

May 2016 ISSN 1554-3897

Widows and Inheritance Hijacking Practices in Ilara Mokin, Ondo State, Nigeria.

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Abstract

In Africa, tradition drives household relations, its possibilities and challenges. This paper examines the effects of inheritance hijacking practices of Ilara Mokin people in Ondo, Nigeria on widows' wellbeing. It used qualitative method to collect primary data. Twenty in-depth interviews were conducted with participants who were purposively selected. Data were content analysed. Findings show that inheritance hijack significantly weakens widows' economy in Ilara Mokin community. The study concludes that inheritance hijacking is a culturally disapproved harmful practice which destabilises the economic security of Ilara Mokin widows. It suggests that public policy should equalise gender benefits such that no individual suffers any deprivation of legitimate inheritance entitlement on the basis of gender status.

Keywords: Inheritance Hijacking, Widow, Marital Relations, Ilara Mokin, Ondo, Nigeria.

Introduction

Inheritance is a cultural practice that cuts across the whole world. It is a critical mode of property transfer in many Sub-Saharan African countries (Platteau & Baland, 2000; UN Habitat, 2006), where inheritance distributions are culturally done through direct and intimate interactions among family members. The personal nature of such inheritance distributive practices is vulnerable to abuse. The existing research literature from various Sub-Saharan African societies highlights how as a result of existing social conventions widows and orphans are particularly vulnerable to losing their rights of access to properties they enjoyed during the lifetime of their husbands or fathers (Rose, 2006; Oleke, Blystad & Rekdal, 2005; Strickland, 2004; Drimie, 2003; Human Rights Watch, 2003; Drimie, 2002).

In few instances when widows are favoured by inheritance distributive decisions, some members of the husbands' family often become aggrieved. Consequently, they raise seemingly justifiable objections. Their reactions to perceived inheritance distributive injustice often manifest in inheritance hijacking practices against widows, who they insist, have got no property inheritance rights. As a consequence of the attendant effects of such alienation from property, the dwindling fortunes of these victims have been linked to economic vulnerability, poverty traps, chronic poverty and the intergenerational transmission of poverty (IGT poverty) (Carter & Barrett, 2006; Bird, Pratt, O'Neil & Bolt, 2004; Bird & Shinyekwa, 2004). For the

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need to redress this obvious gender inequity, discriminatory inheritance practices against women have gained significant profile as public policy issues in Sub-Saharan African countries.

Against the foregoing background, African countries have presented evidence that the property of widows and orphaned children has been grabbed or stripped (Okuru, 2007; Izumi, 2006; Rose, 2006; Sloth-Nielsen, 2004; Strickland, 2004; HRW, 2003). For example, succession rights for the vast majority of Kenyans, like other African communities, are governed by customary norms, predominantly based on notions of patrilineal inheritance. Thus, in parts of Kenya, the only way for a widow to retain her household's property is to allow herself to be 'inherited', and regarded as remarried, to one of her husband's male relatives. Such wife inheritance represents a clearly violent traditional way of providing widowed households a little economic and social protection (Mwangi, Kiai, & Eric, 2002). Conversely, bequeathing inheritable items such as real property, financial assets, and sometimes, the wives of the deceased, to younger members of the family, is one form of concrete African expression of cultural bond. Hence, "inheritance provides a window into some big ideas. Who passes what to whom communicates messages about relative worth, not just of 'property' but also of people, and of the bonds between them" (Shipton, 2007:173). Otherwise, "if a person does not leave any property to be inherited, he is laughed at and he is said to have been measly and good-for-nothing" (Miettinen, 2005:41).

Evidence exists that outright grabbing of property from orphans and widows is a serious problem in Uganda. Of the widows surveyed in Uganda, 22 percent reported experiences of property grabbing or mismanagement of their property by relatives after their spouses had died (Wakhweya et al., 2002). However, a study among the Langi of northern Uganda contrasts traditional and contemporary norms and practices concerning the support of widows' claims upon their families and communities (Oleke et al., 2005). It is important to note that while property grabbing constitutes gender-based violence against women, this does not imply that perpetrators are always men. For instance in matrilineal societies in the northern part of Namibia and in Zambia, sisters-in-law are said to be the main perpetrators, although in the event, it may be male relatives who physically remove property from widows and force them out of their homes (Izumi, 2003).

Property-grabbing is a practice common in many ethnic groups in Africa. In countries such as Zambia, where the phenomenon of property-grabbing has developed, property hijacking is an acute problem. MacMillan (2004) found that a widow who refused to leave the home she had shared with her deceased husband was victimized by her brother in law, who continuously buried corpses around the premises, until he succeeded in finally evicting her. Once the male head of household dies, his relatives struggle to capture all his valuable belongings. Since this often occurs while the woman is performing the traditional respect ritual, she could not defend herself or her property. The woman is often left destitute as a result (Richardson, 2004). Considering women in Southern and East Africa, they

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have never enjoyed the same statutory rights to property as men. While a widow had no formal inheritance rights, she could remain in her family homestead, and continue farming and grazing livestock after her husband's death for the rest of her life, in her capacity as guardian of their children. But these practices have gradually been eroded, and increasing numbers of widows are facing evictions and property grabbing after their husbands die (Izumi, 2007).

While studies by Strickland (2004) in the sub-Saharan region revealed that women are still denied property inheritance, Izumi (2006) found that widows are sent away to their natural families by in-law or other immediate members of the deceased's family without sustenance. Anna Ndonge is a Kenyan widow whose husband died of an AIDS-related disease. On falling ill, she was abandoned by her mother-in-law without food and care for two weeks. Her mother came from Mathare slum in Nairobi to pick her up, but her husband's relatives deprived her of taking anything, not even her clothes and her children's (Izumi 2006a). The state of widows' inheritance hijack in Ghana is not significantly different from other African widows. Akua (2016) accused her late husband's immediate family of harassment over an attempt to control the deceased's property without regard to the interest of their children. In Sierra Leone, under customary law, the wife is not entitled to inherit her late husband's estate. In some cases, customary law treats the wife as property to be passed on to one of the brothers of the deceased (Davies, 2005).

Nations differ on the political structure and policy options that govern the transfer of wealth (Angel, 2008). Although, customary rules governing inheritance may share some commonalities, they are essentially ethnic group specific (Musyoka, 2006). In the eastern part of Nigeria and elsewhere, all property goes to the eldest male child. Conversely, in some systems, everything is left to the youngest child. This practice historically prevailed among some peoples like the Ibibio, the Edo or Bini (Ajayi, 2012). However, in a survey across 18 states of Nigeria, 37 percent of the people practiced inheritance by the eldest son, while 51 percent divided the inheritance between all sons or children (Women's Rights Project of the Civil Liberties Organization, 1997). Compared with the experiences of widows in cultures such as Igbo in Nigeria (Ukpokolo, 2005) and Luo in Kenya (Ressy-Mamo, 2005), the experiences of Ilara Mokin widows are still significantly milder. Nevertheless, the strength of tradition and norms within African culture still accounts for the widespread incidence of violence against women (Randall, 2003).

Inheritance hijacking is the deliberate attempt to take control of an inheritance and divert it to a recipient who does not have a right to it. This is a criminal practice because it occurs when laws of succession are violated. There are laws governing the passing of one's property and estate to others upon reaching death. These laws have become component parts of many developed and developing cultures for many years. Everywhere, inheritance laws, also known as laws of succession, address the question of who rightly inherit property. The Nigeria's law of succession and inheritance reflects the country's plural legal system. In spite of the

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heterogeneity, indigenous customary law has developed rules of inheritance for intestacy through the traditional canon of descent, as adapted over the years to changes in the society and the rule of natural justice as applied by the courts (Onuoha, 2008). However, the laws of succession are obeyed more in defiance than compliance because they are often not culture-friendly.

It is certainly in the context of gender injustice that harmful widowhood and disinheritance practices can effectively worsen the poverty and social disempowerment of women (Nna & Nyeke, 2007). A lot of context-specific relations which occur 'under the surface' explain the unfair inheritance distribution and hijacking practices of Ilara Mokin people in Ondo, Nigeria. To solve the problem of inheritance hijack, these context specific relations need to be systematically investigated. It is against this background that the study of how hijacking of inheritance influences widows' wellbeing becomes a significant response to the question of what makes some people chronically poor is a poverty of material assets (Chimhowu, 2006). This study therefore attempts to fill this empirical gap by providing answers to the following questions: (i). Do Ilara Mokin widows inherit properties from their husbands? (ii). How does social change affect inheritance hijacking? (iii). What are the effects of inheritance hijacking on widows in Ilara Mokin? (iv). How can inheritance hijacking be controlled at Ilara Mokin?

Situating the Cultural Exclusion of Widows from Spousal Inheritance in Nigeria

Pre-colonial inheritance rules in Nigeria were concerned with the overall welfare of the family (Obi, 1966). In the event of the death of a man, under the Yoruba customary law of inheritance, children exclusively inherit his real property. As of right, the head of family decides on which system of distribution applies *ori-ojori* (per capita) or *idi-igi* (per stripes) (Adeniji V. Adeniji, 1972; Akinyede V. Opere, 1968). The inclusion of every single member of the deceased's children, without regard to their biological profiles, demonstrates the inherent egalitarian character of Yoruba culture of inheritance distribution prior to European invasion of Africa. Thus, prior to colonialism, there were no invidious gender discourses that reflected harmful gender practices in Nigeria.

With colonial laws in Africa, widows become increasingly vulnerable to oppression. With impunity, immediate family members of their deceased husbands grab property and deprive them of their inheritance rights (Gopal & Salim, 1998). As indigenous judges *conspiratorially* found the principle of natural justice, equity and good conscience difficult to define (Lewis V. Bankole, 1905), *in the few inheritance cases that managed to reach the courts, widows' tragedies multiplied*. For instance, Uwais (in Osunjugbebi V. Saibu & ors, 1982) stated that equity is a rule of law and has not become part of Yoruba native law and custom or indeed any native law and custom in the context of Nigeria. There is nothing in our laws as equity according to Yoruba law and custom.

As a result of this kind of imprecise judicial interpretations of principles of law, most of the decisions of African judges were antithetical to African culture. Also

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they were counterintuitive in their logic. Therefore, in many African societies, women are excluded from opportunities of wealth accumulation through inheritance and they do not experience secure rights to property (Cooper, 2008). It was probably from this background that the feminist passion of Oyewumi (1997) and Nzegwu (2006) developed to lead a unique African perspective on women and their cultural colonization in Nigeria. Both scholars examined the nature of power relations between men and women in the non-western Yoruba and Igbo cultures of Nigeria. Critically, they looked at the role of the family in the pre-colonial structure and offered the feminist concepts which drove these non-patriarchal African cultures. They insisted that gender is not a Nigerian norm because a picture of violence against postcolonial African women cannot be comprehensively drawn without factoring in the violence of colonialism.

In this direction, while Oyewumi (1997) argues that in Yorubaland, the human body was not the basis of social roles, Nzegwu (2006) traced how colonialism created gender inequality with its laws and judicial institutions in Igbo society which was a non-patriarchal, non-gendered society governed by a unique political system for men and women. Moreover, the concept of 'woman' is central to Oyewumi's (1997) biological determinism because she sees the woman question as a western construction which is not a proper concept for viewing African society. She insisted that in the old Yoruba society, social organisation was determined by relative age. However, Nzegwu (2006) retains her unique direction by offering a conception of equality based on historical Igbo family structures and practices that challenge the foundations of the epistemology and ontology of western feminist enquiry. She argued that it was western interpretation that places women where men wanted them to be to nurse their battered profile. In spite of "voluminous scholarship to the contrary, gender was not an organizing principle in Yoruba (*and Igbo*) society(*ies*) prior to colonization by the West" (Hallen, 2002:95; Bakare-Yusuf, 2003).

With the powerful historical arguments, Oyewumi (1997) and Nzegwu (2006) falsified most of the western assumptions of the African woman which have been mischievously presented as facts. They articulated the strength of the African dual gender cultural and political systems as better paradigms to promote a more egalitarian basis for human rights than western culture. As a result, they proposed a reasoned need for the review of the framework of western mainstream feminist thought. African feminists have thus shown that it is culturally independent for Africans to anchor rights on cultural values but retrogressive to interpret African traditional values in terms of colonial perceptions of what values must be. Little wonder that the modern construction of values shoved women from their position of influence to that of relative insignificance only to be prominent in the kitchens.

African feminists became strongly intellectually committed to the prevention of inheritance discrimination foisted on the African woman from becoming part of the overall social structure (Rokicka, 2006). Thus, African feminists argued that the

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advent of colonialism and its alien gender discourses altered the peaceful gender interactions in Africa. In spite of existing Nigerian laws, aggressive nongovernmental agencies, and efforts of feminists, the women's rights of inheritance remain largely unprotected. However, there now appears to be light at the end of the tunnel for widows as demonstrated with the epochal ruling in the case of *Mojekwu V. Mojekwu* (1997). The Appeal Court sitting in Enugu, south-east Nigeria held as unconstitutional and contrary to democratic values, an age-long Igbo customary law under which only males inherit their father's property. On my part, I have no difficulty in holding that "Oli-Ekpe" custom of Nnewi is repugnant to natural justice, equity and good conscience (Tobi, 1997).

Also, Mrs. Maria Nweke is a widow. She instituted a case at the Awka Division of the Anambra State High Court in 1991, praying the court to declare that she had statutory right of occupancy of a parcel of land she inherited from her husband. The defendants, who told her to vacate the house because she had no male child but six female children in the house, were the half-brothers of the widow's husband. She stated that the Ozo Awka society arbitrated in the dispute and confirmed she had a right to remain on the land. Similarly, both the trial and appellate courts ruled in favour of the widow. Dissatisfied, the defendants appealed to the Supreme Court. In dismissing the appeal, Ogunbiyi (2014) said "the custom and practices of Awka people upon which the appellants have relied is hereby absolutely condemned in very strong terms because it tends to protect the selfish perpetuation of male dominance which is aimed at suppressing the right of the women folk in the given society. Consequently, the apex court awarded the cost of N200, 000 against the appellants.

Theoretical Context of the Current Study

Theoretical Framework

The present study adopts patriarchy and socialist feminism as its theoretical frameworks. Although feminists mainly use the term 'patriarchy' to describe the power relations between men and women, it is "a system of social structures and practices in which men dominate, oppress and exploit women" (Walby, 1990:20). More generally in contemporary times, patriarchy is used "to refer to male domination, to the power relations by which men dominate women, and to characterise a system whereby women are kept subordinate in a number of ways" (Bhasin, 2006:3). Radical feminists are committed to the belief that patriarchy preceded private property (Brownmiller, 1976; Firestone, 1974). They argue that the fundamental contradiction is not the one between economic classes but that between the sexes. Therefore, radical feminists reject the impression that patriarchy is universal, natural, which has existed and will continue to exist.

The socialist theory of feminism promotes equal rights and opportunities to all individuals but emphasizes economic and social rights and freedom from exploitation (Bryson, 1999). They acknowledge the basic principles of Marxism but extend its frontiers to push the special interests of women which conventional

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Marxist theory did not explicitly cover further outwards. Socialist feminists view the struggle between women and men as changing historically with changes in modes of production (Beechey, 1977). They challenge the dominant values, which pervade all areas of social relations as patriarchal structures define them. They argue that changing only family value system will not bring about the required changes in gender relations but reforming the entire laws of inheritance, property distribution, right over children so as to establish equal right between men and women in all respects of life. They insist that only this will bring gender democracy to the family. Thus, the structured dependency of women on men is conditioned by a whole range of institutional practices which are embedded in the family and the kinship relations. To this extent, patriarchy is the system of male domination and female subordination in economy, society and culture that has characterized much of human history to the present day (Lim, 1997).

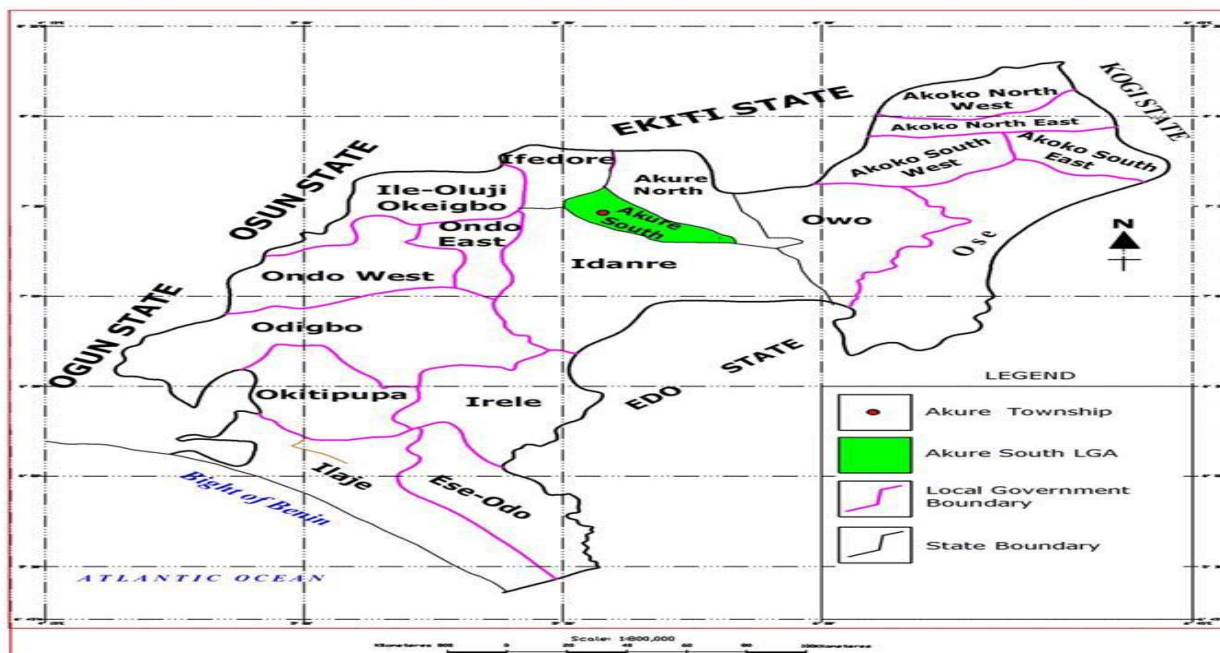
Source of Data and Method

The study was carried out among the Ilara Mokin people of Ondo State, Nigeria. Ilara-Mokin is located in Ifedore Local Government Area of Ondo State, South-Western Nigeria (Fig. 1). The town is located between latitude 07°21'16" and 07°22'20" N and longitude 005°05'58" and 005°07'12" E. Its estimated population is about forty-five thousand (45,000) people. Ilara Mokin people live in a nuclear cluster settlement based on families and kinship. The commonest family structure in the community is the traditional form that characterizes Yoruba settlements. It has the husband as the family head and the wife giving support, where required.

Ilara Mokin is an ancient location that is still struggling to rescue itself from the grips of tradition to embrace modernity. Nevertheless, it is still an agrarian community. Ilara Mokin people are ideal for this study because state creation has placed the community within the geographical space of Ondo state. However, dialect, topography, culture and traditions place the community within Ekiti sub-culture of the Yoruba speaking peoples of South-Western Nigeria (The Nation, 2006). For this reason, the Ilara Mokin people are likely to be caught in the web of the conflicting subcultures of Ekiti and Ondo which may inform uniquely novel inheritance distribution and hijacking practices on the one hand as well as widows' reactions on the other.

Figure 1: Ondo State showing its 18 Local Govt. Areas

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, Source: Ondo State Ministry of Works and Housing, Akure (2013)

Data Collection

Data for this study was collected in Ilara Mokin community in Ondo, Nigeria. Qualitative method was used for data gathering. A copy of the interview guide that was designed by the researcher in accordance with the cultural peculiarity of the environment was critiqued by colleagues who are specialists in criminology. In order to arrive at simple, understandable and more participant-friendly question items and probing follow up questions, a pilot study was conducted. These helped to ascertain the flash points of hijack or hijack prone succession wealth problems in the community. This effort helped the researcher to have a deeper insight into the theme of inheritance hijacking and suggested cultural technique to adopt in handling participants such that their memories of their tragic experiences are not inadvertently re-enacted.

In addition to empirical data collected through in-depth interviews in Ilara Mokin, available secondary materials were reviewed for related information. Twenty in-depth interviews were conducted from participants who were purposively selected from across the community to elicit qualitative information about inheritance distribution procedure, hijacking practices and the experiences of widows in Ilara Mokin, Ondo State, Nigeria. Participants were selected across varying socio-economic backgrounds within the study sites. Consent forms were administered to all the participants before the interview. They chose the venues for the interviews. Most of the female participants wanted secluded places for the interviews and therefore preferred to be interviewed in their homes. The researcher safely keeps tapes, consent forms, and notes taken during the in-depth interviews.

Qualitative Data Analysis

The data from in-depth interviews were transcribed and translated verbatim. Analysis involved developing a system of indexing the data into sets of categories or codes that provided structure to the data based on the research objectives and the topic included in the question guide. A qualitative ZY-index software package for ethnographic data was used for textual data analysis. Some striking expressions were used as ethnographic summaries to make the report richer and more robust.

Empirical Context of the Current Study

Results

The results consist of responses to the four research questions. The bulk of the participants became widows before they attained the age of sixty. For this set of participants, who lost their husbands while younger, they have no grown up male children. What this implies is that they are more vulnerable to inheritance hijack than widows, whose grown up children could shield them from inheritance hijack. For the latter reason, inheritance hijacking is more traumatic for younger widows.

Right of Succession among Ilara Mokin People

This section addresses the right of succession among Ilara Mokin people of Ondo, Nigeria. It is cultural for a mature individual to live in response to the Yoruba injunction that *'gbajumo ko gbudo fi ika mewewa jeun'* (meaning that an economic individual, who has been culturally well socialised, should make provision for the rainy day). This implies that as one lives, a proper cultural man should take cognisance of the future of his children. This reality is probably what Miettinen (2005) was constructing while he observed that a person seeks property because of his honour, so that people will not laugh at him when he is dead for not having anything to be inherited. Therefore, on acquiring whatever it is a man aspired to achieve, he still needs the conventional wisdom to identify his legitimate successors and devise his property such that upon death, his judgment in establishing the right of succession among his family members does not cause perpetual crises.

Responding to the question of the existence of right of succession among the Ilara Mokin people, an 87 year old retired widow, who also is an in-depth interview participant, threw more light on the question when she said:

Ordinarily, the children of a man are cultural inheritors of his property upon death. Spouses benefit from whatever their individual children inherit through the customary 'Ori o j'ori' or 'Idi Igi' basis. It is a foreign culture that gives the wife or wives of the deceased the right of inheritance. In our tradition, we are human cultural property of our husbands that are usually inherited along with other material belongings of the deceased by his elder sons or younger brothers. When this

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happens, we say the woman or women involved 'won ti suu tabi su won l'opo' meaning that she has or they have been transferred by the family along with other succession items as an inheritance to members of the family. We should be cautious not to lose everything that identifies us as Africans to European culture so that our children do not become cultural aliens in our land.

Another in-depth interview participant, who is a 68 year old male traditional chief observed:

Succession here is an intricate affair. It is not only the asset that is transferred upon the death of parents at Ilara Mokin. Cultural liabilities also are passed on to children of the deceased. If he lived a reckless life, the children will inherit the products of his recklessness. The reputation of a parent may cause his children to lose their social network or even not have access to marriage partners in the community. This is a non-material transfer; nonetheless, it is a form of inheritance to which only his children and family members are entitled.

Social Change and Inheritance Hijacking

This section presents data on the influence of social change on the inheritance practices of Ilara Mokin people. Specifically, data illustrate the impact of social change on the technology that intensifies the hijack of widows' inheritance in Ilara Mokin, Ondo State, Nigeria. There is no doubt that it was the advent of colonialism that introduced the concept of institutional gender equality the way Europeans conceived it in their culture to Africans. That Africans did not codify their thoughts on gender relations in the context of their inheritance practices does not imply its absence in African social structure. However, in response to the effect of social change on inheritance theft, participants identified different ways by which inheritance hijackers use new technological developments to capture widows' inheritances illegitimately in Ilara Mokin.

A 53 year old male indigene lecturer in a private university and an in-depth interview participant compared what constituted valuable inheritance in traditional times and what the situation is in contemporary times that facilitates effortless inheritance hijack and concluded:

The traditional transmission of land, houses, farms and others from parents as inheritance to children is rapidly being replaced by different forms of assets. Most contemporary parents believe in funding their children's formal education than keeping fixed assets which they

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might not value or have the capacity to maintain. In the earlier times in Ilara Mokin, family heads struggled hard to build houses and acquire other valuable property for the purpose of enabling continuity of their dependants' comfort after their death. Today, bank accounts, shares and treasures which cybercriminals can easily hack and hijack have made the contemporary widows more vulnerable to inheritance hijack than their past counterparts.

A 51 year old carpenter in-depth interview participant said: The primary cause of inheritance hijack in Ilara Mokin is polygyny. If children of the same mother quarrel, no matter how serious it may be, these feuds are always capable of being settled because it is believed that 'okun omo iya ma nte, kii ja (meaning the bond between children of the same mother may yield to strains, it never gives way). Blood is thicker than any material stakes. This accounts for Will making in Ilara Mokin being more prevalent among rich polygynous men. Social change has affected the pattern of marriage. Most contemporary citizens have embraced monogamy as a change induced by socio-economic realities of today as driven by education and religion.

With more intense education, especially of girl children, the traditional role of women in contemporary communities has changed. Therefore, there are reasons that could compel women, who have acquired precious property like their male counterparts, to write wills. In this direction, a 55 year old female trader in-depth interview participant said:

Will making is cultural, will writing is alien. When I was young, I met an unwritten inheritance distribution framework on ground. If a man died intestate, elders in the family devised his property. They followed the deceased's symbolic evidences, such as his body languages while he was alive. Also, they were guided by the principles of equity and good conscience. Then, women were not considered eligible for inheritance but were themselves inheritable property. The youngest wife of a polygynist was culturally inherited by the first male child of the deceased. As compensation, the inheritor took care of her and trained her children. Today, things have changed. Women have transformed from being inheritable properties to property-owner citizens who acquire property which they transfer to whoever they desire to foreclose their children fighting over ownership rights after their death.

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On the question of women being inheritable property of their husbands, a sixty five year old widow gave her experience to explain the attitude of Ilara Mokin people to this inheritance practice when she said:

I married my husband and we both lived together happily. After a married life of twenty years, he died suddenly. Members of my husband that I did not know for the two decades of my marriage with my husband emerged to request for me to be inherited. Were it not for one of my children who is in the Nigerian army, the strange man would probably have been forced on me. There is the proverb in Ilara Mokin that says eni t'o l'eru l'o l'eru. Meaning that he who owns the slave inevitably owns whatever belongs to the slave. All these family members of diseased spouses are gold diggers. People who did not show their faces at the traditional marriage where family members were introduced, who also did not appear in any of the pictures of our elaborate marriage parties just came up wanting to hijack my inheritance by proxy. Imagine what would have happened if my son is not outspoken and worked with an institution that is feared by criminals.

Angered by the idea of the brother of one's late husband becoming the widow's husband by inheritance, a widow who thought she has been emotionally injured complained bitterly:

Changes in the content of socialisation as it touches on respect; integrity and contentment have remarkably altered the rhythm of social interaction between the older generation which gives inheritance and the younger which receives it. Members of the latter group have developed strange acquisitive and consumptive tendencies. These make them lose their sense of contentment and respect for the preciousness of human worth. Imagine, my brother-in-law who hijacked my inheritance is twenty five years younger than I am. In fact, he was born two years after i got married to his elder brother. His mad ambition when he made passes at me. I reminded him of the cultural impropriety of his intention because it is a taboo for someone who is older than his mother to have a relationship with him. That cultural caution got him crazier. He did not rest until he had sent me out of my husband's house and impounded all we had jointly suffered to acquire. The orientation of my son does not allow him to lock horns with the inheritance hijacker. He simply organised an alternative accommodation for me where I

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lived temporarily before I moved into the house he built for me.

Effects of Inheritance Hijacking on Widows

This section presents data on the effects of inheritance hijacking on widows in Ilara Mokin, Ondo state, Nigeria. On the basis of the assumption that everything having causes must have corresponding effects, the present study asked participants the effects of inheritance hijacking practices on members of a particular subset (widows) of the Ilara Mokin population. Widows, who deserve empathy in the light of the loss of their loved ones, are regrettably the victims of violent inheritance hijacking practices. Something must have gone wrong with the cultural protection which widows enjoyed in traditional African communities in the Yoruba south western part of Nigeria. Widows' inheritance hijackers, who are mostly male, may be discontented and culturally disconnected members of Ilara Mokin community; they hijack inheritance for some purposes that are useful to them. Therefore, disinheritance or hijack of inheritance acutely undermines women's economic security and independence as well as their access to adequate food and housing. In some extreme situations, the denial of land rights to women also contributes to the feminization of poverty and stunted economic development in countries where harmful inheritance practices are common (Richardson, 2004). Unlike redistribution of assets which affects various individuals' economic trajectories in positive or negative ways (McKay, 2009; Carter & Barrett, 2006; Carter & May, 2001), the effects of inheritance hijacking are essentially negative on widows. To empirically establish the implications of inheritance hijacking practices for widows in Ilara Mokin community, the present study asked participants the kinds of effect they think inheritance hijacking practices have on widow victims. A 73 year old male in-depth interview participant looked at the implications of inheritance hijack on victims and lamented:

Strong as our culture is, it is not protective of widows. It is callous to hijack the inheritance of widows whose husbands have died. The emotional gap which the deaths of their husbands have caused in their lives is not something that can be filled in a hurry. Hijacking their inheritance is like inflicting deadly physical injuries on them to worsen their emotional trauma. The act alone could inflict unspeakable health problems on the vulnerable widows. Therefore, custodians of culture should look at the defences that could be built around widows to protect them from becoming victims of predatory inheritance hijackers.

To many widows, inheritance does not imply transferred prosperity but stylised adversity, particularly when accompanied by the trauma of inheritance hijacking

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events. Most inheritance hijackers see widows as being not well protected against victimisation. Therefore, rather than empowering them, they foist deadlier socio-economic misfortunes on these weak victims. To present the reality of the tribulations of widows in Ilara Mokin, a 70 year old widow in-depth interview participant re-enacted the frustrating ordeals of inheritance hijacking practices she experienced:

It is painful that my stepson who I trained even against the wish of his father now constitutes a one-man inheritance hijacking squad against me and my children after the death of my husband. He drove us all out of my late husband's house with a cutlass, threatening that he would commit multiple murders before finally embarking on suicide. I had to leave with my children and headed for my father's house. This is not my plan for my old age but I am sure that my God will use my children to build a home of joy for me. This was my primary victimisation experience. At my father's house, regardless of my age, people still gossip about my shameful homecoming. They called me 'ilemosu' a negative nomenclature for married women who couldn't maintain their marriages. I took that as part of my destiny. From my experience, it is clear that stigma is one of the remote effects of inheritance hijacking practices of Ilara Mokin people for widows.

A 67 year old retired community health worker in the community, who also is an in-depth interview participant, talked about the health implications of inheritance hijacking practices on widows when he observed:

The implications of inheritance hijacking practices of Ilara Mokin people for widows do not stop at the possibility of causing or deepening poverty among the victims. The fact of inheritance hijack alone can cause shock. The victim may become hurt and excluded. Loneliness may occur which may lead to the development of illness behaviour. Inheritance hijack may cause widows to seek revenge. In response to their challenges, some widows may become so displeased with their widowhood experiences that they may never subscribe into any attempt of their girl children to acquire any property with their husbands on joint ownership basis. Inheritance hijacking practices may cause disunity and widespread threat to order in communities. Many widows have died of trauma. A lot more have died as a result of frustration leading to suicide. I know these from the information we document in the course of the performance of our professional duties. The pains of motherhood are

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traumatic to be complicated with inheritance hijacking experiences during widowhood. Policy makers should establish a foundation for widows so that they do not have to entirely depend on inheritance from their husbands when the unexpected occurs in the family.

Controlling Inheritance Hijacking

This section addresses the steps which participants suggest to public policy to adopt to reduce the effects of inheritance hijacking practices on widows in Ilara Mokin, Ondo State, Nigeria. On the need to ensure that will making does not generate hurtful inheritance effects for widows, participants suggested a number of changes. They advocated for a regime of gender friendlier formula for inheritance distribution, simpler legal procedure and video recording compliant process for credibility. Overall, participants acknowledged the need to encourage community elders to continue to be involved in property distribution among dependants of the deceased to make for equity and less violence among siblings in the aftermath of inheritance allocation.

Commenting on the probability of a hijacked inheritance being recovered, a 32year old widow said:

The laws in Nigeria that were meant to protect widows are just window dressing mechanisms. In spite of the threat to life that I faced shortly after the death of my husband, the full wrath of the law could not be invoked. The police said it was a family matter that should be settled informally. That was the end of the matter. Elder brothers and sisters of my husband sat and shared all the belongings he laboured for, among themselves, leaving nothing for me and my two children. What kind of culture is this and what law do we have in Nigeria? What kind of passive police do we have? It is against this background that I suggest that government should make legal provisions that protect widows from being maltreated by members of their husbands' family.

A 64 year old female in-depth interview participant, who also is a widow and retired teacher, did not have faith in the present system whereby the rhythm of inheritance is determined by male norms. She advocated for gender equality:

The patriarchal structure of the Nigerian society should be toned down such that the acceptance of the claim that women should have the same rights and freedom as men will usher in a regime of gender tolerance in our social relations. It is from the background of mutual respect that individual and collective development instincts can generate healthy

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competitions not between men and women but among compatriots for tangible economic emancipation.

Another widow, a 70 year old in-depth interview participant looked at conditions that might make formal will making incapable of application, she observed:

Will making is not a function which the not-well-educated or the poor could perform effortlessly. It involves money. It does not follow conventional wisdom to assume that mere will making is a panacea for inheritance hijack. It is an interactional problem which deserves to be unlearned through purposeful socialisation. Since lack of self control causes inheritance hijack, home training can make children imbibe the spirit of contentment. Parents must be righteous in devising their property so to make training achieve the desired discouragement of the instincts of inheritance hijack by children who may be disfavoured.

A younger 45 year old widow in-depth interview participant added yet another dimension to the issues raised when she insisted:

If one studies the inheritance hijackers in this community objectively, they have a common denominator. They are usually unimportant among other family members because of their notorious reputation. They are persons who others want to avoid like a tax without relief. They are shameless children whose mothers are usually living lives of idle luxury. Integrity means nothing to them. When my husband died, other children were thinking about how the education of the younger ones would be stabilised but the inheritance hijacker among them was preoccupied with the thought of how to disclaim his father's will and proclaim sole ownership of everything his father left behind. Others allowed him to have his way. He squandered everything. Today, the outcome of his affluence is a jail term for a crime of armed robbery. This confirms the Yoruba saying that 'Agboju l'ogun fi'ra re fosi ta' meaning he who concentrates on inheritance makes himself vulnerable to poverty. In the light of this, parents should adopt socialisation contents that are culturally richer for their children on the values of contentment, industry and respect.

Another widow, a 43 year nurse, who is an in-depth interview participant, narrated her experience and proffered solution that she believed will be enduring when she added:

I did not go to the police. I simply used the lawyer who prepared the will for my husband to short-circuit the hostility

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of inheritance hijacker in my own case. He pressed a case against the family. For the fact that my marriage was not customary, family members had nothing with which to nail my coffin. Their case failed and they left me with my children to enjoy what I suffered to acquire with my late husband. Today, no member of the family fraternises with us. But that doesn't matter. Women who use all available marriage types to cage their husbands are limiting their legal opportunities in the event of any eventuality. To avoid successful inheritance hijack, women should marry statutorily and avoid complicating their problems by also marrying customarily. Both do not work amicably together in the event of inheritance hijack.

Discussion

Participants agreed that inheritance is a cultural practice in Ilara Mokin. It is double tragedy for women who having lost their husbands to face the imminence of losing their husbands' property. Therefore, participants considered inheritance hijack an innovated criminal means by which discontented family members address their perceived marginalisation in wealth distribution. Therefore, the procedure for implementing will and inheritance hijacking are issues of contemporary interest in the study site. This is so because of the controversy, conflict and pains which they often engender. These threaten socio-economic order in the community. Nevertheless, majority of participants acknowledged that inheritance hijacking practices were real. They also admitted that the practices affect the economy, health and coping potentials of widows. This finding supports that of Okunmadewa, Aina, Ayoola, Mamman, Nweze, Odebiyi, Shedun and Zacha (2002:106) in their studies based on Ikot Idem in Nigeria that "women's wellbeing often deteriorates quickly after the loss of their husbands, when they suffer threats of both their physical security and property."

Widows are culturally inheritable in Ilara Mokin just as they are in most parts of Africa. This finding is in tandem with that of Mwangi, Kiai and Eric (2002) in some parts of Kenya where the only way for a widow to retain her household's property is to allow herself to be 'inherited', and regarded as remarried, to one of her husband's male relatives. Wife inheritance is condemnable because it represents a clearly violent traditional way of providing widows a little economic and social protection after their rights of choice have been harmfully violated. The practice of wife inheritance is rapidly going into extinction among the Ilara Mokin people because of the deadliness of sexually transmitted infections, especially HIV/AIDs. Further, data indicate that a significant proportion of the participants accepted that in response to social change, women who have property now write their wills for the same reasons their male counterparts do so in the community. This gender recognition is impressive and in consonance with the contemporary practices in inheritance management. Nevertheless, findings of this study agree with Hussan

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(2009) that will administration inevitably gives preference to a male gender in all ramifications of human endeavour.

The agony to which inheritance hijacking processes expose its victims resonates throughout Ilara Mokin community. In this regard, the recognition by community people of the traditional conception of male children being the pillars of the African family system sustains the lopsided power relations between men and women. This is no longer in agreement with contemporary norms of gender relations. With evidences from the contemporary Nigerian cultural environment, men cannot sustain any family continuity exclusive of women. Theoretically, inheritance is meant to alleviate the sufferings of dependants of the deceased. This is the functional focus of that generosity. The finding that men are family pillars which entitles them to lopsided favour in inheritance benefits also support the findings of Ahonsi (2002:2) that the “differentiation between men’s and women’s role in Nigeria as with other societies is one of complementary and superior relationship in favour of men. It involves a hierarchy in which men are given greater leverage over decision making and resources than women. The result is a cultural setting that invariably promotes male domination and female subordination”.

However, in the process of dispensing the assets of the deceased as directed in his written or unwritten will, some dissatisfied members of the immediate or extended family who feel his or her interest has been marginalised usually choose to foment trouble. This reaction is easily explained using patriarchy to explain the gender superiority aspect of the problem which makes inheritance hijacking for male functional and dysfunctional for widows. On the other hand, socialist feminism helps to explain the equilibration which widows require to make them function as legitimate actors within the family system that has lost its main breadwinner. In consonance with scientific requirements, this study has its own inherent limitations. Its sample size could have been larger. As a result, similar studies could be done in other parts of Nigeria and elsewhere in Africa to see how culture elevates or downgrades the status of widows in the context of inheritance benefits, so as to initiate effective policy response.

Conclusion

In spite of the modern dangers inherent in individuals not preparing their wills prior to their deaths, most Ilara Mokin men have not started to consider will making a better option than the appointment of cultural trustees. These individuals so trusted may even become alienated in the course of life or even die before the testator. Any reasonable efforts to insulate family members from foreseeable inheritance hijacking challenges, upon their death, justify formal will making. It is when women are shown this kind of active love that the imminence of the incidental harassment which they may face as widows can be forestalled.

Deservedly, this will compensate for their greater commitments to the causes of their husbands while alive. Women too should ensure that they functionally connect with development of their community and the country so that in the event

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of sudden deaths of their husbands; they are not caught unawares. They should also assert themselves legally so that their retinue of brothers and sisters-in-law would have seen their outstanding independent socio-economic prominence and accord them their due respect and recognition on the death of their husbands accordingly. As a result, women's level of preparedness for the unexpected within the family could checkmate the ploys of any emergent inheritance hijacker. Based on the data of the study, it is recommended that:

- 1) Parents should enrich their children's upbringing, stop sex role socialisation and make them embrace the values of tolerance, contentment and industry so as to resist inheritance hijack in the community.
- 2) Men should prepare their wills long enough before they die and video record them in order not to make the laws that protect women from inheritance hijack ineffective and scuttle the legitimate wishes of testators.
- 3) Marriages should be contracted traditionally or statutorily as an admixture of traditional and statutory marriages could cause widows inability to sustain their claims in law.
- 4) Africans should be suspicious of the wind of cultural globalisation blowing across the world so that its whirlwind does not strip Africans of their Blackman's native identity.
- 5) Custodians of culture should build cultural defences around widows to protect them from further distress which predatory inheritance hijackers can foist on them.
- 6) Government should outlaw wife inheritance, legal and cultural barriers to ensure widows' inheritance security in the communities.
- 7) Inheritance hijacking is criminal; police should act rather than merely classify complaints against it under family affairs.
- 8) Policy makers should establish a foundation for widows so as not to depend entirely on inheritance from their husbands which may make them vulnerable to inheritance theft and consequent trauma.

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