their attention was needed by their husbands, a responsibility that usually fell on the most senior wife who in turn delegated younger wives if need be to carry out the duties.

Whenever a new wife was married into a family, she was placed under the supervision and tutelage of the most senior wife to enable her to imbibe the doctrines of the family into which she was married. At this point, the new bride was taught how to prepare and serve her husband when it was her turn to do so. The new bride also did not have the right to report any matter, even disagreements with more senior wives, to the husband without the knowledge of the first wife. The most senior wife knew the appropriate time and channel to discuss any matter with their husband if she was unable to resolve it. The same was the case if a woman felt she had been offended by her husband; in this case, she asked the most senior wife to help her appeal to her husband, as it was a serious taboo for a husband to reject food from any of the wives. Nonetheless, a wife who wanted a favor from her husband usually avoided the procedure of going to meet the first wife, particularly if she felt that the first wife was on the side of the 'enemy' wife. In such a case, she reported the issue directly to her husband which in some cases could lead to sanctions on the other wives by their husband. But, the most senior wife always ensured peace was restored to the family since she was expected to have tutored the junior wives to prevent such a situation. Again, it was difficult for her to manage persons from different backgrounds and homes. The only bond that ensured the loyalty of the wives to the most senior wife was the 'juju' they swore on to be faithful to their husband and loyal to the wives they met, and also to listen to the instructions of the most senior wife such as getting firewood and other domestic duties (Egharevba, 1946).

Polygamy was a universal practice in pre-colonial Benin. Women were of great economic benefit to their husbands. Apart from taking care of the home and giving birth to children, they constituted a significant labor force to their husbands when they were of age; the women raised the children, cared for their husbands, and ensured that the compound avoided anything that could make their husbands angry. The economic resources of pre-colonial Benin people depended largely on agriculture. The traditional ruler was responsible for allocating farmlands to families that wanted them. Invariably every family needed land as it was the only means of providing basic food stuff. The more land was acquired, the more labor power was required, especially for the ordinary man whose wives provided the labor, unlike the noblemen who could acquire slaves to do the farm work.

The visible role of women in agriculture was evident during the planting and harvesting of food crops. The harvesting of crops was gendered; while the men harvested the yams, the women harvested other crops like melon and maize. The movement of harvested crops, whether

to the barns or other storage facilities either on the farms or at home, was the exclusive responsibility of the women. Since the division of labor increases output, it helped also to stabilize the society since the men and women knew their various areas of influence. In pre-colonial Benin society, the traditional division of labor on the farm and within the family was usually considered 'natural' in the sense of being obviously and originally imposed by the sex difference itself (Boserup, 1970). But, while the members of any given community may think that their particular division of labor between the sexes was the 'natural' one, other communities may have completely different ways of dividing the burden of work among the sexes and they too may consider their ways just as 'natural.'

Women's high rate of participation in agricultural work and their long working hours indicated that women in nearly all cases did more than half of the agricultural work in pre-colonial Benin. In some cases, they were found to do around 70% of the total farm work (Boserup, 1970). The preceding conclusion would seem justified considering Barbot's observation of men in pre-colonial Benin:

The *Benin Blacks* not being very laborious, and many of those who are wealthy live near the court; there is an abundance of families of that sort of gentry in *Oedo*, attending continually in the palace, without any profession; leaving all their concerns, either in trade or husbandry, to their wives and slaves, who are continually at all the fairs and markets in the country round about, to carry on their husbands and masters business; or else serve there for wages, the best part whereof they must very carefully pay to their husbands or masters: which makes the women there as much slaves as they are in any other part of the kingdom of *Benin*; for, besides their task of driving their husbands traffic, and tilling their ground, they must also look after their house-keeping and children, and dress provisions every day for their family. But the female sex is there in a most peculiar way so brisk, jolly, and withal so laborious, that they dispatch it all very well, and with a seeming pleasure and satisfaction (Barbot, 1732, 359).

From Barbot's observation, family duties were performed by wives without complaint, enjoying their roles as wives, mothers, farmers, and traders, while their husbands enjoyed their days in the palace.

As for inheritance in pre-colonial Benin society, the husband took all the property that a deceased wife left behind, without giving the children anything from what their late mother left behind, except what their mother gave them while she was still alive. But when the husband died, the wife was not allowed to touch anything that belonged to the man (Egharevba, 1946). His father's other widows, especially those who had not had any children, he took home if he liked them and could become his own; but those he did not like, he assisted them to be engaged to be able to contribute toward the raising of his brothers and sisters. In this case, there is no matrimonial connection between him and his father's wives. He could also allow the women to do honorable work like working on people's farms to enable them to earn money to keep them going. The women who did not have children for their husbands could reject the request to be wives to the first son, some by running away. Some families were not ready to allow the woman to leave the family's compound as they claimed that she remained the family's property since their late brother and father consummated the marriage properly. In such a circumstance, many of the women ran away. Even some whose husbands were not deceased and were abandoned and

just left in the compound as property that had no use also ran away. Many of the women did not return to the fathers' compounds because they knew that they would be returned to their betrothed, as they were in no position to decide whether they were happy or not. If their parents were happy with a union it implied that their daughter was also happy as marriage was between families and not the individuals involved. Her complaints did not matter as far as the marriage institution was concerned. So, many of the wives that found themselves in this condition ran away to different neighboring towns to start new lives.

If the deceased had no children, his brother inherited his properties; in some cases, where the man did not have sons but only female children, his brother also inherited all his properties as women were not seen as part of the family that will continue the family's name. The brother who inherited these properties may decide to give the widow or widow's children proceeds from whatever properties he inherited if the children of the deceased were still very young. But this was a personal decision as no one could question him if he chose not to give them anything, especially if a woman were accused of killing the husbands. It was an opportunity for the brother to confiscate all the property, leaving the women to struggle with the raising of their children all alone.

Also, a man who committed rape was automatically considered married to the girl or woman as soon as the family got to know of the act. They were both united by this simple formality. If the girl was too young to bear children, the man was fined as his action was considered abominable. In some cases, the man was sent away from the village or area where he committed the act to avoid such an occurrence again. But, if she could bear children, she became his wife even if she was betrothed to someone else. The man who raped her was her husband and whatever the proposed suitor had given to the girl's parents, if not in physical labor, was returned to him. Once a girl was betrothed, men stayed away from her to avoid being tempted, while the mother became very protective of her betrothed daughter to prevent anything that would disrupt the marriage, and also avoid scandal and shame of a raped daughter.

The parents of a betrothed girl cannot refund the dowry paid to the girl. If she died before her marriage, the father may decide to betroth another daughter in her place if the family thought the man would make a good husband to their daughter and a reliable in-law as well. This act of replacement was optional, and the family could decide to do this if it felt that it was the best for thing to do, but a refund was not possible at all as it was against the law. If a girl or woman had been taken to the husband's house already before the said incident occurred, he would have been responsible for her burial rites; but if she is still with her parents, he decided his contribution and involvement in the burial as the family of the girl takes responsibility for the burial (Osawe, 2019; Omosede 2019).

If a parent or any of a husband's wives died, he was bound to take part in the funeral ceremonies where the family of the wife informed him of his role as an in-law to the family. This act further strengthened his relationship with the family of the wife; he was opportune to meet more members of the wife's family, especially the extended family. His involvement went a long way to define the nature of the relationship he had with the bereaved wife. He was given a list of items to provide for the ceremonies; and if he provided everything on the list, he was seen as an in-law who had come to renew his relationship with the wife's family, thereby confirming that their daughter had been of good conduct in his house. Should he refuse to provide the items on the list sent to him or refuse to show up whenever they invited him as an in-law, then the family sensed trouble in the marriage, especially if the husband refused to show up, not as a result of not having the resources to provide the required items, but as an intentional act. It showed that the

relationship the wife and husband shared was no longer meaningful; to the family, such a response was considered disrespectful and could lead to the recall of its daughter from such a toxic marriage, since the man had no regard for the family that betrothed the wife to him (Osawe, 2019; Omosede, 2019).

The recall decision was never from the woman because she had no right to leave the man's house or complain about the way she was treated by the husband. Even when she did, she was asked to remain in her marriage as a woman who was a home builder no matter the circumstance. It was only in a situation like this that the family could ask her to return home. On her part, among her siblings who are married, whose husbands came and performed the in-law's rites, she bore the shame of not having a loving husband. On their return from the funeral, some of the women might decide to leave their marriages with the consent of their families, abandon their children, and seek to exploit the situation to end a bad marriage (Egharevba, 1946).

The men, too, in some cases, did not go in search of their wives; they were happy that the women left if they were tired of them. Having disrespected their wives' families by not honoring their in-laws' invitations, they are unable to go to them to ask about the whereabouts of their wives. For those families that asked their daughters to return home, it was an opportunity for them to know what was wrong in the marriage that could have prompted the disrespectful conduct of the men. If the men were still interested in the women, they complained to the families about the bad attitudes of their daughters and why they refused to honor their invitations. The men were then fined for their misbehaviors (usually drinks and kola nuts), and the wives were asked to apologize to their husbands and return to them. Even if the complaints were baseless, the women's feelings about the marriage were not considered. If a husband refused to show up in search of his wife, the wife's family could invite him for a meeting; and if he refused, the wife remained with her family. If she got another suitor while still in the father's house, she could go ahead to marry him, especially if she had no children from her previous marriage. She was encouraged to remarry, but no marriage formalities or dowry could be paid on her again since her previous husband paid her dowry in full. The only way she could remarry with dowry paid on her was if the previous husband asked for a refund, an action that would set her free to remarry with the dowry paid on her by her new suitor. But many of the men never came for dowry refunds, not until the colonial period, when the new legal order presented them with the opportunity to profit from their long-abandoned property (wives). Many of the men, with the dowry they paid un-refunded, claimed custody of the children the women had for other men. These interactions involving divorce and child custody were part of the drama that played out in the native courts.

It was contrary to Benin law and custom during the pre-colonial period for a husband and his wife to live separately, except in times of sickness, disagreement, or during the period of nursing a child (Egharevba, 1946). It was only during such situations that the woman was allowed to stay away from her husband. In times of birth or sickness, she was allowed to return to her parents to enable her to get good care, as the husband and the other wives would be busy with other activities to properly care for her. Women nursing children were expected to stay away from their husbands for some months (usually between six to nine months); and when they returned home, they cleaned themselves with the appropriate herbs before they could see their husbands again as man and wife. The same applied whenever she was on her monthly menstrual circle; she was expected to stay in a separate room from the main house to prevent her from touching anything with which the husband could come into contact; she was prevented from cooking for him during this period. Even if it was her turn to cook for her husband, another wife

will take her turn. Once she was done with the circle, the first wife ensured that she was cleansed before she could be allowed to do anything for her husband.

It was against Benin law and custom to betroth a girl to two men at the same time (Odigie, 2019; Edonwonyi, 2019). Anyone who did so was liable to fines or imprisonment, no matter the circumstance or challenge the parents of the betrothed girl might be facing. Parents could not betroth one daughter to two men at the same time, and could not also make a refund to the man once the dowry of the girl was paid. Some men, because of their wealth, might want a girl that is already betrothed hoping to change the mind of the girl's parents regarding their choice of a suitor. The betrothed girl's parents would always reject such offers, not because they did not need the money, but because the prohibition of such an act by customary rules and the punishment associated with it were discouraging factors. This is not to suggest that some betrothed girls did not run away from their original suitors. Even when the parents were unaware of their daughter's actions, they refused to collect another dowry from a second suitor.

Some of the betrothed girls, while waiting to be of marriageable age, could go behind their parents to start seeing other men, and could even get pregnant before their proposed marriage day. In some cases, the suitor would still lay claim to the wife and the unborn child while the other man, who is the actual father of the unborn child, did nothing for not having made any dowry payment on the said girl. Even if he had the resources to do so, the girl's parents do not have the right to collect such a dowry. Such a situation was usually decided by the suitor who, most times, walked away from the marriage without asking for a refund of the dowry (the whole idea of dowry refund was not part of Benin custom), believing that the bride might have become a source of evil in the family (Egharevba, 1946).

The only one who had the right to request a dowry refund was the suitor. The girl's parents do not have a right to refund any dowry as it was against the customs of the Benin people. It was believed that before a child is betrothed, proper investigation ought to have been carried out by the girl's family to know if the suitor's family was free of all the girl's family would not want to associate itself with, such as disease. It was only after all this had been done that the suitor was certified fit to marry their daughter. Hence, the girl's family did not have the right to request any refund, even if another suitor was willing to do more than what the previous suitor had done, and yet cannot collect dowry from both.

Divorce was not known in ancient Benin, although there was separation and it was only done by the men and not the women (Egharevba, 1946). The separation could be occasioned by the death of a husband: that is, if the man passed away, a wife was automatically separated from the man by the circumstance of death. Impotence or a dangerous and infectious disease could also lead to separation. Outside the circumstance of either disease or impotence, the man is the only one who can send the woman away. Women did not have the right to leave their marriage based on not being able to bear their husband's children or be satisfied sexually. During the pre-colonial period, it was not common for a suitor to demand a repayment of his money if a betrothed girl died before her marriage, and her dowry had already been paid (Ogbebor, 2019; Ahunwan, 2019), and the parents were not obliged to refund the dowry to the suitor if the suitor was not interested in collecting it. Even when the betrothed girl's parents were willing to replace the girl with another daughter, the suitor might not be interested in another girl from the family.

One of the reasons why wives ran away was the lack of direct access to their husbands, other than when they wanted to perform their wifely duty (during sexual intercourse) since the communication was largely through the most senior wife, *iye-owa* (Ogbebor 2019; Ahunwan 2019). Even when one of the other wives was pregnant, the information was usually

communicated to the husband through the *iyé-owa*, after which the husband summoned the said wife to confirm the information. The first wife had the responsibility of taking care and monitoring the pregnant wife until she delivered the baby. Once a new wife was married into the house, she came under the supervision of the most senior wife who monitored the monthly circle to enable her to know the one that could come close to their husband for her wifely duty, except by special request by their husband for a particular wife to be sent to him. This situation of the husband requesting some particular wives who were his favorites created some sort of dissatisfaction among the other wives who felt abandoned. These favorites had more intimate relationships with their husband and did not need the permission of the senior wife to see him. The only time they were not available to their husband was during their monthly cycles, or when they were nursing babies. They were so influential that other wives named them *Amebodo* (Ugiabe 2019; Uyi 2019). They could be responsible for the abandonment of their co-wives by their husband by giving their husband information about the goings-on in the house while he was away. This greatly reduced the influence of the most senior wife.

Certain factors also influenced the determination of which wives became the favorites. The women from notable and wealthy families were treated well by their husbands, especially when such husbands had friendly ties with their fathers-in-law. To avoid a souring of the close relationship, the husbands went out of their way to treat these women well and make them happy. In some cases, the husbands would also instruct the most senior wife to give preferential treatment to such wives, unlike the other wives whose parents were not wealthy or notable, and whose parents looked up to their in-laws for support. The latter did not enjoy such privileges in their marriage; some were even abandoned, as they had no one to protect them like the others, their husbands, even when they complained to the most senior wife to help reach their husbands (Ahunwan, 2019; Ogbemor, 2019). Taking up such a matter with the husband negated a key function of the *iyé-owa*: to maintain peace and order in the family, particularly among the wives. It was her duty to encourage aggrieved wives to be patient; otherwise she would take the blame for any crisis among the wives. When some of the wives could no longer bear the situation, they ran away without the knowledge of both the most senior wife and their families. They did not inform their families as they believed they could do nothing about the situation other than to encourage them to hang on. This was so, particularly when the wife's family depended on their daughter's husband.

While the favorite wives were treated with so much affection and respect, the others were there like the man's property with lesser value, with no right or opportunity to express the way they felt. Some were completely abandoned in the house but were still referred to and regarded as wives. These young females were abandoned, some for about three years without going close to their husbands (Ugiabe, 2019; Uyi, 2019). Ultimately, the husband decided the wife he wanted to be with at any point, and this determined the number of children a wife could have. Some of the wives had just a few and some none, while others had many due to their constant intimacy with their husbands. Yet, the men were not patient with wives who did not get pregnant as soon as they were married. If the new wife was not pregnant after some months of being married, the husband was reluctant to request for her; and eventually, she was labeled a barren woman. It was the number of children possessed by a wife that solidified her position in her husband's house. Children were the object of marriage for both men and women, and they belonged to the father's lineage, as acknowledged by Kaplan, although very young children and infants stayed with their mothers in the aftermath of separation; and under colonial rule, of divorce (Kaplan, 1997).

A child was the greatest gift a man could have. A man could send the child to serve a noble in the hope of gaining favors for him and the family. Mothers were reluctant to make a gift to a child, irrespective of what they stood to benefit from it. Women chose to leave a marriage where they either had no children or all the children had died. They left because they believed they were not destined to be in that family, since having children was the only thing that guaranteed their stay and status in the marriage. Nevertheless, women of noble birth, or favorite wives, were treated differently from the way the husband and even the most senior wife treated others. Whether they had children for their husbands or not, the husbands ensured that they were happy by not abandoning them, irrespective of their status in the house (Okundaye, 2019; Uyi, 2019). It was rare for such wives to be abandoned by their husbands. Their separation was usually an agreement between the husbands and the parents-in-law.

Women, Marriage and Family Life: Deviations from the Law and Custom

While much of what has been discussed relates to the ideal state of family life in pre-colonial Benin, indicating the expected behavior of women in family situations, the actual order of things presented a less-than-perfect family life. Roth and Egharevba have given a clear outline of the norms guiding the behavior of wives and referred to conducts that were regarded as taboo, yet violations of these norms have been observed that tend to show how wives were not passive as expected by the tradition of Benin. It was not infrequent for married women to leave their husbands and live with their lovers, sometimes, for years; unless the bride price had been paid, the woman and all her children belonged to the husband (Thomas, 1910). Thomas reports cases of married women who lived openly with their lovers, while the husbands are kept in ignorance. In a situation where a husband suspected a wife of infidelity, he reported the matter to the head of his family who took the wife to the diviner. If the diviner found her guilty and she denied the charge, she was then subjected to the *ifa* ordeal. According to Thomas, a case came to his attention in which the diviner declared that if the woman had ever committed adultery since married to the husband, *ifa* should hold her, if not, *ifa* should let her go free. A fowl's feather was then passed through the middle of her tongue, after which three attempts were made to pull it out. If the feather stuck, she was pronounced guilty. She must then cane her lover and could be flogged until she did so. Having done this, she was made to swear by *Olokun* or her husband's father that she was speaking the truth (Thomas, 1910). Thomas puts it as follows:

She buys a big goat for her husband to sacrifice to his father, the money which she gets from her paramour, her father or perhaps her husband or she may have to sell her property, clothes, beads, or what she makes by trade. Until this sacrifice has been made she may not eat from the same pot as her husband or her children. If she did so, the latter would fall sick (1910, 52).

In some families, a woman did not undergo the ordeal of life. She was compelled by her husband's ancestors to go and confess to him; if she did not do so, she would fall sick or die suddenly. Thomas states: "When a woman confesses to adultery, her husband passes an eggshell round her head from right to left and hangs it under the eaves of the house; if she is solicited by a man, she confesses to her husband and the same ceremony is performed" (Thomas, 1910, 52). Also, Dennett noted the following:

Very few women in this country (Benin) are true to their husbands, many of them having at least one lover. When a child is born the woman does not declare who its father is until her husband is dead. Many women live openly with their lovers, the great majority of cases in the court are for the return of wife, and many women prefer to go to prison than to return to their legal husbands" (1906, 43).

Many of the women who were asked to return to their husbands disobeyed the court order, especially when they were not given the option of a refund of dowry. The women preferred to be imprisoned rather than return to their legal husbands, while the ones that had the option of refund of dowry quickly refunded the dowry; and where the money was not available, they got the money from their lovers to enable them to make the refunds and live freely with their lovers. If a lover is also unable to provide the money immediately for her, she will appeal to the court to give her some time to enable her to raise the money for the refund. Many such requests were granted by the court to enable the women to gain their freedom as they were not encouraged in any way to remain in any marriage that was not pleasant for them.

Men in Benin did not have anything to do with their wives as soon as they gave birth. The men usually stayed away from the women for a long period: between nine months and one year of her nursing the baby. Some of these women went to live with their parents during this period and only returned when the husbands felt it was convenient for them to have sexual intercourse with the wives. Ogilby (1670) claims that during the period of putting a woman away, she would have affairs with other men without the husband knowing about the affairs. If the husband got knowledge of such an act, or suspected the woman, he reported to her father after questioning her; and if she admitted to the accusation, she was made to undergo some family rites before the husband could have anything to do with her again as his wife (Ogilby, 1670). Before the rite was performed, she was not allowed to cook or sleep in the same room with her husband as discussed earlier.

Conclusion

From the foregoing sections, there is no doubt that the life of a woman in pre-colonial Benin, from birth to the grave, was lived in subjection to men. She had no independent identity other than as a wife and mother. Her position in the family was that of the producer of children, and of food, and then the homemaker. Benin law and custom provided very little by way of remedies for the extremely uncomfortable existence in which the Benin woman found herself. No wonder there was a high rate of runaway wives—i.e. wives that had nowhere else to turn to for succor. Nonetheless, colonial rule introduced new opportunities that became the vehicles of change and social transformation.

While the transformations wrought by colonialism could be seen as destructive of native customs, it must be remembered that it was not colonialism that generated the need and the urge to flee from native practices. Colonialism only established opportunities that were quickly seized by women that felt brutalized and oppressed under the *ancien regime*. In this sense, colonialism had a liberating effect. British laws prohibiting child marriage and forced marriage established the more lenient definition of what constituted adultery, permitted easier access to divorce for women, and allowed women more freedom than they had before (Usuanlele, 1989). There were unsavory consequences. It became the practice of some parents and guardians to trade with their daughters, while some husbands neglected their wives to the extent of driving them into

adulterous actions to collect damages or dowry refunds. Most women could not pay their divorce fees, adultery fines, court summons fees and tax before 1927, and also meet their necessary needs became vulnerable to seduction, especially from wage and salary earners. The new trend of divorce in Benin was generally perceived as a breakdown of social order.

What this paper has attempted to do is to situate the Benin woman in her appropriate time and place, with the cultural peculiarities within the overall framework of pre-colonial Benin society. What should be emphasized is that families may be in competition, but men and women were not in competition to achieve separate goals since females in traditional Benin society aspired to the marital status quite early (betrothal). The only period that a female was unmarried or uncommitted martially was a few days after birth, and yet there was hardly any female that remained un-betrothed in her early days or unmarried later. It follows therefore that a study of family life is central to understanding the status of women in pre-colonial Benin society.

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