

Traditional Rites, Structural Violence and Gender Injustice in Modern Yorubaland, Nigeria

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Abstract: Traditional rites are noble acts in African culture far before the advent of colonial era till date. Culture differs from societies, ethnics and clans, while its practice cut across gender, race and nations. However, it has been observed that the female gender are worst affected by some of these rites due to observation of certain norms, believes and superstitions. The objective of this research is to critically examine structural violence and gender injustices from traditional rites perspective amongst Yoruba people of South Western Nigeria. Thus, this study adopted secondary method of data collection, and examined historical believes and rites of the Yoruba race which include Agemo, Burial rite, Oro, Widowhood, and Inheritance. Hence, structural violence was adopted as its theoretical framework. Findings shows that gender injustices are alarming and prevalence during many African traditional practices, and that physical and psychological harm which brings about unjust social, political and economic systems are rooted in some of these cultural and structural believes in African societies. It was however concluded that within different cultures in Nigeria, there are practices that are discriminatory against women gender and such practices are archaic to the contemporary world. This study therefore recommends that Nigerian government should examine the structural formations, and re-orientate the practitioners against practices that induce gender discrimination. Also, all gender discriminatory laws that are still being practiced should be re-examined by the court of competent jurisdiction and the appropriate bodies should make recommendations to the appropriate legislative bodies for necessary amendment of such laws.

INTRODUCTION

There is no gainsaying to the fact that abuse is not alien to humanity either physical or non-physical form. Abuse simply connote when someone causes another person harm or distress, it is often in an unfairly benefits. The abuse can take different forms such as disrespect, causing someone mental or physical pains, verbal maltreatment, assault, injury, violation, rape, crimes, unjust practices and other related types of aggression (Cambridge dictionary). Abuse, in British English perspective is; “to use incorrectly or improperly or misuse; to maltreat, particularly physically or sexually; to speak insultingly or cruelly”, (Collins dictionary). There is no specific place for it occurrence; at home, work, worship centre, in academia, various sport arena e.t.c.

However, the main concern of this research is to analyse the unlimited abuses that are harmful to women and girl child, as it has been identified that emotional and psychological consequences of abuse alongside physical assault are more damaging to the women folks. Abuse against women a times occur in the families, work place, educational institutions and often in some cultures and it is found in both rural and urban settings, even by the learned in the African societies.

Generally, abuses mostly occur in a context where there is a pattern of assaultive, controlling culture, and beliefs. There may be a number of behaviour which seems normal and acceptable in some culture but amount to abuse in societies generally. Woman abuse is any form violence which may be cultural, psychological, physical or sexual force, and can come from any form of relationship. Violence is adopted to victimise, humiliate, frighten, and to ridicule or make the victim mostly the women gender feel powerless.

It is disturbing that “an estimated of one hundred and thirty million (130,000,000) girls and women have had their rights violated by experiencing one abuse and violence in one way or the other”, also about “1 in 3 (30%) of women worldwide have been subjected to either physical and/or sexual intimate partner violence or non-partner sexual violence in their lifetime”. (World Health Organization (2023). The realization of the harmful effects interplay on the individual (female) physically, psychologically and the violation of her human rights has bred dire consequences which has led to abuse of women and mostly the girls child.

It has been observed that abuse and violence again women gender is more known in the African society, due to different factors, which include traditional practice, customs, poverty and culture as well as structural setting and its arrangements. Various Scholars have associated these abuses with the component of the African culture, traditions and religion. However, this practice is found in almost every parts of the world, while Nigeria is not exempted. (UN Women Report, 2020). As a result, this research therefore examined few cultural act that lead to abuses which is mostly directs at women and girl child in African society in general, and Nigeria in particular. The research also examines impact

of structural dimension of Nigerian society as it allows demarcation and placing superiority to male gender above the female counterpart. As a result of traditional rites the Nigerian society amongst many other societies of the world socially construct gender imbalance and injustice knowingly or unknowingly, traditionally what is to be the life style of the citizen both men and women, young and old has been defined. It has sunk deep into the Nigerian society in all ramification, to mention but a few, sport, education, management, religion leadership, politics inclusive. For emphasis Eke (2022) discussed gender imbalance in the Nigerian National Assembly and Federal Ministries in 1999 only 16 women made it the national assemblies (3 women for the senate and 16 women in the house of representative), by 2003 the number increased to 25 (4 women got elected into the house of senate and 21 to the house of representative), in 2007 36 women got elected into the national assemblies (9 to the house of senate and 27 to the house of representative) fair enough the highest so far. 32 2011, 22 2015, 11 in 2019 and by 2023 National Assembly elections held on 25 February, 11 women ran for Senate seats while 35 ran for seats in the House of Representatives. At the end of the polls, the 10th National Assembly recorded 14 female members in the lower chamber and three in the upper chamber.

The apathy arising from gender inequality has also affected education in Nigeria, as a result the males have dominated Nigerian schools from the primary to tertiary level. From 2018 to 2022, a total of percentage of candidates applied and admitted in 2018 were males 19.33%, while females 15.91%, 2019 males 17.39%, females 14.88%, 2020 males 12.34%, females 11.18%, 2021 males 13.44%, females 11.56%, 2022 males 17.33%, females 13.89%. Joint Admission and Matriculation Board 2024. All these has led to violation, segregation, victimisation and abuses is also examined, recognising that Africans are people of culture, and the society is fabricated in this line; which involves land allocation, widowhood, Oro festival, and Agemo, which really play major role in structural violence and women abuse in Nigeria.

Despite efforts made by Scholars in the field of peace, gender, culture and traditional studies, much is still needed to be done, as modern approaches to peace, gender delineation and abuses revealed that this act is still prevalent in African continent in recent years. This research thereby showcases specific cultures and traditions towards meeting gender equality.

METHODOLOGY

This paper adopted qualitative method of research with a phenomenological research design which explored women injustice experience in modern Yoruba land southwest, Nigeria, through traditional rites and human violence. The data gathered were thematically analyzed in the contest of the work.

Theoretical Framework: Structure Violence

This study based its theoretical framework on structural conflict/violence; the argument of structural violence as opined by Galtung (1990) is that “conflict

is built into the particular ways in which societies are structured and organized; it revealed that every society is made of complex components which must be properly coordinated to achieve stability and solidarity in the system". It continues that, "every society is composed of social structures, social functions, learning and social placement. The theory looks at the social problems as political and economic exclusion, injustice, poverty, diseases, exploitation, and inequity as source of conflict". The social structure exists to pattern and direct human behaviour i.e. schools, religious organization and government; within the social structure, every individual has a social function to play in order to achieve a given end, this is not accepted in the traditional African setting. In his further explanation, Galtung (1969) argues that "poverty, class discrimination and society injustice prevent citizens from reaching their full potential". Also, Robert (1957) connected this to structural functionalism; "he explained that when every member of the society understand and play their role effectively, the society will be accommodating to all individuals; he opined that every members of the society should strive towards equilibrium, a state where they will work together through the social structure to achieve a common goal". Hence, a gender injustice that is obvious in Nigeria and Africa has structural background, the structure both in the traditional setting and societal arrangement has a great influence in its gender discrimination.

Discussion of themes

This article examined some concepts which include: Gender Injustice, Nigerian Laws on Gender, Structural Violence - Widowhood, Inheritance, Oro & Agemo festivals.

Traditional Rites

Traditional beliefs in African are diverse and hid under religion and cultural rites. Generally, these traditions are mostly oral in nature, rather than scriptural and are passed down from one generation to another through folk tales, songs, and festivals. Mark (2006) posited that, "in an amount of higher and lower gods, sometimes including a supreme creator or force, belief in spirits, veneration of the dead, use of magic and traditional African medicine". In the same vein, Idang (2015) argued that "the culture of people is what marks them out distinctively from other human societies in the family of humanity".

However, Idang (2015) submit that "culture, as it is usually understood, entails a totality of traits and characters that are peculiar to a people to the extent that it marks them out from other people or societies; these peculiar traits go on to include the people's language, dressing, music, work, food, trade, arts, religion, dancing and so on. It also goes on to include people's social norms, values, and taboos". Also, Bello (1991: 189), opines that "culture as "the totality of the way of life evolved by a people in their attempts to meet the challenge of living in their environment, which gives order and meaning to their social, political, economic, aesthetic and religious norms thus distinguishing a people from their neighbors". Culture distinguishes people and race from one to another.

Giddens (2001) in (Ojuola & Adesiyen 2012: 88) emphasized that “culture comprises both intangible aspects of the society such as the beliefs, ideas and values and the tangibles like the objects, symbols and technology of the society”. Aziza (2001: 31) also asserted that, “culture is the totality of the pattern of behaviour of a particular group of people. It includes everything that makes them distinct from any other group of people for instance, their greeting habits, dressing, social norms and taboos, food, songs and dance patterns, rites of passages from birth, through marriage to death, traditional occupations, religious as well as philosophical beliefs”.

Furthermore, Idang 2015 argues that “African cultures has specific moral codes that forbids doing harm to a relative, a kinsman, an in-law, a foreigner and a stranger, except when such a person is involved in an immoral act; for instance, African cultures possesses the concept of a Supreme Being or Supreme Deity which is invisible and indigenous, and holds a belief in the existence of the human soul and the soul does not die with the body”. He however submits that African culture and believes are diverse, it includes,

“Social values, this can be seen as those beliefs and practices that are practiced by any particular society; either routinely by its members or performed whenever the occasion demands”, morals values, such value have a system and customs which every individual ought to keep in order to live long and to avoid bringing curses on them and others e.g. adultery, stealing and other forms of immoral behaviour; religion is another value, religious values are not toyed with in Africa, traditional religion wherever it is practiced, has some defining characteristics, this is an act of believing in the gods. Politically, African society definitely has political institutions with heads of such institutions as respected individuals. The most significant thing about the traditional society is that the political hierarchy begins with the family; Economic values of the traditional African society are marked by cooperation, the traditional economy, which is mainly based on farming and fishing, was co-operative in nature”.

Similarly, Nwadiokwu et.al (2016), listed African rites as follows; “pregnancy, birth, naming, puberty, marriage and death rites, he further submits that, pregnancy rites is the first indication that a new child is on the way, so when a woman is pregnant, she rejoices with her husband and the immediate family”. Birth rites in African culture mostly take place in the house of the father of the expectant baby, or in few cases, it takes place in a special place, like shrine or a place of worshipers of a deity. This is followed by naming rights; the naming of children is an occasion which is often marked with ceremonies African societies; naming ceremony takes place mostly take place on the eight day after the birth of the child, while prayers are offered and libations are poured on the ground to the ancestors, as gifts are given by guest to the parents of the new baby. Puberty rites among most African cultures are rites and ceremonies which mark the change from childhood to adulthood both physically, socially and spiritually, the child must grow from childhood to adulthood; it is to introduce the child to adulthood life though not compulsory in all the culture.

After this is the marriage rites in Africa which is a social affair, this rites involves both the bride and bridegroom families. There must be understanding marriage between the two families, through negotiations, when negotiation is made, then date is fixed and marriage ceremony is made, where families and the public are invited for the celebration. Lastly is death rites; the ritual surrounding death rites is complex and it varies from culture to another; however, a proper funeral is to be well organized, as African believed that by doing so, the spirit of the departed soul may be contended in the world beyond, and will not return as ghost to plague the family.

Gender Injustices

The pervasive nature of gender injustice has its unique effect inversely in different regions of the world but commonly is that it does not affect only a group of gender as observed by (Runyan 2018: 114) and (Gheaus 2012: 25). This is why the normative heart of feminism lays message equality in that no sex must be disadvantaged. "Gender issues in many parts of the world explicitly target equality and justice as incorporated in the fundamental human rights enshrined in the constitution and various policies of governance and as principles of non-discrimination on sex, caste, language, religion, race and other motives, the principles of equality before the law, equal protection by the law, right to basics necessities of life as required and prescribed in the constitution of most civilised nations of the world. The necessities of life include; fair hearing, freedom of economy and acquisition of property, Schmitz & Gabel (2023: 224) and Mensah & Prakash (2014: 315-318) also consented to the fundamental human right as one of the tools in handling gender matters all over the world. All these and more can be found in the "1999 Constitution of Federal Republic of Nigeria (as amended)".

A major issue in respect of abuse gathered globally on gender norms as practiced is on the oppression of women/ girls to men. These forms of gender injustices are easy to identified, although, some are subsumed in the societal norms and customs which makes it difficult to point at. "Gender injustices are prevalent in society where men have authority toward women both in public and domestic spheres; it is very clear that women are subordinate to men historically; women were wives or mothers who are natural care givers to children and keep housework besides serving their husband needs". Cotter (2017). Mandell (2003).

Generally, "most traditions in the world put women in subordinate position, they are considered as the people who should do the domestic sphere such as cleaning the house and taking care of the children, this tradition has existed for centuries as long as the patriarchal system still existed and dominant in society" Vosloo, (2021). Also, "women who wish to lead a gender-neutral lifestyle have to pay higher costs than men who does the same, a society is gender just only if the costs of a gender-neutral lifestyle comes affordable to all, all other things being equal, lower than, or at most equal to, the costs of gendered lifestyles", Johnstone, (2006).

Gender injustice which is an unjust act, a bias, violation of the rights of others, unfair treatment of persons as a result of gender. According to (Haider 2012: 203-206) “gender injustice occurs when there is arbitrarily assign differentially valued traits and abilities to people on the basis of their sex and without regard for their attributes as individuals”. Likewise, Adesiyani et al (2015) cited Olomajobi (2015) was of the opinion that “the emotional, sexual and psychological stereotyping of females begins when the doctor say ‘it is a girl’”. Perhaps, this extract explains the roots of gender inequality and the patriarchal system of oppression prevalent in most societies”. He further opined that, in Nigeria for instance, “the stem of gender injustice on females still remains on a daily basis irrespective of the existing legal frameworks coupled with the activities of the civil society groups”. (Nye, 1998:5-11) observed that “many of the society’s reaction to women especially in developing countries such as Nigeria have been culturally based”. Alluding to this, (Olufunlola, 2003: XNIO;148-166), “women are made to believe that their rightful place was in the home; as housewives, producers and makers of children while their husbands carry on with societal tasks such as politics and governance”. These believe are strongly against the participation of the female gender in civil and political emancipation in the society.

Injustice against women encompasses multiple abuses at women and girls child, which affect them. United Nation Declaration on the Elimination of Violence and Injustice against Women (2008) define violence against women as “any act of gender-based violence that results in, or is likely to result in physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary, deprivation of liberty, whether occurring in public or in private life”. Also, Coker (2010) submit that, “women who experienced both physical and sexual violence, scored higher on scales measuring ill health, than women who experienced physical violence alone, and that sexual violence might be a marker of severe violence and also, of violence escalation”.

However, gender equality in Nigeria assumed different dimension from what is obtainable in some western countries Olonade, Oyibode, Idowu, George, Iwelumor, Ozoya, & Adetunde (2021). Omotosho et.al (2020) opines that “the cultural differences existing in Nigeria make it difficult, if not impossible, for men and women to share equal rights and also be treated as equal in the social, political and economic spheres. Before the advent of colonialism, Nigerian women were subservient, humble and good supporters of their husbands. Culture abhorred them from some social functions, religious rites and other traditional practices. It is obvious, for instance, that no Nigerian culture accepts a woman marrying a man, neither does the Igbo culture allow women to break cola nut before men or join masquerade cults or even own properties”. Due to Nigeria’s culture as it relate to social class, it is a taboo for women to do things which culture forbid.

With some of African cultures, women gender is reduced to mere infidel and a second-class citizen; hence, Ikonne and Isaac (2023). said “Nigeria being a patriarchal society justifies the marginalisation of the female gender in education, economy, labour market, politics, business, family, domestic matters and inheritance. Other women who are not well-educated use different mechanisms which they anchor on the concepts of fighting for human rights, fighting against gender inequality and religious extremism. The consequences of these actions, in the long run, are that sentiments and propaganda are whipped up by such women to subdue men”. The international legal instruments that guide feminism are strictly against gender discrimination and support the Feminist National Advocacy and its role in ensuring the female gender injustice eradicated in Nigeria. Adesiyiyan, Adewumi, Adeitan (2016), submits that “human right has been defined as the concept of state responsibility towards the citizens as stipulated in conventions, which guarantees the rights recognized in the conventions. The Nigeria constitution clearly indicates these rights and sets out the fundamentals human rights to which all persons are entitled. Among these are; the right to life, dignity of the human person, personal liberty, private life, freedom of thought, conscience and religion, freedom of movement and freedom from discrimination”. Also, Nwangwu, Moronke and Akintunde (2009) opined that “violence against women is manifested in different forms, they enumerated them as; assault; which means injury or fear of injury; kidnapping; that is, unlawful removal or confinement criminal restraint, false imprisonment, sexual assault; which is termed rape, criminal sexual contact, lewdness; criminal mischief, burglary”.

Nigerian Laws and Female Gender Injustice

In Nigeria, there are several Acts, laws, rules and practices that have been set aside but unfortunately have posed as discriminatory to the female gender and they include: “customary law, the 1999 constitution of the federal republic of Nigeria, family law, and law of succession, criminal code, penal code, Police Regulations Act and also the Islamic law”. The (Feminist approach to International Law, 1991: 613) view “customary laws as a body of unwritten norms and values have arisen spontaneously and have been sanctioned by the state”. Some of the practices that have been proven as obstacles to the emancipation of women’s rights and they include: Female Genital Mutilation, Widowhood Practices, The Payment of Bride Price, Child Marriage, Violence against women (wife beating), parental sex selection, arranged or forced marriage, polygamy, seclusion and food taboos for women. The ‘World Health Organisation’ (WHO), ‘United Nations Children’s Fund’ (UNICEF) and UNEPA in 1997, defined female genital mutilation (FGM) as comprising “all procedures involving partial or total removal of the external female genital”.

In addition, the ‘1999 Constitution of the Federal Republic of Nigeria (as amended)’, made a big landmark by stipulating some sections to protect any form of discrimination and cultures that are discriminatory in nature against

women and girl child such as Section 26(2) which does not bequeath a foreign man citizenship when he marries a Nigerian woman and Section 29(4) (b) which implies that marriage determines adulthood for females and consequently promotes girl-child marriage.

Under 'family law, the Marriage Act of 2004, Section 18' provides that "only the father can give consent to their children's marriage. This means that the opinion of the mother who bore and trained that child is not recognised or relevant unless the father is dead or absent". This is against, Cain (1993) that "women as well as men, are rights bearing, autonomous human beings. Rationally, individual choice, equal rights and opportunities are central concepts for liberal political theory". Also in Section 15(c) of the Act "makes provision that domestic violence would only be recognized in a marriage when it reaches the dimensions of attempted murder, these literarily implies that opinion of a mother and woman in marriage is not recognized or respected and a man has a legal right to exercise violence against the wife as long as she does not die".

Structural Violence

"Violence consists of actions, words, attitudes, structures or systems that cause physical, psychological, social or environmental damages and/or prevent people from reaching their full human potential". (Fisher 2000). Also, (Ogbadu 2017) submits that, "it is one of the possible responses to specific conflict situations. This does not imply that violence is unavoidable. Violence can be deeply structured into the system of relationships, within socio-economic and political arrangements, and even in the culture of a society and of a global system". This is the background for the concept and theory behind structural violence. Galtung (1993) posits that structural violence refers to "the impairment of human life which lowers the degree to which someone is able to meet their needs below that which would otherwise be possible".

He described structural violence as the "killing infliction of psychological harm and physical harm or deprivation through violent socio-economic or political structures". Similarly, Gilman (1983) opines that "structural violence is the physical and psychological harm that result from exploitative and unjust social, political and economic systems". Furthermore, Galtung (1969) made it clear that "violence in whatever form is related and depends on how it operates between three inter-related forms of violence (Structural-Cultural-Direct) where structural violence is at the left end and cultural violence is at the right end". Cultural and Structural violence causes direct, physical or verbal violence and it is a bad behaviour in its entirety, which has effects in socio-political cum economic implications.

Cultural violence in it attitudes and beliefs as submits by Ogbadu (2017) "describe social arrangements that put individuals and populations in harm's way, these arrangements are structured because they are embedded in the culture, structures and economic organization of the social world; they are violent because they cause injury to people; neither culture nor pure individual will is at fault, rather, historically given (and often economical driven) processes

and forces conspire to constrain individual agency”. Also, Galtung (1993), identified four types of violence that are perpetually structural which are “exploitation, which is a situation whereby some persons draw profit from interactions taking place within a structure than others, then, the complex structures and long legislative chain and cycles; the long legislative structures prolong justice and justice delayed is justice denied, also is marginalization and fragmentation which has taken the form of eliminating the feminist gender to the edge of the society”.

This is why Adesiyani, Adewumi, Fisher (2016:10) “connects structural violence with the political domination of one social group over others; elitism, ethnocentrism, racism, gender and age-related suppression etc. she further asserts that structural violence tramples the basic human needs rights and fundamental freedoms”. In addition, Cain (1993) “theorized that structural violence is not carried out by individual but hidden in structures i.e injustice in human right acts, policies and practices and other act that limit the individual from achieving his or her fundamental human right”. “Structural violence must be noted as synonymous to social injustice built into the social system and expresses itself in the distribution of power and as a result, unequal opportunities” Galtung (1993). It is therefore assumed that when there are classes in gender, nationalities and groups, this could lead to structural violence.

Religion and Culture

Religion and culture seems to be instruments of deprivation to the female gender in Nigeria, Makama (2013) agrees that “the patriarchal society set the parameters for women’s structural unequal positions in families and markets by condoning gender-differential terms. Also, the female gender face discrimination, intimidation, harassment, torture and physical abuse not simply by state organs but also their own family, they lack inheritance rights and legal adulthood, silently condoning domestic and sexual violence. Both men and women are however, entitled on an equal footing to the full protection of their rights and freedom because they are human beings”.

Meanwhile, prior to colonialism, particularly Nigeria, there had been several ways in which those in authorities enforce laws on the citizens. “During the pre-colonial era, there were traditional institutions with their ways of dispensing justice and this make the citizens adhere to the constituted laws; by traditional institutions, we refer to the indigenous political arrangements whereby leaders with proven track records are appointed and installed in line with the provisions of their native law and customs” (Adesiyani 2014:23). He further opines that “that any leader that is in power must have at his disposal, laws and rules which will be used to guide the citizens of the community and that there is no leader or an authority set up without making up of laws that will guide them and also the citizens they are governing”. Liloyd (1954) submit that “the Yoruba system of government, which is based on constitutional monarchism with a king as the

head, popularly known as the Oba, and had a system of check and balances". Joel (2013) argues that, "the system had the council of elders who helped in implementing the law; the Oba's court was the highest in the land. The Igbo traditional system was an egalitarian system based on direct democracy. The largest political unit was known as the village group consisting of kindred in the family unit. These groups are responsible for the making and implementation of Laws".

Many societies that are induced in violence are more diverse and subtle in many cases, such that it is not often perceived by the victims". This is why (Aborisade 2012:18) stated that; "this type of violence is rooted in the dominant political, economic and social system and is expressed in the blockage of access to the means of survival for the poor majority or the under privileged in a market economy; thus a structural state of violence creates nurtures and perpetuates the second form of violence that is direct violence". Ajayi, Chantler and Radford (2022) conclude that "the prevalence and intensity of the violence in Nigeria could be trace to the local customs, traditional beliefs and value system of the Yoruba who subsist in patriarchy". Scholars like Ukpokolo (2016) have opined that "gender relations in sub-Saharan Africa are peculiar male-dominate, meaning that men in these societies, and by default, enforces the subordination of women, and women in turn are submissive to men in decision making, freedom of expression and public. Societal or community induced violence against females is perhaps more important because while it does not directly harm the victims, it creates the stage for gender oppression, degradation and increased domestic and direct violence on women". Makama (2013) argues that "African believes in the male dominance and female submissiveness has bred three types of community-induced violence". One of the structures in which the society is based upon in Yorubaland which is society induced separation is Oro festival:

Oro Festival

"Oro festival comes up around August or September of every year", Yoruba Alliance, (2012). "Oro festival is conducted, most especially during the yam festival when food was in high supply", Daramola and Jeje, (1975). They continued that "in preparation for Oro festival, all families in the town would cook different kinds of foods, and prepare lavish dishes to entertain one another and to give as sacrifice to Oro god. Oro is a symbolic god, it is a thin strip of fashioned bamboo wood which is done in a secret place away from the public gaze of the women, and may be done in a nearby forest or a compound hall far away from the women and children".

Also, Akanji & Dada (2012) submits that, "during the Oro festival, women are not supposed to go out of their homes during the hours when Oro is in town, and that, cases have been reported of women who died from beholding Oro. Oro emblem must not be seen by women, the usage of vulgar words during Oro festival is permitted culturally and it is not offensive to hear such vulgar words during this festival. Oro ceremony can also be conducted at the burial of a deceased member". They further said that "this is an important rite of passage

among the cult members. During this rite of passage ceremony, Oro emblem (whirling voice from fashioned bamboo tree) will be brought to the burial ceremony of such deceased member, yet, women are not supposed to be in attendance". The practice of Oro is symbolic to the culture and practitioners; as such culture could be brought out when there is mayhem and violence in the society to scare the women and visitors. This will reduce crowd in the streets and allows for relative calmness until a permanent solution to such violence is proffered.

Agemo Festival

Agemo is the unity of Ijebu-land. Ade Ajayi & Crowder (1976) opined that, "there are 16 Agemos in various part of Ijebu-land of Ogun State, Nigeria. They come out every July and they all meet at Ijebu-Ode before moving to Imodi Mosan, where the Agemo Festival takes place". Ade Ajayi further submit that "the Agemo of Ijebu-Isiwo is called Petu-Ado (short form Petu). Agemo festival has masquerades and is a performing art of the Yoruba religion. Women are forbidden from seeing the Agemo on their way to Ijebu-Ode, and a public announcement is made by town crier, as well as on radio and television to inform everyone the exact time Agemo will be moving". The practitioners and cultures believes such rites and culture is a way to appease to the gods for peace to reign in the society, as well as to sanitize the land against evils and ills.

Widowhood Rite

The travails of widows in Yorubaland 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, enforcement of persistent wailing and sitting beside the husband's corpse. "these directly have negative psychological, financial, sexual and social impacts on widows; in the past years, the pattern of reciprocity and obligatory duties for widowhood in an extended family protected the widow and her children" (Owen, 1998: 3). Nowadays, "widowhood rites often make women to be dethroned, defaced, disentangled, defiled, denied, deprived, dispossessed and disinherited", Iwobi, (2008). Also Nwadinobi, (2013) says, "enormous discrimination and humiliating treatments that widows frequently encounter, in varying degrees of hardships, is a threat to the rights of women (widows) as recognized in international human rights conventions and treaties and in national legislation as well".

Similarly, Afolayan (2011) opined that "mystifying plurality of cultures in Nigeria indicates that there is a wide variety of widowhood practices, and there are significant variances between the different sub-cultures that are found within the Yoruba ethnic group". Aransiola (2010) also submits that "apparently, looking at widowhood practices in Yoruba land, the women involved do not have much choice if they are to live in peace with the communities; the traditional structure, male dominance mentality and the ethnic groups are problems confronting widows. Many of them rely on the work of their hands and live alone (and in isolation)". Some aspects of widowhood ritual similarly subject the

women folk to psychological trauma and infringe on their rights. It is a fact that some of these traditional ritualistic processes and practices have their merits and positive effects. Some, however, expose women to physical health risks and affect them psychologically. Unfortunately, these traditions have become resistant to contemporary social changes as a result of peoples habits, fear or wanton insistence of known patterns for the maintenance of tribal or ethnic identity, social cohesion and the established status quo. The effects of these rituals on the woman is two-fold, it leads to economic imbalance, since her movement is restricted, and also exposes her sexually transmitted infection like gonorrhoea, syphilis and AIDS.

Inheritance amongst beneficiaries

According to Yoruba Natives Laws and Customs, revealed that if an individual dies intestate, his children both males and females succeed to the estate as a single entity. Adetunji (2014) posited that, "the eldest son known as Dawodu is charged with the responsibility of managing the demised estate as a trustee; he is a trustee, in the sense that, he manages the property for the benefits of himself and other beneficiaries". Taiwo (2017) also said, "it has been a laid down general rule of inheritance among the Yoruba that the eldest son succeeds to the land in the place of his father for his own benefit and that of the family. The children and wives though have the right continue to live in the house built by their demised father or grandfather". It is sacrosanct that widow who takes another husband or remarries outside her late husband family automatically loses her right to remain in the family house and use of family land. The son had no right to sell the land or the house for he holds it in trust for the family.

In consideration of the rationale for keeping the headship in the masculine line, Mbakwu (2016) submits "that the women on marriage go to live with their husbands and change some of their identities; under the traditional customary law, factors like age and sex often affect the scale of distribution, and a female child regardless of her age might be made to take last and her share might also be smaller when compared to the entitlements of her brothers". However, the rules of the daughters in Yoruba land were not the same as sons with regards to their father's property. In another dimension, Toubia, (1993) opined that "female genital mutilation which is another abuse violates the female gender's rights to equality, non-discrimination on the basis of sex and the right to life, health and also constitutes an arbitrary intrusion into one's privacy. In the case of bride price which is the gift payment in money, natural produces or in any other kind of property to a parent or guardian of a female person on account of a marriage that person which is intended; the amount and quantity can be overly absurd". Violence against women is inevitable in Nigerian society where women have been sexually harassed, abused, battered, marital rape, etc. of which there are no customary laws that disapproves of such violence. Mbagwu (2016) further agreed that "widowhood in Igboland is a big source of family conflict. Most widows have problem taking possession of their late husband's estate, and they are fighting strongly against the treatment". The scholars argued that families

invested with their husband and have children to care for, therefore relegating them to the background, and taking over the control of their husbands' assets by their relatives are very unacceptable and the struggle for control causes conflicts in the families.

International (UN & African Union) Contributions to Elimination of Gender Violence

The 'UN General Assembly Resolution on Crime Prevention and Criminal Justice Measures to Eliminate Violence against Women' in which Nigeria is a signatory stipulates that "to provide for or to encourage mandatory cross-cultural and gender-sensitivity training modules for police that deal with the unacceptability of violence against women, its impact and consequences and that promote an adequate response to the issue of violence against women" UNGA (1998).

Also, African Charter on Human and Peoples Rights, 2004 (ACHPR) which has been domesticated in Nigeria contains diverse provisions protecting women against discrimination. For instance, the general non-discrimination clause states that: "Every individual shall be entitled to the enjoyment of his rights and freedom, recognized and guaranteed in the Charter without distinctions of any kind such as Sex". Article 3, further concretized women's rights in Africa, by stating that: (1) "Every individual shall be equal before the law (2) Every individual shall be entitled to equal protection of the law". The rights of women in Africa were further firmly entrenched by the provisions of Section 18 (3) of the African Charter, which stated, that: "the state shall ensure the elimination of every discrimination act against women and also ensure the protection of the rights of the women".

Summary

The concept of gender inequality and gender injustice was also clarified as well as a cursory look at the historical and cultural concept of Nigeria on gender. Study revealed the concept of human rights in relation to women in Nigeria, the concept of patriarchy, and the concept of injustice in Nigeria. Also, for gender balancing and equality, study observed that the structural configuration is a major deficiency as found in some Nigerian/African settings. Therefore, the structure itself must be re-examined, to meet the modern system. This must be all inclusive, as it involves the traditionalist, the legislative arms and the executive for proper implementation and harmonization. Adequate policies must be put in place to restructure the system; this will have a greater impact in reducing the structural violence and demarcations among the genders.

Furthermore, this research examines the Nigerian legal instruments such as the '1999 constitution of the Federal Republic of Nigeria as amended, customary law, family law, law of succession, the criminal code, the penal code, police regulation act and the Islamic law'; and how their provisions are still marginalising, suppressing, harassing or better still, treating the female gender as the weaker sex. These will also serve as measurements and indicators of

gender injustice but due to Nigeria's failure to domesticate the provisions of these instruments into their national legislation, it has consequently led to loopholes in the administration of gender equality in our society today.

CONCLUSION

African nations generally have many rich cultural practices which are humane, unique and allow for true bonding in the family—with emphasis on unity which is the social fabric of the society. However, within the different cultures are some practices that are discriminatory and lopsided against women in particular and are archaic in a modern world and summarized generally as being repugnant to natural justice, equity and good conscience.

However, some customary practices also discriminate against women in Nigeria as revealed in the study. More often, “women are regarded as property and therefore cannot own property themselves; despite the domestication of women's role in the pre-colonial era, women still waxed very strong in political and economic spheres and other related areas”. Olubor & Nwagwu (2013). In addition, Cain (1993) posits that “gender equality infers equal human rights, opportunities and treatment for women and men, girls and boys in all aspects of life, it equally implies that both men and women are free to develop their personal abilities and make choices without the limitation set by stereotypes or prejudices about gender roles on the characteristics on women and men”. Hence, it is impossible to realise these goals while discriminating against women which forms more than half of human race.

Recommendations

This study conclude with the recommendations that the judiciary and the enforcement authorities should ensure full enforcement of sections 42(2), Cap IV of 1999 Constitution of Federal Republic of Nigeria (as amended) to reduce the menace of discrimination against women and girls; Government and legislative organs should make an effort to re-examine structural formations in Nigeria, as this is observed to address gender discriminations, this could be done by enacting laws and policies to increase women's emergence at the labour and economic market without any discriminatory policies. Secondly, all gender discriminatory laws that are still being practiced should be eradicated and removed out rightly. Thirdly, religious leaders should speak in one accord against policies that impedes against women rights. Lastly, there is need to fast track judicial proceedings against women and child abuse in Nigeria; this will reduce or eradicate male gender taken laws into their hands.

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