

Obnoxious Cultural Practices Associated With Bereavement among People of South-East Geopolitical Zone Of Nigeria

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Abstract

Bereavement of a breadwinner of the family is a traumatic experience that last for a life-time for every member of the family. The effects of this irreparable loss are somewhat insurmountable as the family may never be able to be on their feet again. This great loss is compounded by the obnoxious cultural practices meted on the mother of the home or the wife of the deceased popularly known as the widow. Over the years it has been found that cultural practices against widow have several negative effects on them and the family, the ultimate of it is the early death of the widow leaving the children as orphans and escalating poverty and moral ills in the society. Recent developments and most especially in Nigeria's constitution indicated some improvement but much needs to be done to arrest the ugly practices. The need to highlight the contemporary situation regarding the obnoxious cultural practices in South Eastern Nigeria informs this study. The paper examines the cultural practices in the south-eastern part of the effects of these practices, and the need for more reforms on these practices

Keywords: widow, bereavement, obnoxious cultural practices, inheritance

INTRODUCTION

The cultural and legal way of procreation in life and the world in general is through marriage. This is the acceptable union of a man and a woman having fulfilled all the cultural and legal processes including agreement between the families of the two couples. Every society has its norms and values that are in most cases unwritten but firmly observed and respected while sanctions are meted to offenders, and the legal means which are written and have institutions to enforce their compliances like the court of law that arbitrate and the police that carry out the order of the court.

Marriage institution recognizes the norms of the society and the legal means by which laws of the land are enforced. The marriage institution is the oldest in human history and is revered till today. Marriage is a necessity for a man and a woman as ordained by God. It is usually accompanied by joy, happiness and extension of love, affection, support and care to other families through the union of the members of the families involved in marriage. According to Akinade (1997), marriage defines one's identity.

The union of a man and a woman is expected to end in death of either one of them or both as the case may be. But the separation in death does not mean the relationship between the two families of the two individuals involved in marriage is over. This is because the products of the union are children and property left behind by one of the loved one, most especially the man who is the bread winner of the family. The state of the loss of the head of the family is known as widowhood for the woman essentially

when she did not marry again. Therefore, Akanni (2001) defines a widow as one whose husband has died and has not married again while Odunze (2005) attribute widowhood as unwanted and unpleasant stages that women pass through in life. It is a period of sadness, unhappiness, loneliness and helplessness. The pain and agony of this period cannot be expressed in words. Zahedi (2006) posits that widowhood entails emotional loss and change in lifestyle, identity, social status and role. It is also a period of intense emotional stress in which the woman who is the bereaved is expected to express and handle her feelings of loss at that period before she starts to get over it and reorganize her life. This period may span through two years. The first three weeks after the death of the husband may be a period of overwhelming agony and sadness, most importantly as arrangements are made and concluded for the burial of the husband. The period of mourning is expected to continue and may span through a pre-determined period according to the cultural practices of every society.

Expression of grief and mourning of the loss of a loved one most especially the bread winner, who is the husband, is mostly culturally determined. According to Ntozi (1997), widowhood is a process that is characterized by rituals, forced marriages, rejection, loneliness, poverty, loss of status, fear of the future and depression. Each culture the world over has its way or pattern or practices through which the widow is expected to react to the death of the husband, also known as the mourning rites peculiar to every culture. The people of the South-Eastern part of Nigeria known as the Ibos have peculiar variations

yet similar widowhood cultural rites. These rites are necessary for the widow who has just lost her husband to observe aside her personal grief and sense of loss. The cultural practices also extend to her right to the husband inheritance and the fate of her children after the loss of their father. The need to highlight the contemporary situation regarding the obnoxious cultural practices in South Eastern Nigeria informs this study. This write-up seeks to examine these cultural practices, their problems, effects on the bereaved family and the intervention approaches to enlighten the people who are victims of such practices and dissuade people from such cultural practices.

Cultural Practices of the South-East on Bereavement

The cultural practices of the south-east (Imo, Abia, Ebonyi, Enugu and Anambra states of Nigeria) part of the country are similar in nature. It is the widow who suffers for the death of a spouse. A widower on the other hand does not suffer as much the same fate as the widow even though both had lost a partner. According to Nawadinobi (2001), at the death of a spouse a widow is dethroned, defaced and disinherited. Most importantly, the people of Abia, Imo, and Anambra have unique cultural rites for the woman who has just lost her husband. The ordeal starts immediately the husband is pronounced dead. The dead man's family would quickly switch into action by demanding for the man's property and belongings. To ensure full compliance, they would force her (the widow) to swear or take an oath that she has not or will not conceal any of her late husband's wealth. This is the beginning of the inhuman treatment.

Four kolanuts and one head of tobacco, two jars of palm wine and a white goat is then demanded from a woman who just lost her husband as rites! This is followed by the daughters of the community's continual rites. She is declared "unclean" or "impure" because the death of her husband is a sign of ill-luck or bad omen and therefore, she is not expected to touch herself, her children or anyone around so as not to defile them or any object around. A piece of stick is therefore given to her to scratch herself. This ordeal is expected to last for four weeks or twenty-eight days!

She is isolated from the day the husband died. She is not expected to cook and must not eat with anyone for a period within this period. Her food is specially prepared from old pot; old plates and spoons are used to serve her. She is made to sleep on a wood plank covered with a mat or an old door with a mat. She is not expected to sleep at night and she is given bitter kolanuts to hold in her mouth as a sign for her to know the bitterness of her husband's death a night before her husband's burial!

The woman's ordeal may be worse than expected if it was found out that she had quarreled with the husband before his death. The daughters of the community (Umuada) may keep her in the same room with the dead body of her husband for several hours and sometimes she may be asked to lie on the same bed with her husband's corpse for some minutes if the widow has been known to be maltreating her husband; a situation that given rise to his death.

The inhuman treatment continued after the husband's burial. The bereaved is then taken to the backyard where she is stripped naked and all parts of her body with hair shaved, beginning with the head, the eyebrows, the armpits and the pubic area. The shaving is done by daughters of the community who are themselves widows. After the shaving, she is given a bath, dressed and brought out. The shaving and the bath symbolically represent the "removal" of all links between the widow and the deceased. This is in addition to some mixtures from a native doctor that is rubbed on her head and the eyes, which in some cases result in severe headaches and eyes aches. Other terrible practices may include asking the widow to drink the water that was used to bath the husband's corpse as a proof of her innocence if accused of being responsible for the husband's death. It is their belief that if she contributed to the husband's death, some very terrible things will happen to her after drinking the water used to bath her husband's corpse. She may also be required to crawl over the husband's corpse (ige fe ukwu ozu) as a means of proofing her innocence of the husband's death. In some places, within the South-eastern part of Nigeria, the bereaved (widow) is not expected to have a bath until eight market days (one month) after which she would be led to the river by 12.00 midnight to bathe (iwu ahu). Her movement is also restricted during the period of her mourning. She is not expected to go the market, church, social events for the one year period of mourning.

As bad as it is, if peradventure the widow dies during the widowhood rites process, her corpse will not be dressed because her corpse will be seen as evil. The naked corpse will be covered with wood ash and she will be buried in an "evil forest" as against being buried in her husband's compound. She is expected to wail every morning as early as 4.00 am before the people in the community will wake up. This is done as a sign of agony and pain for her departed husband for four days; her failure to do so will attract very stiff penalty from the daughters of the community.

The widow is expected to sit on the bare floor during the period of mourning. She is also expected to wear only black clothes for one year after the four weeks of deep mourning. At the expiration of one year of wearing black clothes regularly, ceremonies must be

performed before she is allowed to be wearing other clothes besides the black clothes.

However, there is discrimination in the ways widows are treated as the condition or process of treatment is not the same for all. The socio-economic status of some widow is considered before determining the processes they will undergo. This clearly shows that what is good for the goose is not good for the gander. Some of the factors they considered according to Aduba (2003) include:

- ❖ Religion
- ❖ Age of the widow
- ❖ Marital status (this depends on whether she had children and their age)
- ❖ Educational level of the widow
- ❖ Socio-economic status of the widow
- ❖ The reason for the husband's death
- ❖ The nature of the widow's relationship with the in-laws.
- ❖ The nature of the widow's relationship with the husband before his death.
- ❖ The level of unity among the family members, her occupation and the degree of her respect with other members of the family.

In most cases, if the widow is less educated, less privileged, young with very young children, she may have more severe treatment of widowhood practices on her than a widow that is highly educated, old with mature children and with a good occupation.

One of the most painful parts of the widowhood practices is that the woman is not allowed to inherit the husband's property most importantly if she does not have a male child. In addition to this, she is forced into marriage by close relative of the deceased as she is viewed as part of the inheritance for the relatives. If she refuses the marriage, she faces ejection and disinheritance.

The irony of these practices is that, even though women are the victims, they are also the perpetrators and enforcer of the sanctions of all these inhuman widowhood practices.

Effects of the Cultural Practices on Women

There are several initial reactions to the loss of loved ones. The reaction is in most cases severe on the bereaved when the loss has to do with the breadwinner of the family who has played a central role in the lives of the wife (the widow) and the children as a whole. The psychological trauma may be very devastating. There tends to be a higher rate of mental illness among unremarried widows as against remarried widows and single women. In most African setting, this could be as a result of personal grief of loss and other humiliating cultural practices that the widow has to undergo as rites of widowhood. Most widows also experience failing health due primarily to economic hardship, isolation,

and stress they have to go through to provide for themselves and their children.

Some obnoxious cultural practices are also most unhygienic. For instance, the practice that demands that the widow drink water that was used to wash her husband's corpse as a swearing to oath that she was not responsible for his death is a very big health risk. This may have a resultant effect of the bereaved having disabling chronic conditions. Other health risk cultural practices are apt to affect the widow and cause a long time or terminal disease on the widow.

There is also a higher death rate among the widow than their married counterparts. There are several instances of widows dying while observing widowhood rites and many dying after the rites. This has a combination of psychological, mental, social, emotional, health, spiritual and physiological trauma that the widow had undergone.

Social isolation is very obvious during the mourning period of one year and after the widowhood rite. The widow is expected to wear only black clothes alone. She is not allowed to go to the market, church or attend social functions. The cultural rite increases the loneliness that the bereaved is already undergoing. It is a common saying that "loneliness kills". The widow is isolated at this period by everyone coupled with the economic hardship she has to deal with as most if not all of her belonging must have been confiscated that her late husband's family.

In summary, five factors according Women (2000) that impact on the health and economic status of widows include

"a long period of incarceration during mourning; an obligatory poor standard of hygiene; deprivation of the husband's property and maltreatment by his relatives; the enforcement of persistent wailing; and the practice of demanding that a widow sit in the same room with her husband's body until burial (p.9)

For the man (widower), the most common rites is shaving the head and wearing black cloth for a period of six months. This period is known as the mourning period of his late wife. It is a period of isolation and loneliness. For widowers who are old and had their children married out, it could be a period of extreme loneliness and grief and having to face the challenge of living like a bachelor again. For widower with children all around them, the face the challenge of taking care of the children as well as themselves. They sometimes face the trauma of having to comfort the children when they express the feeling of loss of their mother in an outburst and the expression hitting the widower deeply than can be expressed in words. Some widowers become hypertensive due to long grief and thinking of how to cope with life in the absence of their late wives. Some because emaciated

due to loss of appetite while others become totally withdrawn and may never get out of depression. It is most unfortunately when some widowers hold the believe that they cannot continue with life without their late wives. Some, out of sadness and grief, become old quickly and die.

Widowers who have been known to be unfaithful to their wives when alive face social isolation among the community members and ladies and women are not encouraged to marry them around the community as they are found liable to their wives' death. They are also not accorded the respect and dignity of being a widower. Some widowers find it extremely difficult to remarry and remain same till death. The loss and grief of their spouses changed their lifestyles and orientations.

Where the wife is the breadwinner of the family, a widower may find it difficult taking care of the family after the death of his spouse. This condition may change the family status and affect the children's education and care. Also, if the widower has not been responsible in children's upbringing and care, the condition becomes worse at the death of the wife in the home.

Problem of Widow's Right To Inheritance

It is unfortunate that under the South-eastern part of Nigeria customary law and practice, the widow is regarded as a part of the property of the husband's inheritance. By virtue of the customary law, a widow is at the mercy of her husband's family that will determine her fate; this has never in history favoured the widow.

There have been several legal cases that had to be determined by various courts including the Supreme Court of Justice on the right of the widow to inheritance as the sharing of the widow's late husband's property has always been marked by several injustice and unbelievable atrocity.

Unfortunately, the Constitution of the Federal Republic of Nigeria has not been able to protect fully the right of widows, though there has been remarkable improvement in the series of Constitution the country has had over the years. For instance, in 1963, in the case of Nezianya Versus Okagbue & ors NSCC 277, the Supreme Court while nullifying as repugnant to equity and good conscience the Onitsha custom which postulates that an Okpalla has the right to alienate property of a deceased person in the lifetime of his widow, held that, such widow may only deal with her late husband's property with the concurrence of her husband's family but she cannot assume ownership or alienate the property. She cannot by effluxion of time, claim the property as her own but she can occupy the building subject to good behaviour. She can also let part of the house to

tenants and use the rent obtained thereby to maintain herself if her husband's family fail to maintain her.

In the case of Uka –Verus- Ukama (1963) FSC 184 the court upheld the patrilineal Ibo custom that said property of a man that dies without a male issue descends to his family and his surviving female issue is precluded from succeeding to their late father's property. Also, in Ugboma –Versus- Ibineme (1967) FNLR 251, the court held that in accordance with general Ibo custom which is also the custom of Awkuzu in Anambra State in, home of the deceased, women are not entitled to inherit land from their father. Consequently, the court held that the female plaintiffs had no locus standi in an action seeking a declaration that the property in question, being that of all the children of the deceased, could not be sold and conveyed by the first defendant (the eldest son and head of the family) alone. This principle of primogeniture is prevalent in most parts of eastern Nigeria. A female cannot be the family head no matter her seniority in the family. Even where the intestate left behind some money, it is inherited by all his sons to the exclusion of his daughters. If the deceased had no son, then his property would be inherited by his eldest full brother. The only known exception appears to be that which exists in parts of Idemili Local Government of Anambra State. Under that arrangement, as a condition to inherit her father's compound and other lands and houses, one of the deceased's daughters is persuaded not to marry but to remain in the family with the hope of bearing a male heir!

However, in the new dispensation, some changes have been made in the new constitution and this changed the judgement of inheritance as it affects widows. An example is in the case of Mojekwu Versus Mojekwu (1997) 7 NWLR (pt.512) 283, the Supreme Court held that:

“Nigeria is an egalitarian society where civilised sociology does not discriminate against women. However, there are some customs, all over which discriminate against the womenfolk, which regard them as inferior to the men folk. That should not be so as all human beings, male and female are expected to participate freely without any inhibition on grounds of sex. Thus any form of societal discrimination on grounds of sex, apart from being unconstitutional, is antithesis to a society built on the tenets of democracy. The “Oli- ekpe” custom, (the heir and inheritance custom) which permits the son of the brother of a deceased person to inherit his property to the exclusion of his female child, is discriminatory and therefore inconsistent with the doctrine of equity.”

Also gender equality was upheld in the case of Uke Versus Iro (2001) 11 NWLR (pt.723) 196, in the Court of Appeal, under Nnewi Customary Law, a

woman was precluded from giving evidence in land matters. The Court of Appeal held that the rights of all sexes are protected under the Constitution, being the organic law of the land, therefore, any argument or assertion that a woman cannot give evidence in relation to title to land is oblivious of the constitutional provisions which guarantee equal rights and protection to all sexes under the law and therefore offends all decent norms as applicable in a civilized society. In *Ukeje –Versus- Ukeje* (2001)27 WRN 14, the Court of Appeal held that the Igbo Native Law and Custom which disentitles a female (regardless of the circumstances of her birth) to a share of her deceased father's Estate is void as it conflicts with Section 42(1) & (2) of the Constitution of Nigeria.

Moreover, Section 33(1) of 1999 Constitution stipulated that every person has a right to life. Section 34 of 1999 Constitution stated that "no person shall be subjected to torture or to inhuman or degrading treatment. These provisions can be enforced in any court of law to prevent widows from going through terrible and inhuman ordeal that they are subjected to.

Recent enactment lends credence to improved cultural practices and conditions most especially the Enugu State Assembly (2001) which stated thus: "No person for whatever purpose or reason shall compel a widow/widower as follows:

- (a) to permit the hairs on the head or any other part of the body to be shaved;
- (b) to sleep either alone or on the same bed or be locked in a room with corpse of the husband
- c) not to receive condolence visits from sympathizers during the period of mourning
- (d) to be re-married by a relative of the late husband
- (e) to sit on the floor or be unclothed during any period of the husband's/ burial rite
- (f) to drink the water used in washing the corpse of the husband/
- (g) to weep and wail loudly at intervals at any time after the death of the husband/ except at ones own volition or involuntary action;
- (h) to remain in confinement after the death of the husband for any given period;
- (i) to vacate the matrimonial home;

RECOMMENDATIONS

The following recommendations are necessary for reform in cultural practices against widows:

1. Husbands should be encouraged to write a Will before their death on how their wives and children should have access to their wealth. Most importantly, the families should empower all children to be financially independent so that when death comes unexpectedly they are able to take care of themselves.

2. The state law on widowhood by Enugu state should be enforced in other states of the Federation of Nigeria to protect and enforce widow's rights.

3. There should be sensitization and awareness regarding widow's rights at the grassroots which should involve custodians of cultures (elders, chiefs and traditional rulers) in all the communities around on the need for abrogation of all harmful cultural practices against widows.

4. There should be a review of the Customary Laws in Nigeria to remove the clauses that do not protect the widows and reforms all areas that is in respect of widows.

5. Legal actions should be taken against those who defiantly ignore or violate widows' rights.

6. Religious creeds and practices that does not favour or protect widow's right should be changed or abolished.

7. The mass-media should be involved in outcry against dehumanizing treatment of widows.

8. Government, Non-governmental organization and religious bodies should create avenue through which widowers can be enlightened, trained and supported in ways possible to take care of themselves and the family.

When the above points are carried out, it is believed that there will be education, proper information, and eradication of obnoxious practices against widows not only in south-eastern part of Nigeria, but in all places around the world where such acts are practiced.

REFERENCES

- Aduba, N. (2004). *Some Customary Practices that affect the Enjoyment of Fundamental Human Rights of Women in Nigeria*. Nigeria.
- Akanni, G. (2001) *Building a Fulfilling Material Relationship*. Gboko: Peach House Publication.
- Akinade, E. A. (1997) *Towards Satisfactory Marriage*. Ikeja; Caltop Publications Nigeria Limited.
- Enugu State House Of Assembly, (2001). *Prohibition of Obnoxious Cultural Practices*. Enugu State.
- Federal Republic of Nigeria (1999). *Constitution of the Federal Republic of Nigeria*. Time Press Limited. Lagos.
- Johnson, C. A. C. (2008). *Inheritance Laws & Women's Property Rights How Just?* Ecowas Centre, Abuja, Nigeria
- Mojekwu Vs Mojekwu (1997) 7 NWLR (pt.512) 283, the Supreme Court of Justice, Abuja. Nigeria.

Nezianya Vs Okagbue & ors (1963) NSCC 277, the Supreme Court of Justice Abuja. Nigeria.

Ntozi, N. P. M. (1997) Widohood, Remarriage and Migration During the HIV/AIDS Epidemic in Uganda. Health Transition. Review Supplement 7, pp. 125-144.

Odunze, D. (1989) The Concept of Womanhood. Enugu: Dunze Family Life Publishers.

Ugboma –v- Ibineme (1967) FNLR 251, the Court of Appeal, under Nnewi Customary Law. Anambra State.

Uka –v- Ukama (1963) FSC 18, the Court of Appeal, under Nnewi Customary Law. Anambra State.

Uke Vs Iro (2001) 11 NWLR (pt.723) 196, the Court of Appeal, under Nnewi Customary Law. Anambra State.

Ukeje –v- Ukeje (2001)27 WRN 14, the Court of Appeal. Anambra State.

Zahedi, A. (2006) State Ideology and the Status of Iranian War Widows. International Feminist. Journal of Politics. 8 (2)pp. 267-287.

Women, (2000). Widowhood: Invisible women, secluded or excluded. In Women Ageing and Health, (1998) United Nations for Advancement of Women Department of Economic and Social Affairs.