

Obnoxious widowhood practices in Nigeria: Okpanam community of Delta State in perspective

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Abstract

This study looks into the widowhood practices and customary law in the Okpanam Community of Delta State, Nigeria. It focuses on how widows are treated after the death of their husbands and whether these practices go against the Nigerian Constitution and International Human Rights Law. Widows are still made to go through painful harmful traditional practices such as being looked indoors, shaving their hair, being denied property rights, and undergoing cleansing rituals. These customs are often supported by customary law even though they are unfair and harmful. The study uses both written laws and real-life stories from interviews with widows, elders, traditional leaders, and legal experts. It also uses information from books, court cases, and human rights reports. The research finds that many of these practices are still common because of strong traditional beliefs and the low awareness of women's rights. However, efforts are being made by some groups, including the Ugoani-in-Council of Okpanam, to stop or reduce these harmful customs. The study shows that while some progress has been made, many widows still suffer in silence due to fear, shame, or lack of support. The study suggests that for real change to happen there must be stronger laws, better education, and more community involvement. It also recommends that widows should be given more support to speak up and fight for their rights. This research helps to understand how customs affect widows and gives useful ideas on how traditional practices can change to respect women's rights and dignity.

Keywords: Historical background of Okpanam community and widowhood practices in Okpanam community

Introduction

In many parts of Africa, including Nigeria, the death of a husband brings not only emotional pain to the wife but also subjects her to cultural practices that can be harmful and unfair. These practices, often guided by customary law, are believed to honour the dead and maintain tradition. However, for many widows, they result in suffering, loss of dignity, and violation of their rights.

This study focuses on the Okpanam Community, located in Oshimili North Local Government Area of Delta State. In this community, widowhood rites such as shaving the widow's hair, isolating her from others, taking over her husband's property, and forcing her to take part in cleansing rituals are still practiced. These customs often go against the legal rights that Nigerian law grants to all citizens, especially women and Court Appeal held that discriminatory inheritance customs are repugnant to natural justice.^[1]

This research looks at widowhood practices under Okpanam customary law and how these customs compare with Nigerian statutory law and the Constitution, which protects rights such as human dignity, freedom from discrimination, and property ownership.^[2] The study also examines how courts, community leaders, and property reforms have responded to these issues, and what changes have been made or proposed. By using legal analysis, real-life examples, and interviews from the Community, this work aims to provide a clear picture of the Challenges widows face. It will also suggest ways the law and society can better protect widows' rights. This research is important because it not only adds to academic discussions but also supports the ongoing efforts to bring justice and dignity to widows in Nigeria's traditional communities.

In many parts of Nigeria, especially in traditional communities, the way widows are treated after the death of their husbands is a serious issue. These widowhood

practices are often based on customary law, which include the traditions and customs accepted by the local people. While some of these customs are meant to show respect for the dead or to purify the widow, many of them are harmful, humiliating, and violate the widow's basic rights as a human being.

However, this means that any custom or tradition that treats widows unfairly is against the law. Also, Nigeria is a member of the United Nations and has agreed to obey international laws that protect women's rights, like the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). Nigerian courts have also spoken against harmful customary practices, and the Court of Appeal ruled that the Igbo custom which allowed only male family members to inherit property was discriminatory.^[3] Justice Niki Tobi strongly warned that custom that do not respect fairness and equality must not be allowed to continue.

Widowhood rites are deeply connected to culture and tradition. The people believe that performing these rites helps in mourning and cleansing. But today, these customs are being challenged because they conflict with modern ideas of human rights, women empowerment, and equality before the law. Some women's groups and human rights organization like WACOL (Women Aid Collective), WIDO (Widows Development Organisation) and the Nigerian Constitution clearly protect the rights of all citizens, including women. No one should be discriminated against because of their sex, ethnic group, or religion.

Locally, the traditional leaders, including the Ugoani in Council,^[4] have started making changes to reduce some of these harmful practices. There are now efforts to replace degrading widowhood rites with safer and more respectful alternatives. But despite these changes, many widows in rural areas still suffer in silence because they don't know their legal rights or because they fear being rejected by their

families and communities. This dissertation aims to study the widowhood practices in the Okpanam Community and how these customs related to Nigerian customary law. It will look at how these practices affect widows, examine what the law says about them, discuss court decisions, and highlight efforts that are being made to reform these customs. The study hopes to bring attention to the need for more legal protection, public awareness, and community dialogue to ensure that widows are treated with dignity and respect.

In many Nigerian communities especially in rural and traditional settings, widowhood is not only a time of grief but also a period of social hardship, emotional pain, and cultural oppression for women. Although customary law plays a strong role in shaping family and community life, certain aspects of this law – especially those related to widowhood – continue to harm women instead of protecting them.

Despite the fact that Nigeria's Constitution and International Human Rights Treaties prohibit discrimination on the basis of sex, many widowhood practices are still deeply rooted in patriarchal customs that treat women as inferior to men.

Widows are often subjected to inhuman treatment such as being forced to shave their heads, remain in seclusion, wear mourning clothes for extended periods, and in some cases, go through rituals that endanger their health or violate their dignity. In many families, widows are also denied inheritance rights and may be chased out of their late husband's home, especially if they have no male child. Even though some legal judgments – like the case of *Mojekwu v Mojekwu* ^[5] have condemned discriminatory customs, such practices still persist, especially in some communities, where traditional beliefs and customs are strongly upheld. ^[6] The main challenge is that customary law is unwritten, and it often clashes with statutory law and constitutional rights. This situation creates confusion, especially for rural widows who lack access to legal information or formal justice systems. The problem of this study therefore is “why is it that Widowhood practices especially in Okpanam could still subsist despite legal trend?

The general aim of this Article is to examine widowhood practices in the Okpanam community of Delta State, Nigeria and to analyze how these practices affect widows' rights, well-being, and social status, while also assessing the extent to which they align with or conflict with national and international human rights standards. And to further

1. Identify the common widowhood practices in the Okpanam community of Delta State.
2. Examine how customary law supports or influences these widowhood practices.
3. To find out if these practices go against the rights of widows under Nigerian law and international human rights and
4. To suggest ways to protect widows and improve their treatment through law, education, and community reforms.

The researcher adopted the doctrinal research method. This method involves the use of both primary and secondary source materials dealing with the subject matter under interrogation or under investigation. The Primary sources include the use of the 1999 Constitution of the Federal Republic of Nigeria (as amended), Statutes, and case laws.

The Secondary sources include textbooks by learned authors, articles, journals, government reports, newspaper publication, dictionaries, and the internet.

This research will also assess the impact of customary law on widows' rights, well-being, and access to justice, while also considering the extent to which statutory laws and human rights frameworks influence or challenge these traditions. The study is geographically limited to Okpanam, a community in Delta State, known for its rich cultural heritage and adherence to traditional customs. While widowhood practices vary across Nigeria, this study will provide an in-depth analysis of the specific customs in Okpanam, making comparisons where necessary with broader Nigerian or Delta State practices.

This work will not be complete without mentioning the limitation or challenges encountered in the course of this research. First, this study is restricted to the Okpanam community, which limits the applicability of the findings to other ethnic groups or regions in Nigeria with different cultural norms and widowhood practices. Due to the sensitive nature of widowhood practices, some respondents may have withheld information or presented culturally acceptable views rather than their true experiences, affecting the objectivity of the data. Furthermore many of its customary practices are unwritten and orally transmitted, making it difficult to obtain authoritative sources or consistent interpretations. Resource constraints in funding, transportation, and time also limited the scope of fieldwork and the ability to engage a wider range of participants.

The significance of this study is that it will expose widowhood practices and how they affect the lives and rights of women. It Bring attention to harmful customs that still exist and how they conflict with Nigerian laws and International Human Rights. The study will also help widows, community leaders, lawyers, and policymakers understand the need for reforms and better protection for widows. It aims to promote justice, dignity, and equal treatment for all women, especially those who have lost their husbands.

Widowhood practices in Nigeria remain an enduring concern, especially where customary laws intersect with statutory protections. These practices, rooted in traditional beliefs often subject widows to harmful and discriminatory treatments. This chapter reviews existing academic and legal literature on widowhood, customary law, and women's rights in Nigerian, focusing on the Delta State region and the Okpaanam community. It examines scholarly arguments, highlights gaps in the literature, and presents suggested reforms.

Customary law in Nigeria operates as the unwritten, traditional legal system of a people, recognized under the Nigeria legal framework so long as it is not “repugnant to natural justice, equity and good conscience.” In many communities, widowhood practices are enforced as part of these customary systems.

Ogunye ^[7] observes that customary law is dynamic and adaptable, yet many aspects remain stubbornly patriarchal. He argues that widowhood rites, including forced isolation and cleansing rituals, are relics of ancient patriarchy and should be reformed. Similarly, Okonjo ^[8] explains that colonialism distorted indigenous political and legal systems, marginalizing women and reinforcing male dominance in customary law.

Adewale ^[9] provides a national survey of widowhood practices, noting that widows are often subjected to rituals such as compulsory mourning drinking the water used to bathe the corpse, and inheritances denial. He posits that these rites, often masked as cultural obligations, violate human dignity and contravene Nigerian's obligations under international law. Oluwatoyin ^[10] highlights how gender-biased customary inheritance laws further compound the plight of widows, especially in cases where the widow bears only female children. Her study includes testimonies from Igbo and Yoruba communities and show how legal protections are frequently undermined by cultural loyalty to custom.

In the context of Delta State, Uchendu ^[11] documents the persistence of widowhood rites among Anioma communities, where widows are secluded, made to wear black for months, and undergo "cleansing" rites. However, Uchendu's work lacks update empirical data and does not reflect evolving practices or resistance among younger generations. Nigerian's Constitution guarantees the right to dignity (Section 34) and freedom from discrimination (Section 42). ^[12] However enforcement is hampered by the persistence of customary law and judicial restraint. Ebeku ^[13] criticizes the inconsistent judicial application of these rights, noting that while the Constitution protects widows, customary courts often uphold harmful practices in the name of tradition.

A landmark case of *Mojekwu v. Mojekwu*, ^[14] challenged the Igbo custom of *Oli-ekpe*, which barred daughters from inheriting property. The Court of Appeal ruled the custom to be repugnant to natural justice. Oba lauds the judgment as a progressive step in customary law reform but warns that the subsequent Supreme Court criticism of the ruling shows institutional reluctance to interfere with cultural practices.

Agbede ^[15] highlights the difficulty courts face in enforcing women's rights under customary law due to lack of codification and the deference given to traditional norms. This legal ambiguity allows discrimination against widows to persist, especially in rural settings where customary court hold sway.

Afigbo ^[16] asserts that widowhood rites are not merely cultural but deeply religious, serving to restore social balance and spiritual purity after a man's death. He proposes cultural reorientation and not outright abolition. Iroegbu ^[17] echoes this view, noting that these rites symbolize a widow's transition from marital life to a new social status. Conversely, Amadiume ^[18] critiques such reasoning as patriarchal. In her ethnographic study of Nnobi (Igbo) society, she argues that widowhood practices are instruments of male control over women's bodies and sexuality. She advocates for the criminalization of harmful widowhood practices and their classification as gender-based violence.

Okonta ^[19] conducted a socio-legal study on widowhood in Delta State and found that in communities like Okpanam, widows undergo prolonged seclusion, are barred from attending social events, and must submit to cleansing rites. However, he notes emerging resistance, especially from educated women who are increasingly aware of their legal rights. Anyanwu's ^[20] field study reveals that some younger widows in Okpanam are challenging traditional expectations by refusing to wear mourning clothes or participate in rituals. Yet, most rural widows remain uninformed about

their constitutional rights, facing pressure from family and community leaders to conform.

Nwogugu ^[21] explains that among the Anioma people, the widow's body is viewed as "polluted" and must be purified before reintegration into society. His study, however, does not examine the psychological or economic consequences of these rites. While many authors discuss widowhood at the national level, few provide community-specific research that examines how particular rites are enforced or challenged in places like Okpanam. Additionally, several works lack intersectional analysis failing to consider how education, class, religion, or urbanization affect widowhood experiences. For instance, Ibekwe ^[22] offers a comprehensive legal analysis of inheritance rights but does not differentiate among Igbo subgroups or explore the impact of Christianity or urbanization on changing widowhood practices.

Concept of Marriage

Marriage is a legal and social agreement between a man and a woman to live together as husband and wife. In Nigeria, marriage can be formal or traditional, depending on the laws or customs followed by the couple. It creates legal rights and responsibilities, especially concerning property, inheritance, and widowhood. There are three main types of marriage in Nigeria ^[23]

1. **Customary Marriage:** This is based on the customs and traditions of the people. In Okpanam community, it includes the payment of bride price and performance of traditional rites. It allows polygamy and is not usually documented in writing. The rights of women in customary marriages are often limited, especially after the death of the husband. ^[24]
2. **Statutory Marriage:** This is governed by the Marriage Act and is conducted in a marriage registry or licensed church. It is monogamous, meaning one man and one wife. It gives equal legal rights to both spouses, including the right to inherit property. ^[25]
3. **Islamic Marriage:** This follows Islamic law (Sharia) and is mostly practiced in Northern Nigeria. It allows up to four wives and has specific rules regarding inheritance, divorce, and widowhood. ^[26]

In the famous case of *Hyde v. Hyde*, (1866) LR 1 P&D 130, marriage was defined as "the voluntary union for life of one man and one woman to the exclusion of all others." Also, in *Edet v. Essien*, (1932) 11 NLR 47, the court held that customary marriages must follow the traditions of the parties involved. Nigerian courts have also recognized the legal effects of customary marriage. For example, in *Agbo v. Udo*, the court held that a valid customary marriage gives certain rights and duties once all traditional rites are fulfilled. The 1999 Constitution, under Section 42(1), guarantees equal rights for men and women in marriage. Nigeria is also a signatory to CEDAW, which calls for equal treatment of women in marriage and family life. Understanding the type of marriage is important because it determines whether a widow can inherit property or be protected under the law after her husband's death.

The Concept of Widowhood Practices in Nigeria

Widowhood practices refer to the traditional customs, rites, and rituals a woman is subjected to following the death of her husband. In many African societies, including Nigeria, these practices are often deeply rooted in customary law and vary across ethnic groups. While some of these customs are symbolic and meant to honour the deceased, many widowhood practices are oppressive, degrading, and infringe upon the human rights of widows.

In various Nigerian communities, particularly among the Igbo, Yoruba, and some northern tribes, widows are traditionally expected to undergo rituals such as shaving their hair, being confined indoors, drinking the water used to bathe their deceased husband, and undergoing periods of mourning that may last up to a year. These customs are enforced under the guise of tradition and societal expectations, despite their adverse physical and psychological impact on women.

The courts in Nigeria have begun to address the legality and morality of certain widowhood practices. In *Mojekwu v Mojekwu*,^[27] the Court of Appeal held that customs which promote discrimination against women are repugnant to natural justice, equity, and good conscience and should not be upheld in a court of law.

Similarly, in *Mojekwu v Iwuchukwu*,^[28] the Court reinforced that customary practices which degrade women or deny them their inheritance rights are unconstitutional and therefore unenforceable. From a constitutional perspective, widowhood practices that demean or marginalize women contravene Section 42 of the 1999 Constitution of the Federal Republic of Nigeria (as amended), which guarantees the right to freedom from discrimination. In addition, Nigeria's ratification of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) imposes obligations on the state to eliminate cultural and traditional practices that perpetuate gender inequality.

Scholars have argued that although customary law forms an essential part of Nigeria's plural legal system, it must evolve to align with contemporary human rights standards. According to Obi "any customary law practice which undermines human dignity, particularly that of women, must be reviewed or abolished." Despite growing jurisprudence and advocacy against harmful widowhood practices, enforcement remains a challenge. Many widows, especially in rural areas, lack access to legal redress and are often pressured by family and community members to comply with tradition, no matter how abusive. Thus, legal reforms must be matched by public education and community engagement to truly transform societal attitudes towards widows.

Customary Law and Its Role in Nigerian Communities

Customary law refers to the body of rules, norms, and values developed over time and accepted as binding by a Community. In *Oyewumi v. Ogunesan*,^[29] the Supreme Court held that customary law is "a mirror of accepted usage" within a given society. This definition underscores its communal origin and local legitimacy. Unlike statutory law, customary law is predominantly unwritten, flexible, and largely dependent on the memory and practices of community elders. It derives its authority not from codification, but from the acceptance and continued usage by members of the community.^[30] These features allow

customary law to adapt to changing social contexts but also raise questions regarding consistency and certainty.^[31]

Customary law is recognized under Section 315(3), of the Constitution of the Federal Republic of Nigeria 1999 (as amended),^[32] which classifies it as part of "existing law." In practice, customary law is applied by customary courts, area courts, and in some cases, regular courts when determining disputes involving customary marriages, succession, and land tenure. For a rule of customary law to be applicable by Nigerian courts, it must satisfy the tripartite test established in *Owoniye v. Omotosho*,^[33] namely that it is:

1. Not repugnant to natural justice, equity and good conscience;
2. Not incompatible with any law for the time being in force;
3. Not contrary to public policy.

This test commonly referred to as the "repugnancy test" has often been criticized for subjecting indigenous norms to external (Western) standards. Nonetheless, it has served as a legal filter to protect human rights, particularly in cases where customary norms may be discriminatory.

Historical Background Widowhood Practices in Okpanam Community

Okpanam is a historic town located in Delta State, Nigeria, bordered by Asaba, Ugbolu, Igbuzo (Ibusa), Ogwashi-Uku, and neighboring administrative boundaries. Geographically positioned within the Delta North senatorial district, the indigenes are part of the Anioma people, an Igbo subgroup bound by a shared linguistic, historical, and cultural heritage. Historically, the community's administrative structure relies heavily on traditional institutions led by the traditional rulers, council of elders, and titled lineage holders. The legal and cultural life of an average Okpanam citizen is heavily regulated by local customary rules passed down orally through successive generations. This reliance on oral transmission means that elder statesmen and custodians of the land serve as the repositories of customary jurisprudence. Consequently, ancestral traditions continue to wield massive control over fundamental aspects of civil life, such as land allocation, title-taking, marital unions, and funeral arrangements.

The social fabric of the Okpanam people is deeply intertwined with their spiritual worldviews. Within this framework, customary life is heavily influenced by patriarchal paradigms that define gender boundaries and social expectations. Marriage within the community is viewed as a lifelong alliance that extends far beyond the immediate couple to join two large kinship groups. In accordance with ancestral norms, traditional validation of marriage requires specific foundational rites, including formal family consents and the ritualistic presentation of the bride price.

A dominant aspect of Okpanam cultural belief is the spiritual interpretation of death. The transition of an adult male into the ancestral realm is viewed not merely as a biological event but as a spiritual disruption that alters the metaphysical balance of the entire community. It is widely believed that the physical body of a widow becomes spiritually defiled or "polluted" by the departure of her partner's soul. To appease local deities, maintain community harmony, and safely transition the deceased into the afterlife, specific traditional protocols must be strictly

followed. These rites are structurally preserved through patriarchal customs that view the widow's submissive participation as an obligatory duty to her late husband's lineage.

The family of the deceased, especially the husband's kindred (known as Umunna), assumes primary responsibility for initiating and guiding the widowhood process. Upon the death of a husband, the widow is typically expected to move into a mourning phase, which may last from a few weeks to several months depending on the age, status, and customs of the family. During this time, the widow may be subjected to restrictions such as seclusion, shaving of the head, wearing black or white mourning cloth, and refraining from certain social activities. The Umunna not only dictates these practices but also ensures their enforcement, often viewing them as acts of respect for the deceased and a form of spiritual cleansing.

In the Okpanam community, the widow is generally not allowed to make independent decisions during the mourning period. Her natal family may offer emotional support, but they are traditionally expected to remain in the background, leaving the in-laws to take charge. This hierarchical dynamic reinforces the communal perception that a woman, upon marriage, becomes part of her husband's lineage. While some families show compassion, others may be exploitative, particularly when issues of inheritance arise. The widow may be accused of having a hand in her husband's death,

In Okpanam, as in many parts of Igboland, the death of a husband sets off a sequence of rituals that a widow must undergo. These include, but are not limited to, confinement, shaving of the hair, wearing of mourning clothes (commonly black or white), ritual cleansing, and performance of "ikpo oku" (public wailing). These rites typically last for a mourning period ranging from one month to one year, depending on the status of the deceased and the customs of the family.

A widow is often required to stay indoors for a specific number of days traditionally seven to twenty-one days as a sign of respect for the deceased and to allow spiritual cleansing. During this period, she may be fed by female relatives, often only basic or symbolic food. The shaving of her hair, considered a public sign of bereavement and submission to the will of the ancestors, is compulsory in many families. In an interview with Mrs. Felicia Nkemdilim, a 67-year-old widow from Okpanam, she recounted: "When my husband died, I was locked inside for fourteen days. My hair was completely shaved by the Umuada using a razor blade, and I was made to sleep on a mat on the floor. It was humiliating, but I have no choice if I wanted to remain in my husband's compound."

Any ritual or practice that causes indignity, physical harm, or psychological trauma stands in violation of her fundamental rights and must be reformed. The road to transformation lies in education, legal enforcement, and cultural dialogue.

Customary Law and Its Impact on Widows in Okpanam

Customary law in Okpanam, like in many parts of Nigeria, is deeply rooted in tradition and governs various aspects of life, including inheritance and widowhood. While customary law often serves as a means of preserving cultural identity, it has historically placed widows in vulnerable positions. In Okpanam, widows may face

challenges such as disinheritance, where they are denied access to their late husband's property, as traditional norms often favor male relatives. Some widows are subjected to mourning rites that may involve restrictions on their movement, dress, and social interactions. In extreme cases, they may be required to undergo harmful widowhood practices, including prolonged periods of seclusion or ritual cleansing.

However, with increasing awareness of women's rights and legal reforms, there is growing advocacy for protecting widows from such injustices. The Nigerian legal system, through constitutional provisions and international conventions, seeks to address these issues, though enforcement remains a challenge in deeply traditional communities. Customary law, as a significant source of legal regulation in Nigeria, continues to influence the rights, status, and treatment of individuals, particularly within indigenous communities. In Okpanam, a town in Oshimili North Local Government Area of Delta State, customary law plays a pivotal role in the lives of its people. However, these customs, especially as they relate to widowhood, often result in discriminatory practices against women.

This chapter critically examines the impact of customary law on widows in Okpanam, highlighting the rites imposed, their social implications, and the extent to which Nigerian statutory and constitutional provisions protect widows from oppressive customs. Customary law in Okpanam, as in many Igbo communities, is an unwritten system of norms derived from the traditions and practices of the people. It governs areas such as marriage, inheritance, succession, and funeral rites. Although dynamic, these customs are deeply rooted in patriarchal structures that often place widows in subordinate positions.

The widowhood practices observed in Okpanam include mourning periods, ritual cleansing, confinement, shaving of hair, prohibition from attending social events, and in some cases, disinheritance. These practices are enforced through community expectations and family pressure rather than formal judicial mechanisms. Under Nigerian law, both the 1999 Constitution^[34] and international treaties such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) to which Nigeria is a signatory prohibit discrimination based on gender. Section 42 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) guarantees the right to freedom from discrimination. Customary laws that violate these rights are therefore unconstitutional. Despite this, widows in Okpanam continue to suffer under oppressive customary regimes, especially regarding property rights and personal liberty.

The judiciary has, in some cases, stepped in to redress these injustices. Several Nigerian courts have declared harmful widowhood practices and discriminatory inheritance rules as repugnant to natural justice, equity, and good conscience. Notable cases include *Mojekwu v. Mojekwu*,^[35] where the Court of Appeal condemned the *oli-ekpe* custom (a practice which denied women inheritance rights), ruling it as discriminatory and incompatible with modern constitutional provisions. Justice Niki Tobi held that any customary law that discriminates against women is invalid. In *Ukeje v. Ukeje*,^[36] the Supreme Court held that the Igbo customary law which excludes female children from inheriting their father's estate is unconstitutional. While these decisions were not specific to Okpanam, they are instructive and

binding, as Okpanam shares cultural and legal heritage with the broader Igbo society.

Case Studies from Okpanam Community

Case Study One: Mrs. Omejie Okafor (Ogbeojie Quarters, Okpanam)

Mrs. Omejie Okafor, a practicing Christian widow, flatly refused to have her head shaved by the Umuada or wear solid black fabric following her husband's demise in 2022. Citing her religious beliefs and her constitutional right to freedom of thought, conscience, and religion, she opted out of the customary cleansing rites. The extended family reacted aggressively and locking her out of her matrimonial compound. To date, Mrs. Okafor continues to live as a social outcast. She has been denied access to the community market a vital center for trade and interaction and the townspeople deliberately avoid any form of contact with her. Her mere presence is treated as polluting, and she is regarded by many as an untouchable.

In a society, where communal life is deeply cherished, such exclusion is not merely a social punishment; it is a psychological exile that strips the individual of her identity and belonging. This case underscores the urgent need for legal and social reforms to protect widows from inhumane cultural practices, particularly where such customs infringe upon constitutionally guaranteed rights to dignity, religion, and freedom of association. It also raises crucial questions about the role of traditional institutions in a modern Nigerian state that professes to uphold human rights and religious plurality. Though unreported in court, this incident has been cited in interviews with local women's rights advocates and is reflective of broader patterns of widow stigmatization in various parts of Delta State.

Reforms and Advocacy Efforts

While the journey toward reforming widowhood rites in Nigeria is ongoing, significant progress has been made through legal, civil, and traditional interventions. The Okpanam community stands out as an example where traditional authorities, particularly the Ugoani in Council, are taking active steps to align cultural norms with human rights standards. These reforms not only protect the dignity of widows but also ensure that culture remains a source of identity rather than oppression.

Key milestones in this reform paradigm include

1. **The Violence Against Persons (Prohibition) Act, 2015:** Section 15 of this statutory instrument specifically criminalizes the subjection of widows to harmful traditional practices, making offenders liable to imprisonment or stiff fines.^[37]
2. **Royal Edicts by the Ugoani-in-Council:** In August 2023, the Ugoani issued a community-wide declaration abolishing forced confinement beyond seven days and prohibited the aggressive enforcement of head-shaving. Traditional bylaws now encourage voluntary participation, and widows are permitted to opt-out on religious or personal grounds.^[38]
3. **Civil Society Interventions:** Human rights organizations such as the Women Aid Collective (WACOL) and the International Federation of Women Lawyers (FIDA) hold legal literacy workshops in Oshimili North LGA to empower rural women.

4. **Religious Substitutes:** Christian institutions within Okpanam have introduced alternative mourning liturgies, allowing Christian widows to fulfill bereavement expectations within an environment of respect and safety.

Conclusion

In conclusion, widowhood practices in Nigeria, particularly in the Okpanam community of Delta State, reflect deep-rooted customary laws that continue to shape the experiences of widows. While these practices are often justified by tradition, they frequently infringe on widows' fundamental rights, subjecting them to social, economic, and psychological hardships. This dissertation examines *Widowhood Practices and Customary Law in Nigeria: Okpanam Community of Delta State in Perspective*. It explores the cultural and legal dimensions of widowhood in Okpanam, focusing on how traditional customs impact widows' rights, well-being, and socio-economic status.

The study investigates the customary practices widows undergo, including mourning rites, inheritance laws, and social stigmatization. It assesses whether these practices align with Nigeria's legal framework, particularly constitutional provisions on human rights and gender equality. The research also evaluates the role of traditional institutions, religious influences, and modern legal interventions in shaping widowhood experiences. Using a qualitative approach, the dissertation relies on interviews, case studies, and legal analysis to provide insights into the challenges widows face and possible reforms. The findings highlight the need for policy interventions and advocacy to balance cultural traditions with human rights standards.

Even the Bible condemns harmful widowhood practices in Isaiah 10:12 – “Woe to those who make unjust laws, to those who issue oppressive decrees, to deprive the poor of their rights and withhold justice from the oppressed of my people, making widows their prey and robbing the fatherless.” This speaks directly against oppressive widowhood practices that exploit or marginalize widows. These scriptures emphasize justice, protection, and provision for widows, challenging harmful customary practices that deprive them of their rights. They can be used to critically analyze Nigerian customary laws and suggest reforms that align with basic principles of justice and dignity.

It has been observed that despite Section 42 of the Constitution, unmodified customary laws in rural Okpanam continue to treat women as subordinate, enabling extended families to force widows into degrading rites out of fear of ancestral curse or social isolation.

That while statutory weapons like the VAPP Act exist on paper, their practical implementation in local quarters is practically non-existent due to low legal literacy among widows and a lack of monitoring desks.

That the progressive interventions by the Ugoani-in-Council and the Omu of Okpanam represent a paradigm shift showing that traditional leadership can actively engineer custom to protect fundamental civil rights from within.

Finally, I will recommend that The Ugoani-in-Council should convert oral edicts into written, widely circulated booklets, making it explicitly clear that head-shaving and long confinement carry no legal or local penalties if skipped.

Human rights Non-Governmental Organisations should partner with the Nigerian Bar Association and local community groups to locate pro-bono family law dispute desks directly within local town halls to stop illegal evictions immediately.

Micro-credit schemes and financial grants should be created for newly bereaved women, giving them the financial stability needed to resist property seizures by male extended kin.

Finally, Men should be encouraged to make clear and valid Wills stating their burial wishes and property distribution to protect their widows from hardship and prevent inheritance disputes after their death.

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