

THE LEGAL ANATOMY OF CULTURAL WIDOWHOOD PRACTICES IN SOUTH EASTERN NIGERIA: THE NEED FOR A PANACEA.

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ABSTRACT: *Nigeria is a patriarchal society, thus women are regarded as less human beings, especially among the Igbos of South Eastern Nigeria. Against this backdrop women are discriminated against, degraded and dehumanized despite the provisions of our local statutes such as the Constitution of the Federal Republic of Nigeria 1999 (as amended) and various other International Human Rights Instruments which Nigeria ratified. The widow is the fulcrum of this debased treatment. Widows are subjected to agonizing, painful and dehumanizing treatments during their mourning rites and thereafter. This impact negatively on their social, psychological and physical wellbeing. Surprisingly some of these obnoxious cultural practices are tacitly accepted and implemented by fellow women called the 'Umuadas'. Hence, this paper examines the Igbo widowhood practices in South Eastern Nigeria and how the harmful widowhood rites can be eradicated.*

KEYWORDS: Culture, Widowhood Practices, South East, Nigeria, National Laws, Panacea.

INTRODUCTION

In Nigeria traditional practices have ensured that men retain material, social and moral dominance over women that they are simply unwilling to voluntarily relinquish. The woman is regarded as chattel (property) and this dominate its customary laws on marriage, inheritance, succession and property ownership. This consequently is manifested in the discriminatory and obnoxious traditional practices meted against widows in the South East of Nigeria, particularly the Igbos. The agony and sadness of a woman who lost her husband abound. This is compounded by the private and public maltreatment that culminate in the violations of her guaranteed fundamental rights to life, liberty, dignity of human person, acquisition of private property, freedom from discrimination, and freedom of thought conscience and religion. Customs and traditions have tremendously abused widows physically, economically, sexually and otherwise. These harmful widowhood and mourning rites should of necessity be eradicated from the Igbo society and the world in general.

Meaning of Culture

Simply put, culture is the totality of the way of life of a people. Nnonyelu (2009) defines culture as the totality of a given people's way of life. It refers to the learned and socially transmitted behavior. He went further to state that Tylor (1871) gave a classical definition of culture as the complex whole of man's acquisition of knowledge, morals, beliefs, art, custom, technology which are shared and transmitted from generation to generation. To Robinson (ed) (1999) culture is the customs, ideas, values etc of a particular civilization, society or social group especially at a particular time. It then follows that culture is a learned and man-made behavior that sets one group of people apart from others. It is transmitted from generation to generation and practiced over time.

Who is a Widow?

A widow is a woman whose husband is dead and has not re-married. While a woman is an adult female human being. It then follows that a widow is an adult female human being who lost the spouse to the cold hands of death and has not re-married. The widow bears the responsibilities and challenges of the immediate family which was formerly borne by herself and the husband, all alone. Widowhood entails the observance of certain rites by the woman. These rites and practices differ from culture to culture in Nigeria. Even among the Igbos of the South East under discussion, there are slight observable differences. Hence the death of a male spouse heralds varying archaic, anachronistic and obnoxious practices in the name of culture.

Widowhood Rituals/Rites/Practices

The widowhood rituals are immoral traditional practices, which include mourning rituals and food taboos that are enforced on widows, and which inevitably expose them to economic hardship, confinement and ill treatment (in Anugwom study as cited in Afolaya 2011). These rituals are enforced on widows because of the patriarchal nature of the Nigerian Society, particularly the Igbos of the South East. Women are regarded as their husbands property or chattels. They are compelled by cultural practices to be and remain subservient to their husbands. The subservient nature of women during their husbands lifetime are carried into the death of their husbands and thereafter. This is done notwithstanding the provisions of our local statutes, such as the Constitution of the Federal Republic of Nigeria (CFRN) 1999 (as amended), and the Malpractices Against Widows and Widowers (Prohibited) Law of Anambra State 2005; and the International Instruments on human rights ratified by Nigeria, which guaranteed human rights to all citizens, such as, right to life, equality of all men and women, dignity of all human persons, freedom from discrimination etc. The above legislations are ad rem and in place, but their enforcement and actualization remain illusive and very far fetched.

The subjugation of women is deeply rooted in our culture and tradition emanating from the alleged inferior status of women, unstable character and impropriety of women political and social participation, stretching also to economic circles. Predicated on these, women are also depersonalized and regarded as objects of rights, rather than subjects of rights (Otaluka, 1992). Widows are made to suffer double jeopardy of losing their husbands, sometimes even at the early period of their marriages, and going through some excruciating cultural rites of proving their innocence in the death of their husbands (Arinze-Umobi, 2008).

The widowhood rites and practices are found in many parts of Nigeria, including Anambra, Imo, Abia, Enugu and Ebonyi States. These practices are dehumanizing, degrading, barbaric obnoxious, anachronistic and grossly immoral. The death of a woman's husband heralds grave suffering, maltreatment and violation of her human rights by cultural agents of the community, including her spouse's family. The woman is expected to wail and cry loudly at her husband's death, and show deep sense of grief. In some cultures the woman is forced to cry aloud morning and night. But men are not to cry in the public or show outward grief as expected from women. The widow is the first suspect at the demise of her husband. Hence Oloko (1997) posits that hardly does an Igbo man die for nothing, and usually the wife is the 1st suspect. So where she is accused of having a hand in his death, she may have to prove her innocence by drinking the water with which the corpse was washed, eating kolanut offered by the elders or the high priest

or being locked up with her husband's corpse. It is my opinion that the above practice is unconscionable, barbaric and suicidal. The woman drinking bath water from a corpse, may die out of the disease from the water or psychological trauma and not because she killed her husband.

The burial of her husband heralds the climax of the ordeal, for she goes through the real mourning observances which are quite excruciating. The hairs of her head and body are compulsorily shaved. Arinze-Umobi and Anyogu (2011) state that in some areas in Igbo land it is demanded that she sleeps with the High Priest of a deity to separate herself from the spirit of the dead husband as a mark of purification. The widow is made to sit at a place on the chair or on the floor from morning till evening. Worthy of note is the fact that, in some cultures, she does not sleep in the afternoon, if she does it is a taboo. She does not shake hands with anybody. She compulsorily undergoes a twenty-eight days of seclusion, without stepping out of her compound, thereafter she settles for additional two months or 5 months of mourning depending on the particular cultural observances. The dress during this period is either black or white depending on the family and religious inclination. In some cultures the widow is not allowed to see the corpse of her husband or eat the food cooked for the burial rites of her husband.

These practices are culturally entrenched and accepted among the Igbos of the South East in Nigeria. To Anyogu (2008), the purported functions are to show respect for the dead, to facilitate the movement of the husband's spirit to the spirit world and thereby protect the living from the dead. Suffice it to state that widowhood rituals are purely gender-based, because widowers are not expected to go through these rituals. More worrisome is the fact that the enforcement of these obnoxious widowhood practices are insisted on and enforced on the widows by women too. Of particular mention is the Umuada group that play prominent role in the enforcement of these harmful and obnoxious practices and rituals. The Umuadas are the daughters of the deceased immediate and extended families married to other families. They enforce these rituals to the letter against the widows.

Widows Right to Inheritance

In Nigeria today, the disposition of property or succession to a deceased's property is by will (testate) or by customary and traditional rites (intestate). Hence the disposition of deceased's property is either by writing a valid will or otherwise. The existence of a valid will dispenses of all cultural attachments (Arinze-Umobi and Anyogu, 2011). The type of marriage celebrated also determines what accrues to a woman at the demise of her husband. Under the Nigerian legal system three forms of marriages are celebrated namely; marriage under the Act, Customary Law Marriage and Islamic Law or Moslem Marriage. If a marriage is contracted under the Act and in the absence of any valid will the widow is entitled to one-third (1/3) of the deceased husband's property, while two-third (2/3) goes to their children in equal shares. Where there are no children to the marriage, the widow takes half the estate (Marriage Act 2004, Administration of Estate Law of Anambra State 1991). The above provision is considered unfair, the widow should inherit the entire estate which will then devolve to her children in equal shares. While the widow inherits half as stated above, the widower inherits, all, if the wife dies without children. The above provision is thus discriminatory and should be amended accordingly.

Traditionally, women are excluded from ownership of landed property which are culturally the exclusive preserve of men. So women cannot inherit land of their husbands (Onyegu and Essiet 2002). A widow under the customary Law in Igbo land can only inherit her husband's estate if it is given to her under a valid will by him. But where a husband dies intestate, the widow's interest in the house and farmland is merely possessory and not proprietary, and this is however subject to good behavior. This position of the customary law was restated in *Nezianya & Anor v Okagbue Ors* (1963) wherein the court held that the Onitsha Native Law and custom postulates that a married woman, on the death of her husband without a male issue, with the concurrence of her husband's family, may deal with his (deceased's) property; her dealings, of course, must receive the consent of the family. The consent may be actual or implied from the circumstances of the case, but she cannot assume ownership of the property or alienate it. She has however a right to occupy the building subject to good behavior.

The rights of a widow in her husband's property in customary law was further adumbrated in *Nzekwu v Nzekwu* (1989) wherein the Supreme Court of Nigeria held that A widow who chooses to remain in the husband's house and in his name is entitled in her own right and not withstanding that she has no children to go on occupying the matrimonial home and to be given some share of his farmland for her cultivation and generally to maintenance by her husband's family... Her interest in the house and farmland is merely possessory and not proprietary so that she cannot dispose of it out-and-out. The absence of the right to inherit by a widow stretches to the ability of the woman to administer the estate of her deceased husbands (Arinze-Umobi 2008). In *Ehiamike v Ejiamike* (1972) the court held that the widow of a deceased person had no right under Onitsha customary law to administer the estate of her late husband, particularly where the first male issue of the deceased is no longer a minor.

Unfortunately, all the above decisions by our courts are in support of these unfair customs that portray inequality and discrimination against women. The custom that denies a woman the inheritance and administration of her husband's estate is repugnant to natural justice, equity and good conscience and should be declared so by the courts. Basden (1927) aptly described the position of the Igbo woman under the customary law of inheritance thus: "women have but few rights in any circumstances and can hold such property as their Lords' permit". The only possessions that can really be labeled as the property of a wife are her basket, calabash, cocoa farm, cooking utensils and water pot.

The girl or woman is also not expected to inherit from her father's estate under the Igbo customary law of South Eastern Nigeria. This is in contradistinction with the Yoruba customary Law and tradition of South Western Nigeria, which recognizes the rights of daughters to inherit their father's property or estate. But the Yoruba wife is excluded from inheriting her husband's estate under native law and custom because the devolution of property follows the blood. This was given effect by the court in *Sogunro v Sogunro* (1929) wherein the court held that in an intestacy under native law and custom, the devolution of property follows the blood. Therefore a wife or widow not being of the husbands blood has no claim to any share of his property (*Aileru v Anibi* 1997). It then follows that under Yoruba custom, property devolves upon the children, never on the wife because she shares in her own fathers estate with her brothers.

Suffice it to state that the system of female inheritance of property under the Yoruba native law and custom is better and preferred to that of the Igbo native law and custom, because in Yoruba custom a woman inherits from her father, while in Igbo custom a woman has no right of inheritance either from her father or her husband. Though both cultures are discriminatory and promote inequality and consequently inconsistent with existing statutes on human rights.

However, education, Christianity and globalization have slightly watered down some of the harmful, obnoxious and archaic widowhood practices in the South East of Nigeria. Today, the period of seclusion of working class widows have been modeled to suit the dictates of their employers. Most widows now wear white clothes as mourning dress, instead of the compulsory pitched-black clothes for which they are known at such periods. The period of mourning has been reduced in many localities or cultures from one year to three months or less. These harmful widowhood practices are religiously, medically, legally and psychologically undesirable. The anguish that is experienced during the mourning period could induce stress, depression, hypertension, diabetes and in extreme cases stroke.

The fundamental rights of the widow are grossly infringed upon, her right to life, dignity of human person, equality and freedom from discrimination as enshrined in the Constitution of the Federal Republic of Nigeria 1999 (as amended). The widow in private business loses economically by the long seclusion. The widow because of her grief and the ill treatment loses the will power to challenge these practices and their perpetrators. These widowhood rituals are gender-based because wives are regarded as chattels in these cultures. Similarly, Samuel (2011) posits that widowhood rituals are inherently gender based because a widower has no strict customary laid-down laws governing mourning rites. It is worthy of note that customarily, the death of a woman's husband shifts her status downwards, which has obvious negative implications for the widow's livelihood and quality of life and consequently increases her vulnerability to violence and abuse (Afolaya 2011). The widowhood practices in their diverse ways are discriminatory, perpetrate inequality and dehumanize womanhood. It is also obnoxious, and entails violence against women, that needs immediate attention and affirmative actions.

Widowhood Practices as a Violation of National Laws in Nigeria.

The Constitution of the Federal Republic of Nigeria 1999 (as amended) is the basic and organic law of the land and all other laws take effect from it. This constitution contains the human rights provisions which are enshrined in chapters II and IV. Chapter two contains the Fundamental Objects and Directive Principles of State Policy (sections 13-24). These sections contain the non-fundamental and non-justiciable rights. While chapter IV contains the civil/political rights and said to be the fundamental and justiciable rights (sections 33-46). The human rights as enshrined in Chapter IV of the Constitution include the right to; life, dignity of human person, personal liberty, fair hearing, private and family life, freedom of thought, conscience and religion, freedom of expression and the press, peaceful assembly and association, freedom of expression, freedom from discrimination, acquire and own immovable property anywhere in Nigeria, and such property cannot be compulsorily taken over except under certain conditions. Citizens are also given rights to enforce the above stated rights (sections 33-46).

There is no gainsaying that where a woman is made to drink the water washed from the corpse of the husband to prove her innocence, her right to life is being infringed upon. This is because the disease or infections from the corpse may make her sick and lead to her death. Furthermore, the widow even if she is a suspect in the death of her husband, ought not be made to prove her innocence, for this is against the very clear provision of the Constitution (S. 36(5)) which presumes an alleged suspect/accused innocent until proved guilty. The onus of proof clearly and squarely lies on the party/person alleging (S. 131 of the Evidence Act, 2011). And which said burden can only be discharged by prove beyond reasonable doubt (s. 135 of the Evidence Act). Sleeping with the High Priest who is believed would separate the spirit of all dead men from their wives is a grave abuse of the widow's person and constitutional violation of the rights to her personal dignity, liberty and association. This is made even worse by the health risk and hazard the widow is exposed to because the woman can contract sexually transmitted diseases such as Herpes Simplex, Gonorrhoea, Syphilis and even HIV/AIDS. All these endanger her life and pass death sentence on her. Forcing the widow to compulsory wailing may lead to headache, hypertension; which also endanger her life and tramples on her rights to life and personal liberty. Generally the physical, psychological and economic hardship the widow suffer endangers her life. To this end, Owen (as cited in Afolaya 2011) posits that the physical and psychological impacts of gender oppression and economic hardship the widow suffer, majorly causes the widows social death.

The inhuman treatment, like compulsory shaving of her hairs, seclusion, dethronement etc violate the widows right to the dignity of human person, personal liberty and peaceful association, (Sections 34, 35 and 40 of the Constitution respectively). Shaving of body hairs is also against some religious beliefs, consequently, the right to freedom of thought, conscience and religion as guaranteed by the constitution is violated. In some places the widow as a property subject to be inherited under customary law is liable to be inherited by a male member of her late husband's family against her will. This infringes on her right to freedom of association, (section 40 of the CFRN) right to private and family life (s. 37 of the CFRN), and also right to life (s. 33 of the CFRN) because she can be infected with HIV/AIDS.

However, relevant to the plight of widows is the protection provided under section 42 of the Nigerian constitution which protects women against all forms of discrimination on the grounds of sex (Afolaya 2011). Also section 15 of the Nigerian constitution provides for non-discrimination. But still discrimination abound in widowhood rites. This is evident in the fact that widowers are not expected to go through the ordeals that widows go through. These obnoxious, harmful and inhuman treatments and practices are believed to be ways of according respect to the dead husband and separating the woman from the spirit of the dead. This belief is unfounded and untrue, it rather debases the woman and relegates her to the background. Also the right to freedom, equality and justice as contained in S. 17 of the constitution is grossly violated by the widowhood rites of the Igbos of the South East of Nigeria.

Interestingly, the Nigeria Constitution to ensure that the fundamental human rights guaranteed are realized, goes ahead to state expressly the right of persons to enforce the rights in the event of violation. The High Court has the jurisdiction to entertain matters relating to violation of fundamental human rights. Yet women do not enjoy these rights on equal footing with men,

especially when they are widows. This is because most of the widows are not educated and knowledgeable about their rights. They are also not empowered economically to pursue the enforcement of these rights. This is compounded by the fact that chapter II of the Nigerian Constitution 1999 (as amended) which provides for the education, socio-economic, cultural and general well being of the individual is made non-justiciable by s. 6 (6)(c) of the Nigerian Constitution.

In addition, there are still other laws enacted by States Houses of Assembly that guarantee human rights and prohibits the obnoxious, anachronistic, archaic and harmful widowhood practices/rites. They include; The Prohibition of Infringement of a Widow or Widower's fundamental rights of Enugu State 2001 and Malpractices Against Widows and Widowers (Prohibition) Law of Anambra State 2005. Section 3 of the Anambra State law 2005 mentioned herein above provides that the Fundamental human rights as enshrined in the constitution are inalienable and accrue to every widow or widower.

While S. 4 provides that:

- (1) No persons shall compel a widow or widower:
 - (a) To vacate his or her matrimonial home on the ground that he or she has no male child or no child at all
 - (b) To drink the water used in washing the corpse of the late spouse or to perform any type of ritual in order to establish innocence of causing the death of the late spouse;
 - (c) To sleep either alone or on the same bed or to be locked in the room with the corpse of the late spouse;
 - (d) To remain in compulsory confinement after the death of the spouse for any given period;
 - (e) To compulsorily wear mourning cloths of any make or otherwise adopt any life style indicative of being in mourning for any given period from the date of the death of the late spouse;
 - (f) To compulsorily sit on the bare floor or be naked during any period of the spouse's burial rites;
 - (g) To be remarried to a relative of the late spouse;
 - (h) To shave the hairs on the head or any other part of the body;
 - (i) To desist from receiving condolence visits from sympathizers during the period of mourning;
 - (j) To weep and wail loudly at intervals at anytime after the death of the late spouse;
 - (k) To put ashes on the head;
 - (l) Not to see the corpse of the late spouse;
 - (m) To perform any act which contravenes the fundamental human rights provisions as enshrined in the constitution;
 - (n) To visit any shrine and or perform any other rituals.
 - (o) To forsake his or her personal hygiene.

Interestingly, this same law and section in its subsection 3 states that a widow or widower should not be forcefully dispossessed of any property acquired or used by the couple during the life time of the deceased spouse. But this is subject to the provisions of the Marriage Act, Succession and Administration of Estate Act or any customary law not repugnant to natural justice, equity and good conscience.

Consequent upon the above provision, section 5 of this law also provides thus;

(1) Any person who discriminates, contravenes or conspires with, aids, counsel, procures or assists another person to contravene the provisions of section 4 of this law commits an offence and shall be liable on summary conviction to a fine not exceeding N20,000.00 (twenty thousand Naira) or to a jail term not exceeding six months imprisonment or to both such fine and imprisonment.

(2) Any institution, group or organization which is found to have contravened, or which aids, counsels, procures or assists any person to contravene any of the provisions of section 4 of this law commits an offence and shall on summary conviction be liable to a fine not exceeding N50,000.00 (fifty thousand naira) or be proscribed until the fine is paid.

Section 6 of the same law went ahead and provided for its enforcement, thus, vested the Magistrate Court with the jurisdiction to summarily try any offence under this law. And appeals shall lie as of right against any decision of the Magistrate Court to the High Court, up to the Supreme Court.

An appraisal of the National Laws against widowhood practices bring to fore the fact that the legal framework in place is intact and adequate, because these laws intend to reduce and/or eradicate completely the degrading and inhuman treatment, and maltreatment of widows in many parts of Nigeria especially the South East. But the problem, is that of, recognition and enforcement.

Some of the Courts that should enforce these laws are not even helping matters, for a glean of some of the cases discoursed before in this work are in support of some of these practices. This is quite unfortunate. There is a clarion call on the courts to depart from their earlier decisions that are unconstitutional and against some existing laws. The mourning rites and widowhood rights of property inheritance afore discoursed are done in aberration of the widow's fundamental right as guaranteed by the Constitution, which is an affront to the sovereignty of Nigeria, since the Constitution is the organic and supreme law of Nigeria.

It is also clear from our laws that these customary laws that encourage and promote harmful, obnoxious and inhuman treatments on widows are repugnant to natural justice equity and good conscience. Hence, the Evidence Act 2011 in section 18(3) states that any custom that is contrary to public policy, or is not in accordance with natural justice, equity and good conscience should not be enforced.

Women's Rights and International Protection

Women's rights are also human rights and should be adequately protected. The issue of protection of women's rights has been of great concern to the international world. Hence several international instruments have adequately guaranteed their protection. The Universal Declaration of Human Rights (UDHR) which was adopted by the United Nations General Assembly in 1948 at Paris states in its Article 1 that "all human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in spirit of brotherhood." This provision enjoins all to respect ones right, treating everybody equally and fairly. In adumbration of the above, Article 5 provides that "no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. Its Article 27 maintains that every person has the right to freely participate in a community's cultural life. No coercion is permitted. The implication of this is that no cultural practices should be forced on any individual based on sex (either male or female). It then means that the widowhood rituals

meted on some Igbo widows of the South East of Nigeria amounts to a departure from the above mentioned International Instrument and infringement of women's rights.

Furthermore, the Convention on the Elimination of all Forms of Discrimination against Women CEDAW is an international human rights document that establishes international standards of equality between men and women (Nwogu 2008). This convention ratified by Nigeria in 1986 brings to fore the commitment of the Nigerian government to eradicate all forms of discrimination against women in civil, social, cultural fundamental and political rights. (Nwogu 2008). CEDAW in its preamble recognizes that discrimination against women abound and violates the principles of equality of rights and respect for human dignity. To this end it defines discrimination in its Article 1 thus:

Discrimination against women shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on the basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field.

CEDAW also recognizes the importance of legislation as an element to ensure the realization of individual woman's human rights and freedom on the ground of equality with men in its Articles 3 and 18 (Afolaya 2011). This convention insists on the education, economic empowerment of women and participation of women in policy making on equal footing with the men (Articles 10, 14 and 7 respectively). This Convention recognizes the influence of culture and other practices that apportion stereotyped roles to girls and women in contradistinction to that of boys and men. It recognizes it as discriminatory and should be eliminated from the polity as it maintains in its Article 5(a) thus:

State parties shall take, appropriate measures to modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women.

Suffice it to state that CEDAW addresses specifically the plight of women.

However, there are other international instruments that protect women's human rights and they include. International Convention on Civil and Political Rights (ICCPR) 1966; International Convention on Economic, Social and Cultural Rights (ICESCR) 1966; Convention against Torture and other cruel, inhuman or Degrading Treatment or Punishment (CAT) 1984. At the regional level, African Charter on Human and People's Rights 1981.

The fact that Nigeria ratified these international and regional instruments she is expected to recognize, fulfill and enforce them. Unfortunately, Igbo custom and tradition have greatly marred the realization of the rights of widows. Therefore their rights are infringed upon with impunity in the rural settings especially on the illiterate women. Traditional observances have made it difficult, if not impossible for the National Laws, Regional and International norms to be observed and implemented. Hence this call for a panacea, otherwise the growing society and the polity will be harmed and development stultified.

The Panacea

Dismantling of Age Long Tradition

The age long practice in our customs and traditions should be modified by educating the Traditional Rulers and Elders about the consequences of these practices and how they adversely affect the children, who are the growing society. Committees should be formed in the localities to review and eradicate these obnoxious practices, and replace them with the modern trend of the law. Patriarchy should be eliminated, so as to achieve the gender equality sought over the years.

Public Enlightenment Campaign

The general public both men and women should be enlightened on the harmful effects of these rituals and their eradication. Handbills should be printed and shared out, so that the literate and semi-illiterate ones can read. Churches should assist and contribute in this drive by carrying out enlightenment programmes for the eradication of obnoxious widowhood practices. Worshippers should also be taught the need for the eradication of such practices.

Formation of State Widows Welfare Commission

Different states in Nigeria should form this Commission to take care of the plights of widows. They should fight against the harmful, obnoxious, inhuman and degrading treatment against widows; making sure that widows are protected always and the property of their husbands given to them for their upkeep and the training of their children, especially the very young widows, whose husbands died early in their marriages.

This commission should also set up or establish Widows Centres and Associations, where all widows should meet on monthly basis to report and discourse any ill treatment and harmful cultural practices against them in the villages and their late husband's family. These centres and associations are expected to fight for the widows right, take the culprits to court and pay the litigation fee if need be. To God be glory, there is already a National Association of Widows and Anambra State Association of Widows. The widows should always speak out and lodge complaint with the centres and associations.

Women Empowerment

Women should be given qualitative education in schools, so as to recognize their rights and their enforcement. Women should study professional courses and be employed in jobs that are lucrative so as to be remunerated adequately to take care of their needs, such as having money to enforce their rights in Court, taking care of themselves and their children. Also, it is important to empower women educationally and economically, because the enforcement of the most harmful rites are usually on the uninformed, uneducated and poor widows.

Writing of Will

The spouses to the marriage in their life times should endeavour to make valid wills. The husband in the marriage should make a will bequeathing his property to his wife, so as to avoid obnoxious custom and tradition applying to his hard earned property. This property is often acquired with the active support of both spouses.

Education of the Populace

The schools should be involved in the war against obnoxious widowhood practices. The widowhood practices should be taught in the secondary schools to all students under “Social Studies,” and the universities under Humanities as General Studies for all. Students should be educated on the ill effects of these rituals and the need and importance of eradicating them.

Enforcement of Human Rights Laws

The judiciary is the arm of government that is saddled with the responsibility of interpreting the Law. The courts are the fulcrum of these interpretations. The judges should look into the plights of the widows, when cases are brought before them in court. The laws should be interpreted to be in line with the Constitution of the Federal Republic of Nigeria. This will lead to making of decisions that are constitutional, and in the respect of the rule of law and the widows human rights. This enthrones equality, hence the widows will be happy for equality is equity. If these right judgments/ decisions are made by the courts, the same courts will ensure their enforcement, consequently the polity will be free of these harmful practices and the issue of inequality and discrimination against widows will be laid to rest.

Inclusion of Women in Family Inheritance

The woman (daughter) should inherit from her fathers property and wife inherit from her husband’s property for this is in line with the principal of equality and non-discrimination provided in the Constitution of the Federal Republic of Nigeria, Widowhood Laws and International and Regional Norms. The custom that disinherits a woman of property should be declared repugnant to natural justice, equity and good conscience.

CONCLUSION

The widows in the South East of Nigeria have undergone untold hardship and maltreatment in the name of customs and traditions. These customs and traditions has persisted despite the provisions of the Nigerian basic and organic law; and also International Instruments against these harmful and obnoxious practices. The tradition which at the death of a woman’s husband she is made to drink the water washed off his corpse to declare her innocence; makes her sleep with another man against her wish in the name of cleansing etc is degrading and makes the woman vulnerable to violence and abuse. Such a tradition is not only archaic, anachronistic and obnoxious, it is also wicked, callous and barbaric to say the least.

Laws abound against the above customary practices and traditions. But because superstition illiteracy, lack of information on the ill effects and poor economic empowerment of women, it seems to be accepted by the community. Also the human right laws are not being enforced. There should be effective enforcement of these laws, especially by the Courts. The widows should also make bold to report these ill practices against them to appropriate authorities. And these harmful practices would be reduced to the barest minimum or completely eradicated.

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