

**Public Health Implications of Government Negligence in Human Corpse Management in South-West of Nigeria**

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**Abstract**

*The study examined the factors sustaining the practice of human corpse burial in residence in Nigeria, analyzed the implications of cemetery management on use for corpse interment in Nigeria, and reviewed the public health implications of residence burial in Nigeria. The research design was a case study, and data for the study were sourced from secondary materials. Information gathered was presented through thematic analyses. The study revealed that no law forbidding the interment of the dead in any part of the state, including residence. The only requirement is the consent of the government. It was also noted that there are three forms of the cemetery; community, private and public. Hence, while the public and community cemeteries are poorly managed, the private is expensive and meant for the rich. The study noted that the public health implication of residence burial includes contamination of well, water sources available to residents, and also catalysis for community transmission of contagious infection, including covid-19. The study concluded that the issues of poor administration in the public cemetery and huge costs in the private cemetery could be responsible for home interment since the law does not prohibit the act. The practice of residence burial has evidently been impacting public health ranging from water contamination to the spread of contagious infections, including Covid-19.*

**Keywords:** Burial, Government, Human Corpse, Public Health, Residence

**Introduction**

Etzioni (1964, p. 1), in discussing the organizational attribute of the state, noted that all human beings are born, educated, work, play, pray, and die in an organization. Burial is expected to be executed after the sanctioning of such by the state (Etzioni, 1964, p. 1). Hence, civil registration is deployed for government to ascertain the cause of death among the population, the number of birth, and marriages (Atama, Igwe, Odii, Igbo, Ezumah, Okeke, Okonwko, & Ugwu, 2021). Despite the civil registration, it has been noted that factors including the level of education and the population's urban or rural residency status affect documentation (Atama *et al.*, 2021), especially of human corpses. The management of human corpses remains a global phenomenon that is begging for attention, given the need to respect the dead and protect residents in the

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surrounding environment. Against this background, the study focused on human corpse management measures in Nigeria.

Interment follows the declaration of death and intends to manage the human corpse. Evident from extant studies vis-à-vis the tradition of human corpse containment in Nigeria is the practice of residence burial (Olomola, 1988; Ogbuagu, 1989; Daramola *et al.*, 2014; Adeboye, 2016; Izunwa, 2016). It is believed that the dead deserve respect, while health-wise, the effect of uncontained or improperly contained human corpses on the surroundings raises concerns about dwellers' rights to a healthy surroundings. Cremation and burial are the identified approaches to containing human corpses across cultures (Chitando, 1999; Guttman, Watson & Miller, cited in Daramola *et al.*, 2014). While cremation of the corpse is with the intention of reducing bodies to bone and ashes through burning, it has not formed part of the corpse management strategy in most African states (Omonisi, 2020), rather a burial, which is the placement of the corpse into the ground either with or without a coffin is the accepted practice in this respect (Chitando, 1999; Olomola, 1988; Ogbuagu, 1989; Daramola *et al.*, 2014; Adeboye, 2016; Izunwa, 2016). Chitando (1999) attested to the fact that burial is the widely accepted approach in the management of a corpse, and it has been considered social instead of ritualistic (Azeez & Salami, 2018) and is often executed as an important funeral rite needed to ensure the right of dweller to a decent surrounding and which command respect for the dead.

The practice of human corpse burial may have followed the developments in human history. Chitando (1999), for instance, has noted that the question of what must be done to a human corpse must have been asked in the earliest human communities. The answer to the question must have stimulated the measures deployed to manage dead human bodies. Mbiti (cited in Chitando, 1999) argued that while burial was one of the methods of managing human corpses in human society, others include dumping bodies in bushes for animal and bird consumption, discarding them in water bodies, and protecting the corpse in a small building for complete decay. Park (2020) has equally itemized the practice of celestial funerals in managing human corpses. There is the practice of cremation, an approach that was believed to have been adopted by the nomadic population to prevent enemies from abusing their ancestors (Parrinder, cited in Chitando, 1999). Smirnov (1989) and Goring (cited in Chitando, 1999) argued that the practice of human corpse management began in the middle Palaeolithic, was spread in the Mesolithic era, and became a precept since the Bronze Age.

In another dimension, Chitando (1999) presented the religious perspective on the practice of burial and cremation of a human corpse. The practice of burial has been attributed to the Israelites, and the practice believes that during the resurrection of the dead, the physical body will be reassembled (Chitando, 1999). The beliefs justify the significance of the dead and explain the reasons for burial. While cremation is identified with eastern religion, it is still in-practiced in Buddhist and Hindu communities; it is rested on the belief that the cremation fire carries the deceased's soul to heaven (Schmidt cited in Chitando, 1999).

In Africa, the dead are not cut-off from society; instead, the populations live with their dead (Lee & Vaughan, 2008; Azeez & Salami, 2018; Park, 2020), and as such, the social world in Africa is made up of both the living and the dead (Lee & Vaughan, 2008; Azeez & Salami, 2018). In celebrating the dead, Ogbuagu (1989) reported the practice of expensive and lavish funerals in Southern Nigeria, while Park (2020) identified some of the burial rites availed the dead in West African states to include corpse bathing and cleaning, hand washing in a common bowl after touching the corpse and lying on the corpse. Ogu (1999) explained the use of the residence as housing for the dead. Azeez and Salami (2018) affirmed that the dead are buried within the family compound to avoid disconnection between the living and the dead. This is because the burial ground is considered the land of ancestors (Lee & Vaughan, 2008) and a gift for the elders' generation after generation (Azeez & Salami, 2018). To be buried in residence or within the compound, there are conditions to be met by the dead to be interred. Adeboye (2016), with Azeez and Salami (2018), itemized factors determining the form of burial ritual and ceremony to include the social status of the dead person, age, as well as issues surrounding the death of the person. Death deserving full burial rites and ceremony consists of those of aged parents and are usually buried at home, in a veranda, corridor, parlor, or backyard (Azeez & Salami, 2018).

The practice of residence interment often raised questions on the statutory process involved in administering funerals on corpses and the availability of cemeteries for interment in Nigeria. Makinde *et al.* (2020) identified the registration of the dead as a vital criterion for burial and argued that the process also aids government efforts in the investigation and provision of a solution to a possible outbreak of diseases. Similarly, sudden and unexpected death must be reported to the coroner (Rotimi, Ajayi, & Odesanmi, 1998). The coroner is empowered to call for

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an autopsy in order to assert the cause of death (Rotimi *et al.*, 1998). Nonetheless, the workability of government provisions on burial rested on certain agencies, including Local Government and National Identity Management Commission. It has been established that despite the prevalence of agencies involved in civil registration, information on the registration of dead between 2007 and 2017 was absent from the database of the World Health Organisation, WHO (Makinde *et al.*, 2020). This established the poor data management practice in Nigeria. While Local government, since the 1976 reform, has been homogenized to a single multi-purpose level of government with statutorily defined obligations to the people (Asaju, 2010; Ikeanyibe, 2018) including citing of a public cemetery (FGN, 1999), usurpation of autonomy of the level by the state, corruption, poor staffing, and absence of democratic practice are some of the identified challenges in literature (Asaju, 2010; Koni, 2016; Ikeanyibe, 2018). Public cemetery availability and enforcement of compliance with extant regulations on corpse burials are also affected by the noted challenges of the Local government.

Prior to the contemporary measures, such as local government and the NIMC, colonial rule in Nigeria impacted human corpse management through induced urbanization. NEST (1991), in their description of the outlook of Lagos, noted that urbanization in Nigeria predates colonial rule. Traditional urban settlements were agrarian and not populated like those of the colonialists. Urbanization that emerged with the colonialist featured an increase in population and propelled migration from inland towns leading to the influx of rural dwellers from villages in search of new jobs, healthcare, and possibly a place for the interment of dead bodies (NEST, 1991). Fabiyi (2016) explained that the major influence of colonialism on urbanization in post-colonial Nigeria was the introduction of paper-assisted urban planning. The colonialists took a measure to ensure the safety of indigenous people from the various practice (inclusive of cultural, social, economic, and religious), and they introduced a series of public health regulations in the country basically to protect themselves rather than addressing the town planning and urbanization issues in the country (NEST, 1991, p. 286). Aka (1993) described the town and regional development that took place in the country during colonialism, through such projects as the location of schools and citing of hospitals, as forms of unintentional planning of cities. The colonial projects propelled urban growth to some extent, but they never intended to properly structure the cities or make a cemetery provision.

The practice of cemeteries in Nigeria was identified with European Christian missionaries (Adeboye, 2016). There was the creation of a 'holy ground' to contain the corpse of church members, which also aimed at differentiating between the traditionalist/native people and Christians in the period (Adeboye, 2016). It was learned that before the introduction of Christianity, dead human bodies in traditional societies were usually wrapped in cloth and buried at home without a coffin (Adeboye, 2016). The advent of Christianity introduced an approach to the containment of dead bodies of church members as their corpses are interred in the church cemetery, the 'Holy land' (Adeboye, 2016). The act was countered in society as relatives of the concerned corpse are said to have protested against the practice because it was considered strange by them and not acceptable practice. The complaint of the relatives of dead Christians interred in church cemeteries was recorded (Adeboye, 2016). The simple implication of this is the people's preference for the interment of their dead in residence. The above analysis also applies to the treatment of corpses across cultures in African communities.

In human history, however, human corpses and funeral rites remain one medium for transmitting communicable infections (Moran, 2017; Parks, 2020). The Ebola virus outbreak in West Africa and Covid-19 globally has established the transmission of the virus from corpse to living human being through traditional funeral rites, and more death has been recorded (Moran, 2017; Suwalowska *et al.*, 2021). To this end, government exists fundamentally for the protection of the life of her citizenry from death and disease and the adoption of measures that can guarantee such safety. The study analyzed the human corpse management measure in Nigeria from this perspective.

The study is in five sections. The introduction of the study is presented in section one. Section two presented the theoretical framework and literature review, an analysis of methodology formed the content of section three, data was presented and analyzed in section four, and the study was concluded in section five.

### **Statement of the Problem**

The spread of communicable diseases, including the Ebola virus and Covid-19, and the death surge are attributable to the cultural practice of honoring the dead (Moran, 2017; Parks, 2020;

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Suwalowska *et al.*, 2021). The continuous record of communicable infections outbreak vis-à-vis the sustenance of the cultural rites availed to the dead has been noted to spread diseases (Moran, 2017; Parks, 2020; Suwalowska, Amara, Roberts, & Kingori, 2021). Containing the spread of diseases has prompted different measures by governments and international organizations such as the World Health Organisation (WHO), including awareness creation, prevention of mass gatherings, and prohibition of burial without permission from the state (Vidua, Duskova, Bhargava, Chouksey and Parthasarathi, 2020). Despite these measures, the entombment of a human corpse in residence continues in Nigeria. Against this background, the study seeks to understand the public health implications of residence burial in Nigeria.

### **Research Objectives**

The study has three objectives: i) it aims to examine the factors sustaining the practice of human corpse burial in residences in Nigeria, ii) to analyze the implications of cemetery management on use for corpse interment in Nigeria, and iii) to review the public health implications of residence burial in Nigeria.

### **Review of Literature**

Thematically reviewed literature as relevant to the study is presented below:

#### **Burial Practice in Nigeria**

The certainty of death must have informed the burial practiced among the Yoruba's, and the execution formed the aims of different studies. Olomola (1988) analyzed the perspective of the Ado Ekiti people on death and argued that death is perceived as a traveling medium from the physical to the ghost land. The belief that the dead bodies live posthumously encourages such measures as masquerade devoted to celebrating the demised. Douglas (2013) reviewed the availability of government cemeteries in River state, Nigeria, and he submitted that the possible reason informing the burial of dead at home or community cemetery is the insufficiency of a public cemetery. The cemetery was poorly laid out, inadequately maintained, and encroached on by neighbors. Olajide, Alabi, and Akinlabi (2013) discussed the possibility and challenges confronting the availability of cemeteries in Nigeria with a focus on Ado-Ekiti and observed that human corpse is buried in residence in the study area. The practice was noted that it could result in a health crisis in the future if left unchecked. Nwabueze (2013) has argued for the respect and

recognition of the view held by a dead person before his/her burial wishes by the law. In the absence of such a directive by the dead, the surviving partner was advocated as having the responsibility for the such directive.

Daramola, Ojo, and Joel (2014) discussed the opinion and act of the disposal of the dead in the city of Ile-Ife and explained that inhabitant of the study area has different housing and socioeconomic attribute. Further, the study noted that a total of 77.9% of the dwellers prefer the disposal of a human corpse through burial, while 54.7% of the population believed in the practice of home burial. Adeboye (2016) argued that cemeteries became popular in Nigeria following missionaries' privatization of the practice on religious grounds. It was noted that the burial of the dead in Ibadan, and other Yoruba towns, is usually done by the resident. Azeez and Salami (2018) identified the reason for the practice of home burial as the need to maintain existing relationships and avoid disconnections between the dead and their families. Death was identified, in the study, as a medium and not an end of the dead person's life. The practice is also believed to be customary and based on tradition. In like manner, Moon (cited in Sandvik, 2020) pointed out that the dead should be accorded residual dignity and respect despite the fact that statutory life and privileges terminate with death.

The effect of home interment has formed the point of departure for scholars. In this perspective, Olajide and Abiodun (2013) appraised the impact (socioeconomic and environmental) of home interment on a property transaction in Ado-Ekiti, Nigeria. They argued that in the study area, there was not in existence any known planned cemetery. Also, the problem of transfer of ownership was identified, and spiritual and psychological issues were identified with the practice of home burial. Ogungbemi, Akingbade, Omunagbe, and King (2020) described the worth of houses with human graves in the Lagelu area of Ibadan and stated that out of every three houses in the area, there is a tomb in one. The tomb's effect on the housing property's worth is about a 10-40 percent reduction in price during transfer and rent. It was noted that the practice has implications for the psychology of children inhabiting such areas and not forgetting the water pollution that may result from such practice.

Death registration is, of course, a means by which government keeps a record and other health details of the deceased in the state. Tobin, Obi, and Isah (2013) appraised the registration of birth

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and death and factors influencing the practice in the study area in South-South, Nigeria. The study noted that birth registration was high, with about sixty-eight percent of those who recorded birth registering the same; in contrast, about sixty-one percent of the population that recorded death failed to register the same with the appropriate authority. The study argued that the factors responsible for the act include the level of education, marital status, and religion, among others, which are responsible for birth registration. Level of education was identified as the only condition for death registration. Atama *et al.* (2021) investigated civil registration issues in Nigeria to describe the socio-demographic conditions swaying vital registration in the country. It was revealed by the study that the level of education, income, and proximity to the registration center influence registration of social activities, including marriage, birth, and death in the country.

### **Human Corpse Management in Pandemic Era**

The outbreak of the pandemic in human history is not new. Some of the notable eras have been presented by González-Fernández, Ibáñez-Bernaldezb, Martínez-Tejedorc, Alama-Carrizob, Sánchez-Ugenab, and Montero-Juanesd (2020) to include the Justinian plague between 541-543 AD, the 17<sup>th</sup> century Black Plague, the cholera epidemic, the 1918 Spanish influenza, the Severe Acute Respiratory Syndrome (SARS) between 2002-2003, the Middle East Respiratory Syndrome (MERS) in 2012 and the current covid-19 virus. Similarly, the Ebola outbreak in Africa can also be added to the list of the pandemic era (Park, 2020). During the Justinian Plague, about ten thousand deaths were recorded daily, and the challenge of managing the victims' corpses ensued (González-Fernández *et al.*, 2020). Similarly, the 17<sup>th</sup>-century Black plague was documented to have claimed twenty million lives in Europe (González-Fernández *et al.*, 2020). The 1816 cholera outbreak and 1918 Spanish influenza were claimed to have caused over forty million deaths throughout the world (González-Fernández *et al.*, 2020). The SARS claimed approximately nine hundred and nineteen lives across thirty-two countries, while the MERS caused about eight hundred and fifty-eight deaths across twenty-seven countries (González-Fernández *et al.*, 2020).

Wagner, Klunk, Harbeck, Devault, Waglechner, Sahl, Enk, Birdsell, Kuch, Lumibao, Poinar, Pearson, *et al.* (2014) attributed the cause of the Justinian pandemic of 541-543, the black plague of 14<sup>th</sup>-17<sup>th</sup> century, and the 19-20<sup>th</sup> modern plague to the *Yersinia Pestis*. To establish the claim,

Wagner *et al.* (2014) collected teeth from two known human corpses, who were recorded to have died from the infection during the pandemic, from the Bajuwarenring cemetery (Aschheim, Bavaria, Germany). The possibility of collecting the required sample from a cemetery shows that the dead are not buried in residence in that part of the world. The study concluded that the cause of the first, second, and third pandemics resulted from rodents. Rodent species globally are identified as the reservoir for *Yersinia pestis*, and there is a possibility of re-emerging the infection in the human population (Wagner *et al.*, 2014; Ditchburn & Hodgkins, 2019; Jullien, deSilva, & Garner, 2021). Ditchburn and Hodgkins (2019) further established the threat posed by *Yersinia pestis* to the African population, having noted that more than ninety percent of the plague cases are still recorded on the continent.

It has been established that *Yersinia pestis* can be transmitted from dead bodies and rodents to living human beings, which validates the fact that bacterial infection can be transmitted during burial. The *Yersinia pestis* move around through human travel via tourism (Ditchburn & Hodgkins, 2019) and possibly through contact with a dead human corpse who died from the bacteria. Contrarily, Jullien, deSilva & Garner (2021), after a systematic literature review, noted that there is an absence of evidence of direct transmission of *Yersinia pestis* from human corpses and animal carcasses to living human beings. As such, three potential transmission sources of the plague were examined, including the body fluids of living plague patients, infected corpses and carcasses, and body fluids of the dead infected corpse (Jullien, deSilva, & Garner, 2021). The study submitted that pneumonic plague could be communicated by intensive handling of the corpse or carcass, possibly through inhalation of respiratory droplets, and bubonic infection can be transmitted through blood contact with the body fluid of the infected corpse or carcass (Jullien *et al.*, 2021).

In West Africa, Ebola was discovered in 1976, and the outbreak was recorded in 2014 (Moran, 2017; Park, 2020). Because of its presence in the blood, vomit, and excreta of a person infected, the virus also spreads quickly (Moran, 2017). The Ebola virus was also transmitted through the body fluid of the infected dead and the dead body. The issues have prompted questions about respecting the personality of the dead and the psychological problem of the families of the deceased (Suwalowska *et al.*, 2021). In fact, during the 2014 outbreak of the virus, contact

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persons with the Ebola virus traced in Liberia, Guinea, and Sierra Leone revealed the relationship between participation in funerals and the discovered cases among the population. This drew attention to how the virus was spread through funeral ceremony attendants (Moran, 2017). It was reported that President Ellen Johnson Sirleaf ordered mandatory cremation to contain the spread of the virus, especially through a new method of managing infected human corpses, the implementation of which prompted secret funerals given the consideration of the order as against their culture (Moran, 2017). Suwalowska *et al.* (2021) validated the respect for the dead body by finding extant studies that the community members were not pleased with the collection of samples from the dead bodies and taking them away from the grave those agencies/researchers government empowered for the collection.

Equally, there was the outbreak of Coronavirus in 2019 and the subsequent declaration of the infection by the World Health Organisation as a global pandemic on 30<sup>th</sup> January 2020 (González-Fernández *et al.*, 2020). Covid-19, described by Vidua *et al.* (2020), is a severe respiratory infection caused by a virus affecting the respiratory system, particularly the lungs. The infection is spread through inhaled or droplets on the mucosal surface but is contacted with contaminated bodily excretion, air-borne, and fecal-oral routes, and the incubation period of the virus is between five to six days (Vidua *et al.*, 2020). Since the outbreak of the infection, it was noted that several deaths had been recorded. Suwalowska, *et al.* (2021) reviewed the management of death from the pandemic because Vidua *et al.* (2020) and González-Fernández *et al.* (2020) stated that corpses from the infection overwhelmed the health facilities in various countries of the world. Vidua (2020) stated that the armies were called into place to help in the management of the resulting corpse from the pandemic. Suwalowska *et al.* (2021) argued that the handling of dead bodies could have sociocultural and ethical dilemmas among the people and noted that a human corpse is often regarded as having pragmatic danger to the living.

### **Town Planning and Urbanization in Nigeria**

Urbanization, implying the growth of cities and increase in population, is the development of human settlements. While the human population remains an indispensable aspect of development, death is a certainty, and burial has been a notable measure in administering the corpse. The reality is that there is a need to plan the human settlement to reflect this certainty. Fakolade and Coblenz (1981) argued for the inclusion and participation of citizens in the design

of the city's layout. Ogu (1999) appraised the effect of using the residence for the graveyard on the culture of housing in Nigeria and argued that the act might promote poor housing maintenance and devalue the price of landed property. It was also noted that it could encourage relocation from the city-center to the outward area on the cultural ground. Aribigbola (2008) evaluated the use and planning of land in Akure, Nigeria, and argued that the government's concern has shifted from proper monitoring to granting occupancy right and plan approval only. The reality of the preceding was identified with the possibility of the absence of effective coordinating measures for the implementation and monitoring of development. Woodthorpe (2011) argued for the exercise of care in the formulation and execution of policies targeted at the provision of cemetery's use and significance.

Fabiyi (2016) acknowledged the alarming rate of urbanization in Nigeria without corresponding measures for effective administration. It was noted that the rate of urbanization demands the adoption of other approaches since there are increasing difficulties with managing cities in the country. Thus, a shortage in the use of digital infrastructure in the management of the state was named, and there was an argument for bridging the application of technologies in the administration of cities in the country. Oluwaseyi (2019) outlines the challenges confronting the implementation of town plans, including shortage of personnel on the part of the respective ministry, inadequate or absence of required materials for the implantation and monitoring, and absence of an approved plan in the study area. Badiora (2020) presented an opinion on compliance and corruption in the execution of town planning regulations in Lagos, Nigeria, and revealed that the actions of the planning officers condition the compliance or otherwise of the people with planning orders in the state. Practices including corruption stimulate disrespect for public codes, including planning rules and regulations.

### **Local Government Administration in Nigeria**

Nigeria is a federal state by virtue of its constitutional declarations and provision. Thus, local government is the third layer of government which is considered closest to the people in terms of administration and delivery of the responsibilities of government. Following the landmark reform of the (1976) local government system in the country, a unified government structure exists at the grassroots level (Asaju, 2010; Ikeanyibe, 2018; Ikeanyibe, Chukwu, & Ibieta,

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2019). Prior to the reform and evident from the operation of grassroots government precisely in the 1950s and aftermath, each region created its local government based on needs (Asaju, 2010; Ikeanyibe *et al.*, 2019). The alteration of local government structure was identified with the military intervention and their hierarchical attribute (Asaju, 2010). The effect of the centralized system has been described as counter-productive due to the fact that it is conflict-generating, as opposed to adequate administration and integration of the different groups in a heterogeneous country like Nigeria (Ikeanyibe, 2018). The system was like using a single approach for a different purpose.

Despite the constitutional obligation bequeathed on the level, only a little has been benefiting from it. Alao, Osakede, and Owolabi (2015) highlighted issues inclusive of corrupt practices, interference from the state, and over-staffing, as the challenges confronting the delivery of the purpose of government to the people. In the analysis of Osakede, Ijimakiwa, and Adesanya (2016), it was revealed that the state often interferes in the activities of local government through the control of their finance with the creation of a joint account by the state. Oluwaleye and Ifeyinwa (2019), in view of the underperformance of local government, argued for the return of democracy to the level of government in order to make it more responsive to the people.

### **Public Orientation System on Environmental Issues in Nigeria**

The awareness of the people about the impact and possible implications of their activities may sway their relationship with the use of the surrounding. Daramola and Ibem (2010) appraised the contemporary issues in urbanization in Nigeria and argued the effect of colonialism, swift urbanization, and poor orientation of residents sustaining urban deterioration in post-colonial Nigeria. Daramola *et al.* (2016) discovered that the level of information available to people on the effect of dead bodies disposal on the available source of water was low; about 78.2% were noted not to be informed on the effect of corpse burial on the availability of potable water in residents in Ile-Ife. Nnadiukwu and Omeje (2019) analyzed the role of mass media in preventing environmental degradation in Nigeria and revealed that media houses are key to their routine programs with little or no provision for increasing awareness of environmental regulation. Ojelade, Aiyedun, and Aregbesola (2019) acknowledged the perception of the people on the fact that required information made available to residents has informed them on water-borne diseases and their effect on the community. Idehen (2019) studied the effect of the form of the cemetery

on groundwater in residents around Third Cemetery in Benin City, Nigeria, and concluded that groundwater around the studied cemetery is fit for domestic use and consumption, among others. However, there is a degree of contamination observed in the observed groundwater.

### **Theoretical Framework**

Environmentalism is the framework of analysis for the study. The central tenet of the school of thought holds that the safety of the environment is best achieved through the provision of rules and regulations (O'Riordan, 1977) to regulate and direct human activities. Thus, law and regulation imply law-making and implementation, which is one of the fundamental reasons for the existence of government. In ensuring human safety in the state, there is a need for laws by the government to such effect. Ensuring safety will imply ordering the state into a residential area, industrial, dump site, forest reservation, cemetery, and many more. These are with the intention of ensuring and accomplishing orderliness in the state. The study adopted this theory to analyze the availability and implementation of laws for human safety in Nigeria, especially concerning the burial of the dead.

### **Materials and Methods**

The study obtained data from secondary sources, including; newspaper articles, journal articles, textbooks, and government documents. In achieving the first objective, the study reviewed the Nigerian criminal code of 2004 and the 1999 constitution. Reviewing these laws becomes necessary because it allows for understanding general decisions and agreements between the government and the people. This is because the law directs the government's and the people's activities in any state. Objective two was based on secondary materials; newspaper articles, journal articles, and textbooks were reviewed. Extant studies, and newspaper articles, are considered relevant because investigative journalism scrutinizes state issues. The third objective reviewed extant studies on burial and government approach to Covid-19 in Nigeria. Data were analyzed using themes generated from the issues under review.

### **Study Area**

The study area of the research work is Nigeria, and the southwest geopolitical region is the focus of analysis. In the region, the Yoruba are an acclaimed dominant ethnic group, and there are

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other ethnic groups from both within and outside of the country in the region. The Yorubas evolved during colonial rule (Isumonah, 2004), and there was nothing like the ‘Yoruba’ ethnic group prior to the period (Olomola, 1988). Instead, the name applied to *Oyo* and some *Anagos* (Lloyd, 1960). The sub-group of the Yoruba has been noted to spread between Nigeria, Benin Republic, and Togo. The sub-group domicile in Nigeria includes Oyo, Ekiti, Ife, Ketu, Akoko, Ijebu, Ijesha, and Egba (while Sabe is located outside Nigeria). The sub-group occupies six states constituting the South West, in the present Nigeria federal arrangement, including Osun, Ondo, Oyo, Ogun, Lagos, and Ekiti. Despite variations in their dialects and social and political outlook, there is homogeneity in their language use and social, religious, and cultural practice (Olomola, 1988). This implies they are related in their marriage, burial, and related system. Thus, selecting any of the sub-group for analysis allows for similarity. Also, the Yoruba in contemporary Nigeria operates within the extant bodies of law enacted for the federation. Hence, there is a homogenization of burial practices.

### **Results and Discussions**

The study presents information gathered in this section under sub-themes.

#### **Analysis of Home Interment of Human Corpse in Nigeria**

The amalgamation of Nigeria brought the erstwhile autonomous nations together under a system of law and government. The law remains the instrument of government in the administration of the state. The environmentalists shared this perspective and established that law must emanate from the people's cultural and customary practices. Hence, the government of Nigeria has been empowered to make laws through the 1999 constitution for good governance. The Criminal Code Act Chapter C39, Laws of the Federal Republic of Nigeria, 2004 (herein FGN, 2004) is an example of rules and regulations enacted to deal with specific issues, of which burial is a good example. The Code in section 246 (FGN, 2004) declares,

*“Any person who, without the consent of the President or the Governor, buries or attempts to bury any corpse in any house, building, premises, yard, garden, compound, or within a hundred yards of any dwelling-house, or in any open space situated within a township, is guilty of a misdemeanor, and is liable to imprisonment for six months.”*

The above declaration emphasized the need to seek the government's consent before burial activities can be executed in any part of the Nigerian state. This follows the submission of Etzioni (1964:1) that the state as an organization needs to sanctify the dead before burial is performed. Following the state's approval, it is said to become possible to bury the deceased either based on the directive of the dead person prior to his demise or the directive of the surviving partner (Nwabueze, 2013). More so, the coronal virus pandemic (or Covid-19) outbreak has not altered the residence burial practice in Nigeria. A close review of the requirement for death burial has been made available in the Nigerian Center for Disease Control (NCDC) guideline for burial practice during the Covid-19 pandemic succinctly claimed that the body of a dead Covid-19 patient is not infectious and as such, the corpse is due for the full funeral rite.<sup>1</sup> Despite the preceding claim, states in South West Nigeria, including Lagos, ban human corpse interment during the lockdown. The suspension of lockdown witnessed the interment of corpses as appropriate to the person.

### **The Implications of Cemetery Management on Use in Corpse Interment in Nigeria**

The cemetery provision has fallen directly under the local government's control since the enactment of the fourth republican constitution in Nigeria. It has been defined, in section 4a-e of the Nigerian Urban and Regional Planning (1992), that the local government in Nigeria has an obligation to formulate and execute plans for the town, rural areas, the local area, subject plan, and ensure control of development within their jurisdiction (FGN, 1992). During the formulation and execution of plans, a cemetery is expected to be provided since death is a certainty. Thus, the country has created a cemetery since the colonial era. The government created a cemetery, including Atan Cemetery at Yaba, Lagos, and Sango Cemetery in Ibadan. In addition to the government cemeteries, community, and private cemeteries exist in the southwest (Uwaegbulam, Nwannekanma & Gbonegun, 2018; Mohammed, 2020). While the government-created cemeteries are old, filled, poorly maintained, non-secured, and becoming insufficient, private investors are doing business out of the shortage (Uwaegbulam *et al.*, 2018).

In Lagos state, private cemeteries include Vaults and Garden at Ikoyi Lagos. The cemetery is owned by Asiwaju Bola Ahmed Tinubu (ex-Governor of Lagos State and chieftain of the Ruling All Progressive Congress). Since the commencement of operation in 2006, the price of burial

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space has ranged between fifty million to a hundred and fifty million Naira.<sup>8</sup> (Guardian, 2015). In another report, it was stated that the price of a six feet spot in Vaults and Garden at Ikoyi costs about three million and two hundred thousand Naira only<sup>9</sup> (Uwaegbulam *et al.*, 2018). Tijani (2015) provided insight into the activities of private burial in Lagos state when a practitioner named Ladi Sanwo was interviewed on the price of vaults; the respondent declared that the price ranges between four hundred and eighty thousand Naira to nine hundred and eighty thousand Naira<sup>10</sup>. The price was noted to include the addition of other beautification materials like marble, plastering, and inscription, which account for the price variation. Equally, the pricing of vault less than the minimum of four hundred and eighty thousand Naira was noted to be for a very short period, which may be less than two weeks to accommodate those with the required payment. Hence, the author raised the question of the possibility of missing a corpse from the cemetery on the part of cemetery managers.

The Atan cemetery is one of the public cemeteries created by the British and maintained by the Nigerian government in Lagos since independence. The cemetery has been noted to evolve into public and private cemetery sections (Mohammed, 2020). The private section is managed by BMC and Ebony Casket ventures (Mohammed, 2020), and the price of two and a half by six feet in the private section ranges between two hundred and fifty thousand Naira and three hundred and fifty thousand Naira<sup>11</sup>. The public section vault is at an unofficial price of twenty-five thousand Naira only (Mohammed, 2020). The pricing of a vault in a private cemetery is noted to inform burial in government management cemeteries (Mohammed, 2020).

Available information from Sango cemetery in Ibadan revealed the disorganized and poor planning attribute of the burial facilities. An interview conducted with Mrs. Gbadamosi by the Sunday Tribune revealed that the price of a vault in the cemetery ranges between sixty-five thousand and a hundred and fifty thousand Naira<sup>12</sup>. The vault of one hundred and fifty thousand

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<sup>8</sup> This is between USD 261 780 and USD 785 340 at the exchange rate of 1 USD to NGN 191 (as of 2015). At the current official exchange rate (July 2022) of 1 USD to NGN 415, the converted USD price may be multiplied by the current exchange rate. It is also useful to note that the Minimum wage in the country is NGN 30,000, which at 1 USD to NGN 415 is around USD 72.28

<sup>9</sup> This equals USD 16 754 at the rate of 1 USD at NGN 191 (as of 2015).

<sup>10</sup> This is between USD 2513 to USD 5131 with the exchange rate of 1 USD to NGN 191 (as of 2015)

<sup>11</sup> equivalent of USD 1, 309 to USD 1832 (as of 2015)

<sup>12</sup> USD 350 to USD 785 (at NGN 191 as of 2015)

Naira grave was considered the best by the attendant, given that it will be constructed with a strong cement block to prevent the grave robber from disinterment (Mohammed, 2020). Thus, the rising cases of ritualist invasion of public cemeteries continue to pose challenges to bodies' interment in cemeteries (Guardian, 2015). In Ondo state, for instance, it was reported that four people were arrested with the head of a newly buried corpse (Radio Nigeria, 2020).

The situation of the public cemetery in Lagos was brought into perspective when a dead body was washed off at Imota Cemetery, Lagos (Mohammed, 2020). The event was identified to have resulted in a protest. It was recorded that there was no response to the situation from the government. Hence, it was summited that public cemeteries across the country suffer the same fate (Premium Time, 2019; Mohammed, 2020).

### **Implications of Residence Burial for Public Health in Nigeria during Covid-19**

Burying human corpses in residences could impact the public health system negatively. The public health implications could be felt in the possible transmission of the virus among the population, especially after a participant in a funeral contracting it in the interment process of the infected body transmit it to other members of the community (Wagner *et al.*, 2014; Moran, 2017; Suwalowska *et al.*, 2021), and pollution of sources of water by the interred human corpse (Zume, 2011; Oluwafemi & Oluwole, 2012; Adeola, 2016; Ohwo, 2016; Alagbe, Okocha, Ayegbo, Oyeniyi, Alagbe, Daniel, & Efeovbokhan, 2020; Solihu & Bilewu, 2021).

Funeral execution in Nigeria (like every other group in Africa) is believed to follow the same procedure with an emphasis on washing and dressing the dead prior to burial (Olomola, 1988; Park, 2020). Park (2020) has noted further that family and friends often touch dead bodies as a sign of love or respect for the deceased or as a requirement by the culture. With the outbreak of Covid-19 and related infections, dead bodies have been regarded as a practical danger (Suwalowska *et al.*, 2021) given that virus is contracted through contact with the body fluid of the victim of the infection, inhaled or droplet on the surface (Vidua, 2020), and as such the practice of touching corpse and bathing exposes the participant to the virus and possibly spread to other members of the community. With the number of family and friends that participated in the funeral, there is a possible contract of the Covid-19 virus; Moran (2017) established how

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contact tracing of Ebola (a related infection) revealed how participants of the funeral during the outbreak of the infection served as the agent of transmission.

The possibility of Covid-19 virus and related infections transmission remains very high from the burial practice, given the findings of Ajisegiri, Odusanya, and Joshi (2020) that there tends to be high community transmission of the infection due to low testing capacity and the overwhelming of available health resources in the country. The study by Ajisegiri *et al.* (2020) claimed that contact tracing needed to be established to the rising cases of infection. In addition, government interference in collecting and burying human corpses may prompt corrupt practices because the people will regard such practices to contravene their customary respect for the deceased. Moran (2017) explained how the government order of corpse cremation to curtail the spread of Ebola had prompted secret burial and corruption of government officials, which worsened the management of the Ebola infection among the Liberia population, leading to more death during the era.

In addition, in Nigeria, it has been established in the literature that the availability of potable water remains a challenge to residents and, as such individual results to such sources as dug wells, streams, and rivers in meeting their routine needs. Solihu and Bilewu (2021) noted that potable water availability, accessibility, and coverage in Oyo state (like other states in Nigeria) is limited. As a result, individual sources of water are from wells because of the lack of coverage of the government water supply system. Ohwo (2016) has identified the problem of potable water availability to residents from government sources with the poor maintenance of water supply equipment, corrupt practices, poor response to the growing residence, and irregular power supply. This informed residents' dependence on self-generated or other water sources that are available to the people.

Nonetheless, the same territory where the well is situated to serve as a water source for residents is also used in the interment of a human corpse. Adeola (2016) and Azeez and Salami (2018) established the practice of human corpse burial in residence among the Yoruba and noted that the dead are buried indoors or within the compound. The implication of such practice on the accessibility of potable water was presented by Zume (2011) as the contamination of water sources resulting from the movement of corrupted grave content into water sources, usually through rainfall. Similarly, Oluwafemi and Oluwole (2012) reported cases of death and

hospitalization that followed the outbreak of cholera in Ibadan in the aftermath of flooding witnessed in that part of the country. Residence burial has negatively impacted water sources through contamination, which may have resulted in cases of the water-borne disease recorded among residents.

### **Discussion**

The investigation into the practice of home interment revealed that such practice is never forbidden in the country. Instead, burial in any part of the state becomes a punishable offense if the act is executed without the requisite permission of the government. The revelation validates the findings of Makinde *et al.* (2020) on registering the dead with the government. The practice of burial as a cultural activity, as presented by Adeboye (2016), validates the environmentalist perspective of the cultural origin of law.

The findings show the reasons for the poor implementation of town planning, especially the allocation of the cemetery. The availability of a cemetery has been the statutory obligation of the local government. The findings affirm earlier studies that the local government failed to discharge its functions. The inability of the level to meet its role encourages the growth of private cemeteries, which of course, is majorly for the elite. Further, the inability of the burial provisions encourages the burial of dead bodies in residents, where it costs nothing, and there is safety for the deceased. The report of erosion of washed-off bodies from Imota cemetery in Lagos state and persistent ritualist invasion of burial grounds equally influences the use of cemetery for burial in the absence of prohibitive law from home interment.

Residence interment and funeral practice performed on human corpses has been established in the study as having the capacity to propel the spread of covid-19 virus. The funeral process is noted to feature such practice of bathing and dressing of corpse, and also there is the touching of a dead body, which are medium for contracting the virus by participants. In addition, the interred body has the capacity to pollute available sources of water for residents. It has been established that wells and other self-generated water sources are the mediums through which the probability of contracting the diseases is high. Hence, the same territory for corpse interment is also a medium of water sources available to residents.

### **Conclusion**

The finding of the first objective reveals that the government did not forbid the practice; instead, a government, either at the federal or state level, only needs to consent. The other objective noted that there exists a cemetery, the administration of which discourages the majority from using the facility for the containment of their corpse. The third objective revealed that residents' burial of human corpses impacted public health through contamination of water sources available to residents and a medium of contracting the Covid-19 virus (and related infections). Based on the above findings, the study concluded that resident burial among the Yoruba resulted from government negligence in redefining burial culture in the country.

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