

HUMAN RIGHTS AND THE OSU CULTURAL ALBATROSS IN EASTERN NIGERIA: MATTERS ARISING

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Abstract

This discourse is entitled 'Human Rights and the Osu Cultural Albatross in Iboland, matters Arising'. The paper x-ray human rights in its entirety, i.e. from its principles and its mode of operation. Human and civil rights ideology and movement was formerly established to officially re-emphasize the dignity of the human being through equality, freedom and oneness of the human race. The Osu cultural system in some parts of igboland runs contrarily to the principles and aspirations of human rights. The osu caste system discriminate between an osu (outcaste) and a diala or 'freedom'. The osu as it where, is relegated to the status of a second class citizen and treated as sub-human being. The submission of this paper is the examination of human rights holistically and the role it is expected to play in relationship to the osu caste system. Concerted efforts be made by the civil and human right bodies to eradicate this ancient culture. Social groups, politicians, the Christian religious leaders and the traditional rulers should support the human right groups to find a solution to this dehumanizing practice.

Introduction

The issue of human rights dates back to 1948 when the United Nations general assembly adopted the universal declaration of human rights. In this assembly all member countries of the United Nations subscribe to the fundamental basic rights of their citizen. Accordingly, "it's in recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of the freedom, justice and peace in the world".

In its definition, the United Nations defined human rights "as those rights which are inherent in our nature and without which one cannot function as human beings". Fundamental human rights are what human beings enjoy and are entitle to as opportunities nature had provided for the sustainability of humans. It is the unrestricted access to use his innate potentials, be it spiritual and physical to meet his needs and that of society.

After the endorsement by member countries all over the world, human rights became universal and apply to all human beings irrespective of creed/religion, race and color. The rights of the individual regardless of the country need to be respected and upheld. However this right of the individual could only be restricted and/or curtail If such person is involved in any criminal activity that threaten the security of the individuals and society.

Tokumbo Ige maintains that there are certain basic ideas that need to be acknowledged in the understanding of the human rights. 'Firstly, human rights are inherent in our nature. This according to him implies that human rights are basic, in born or inseparable qualities or characteristics in human beings without which we cannot carry out basic functions as human beings' he further states that "human rights are basic for mankind' increasing demand for a life

in quest of respect and protection which means that human rights being part of our existing nature are tools used to achieve and satisfy our needs as human beings in pursuit of respect and protection.

On the overhand, the Osu caste system is a segregatory and/or discriminatory societal practice in some parts of Igbo land, in Nigeria.

Caste system is not only a regional or continental phenomenon. It is a socio-cultural practice of people across some regions and boundaries all over the world. However, in Iboland, this Osu caste practice is a dehumanizing system which has ostracize and alienated some Ibo people. The system in Ibo land is a virus that afflicts every other emblem of human rights as it seeks to separate, even alienate the victim from the membership of the human society. The Osu caste system is directed at removing the shrew and protection that brings humanity together. Discrimination erodes the innermost sensibilities of the victim, even when outwardly the victim's pains remains shrouded in fake resilience. This paper appraises the fundamental human rights in relationship to the Osu caste system emphasizing the human rights of Osu that are violated in a society that ought to have protected the citizens.

An Appraisal of the Classification of Human Rights

Civil Right: Civil right is the right of individuals. In this category citizens show respect to one another, treating each other politely and courteously. It also involves refraining from abusing the rights of others. Whenever the civil rights of individual is abused or stepped upon either by the government or citizen, such person is entitled to seek redress in court. "Important civic rights accorded citizens in democratic countries are embodied in the constitutions like Magna Charta of 1215, the petition of rights and the bill of rights of 1689 in Britain, the bill of rights incorporated into state and federal constitutions after the American Revolution. The declaration of the right of man adopted by the French Assembly in 1789, the fundamental Human rights entrenched in the Nigerian Constitution and above all the adoption in 1948 of a Universal Declaration of Human Rights by the United Nations Organization. According to Tokumob Ige (1994), civil rights include:

- Right to life
- Right to freedom of thought, conscience, religion and expression
- Right to marry anybody (without discrimination)
- Rights of every child to necessary measures of protection (without discrimination)

Other civil rights as outlined by Taiwo and Olaniyan (1994) include:

The right to work, which implies that every citizen in the society has the right to gainfully employed in productive ventures.

No individual should be deprived from opportunity for providing for his livelihood.

The right to reputation: A man has a right to his good name. He can take court action against any defamatory statement made against him.

The right to at least a minimum education: Education is the acquisition of knowledge and no individual should be restricted or barred from having it. It is an indispensable condition to free individual development and therefore some countries had to make education free at all level. It is an indisputable fact that democracy thrives best where the people are educated.

Freedom of speech, writing and publication: This implies that one can write and publish whatever one chooses. However seditious or defamatory publications should be avoided. In democratic societies, freedom of expression of opinion is permitted. The government can be criticized provided such criticism is not intended to incite people or cause disorder.

The right of association: In modern times, the government allows its citizens to form voluntary association such as religious bodies, labour organizations, social clubs, commercial or economic association and so on.

Family rights: An individual is entitled to the institution of marriage if he so desires, and he is free to rear children and care for them.

Property rights: In contemporary times property is recognized except in the former Soviet Union. This was as a result of the tenets of socialism.

Personal right to the general advantages of social life: The state provides many amenities to enable its citizens to live fully. Citizens are free to use public roads, parks, libraries, hospitals, post, telegraphs, etc that may exist in the state.

Personal freedom and procedural rights: Except an individual has broken the laws of the land, he cannot be arrested arbitrarily. In case he is an offender, he is entitled to a fair and speedy trial. The state adopts uniform procedure in both civil and criminal actions to all offenders, notwithstanding their status. All are equal before the law.

The under listed are regarded as social rights, Tokumbo Ige itemize them as follows:

- Right to the highest attainable standard of physical and mental health
- Right to education
- Environmental rights.

Ige maintains that these social rights and opportunity are necessary in order to make people live together as a group in a situation where people are able to deal with one another to affect their common welfare/community and it implied that human beings should be socially conscious and should be able to tackle their social problems.

In the field of economic rights, Ige maintains that individuals should be allowed to have economic freedom that is to be involved in income generating ventures, the freedom to organize and manage one's income and expenditure for domestic purposes as well as in business, in community and in government circles.

According to him, economic rights include;

- Right to freely dispose of natural wealth and resources.
- Right to free choice of jobs
- Right to social security (including social insurance)
- Right to equal pay of equal job
- Right to join and form unions
- Right to adequate standard of living

In the field of political right there is for instance;

- The right to every citizen to take part in the conduct of public affairs
- The right to vote and be voted for

- The right to have access to general terms of equality to public service on one's country
 - The right to be equal before the law and to equal protection of the law
- In a similar vein, there are also cultural rights as enumerated by Ige. They include;
- Right to take part in cultural life.
 - Right to enjoy scientific discoveries and creative activities.
 - Right to freedom of scientific research and creative activities.
 - Right to enjoy the benefit of one's own research and creative activities.

The above rights refers to the need for one to enjoy and take part in one's cultural life style without being discriminated against, molested or subjected to any form of indignity or inhuman treatment arising from one's cultural affiliation.

In all these are some fundamental rights and freedom that are universally recognized and have been developed over history. They are; the right to life, freedom from slavery, freedom from torture, the right not to face discrimination because of racial or ethnic origin or religion, the right not to be arrested and imprisoned arbitrarily, the right to fair trial, freedom of expression, freedom of thought, conscience and religion, the right not to be subjected to arbitrary arrest, the right to movement and residence in one's country and the right to nationality.

The Osu Caste System in Igboland

The Ibo speaking people are found mostly in the South-Eastern region of Nigeria. In the present geo-political division, they are constituted into five states, namely Abia, Ebonyi, Enugu, Anambra and Imo States. By the Late 20th century, the population of the Ibo people is put at 20 million (Okonkwo, E. 2014). The majority of the Igbos are Christians but some of them practice the indigenous traditional religion, whose major tenets are shared by all Ibo speaking people of Nigeria. The traditional religion is passed on to succeeding generations, but the advent of Christianity in Iboland around 1885 had some influence on the traditional beliefs. The indigenous traditionalists believe in the earth goddess, deities and ancestral spirit and in a creator. God-Chukwu, Obasi, chi or Chineke - the "supreme God". The Ibo traditional religion have some positive influence on the culture and social lives of the people. However, a cultural aspect in religion bequeathed to the present generation from history is the dehumanizing Osu caste system.

The Osu caste system is solidly rooted in the religious practice of the Ibo people and modern society has not been able to eliminate it. In Iboland and especially among the people of Umuode in Nkanu East Local Government Area of Enugu State are said to be descendants of the Osu and are being treated as second class citizens. In their Oruku Community consisting of Umode, Umuchiani, and Oruogouru, the people of Umuode have limited social interaction with the rest of the community because of their ascribed Osu status, and the other two villagers cannot intermarry with the people of Umuode. No matter their social status in the community, the local churches could hardly appoint the people of Umuode to position of responsibility.

Thus the people are made outcaste.

The class ostracism is operated in such a manner that any persons from the other side of the community scarcely have any communication with persons from Umuode. Because of this disparity and discrimination, the people of Umuode operate their own market different from the Eke-Oruku market which is owned by Umuchiani and Onuogowo.

Also in Imo state, the people of Umuaka community categorize one of their ten villages Osu. The minor lower castes groups found in many kindred are given. The pejorative Igbo expression of “*ndi ejiri goro ihe*” which means “those who are sacrificed to the gods”. They are regarded as slaves to the gods of the community and kindred.

As in the case of Umuode in Oruku community, the discrimination of the diala against the Osu in Umuaka affects marriages and relationships of love with the Osu and the rest of the community. The Diala is traditionally and socially abhorred and forbidden to marry an Osu, in other words intermarriages with Osu is an abomination.

There are many versions on the origin of the Osu cultural practice, however, most of the information available points to the fact that the Osu system started out of the indigenous religious practices of the Ibo people. According to Uchegbulen in his thesis titled “the ethical implications of the Osu caste system in Igboland” Osu caste system has its roots in practice of human sacrifice in Igboland” (Uchegbulem, 1994). He opines that the Osu caste system originated from the time when angry gods started demanding human beings for sacrifice in place of the usual animals for the atonement of the evil the people had committed.

To Buttress his point Uchegbulem continued “occasionally circumstances arose in which human sacrifices were believed to restore harmony, and so they resorted to pacify an enraged deity to save the community, the group or the family”. Similarly Amadife in his article titled “the culture that must die” in Sunday times opines that “some of the gods of Igboland demand human sacrifice during their festivals to remove the abominations committed in the communities in the past years” (1988). The failure to comply to the demand of the gods may bring about several problems and in order to avoid the misfortune, the people would contribute money which is called “*Utu aja*” to the general purse for the purchasing of a slave from the slave market or the kidnapping of a slave which may be either man or woman depending on the one demanded by the gods. The person bought or kidnapped is referred to as Osu whom after his/her sacrifice to the deity will start carrying the iniquity of the people. Such persons will be seen as the personification of the rage of the gods. The presence of that person will be a reminder to the people of the rage of the gods and the calamity that caused his being sacrificed.

Thus, to a large extent, this is the major reason why an Osu is stigmatized and seen as a living dead. This type of Osu is general referred to as “*Osu arusi*” (Obua, 2017).

In another vein, it is stated that about many centuries ago, the growth in the number of powerful deities created the need for many assistants for the high priest of major shrines. Miniature ‘monasteries’ were established in the vicinity of major shrines to train and maintain a constant supply of high-priest assistants, and because some of these deities are believed to be very powerful, they would be attended to on continuous basis with intricate religious rituals in their shrines. However, the ‘indigenous monks’ upon mastering their spiritual functions (of learning to serve the gods) were unjustly and erroneously assigned the Igbo pejorative name of Osu, Ume or Ohu aarusi (the slave of the deities /gods or shrines) and so was the story of how the institution of the Osu cult (ritual Slavery) originated (Victor, 2002).

It was also suggested that the origin of the Osu caste system can be traced to “when a person or group of people refuted a particular decision of a king or the entire community, the king would banish them from the land, thus they would have nothing to do with people of the

community. When this banishment or ostracism has passed through generation, it would get to a generation when the community would refer to the ostracized people as osu or outcaste (Cletus, oral interview 2016)

The Osu Caste System in Relationship to Human Right Abuse

Human Right emphasizes freedom, fairness, equity, equality, oneness and justice among others for every human being regardless of one's origin, birth, creed, etc. but many of the Osu groups in igboland have not seen true justice because of their social status. This has created debilitating psychic pains in the group, and has made nuisance of the tenets of human rights.

Besides, the story of the human race, from age to age is full of the struggle to enjoy certain fundamental rights. These rights include freedom from inhuman treatment, freedom from slavery, freedom from discrimination, freedom of thought, assembly and association and other rights that are reasonably justifiable in a democratic society (Nwosu, Okenwa, 1999). Therefore any culture or tradition that abridges people's freedom of association violates their human and civil rights. The discriminatory Osu caste system in igboland is an example of such tradition and culture that bridges the people's rights to free association. This is dehumanizing and an insult to the human race.

Since human rights constitute the very foundation of democracy, how can democracy thrive in igboland with the practice of the discretionary caste system in the society. Every person, wherever in Nigeria and igboland in particular should have the freedom to pursue happiness, as liberty is a basic human right. Obviously, nobody can pursue happiness without been free. Those people branded Osu should have equal rights to liberty, life, and freedom as the diala. These rights have positively driven struggles in the world through the history of mankind.

It is an unarguable fact that when a group is enslaved, there is no freedom to express themselves, and when there is no freedom, there is no democracy and it implies therefore that the osu are not taken along in the democratic process of Nigeria. It is saddening to observe that in Nigeria politicians do not regard such human right abuse. Human and civil rights issues seemed not to be relevant to the politicians running the affairs of the society. Consequently the leaders of Nigeria do not consider the ill-treatment and the dehumanization of the osu as a human right violation.

The osu people are regarded as the lowest species of mankind in the areas where this culture is practiced, they are treated with contempt. In a society such as Nigeria where there are no enforceable laws to protect the human rights of the people, an Osu person is often exposed to public ridicule. Even if they are not insulted and ridiculed in the public, the "Osu" always have on them the dehumanizing osu caste stigma.

The crusade guaranteeing human rights and fundamental freedom of people has been on for centuries. Thomas Jefferson's assertion in the declaration of independence (united states) is a good example in the document, he asserted, in part "... we have these truth to be self-evident that they are endowed by their creator with certain inalienable rights that among these are life, liberty and the pursuit of happiness (the Encyclopedia American, international edition, Vol. 14).

From 1948 numerous international human rights treaties have been negotiated that really define human rights. The international covenant on civil and political rights (1966) and

the International Convention on the Elimination of all forms of Racial Discrimination (1965) are among the many treaties. However, the universal declaration of human rights which the United Nations Commission on Human Right prepared (then chaired by Eleanor Roosevelt), and the United Nations 10th 1948 stands as the corner stone document of human rights. This date is now universally commemorated as human right day. Regional agreements on human rights have also been drafted. The African charter of human and people's right signed in 1981 (and put in force in 1986) has been reported as the weakest of the regional human right efforts, for instance most of the provisions are not enforced, as regulatory institutions in the countries of Africa are either weak or non-existent. Besides, law enforcement agents and the courts are tainted by corruption. This is apparently some of the reasons human rights violations are relatively high in this part of the world (Agbagbu, 2000).

It is apparently clear that the international and regional documents show that human right documents and freedom are to be enjoyed by all without distinction. Nobody should be denied the rights based on race, color, sex, language, religion, political or other opinions and national or social origin, property or birth. The osu caste system is one of the crime without parallel in the modern world. But the world is not conscious of it. The social taboos placed on the osu have prevented them from developing expectations of equality and freedom of choice, as the society has accepted the osu caste system as a norm. There is no rational explanation for the continuous practice of the osu caste system, which has broad human and civil rights implications. It is time the civil and human right organizations in Nigeria wake up from their moribund state to fight against any form of human right abuse, not only in iboland, but all over the country.

Conclusion

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The Osu cultural system in some parts of igboland runs contrarily to the principles and aspirations of human rights. The osu caste system discriminate between an osu (outcaste) and a diala or 'freedom'. The osu as it were, is relegated to the status of a second class citizen and treated as sub-human being.

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