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## 'Oku Mi Ko Gbodo Sun Ita'

(Mis)Appropriation of Burial Sites and Public Cemeteries among Indigenous People of Egba, Southwestern Nigeria

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**ABSTRACT** Burial of human beings in houses or within residential premises is a common occurrence in developing countries. Despite the negative impacts it has on the social and economic lives of the people and society at large, particularly on public health, this norm has continued. However, this area has not been given adequate attention in recent scholarship. Against this backdrop, this article traces the development, appropriation, and misappropriation of burial sites and public cemeteries among the indigenous people of Egba land. It also examines the responses of the government to this phenomenon. This study was done through the use of archival sources, extant literature, media reports, pictographs, and interviews. The study reveals that the misappropriation of burial sites and cemeteries is a result of indigenous belief systems, illiteracy, inadequate lands for burial and cemeteries, cost and proximity of burial sites, and insecurity, among other things. It also finds that the few who appropriate burial sites and cemeteries were educated, enlightened, and averagely wealthy individuals, socially placed individuals. It recommends that governments at both state and local levels, particularly local levels that are vested with the maintenance of burial sites and cemeteries, should be strengthened to adequately appropriate cemeteries and burial sites in Egba land, south west Nigeria, like most indigenous people. **KEYWORDS** Burial Ground, Cemeteries, Death, Funeral, Local Government, Ogboni, Skull Mining

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Death is inevitable, yet most people avoid talking or thinking about it. The Yoruba ethnic group categorize death into “good” and “bad.” The Yoruba ethnic group refers to a “good” death as *oku agba* (elderly). It is sometimes called “peaceful death” (*oku fi owo rori*). Put differently, it means that the departed died maturely without stressing the family. Maturity is also a complex terminology used to determine death. William Clarke points out that a mature death is a departed who leaves behind children who are sufficiently able to cater for the burial of the deceased.<sup>1</sup> Similarly, as Olufunke Adeboye puts it, that maturity is not a function of chronological advancement, but other factors, such as how well and fulfilled the dead lived.<sup>2</sup> In fact, some even see mature death as a departed who had buried

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1. William Clarke, *Travels and Exploration in Yorubaland, 1854–1858*, ed. Joseph Atanda (Ibadan: University Press, 1972), 251.

2. Olufunke Adeboye, “Home Burials, Church Graveyards, and Public Cemeteries: Transformations in Ibadan Mortuary Practice, 1853–1960,” *The Journal of Traditions & Beliefs*, 2 no. 13, (2016): 1–12.

his/her parents and who witnessed his/her grandchildren while alive, and who even started eating the fruit of his/her labor. This kind of death is usually celebrated. Lately, it is referred to as *oku eba* or *amala*.<sup>3</sup> The “bad” (*iku ofo*) death could either be those who died mysteriously or prematurely. In other words, such deaths are not celebrated and become a bereavement. There are different types of bad deaths. They are, *iku abiku* (born-to-die), *iku ojiji* (sudden death), *iku gbona* (hot death), etc.

Of importance to death, is the way the dead are buried—be it in appropriated or unappropriated places. Cemetery appropriation is an act of selecting, devoting, or setting apart land for the purpose of burying the dead. Misappropriation is the abuse of such privilege either by the government or even by individuals. The dead are important to Africans as a result of their belief that the dead could still haunt the environment in which they lived as human beings in whatever form, manner, or avenue, be it through air, forests, water, or etc.<sup>4</sup> Hence the need for propitiation and hoodwinking of the dead.<sup>5</sup> Similarly, some scholars opine that Africans do not cut themselves off from their dead, rather they live in relation to the world of the dead, which is regarded as the world of the ancestors.<sup>6</sup>

With the arrival of foreigners and the British colonial administration, the idea of public cemeteries and church graveyards was introduced. Studies have examined various nomenclatures of cemeteries and burial grounds, the appropriation of cemeteries, and other themes, including the impact of cemeteries on public health and the environmental landscape.<sup>7</sup> Yet, there appears to be inadequate study into such appropriation and misappropriation among indigenous people.

Against this backdrop, this study examines the issues relating to the appropriation and misappropriation of burial sites and cemeteries among the indigenous people of Egba, a sub-group of the Yoruba ethnic group. It also aims to examine the response of the government to the misappropriation. The study was conducted in Abeokuta, Ogun State from January to March 2019. The study area covered two local governments (Abeokuta South and Odeda Local Governments). They were chosen purposely for convenience. More so, Abeokuta South has the only public cemetery in the state capital. While the study focuses on the Egba indigenous group, living predominantly in Abeokuta, evidence was also taken from other Yoruba areas via media reports and news media.

This study is instructive for many reasons. First, in spite of the fact that Nigeria accounts for most of the global mortality in the world,<sup>8</sup> studies on the disposal of the

3. *Eba* or *amala* are local delicacies. *Eba* is made from cassava flakes, *Amala* is made from plantain or yam flour.

4. Deaville Walker, *The Call of the Dark Continent* (London: The Wesleyan Methodist Missionary Society, 1911), 92.

5. Walker, *Call of the Dark Continent*, 92–93

6. Rebekah Lee and Megan Vaughan, “Death and Dying in the History of Africa since 1800,” *Journal of African History*, 49 (2008): 341–343.

7. Lloyd Warner, *The Living and the Dead: A Study of the Symbolic Life of Americans* (Westport, CT: Greenwood press, 1959); Lee and Vaughan, “Death and Dying” 341–359.

8. Population at 196 million. The crude death rate in Nigeria for 2018 is 11.9. Life expectancy is 55 years (male 54.7 and female 55.7). Probability of dying between 15 and 60 years m/f (per 1,000 population is 372/333). See World Health Organisation, “Nigeria,” at <https://www.who.int/countries/nga/en/> (accessed November 12, 2018); Population Reference Bureau, “2018 World Population data Sheet 2018,” (2018) at <https://www.prb.org/2018-world-population-data-sheet-with-focus-on-changing-age-structures/> (accessed November 12, 2018).

dead have not been given adequate attention. Furthermore, the study will add to our existing knowledge in the area of public health, urban planning, mummification, and indigenous beliefs and practices. Moreover, it will also assist policy makers to chart a way forward in addressing the menace associated with indigenous beliefs and the appropriation and misappropriation of cemeteries and burial grounds.

## CONCEPTUAL CLARIFICATIONS OF BURIAL GROUNDS AND CEMETERIES

A British document defined burial grounds as “any land or grounds (other than a general cemetery), used for the burial or cremation of the dead,” while a cemetery means “any general cemetery established under the provisions of Ordinance 12 of 1862.”<sup>9</sup> Lloyd Warner evaluated the cemetery as a “collective representation,” a sacred, symbolic replica of the living community that expressed many of the community’s basic beliefs and values.<sup>10</sup> This evaluation not only defines a cemetery, but also shows the relationship that the cemetery serves in terms of culture. Francis regarded it as an “appropriate sacred space where the living and the dead are separated and symbolically joined as one people through the performance of transition and memorial rites.”<sup>11</sup>

Some scholars see cemeteries and burial grounds differently. One such scholar is J.S. Curl, who defined cemeteries as a “burial ground, especially a large landscaped park or ground laid out expressly for the deposition or interment of the dead, not being a churchyard attached to a place of worship.”<sup>12</sup> He further made a distinction between a cemetery and a churchyard. To him, churchyards are often small tracts of burial land owned by and located close to the church and used over centuries, while cemeteries are often larger in scale and predominantly owned by secular authorities, which have been in common use only since the nineteenth century. Julie Rugg further depicts our understanding of a cemetery, based on its distinctive characteristics.<sup>13</sup> The first of which is its physical features—the most obvious, which is its location, perimeter, documentation, purpose and ownership, pilgrimage, and permanence, among others.<sup>14</sup>

Cemeteries and burial grounds have significant roles and purposes to play in the lives of the people. They are more than just burial sites, rather they also provide places to remember loved ones and safeguard the stories of our past.<sup>15</sup> Corroboratively, Julie Dunk and Rugg enumerated four purposes a cemetery serves—historical, educational, ecological, and leisure.<sup>16</sup> Furthermore, to indigenous people or aborigines, it provides physical and

9. *Cemeteries and Burial Ordinance*, “Cemeteries and Burial Grounds,” (1979): XVII/270–277, [http://www.commonlii.org/lk/legis/consol\\_act/cabgs63320.pdf](http://www.commonlii.org/lk/legis/consol_act/cabgs63320.pdf) (accessed November 11, 2018).

10. Warner, *The Living and the Dead*, 5–21;

11. Doris Francis, “Cemeteries as Cultural Landscapes,” *Mortality* 8, 2, (2003): 221.

12. James Curl, *Oxford dictionary of architecture* (Oxford: Oxford University Press, 1999), 5–17.

13. Julie Rugg, “Defining the place of burial: What makes a cemetery a cemetery?” *Mortality*, 5, 3 (2000): 259–275.

14. Rugg, “Defining the place of burial,” 261–264.

15. *The Water Wheel*, “Death and Taxes,” January/February (2015): 35–39.

16. Julie Dunk and Julie Rugg, *The Management of Old Cemetery Land* (Crayford, Kent: Shaw and Sons, 1994).

spiritual connections with the land, culture, and their past.<sup>17</sup> Moreover, it provides people with valuable information about past aboriginal ways of life.<sup>18</sup>

Generally, cemeteries, churchyards, and burial sites are highly valued by communities due to their spiritual, place-making, and place-marking qualities.<sup>19</sup> Hence, while cemeteries are places appropriated by law for burial, burial grounds are technically anywhere a person or persons are buried. However, it is important to understand development of cemeteries and burial sites on Egba land.

#### DEVELOPMENT OF BURIAL SITES AND CEMETERIES ON EGBA LAND

Disposing the dead was a serious concern in precolonial Africa. Samuel Johnson states that the Yorubas do not bury their dead in graveyards or cemeteries, but in their houses.<sup>20</sup> He further explains that infants were not buried in the house, but their corpses were either thrown away into the nearest bush or were partially buried with a bit of earth sprinkled over them, and are thus left as prey to jackals prowling by night. It was widely held that such children were “*Abiku*” (born to die) and are supposed to belong to a company of young demons roaming about.<sup>21</sup> Contrarily, the graves of aged and wealthy people were dug generally in one of the sleeping rooms.<sup>22</sup> While most departed were buried laying down, some are buried upright depending on the occult that the dead belonged to when he or she was alive.<sup>23</sup>

Corpses of wealthy or powerful persons were usually buried with their possessions, material or immaterial, including their slaves, if they had any. Sharing similar culture and customs were the Ibos in south eastern Nigeria. For instance, George Basden wrote that among the Ibos, human sacrifices were offered, and were prevalent in the death of a king or a notable chief.<sup>24</sup> Similarly among the Oyo in Yorubaland, Johnson noted that human sacrifices existed in Oyo.<sup>25</sup> He however acknowledged that it was not prevalent except during the coronation and death of the sovereign, which was the king.<sup>26</sup> Witnessing the burial of the dead in an African town, Henry Drummond provided this revelation:

According to the custom of his tribe, his entire earthly possessions—he was an average commoner—were buried with him. Into the grave, after the body, was lowered the dead man’s pipe, then a rough knife, then a mud bowl, and, last, his bow and arrows—the bowstring cut, a touching symbol that its work was done. This was all. . . . No one knows what a man is till he has seen what a man can do without and be withal a man.<sup>27</sup>

17. Dunk and Rugg, *Management of Old Cemetery Land*.

18. State Government of Victoria, “Aboriginal Burials” (Melbourne: Government of Victoria, 2008), 2.

19. Commission for Architecture and the Built Environment (CABE), “Briefing: Cemeteries, churchyards and burial grounds” (London: CABE, 2007), 2.

20. Samuel Johnson, *The History of The Yorubas: From the Earliest Times to the beginning of the British Protectorate*, (Lagos: CSS, 1921 [2001]).

21. Johnson, *History of The Yorubas*, 137.

22. Johnson, *History of The Yorubas*, 137.

23. Key informant, interview held at Ake area of Abeokuta on February 20, 2019.

24. George Basden, *Among the Ibos of Nigeria* (London: Seeley Service and Co Ltd, 1921), 37.

25. Johnson, *History of The Yorubas*, 54.

26. Johnson, *History of The Yorubas*, 54–55.

27. Quoted in Walker, *The Call of the Dark Continent*, 70.

This was because of the belief that slaves were not worth the trouble of being given decent burials. Therefore, they were usually thrown into the river for fish to feed upon.<sup>28</sup> Aside from slaves, corpses of lepers (*abirun*), animals, and other physically challenged persons were also treated with less dignity.

Burial grounds were not new to the indigenous people of Egba. However, appropriating specific places for such purposes outside of houses or family compounds was novel—only with the coming of the missionaries. The early missionaries set aside places known as churchyards or graveyards in order to encourage the people to bury their dead. They also discouraged the idea of burying at homes or unappropriated spaces. However, this idea did not go without resistance from the indigenous people. For instance, when a Christian convert, Idini, died at the *Ake* mission house and was to be buried by the Christians in the graveside in 1849, the indigenous people, especially the Ogboni traditional worshippers, not only resisted but also held some Christian converts as prisoners for five days and warned them never to receive instructions from the missionaries.<sup>29</sup> Additionally, the idea of burying a freeborn or indigene, who died outside the residence, was only considered if the person died a bad death mysteriously or was physically challenged or with other health-related issues. Such health-related, or strange, cases were that of smallpox (*sopona*), death by the river, death from falling off a tree, being a physically challenged person (hunch, albino), etc.

The introduction of public cemeteries in Nigeria began with the European cemetery, Lokoja, and subsequently in Old Calabar in the Atan, then the Colony of Lagos, in 1868. A British Colonial Report at the time states that “[t]he old custom of burying chiefs underneath the houses, which has existed in Old Calabar from time immemorial, has now been finally done away with, and special cemeteries have been laid out for the chiefs outside their towns.”<sup>30</sup> The adoption of public cemeteries was therefore a brainchild of the British colonial administration. In Abeokuta, the idea of public cemeteries gained attention when the paramount ruler of Egba, the *Alake* Ladapo Ademola, raised the issue at a council meeting held in July 1934. The reasons were because of the complications of burying chiefs and strangers. The *Alake* Ademola, understanding the complicated nature of the matter and its relevance to public health and customs, stated that he would not interfere in the burial of chiefs in public cemeteries. This was because the Ogbonis opposed it. Nevertheless, the *Alake* Ademola recognized that he could only consider strangers who died in the town.<sup>31</sup> For instance, the *Otun* of the Egbas, Chief J.B. Majekodunmi, gave an example in which a woman died in *Ajitadun* in Oke-Ona quarter after the delivery of twins. Since it was a strange death owing to the condition of the

28. John Milum, *Thomas Birch Freeman: Missionary pioneer to Ashanti, Dahomey and Egba* (New York: Fleming H. Revell Co., 1893), 86.

29. Sarah Tucker, *Abeokuta; or Sunrise within the Tropics: An outline of the origin and progress of the Yoruba Mission* (New York: Robert Carter & Brother, 1855), 177–181; Deaville Walker, *The Romance of the Black River: The Story of the C.M.S Nigeria Mission, Second Impression* (London: CMS, 1931), 63–65.

30. Annual Colonial Report, “Southern Nigeria: Report for 1899–1900” (London, 1901), 18.

31. Egba Council Records (ECR), “Public Cemetery-Petition from the Abeokuta Society of Union & Progress,” File 1/1/54 vol 1 nos 1–133 (Abeokuta: National Archives Abeokuta, 1934), 3.

women, Chief Majekodunmi stated that he had to go to the *Alake* to seek permission for her burial.<sup>32</sup>

However, the *Apena* of Itoku expressed his fear that the custom of his ancestors in which the Ogbonis were usually buried at home was gradually dying out since his own children were now Christians or Muslims.<sup>33</sup> It was agreed that three centers should be created for public cemeteries at Ake, Iberekodo, and one for Gbagura and Owu, respectively, for the burial of strangers.<sup>34</sup> It was noted that burying people in cemeteries was the best practice even though it also raised questions about customs.

## REASONS AND CHALLENGES OF THE (MIS)APPROPRIATION OF CEMETERIES AND BURIAL GROUNDS: A REVIEW OF LITERATURE

The introduction of burial sites and public cemeteries by the European missionaries and administrators in Abeokuta was supposed to aid in the disposal of the dead as well as curtail epidemics. Put differently, when areas appropriated as cemeteries and burial sites were well-utilized by the populace, their dead would not only have a home that could serve many purposes including memories and amusements, among others; it would also serve as a way of preventing diseases that were prevalent during this period. However, the misappropriation of cemeteries and burial sites poses a serious challenge. Although, there are reasons why public cemeteries, burial innovations, and other alternatives should be utilized, these practices also present a number of challenges in developing countries. We examine here some of the literature on the rationale for the appropriation as well as the challenges posed by the misappropriation of burial sites and cemeteries.

On the cause of diseases, a former British colonial administrator, Lord Fredrick Lugard, states that some of the prevalent diseases in the colony (referring to colonial Nigeria) were among other things caused by bad water; lack of drains; open cesspools; insanitary customs, such as burial in houses; overcrowding; and the absence of sanitation in the cities, which resulted in infant enteritis and dysentery, with an appalling infant mortality rate.<sup>35</sup> Even after colonialism, the challenges seem unabated. For example, Kingsley Douglas, in a study in Rivers State, averred that aside the health challenges posed by the indiscriminate proximity of burial sites and public cemeteries to residential buildings, most of the public cemeteries were affected by understaffing, unsanitary conditions, and problems related to space, access, and location.<sup>36</sup> The Northern Ireland

32. ECR, "Public Cemetery-Petition," 9. He called for creation of officers to supervise digging of graves. The Balogun of the Christians had ironically categorized some dead as that of the pagans (stinking dead), Christians (bush dead) and Moslems (street dead).

33. ECR, "Public Cemetery-Petition," 11.

34. ECR, "Public Cemetery-Petition," 15.

35. Frederick Lugard, *The Dual Mandate in British Tropical Africa* (Edinburg and London: William Blackwood, 1922), 153.

36. Kingsley Douglas, "Current State of Public Cemeteries in Rivers State, Nigeria," *The Nigerian Health Journal*, 13, 1, (2013): 58–61.



Environmental Agency [NIEA] warned in its practical guide that the misappropriation of cemeteries and burial grounds can contaminate underground water.<sup>37</sup>

On some of the rationale for appropriation and misappropriation of burial sites and cemeteries, Ethekwini Ngcongco revealed in her dissertation that culture and religion play huge roles in the choice of burial in African societies.<sup>38</sup> Maurice Izunwa points out that the status of the dead determines the burial rites and is the reason the indigenous people among the Yoruba do not bury their dead in public cemeteries.<sup>39</sup> Some scholars are of the view that burial rites are not only a right to passage, but also help the spirit of the dead reach the spirit world and their ancestors.<sup>40</sup> They further held that these rites have led to constant clashes between traditionalists and the Christians.<sup>41</sup> In other words, there is a clash of culture as a result of modernity.

A study from Marau, Brazil, revealed that growing urban land development led to a reduction in the space available for cemeteries and the juxtaposition of residential and cemeterial areas.<sup>42</sup> They further state that this raises the potential for the pollution of the residential area.<sup>43</sup> Aysel Uslu, Mehmet Barış and Nazmiye Erdoğan argued that due to the challenges of burying the dead that stem from lack of land, cremation, and health and environmental pollution, an eco-friendly approach should be adopted due to its numerous advantages to the environment.<sup>44</sup> While they may have made some valid points as to promotion of sustainable development and the environment, they fail to consider the factors that hinder the adoption of such green or eco-friendly innovations among indigenous people, who are mostly illiterate, poor, culturally inclined, and overtly religious. In fact, Maake Masango argued that the position of the church has made it hard for the African people to consider cremation, which may have helped in the appropriation and management of public space.<sup>45</sup>

Thus, the appropriation of cemeteries is part of an existential challenge to urban planners.<sup>46</sup> Lending credence to this assertion, some scholars have observed that providing housing in urban areas has become an increasingly acute issue across the globe, including

37. Northern Ireland Environmental Agency [NIEA], "Cemeteries, Burials and the Water Environment" (Belfast: Dept. of Environment, April 2016), 1–3.

38. Ethekwini Ngcongco, "Cemeteries Crisis, Burial Alternatives and African Urban Communities: A Case of Ethekwini Unicity" (Unpublished Masters Dissertations, University of KwaZulu-Natal, South Africa, 2005).

39. Maurice Izunwa, "Customary right to befitting burial: a jurisprudential appraisal of four Nigerian cultures," *OGIRISI: a New Journal of African Studies*, 12, (2016): 122–145.

40. Chukwuma Okeke, Christopher Ibenwa, & Gloria Okeke, "Conflict between African traditional religion and Christianity in Eastern Nigeria/; The Igbo Experience," *Sage Open* (2017): 1–10, <https://journals.sagepub.com/doi/full/10.1177/2158244017709322>.

41. Okeke, et al., "Conflict between African traditional religion and Christianity," 1–10.

42. Alcindo Neckel, Carlos Costa, Deborah Mario, Clarice Sabadin & Eliane Bodah, "Environmental damage and public health threat caused by cemeteries: a proposal of ideal cemeteries for the growing urban sprawl," *urbe. Revista Brasileira de Gestão Urbana—Brazilian Journal of Urban Management* (2016): 1–15. DOI: 10.1590/2175-3369.009.002.AO05.

43. Neckel et al., "Environmental damage and public health threat."

44. Aysel Uslu, Mehmet Barış, and Nazmiye Erdoğan, "Ecological Concerns over Cemeteries," *African Journal of Agricultural Research*, 4, 13: (2009): 1505–1511.

45. Maake Masango, "Cremation a problem to African people," *HTS*, 61, 4, (2005): 1285–1297.

46. Collin Koonce, "Cemeteries in the Urban Plan: Opportunities and Constraints" (Unpublished Master's Thesis, University of Georgia, 2011).

in Nigeria.<sup>47</sup> This is instructive in that while governments at all levels hardly make provisions for people while alive, it is even harder to consider the dead. Equally, Christopher Anierobi, et al., in a study of urban land use planning with a focus on cemeteries in Enugu in southeast Nigeria, found that there is an increase in the neglect of cemeteries by urban planners due to many factors, including the non-awareness by residents, preference for home burial, influence of traditional culture, and conversion of cemeteries for other profit-oriented ventures such as residential buildings, among others.<sup>48</sup> Sharing a similar view, Nduibisi Onwuanyi, Chukwunoyelim Ndinwa, and Pius Chima argue that urban management pay little attention to spaces for the dead, which has led to the physical and environmental conditions of public cemeteries.<sup>49</sup> Local governments have therefore been vested with the power to appropriate, manage, and maintain cemeteries and burial sites in Nigeria.

#### LOCAL GOVERNMENT LAWS ON APPROPRIATION OF LANDS FOR CEMETERIES AND BURIAL GROUNDS IN NIGERIA

The emergence of modern Local Government (LG) evolved from precolonial administration. The modern Local Government was backed by the Native Authority Ordinance No 4 of 1916.<sup>50</sup> Since then it has experienced a lot of reforms and has been saddled with more roles. To further strengthen the roles of the Local Government, General Olusegun Obasanjo's regime introduced the Local Government Reforms of 1976. The reforms not only empowered Local Governments, the reforms also made sure that they were autonomous. The functions assigned to the Local Governments were far reaching because they created a high level of democratic participation and autonomy within the local councils. Unfortunately, the role of these Local Governments was subsumed by the State Governments. Hence, this power and the role to adjudicate the use of cemeteries was seriously affected, especially after the Land Use Act of 1978.

While the Local Government was exclusively charged with appropriating the use of burial sites and cemeteries,<sup>51</sup> the Land Use Act of 1978 aimed at managing how individuals and other tiers of government appropriated the use of the lands. For example, the Land Use Act of 1978, which was revised in 1990, states that all land in urban areas shall be under the control and management of the Governor of each State; all other land, subject to this Act, shall be under the control and management of the Local Government within the area of jurisdiction on which the land is situated. Section 28 (1) (2) (a) (b) and

47. Eziyi Ibem, Michael Anosike, and Dominic Azuh, "Challenges in Public housing provisions in the post-independence era in Nigeria," *International Journal of Human Sciences*, 8, 2, (2011): 421-443.

48. Christopher Anierobi, Nneka Nwokolo, Dickson Nwalusi, Obinna Umeh, and Samuel Okeke, "Urban Land Use Planning and facilities: A Reflection on Cemetery in Enugu Metropolis, Nigeria," *Tropical Environment*, 13, 1, (2016): 60-74.

49. Nduibisi Onwuanyi, Chukwunoyelim Ndinwa, and Pius Chima, "Public Cemeteries of Benin City: Examining a neglected dimension of Urban Nigeria," *NIJEST*, 1, 2, (2017): 367-378.

50. Quoted in Olufemi Fatile, "Evolution and Development of Local Government in Nigeria," in *Contemporary Issues in Local Government Administration in Nigeria*, Eds. Iyabo Olojede, Banji Fajonyomi, and Fatile, Olugemi (Lagos: Rakson Nig. Ltd. 2011), 11-15.

51. Douglas, "Public Cemeteries in Rivers State," 61.



(C) empowers the State Government to revoke the Certificate of Occupancy for the overriding public interest.<sup>52</sup> This power of revocation further limits the appropriation power of Local Governments.

Meanwhile, the Constitution of the Federal Republic of Nigeria (FRN) is clear on the function of a local government council. It states that it should be responsible for the establishment and maintenance of cemeteries, burial grounds, and homes for the destitute or infirm.<sup>53</sup> Despite this law, which strengthens the responsibility of the appropriation of cemeteries by the Local Government, the Local Government authority has found its duty infringed upon by both the Federal and State Governments. A key informant who works in one of the Local Governments in Abeokuta, Ogun state, provided this opinion:

The roles of the local government in appropriating the use of Cemeteries and Burial ground has been affected most because of the dwindling responsibilities of the LGA, especially in areas of funding. This has been taken over by the State government and this has made it hard for the Local Government to perform most of these roles. As you know, one needs money to appropriate new lands for cemeteries and burial grounds. More so, the management and care of these cemeteries involves money.<sup>54</sup>

Corroboratively, scholars have stressed that despite the reforms over the years, local government autonomy has remained a chimera.<sup>55</sup>

#### **(MIS)APPROPRIATION OF CEMETERIES AND BURIAL GROUNDS IN EGBA LAND**

The early missionaries and the British colonial administration introduced cemeteries and graveyards or churchyards as burial sites into Egba. During the colonial era, the Native Administration was also involved in the appropriation of cemeteries and burial grounds. Recently, more private organizations, including religious bodies, now venture into the appropriation of spaces from the government for cemeteries. Examples include the Muslim cemetery Oke Idi, the Ahmadiyya cemeteries, the Anglican cemetery at Iyana Mortuary, and the Lantoro Catholic cemeteries at Lantoro and Kuto, among others. Most of the cemeteries are available for members of the public, except the Muslim cemetery, Oke Idi, which is available only to Muslims. With this number of cemeteries, one would assume that they should be adequate for the population, and if they were, why would most indigenous people bury their dead at home?

During the colonial era, a renowned (now late) Professor of History and Chief Historian of Egba (*Bapitan* of Egba land), Saburi Biobaku, revealed in his autobiography how his family buried his father in a corner on the grounds of his house at Oke Ijaiye.<sup>56</sup>

52. Federal Republic of Nigeria, Land Use Act (Lagos: FMI, 1978[1990]), Chapter 202.

53. FRN, *Constitution of the Federal Republic of Nigeria 1999* (Lagos: Government Publishers, 1999), LL 196.

54. Key Informant, Male, 49 years, interview held at Ake, Abeokuta South Local Government, December 19, 2018.

55. Stan Aibeyi, "Local Government Autonomy in Nigeria: Structural and Institutional Innovation," *Nigerian Journal of Public Administration and Local Government*, XVIII, 1: (2013): 145–153; Fatile, "Development of Local Government," 1–38; Patrick Oviasuyi, Walter Idada, and Lawrence Isiraojie, "Constraints of Local Government Administration in Nigeria," *J Soc. Sci.* 24, 2, (2010): 81–86.

56. Sabiru Biobaku, *When we were young* (Ibadan: University Press, 1992), 39.

It appears that cultural and family beliefs played an important role in determining the place of burial even in colonial times.

When the Native Authority and, subsequently, the postcolonial administration allocated lands for the appropriation of cemeteries and burial sites, they lacked proper planning for future sustainable considerations and categorizations. It was this unplanned structure that was bequeathed to subsequent postcolonial administrations. Hence, cemeteries and burial sites were not only mixed, but were not categorized based on status, sex, age, type of death, and causes of death, among other things.<sup>57</sup> While this practice is not ideal, it appears to favor families who would not want to reveal the nature and circumstances in which their dead departed. Despite this advantage, have the cemeteries and burial sites been well appropriated in Egba land? Put differently, where do Egba people prefer to bury their dead and what are the reasons for this?

In order to understand this trend, some newspapers were consulted. Revelations from a national newspaper show that one of the reasons behind the misappropriation of cemeteries and burial sites is as a result of personal choice. In 1988, a reporter asked some celebrities where they wished to be buried. The answers received are worth recounting. For example, late Fela Anikulapo Kuti said, "I want to be buried in my house. Nobody must carry my body to any cemetery. What I want to be remembered for is not my business. I am not thinking of death. Na somebody wey wan die na im dey talk that kind thing. Anybody can write anything he likes about me."<sup>58</sup> Odion Iruoje asserted that he did not care where he would be buried and that he might even prefer being buried without a coffin or even thrown into a pit or cremated. As he puts it, "They should burn me and spread my ashes on plants in the farm for them to feed. . . . I may not have a grave, so I don't know what to be written. It will be a waste of money to have marble."<sup>59</sup> Lanre Adepoju, for his part, stated that he wanted to be buried within his estate at Ring-Road, Ibadan, with lots of flowers around his grave. He explains, "My grave should be kept perfectly neat."<sup>60</sup> Sunny Ade said, "Where I would want to be buried depends on where my children want to bury me. But I pray my corpse won't be controversial."<sup>61</sup> Kollington Ayinla stated that he wanted to be buried in his then new home located at the Government Residential Area of Ilorin, Kwara State.<sup>62</sup> While the above reasons reflect responses obtained in Yoruba land and among some Egba indigenes, such as Late Fela Kuti, our study revealed more information. For instance, a key informant made the following statement:

My son, the cost of most private cemeteries in Abeokuta today is sufficient enough to buy a land somewhere. More so, most of the public cemeteries are not tidy. You find bushes, unpainted tombs, bad gates or most times there are no gates in the cemeteries.

57. Emmanuel Akintola, Head Water Supply and Environmental Sanitation department, Abeokuta South Local Government Area, February 20, 2019.

58. Azuka Molokwu, "Where they want to be buried," *The Punch*, Saturday, August 27, 1988, 6-7.

59. Molokwu, "Where they want to be buried," 6-7.

60. Molokwu, "Where they want to be buried," 6-7.

61. Molokwu, "Where they want to be buried," 6-7.

62. Molokwu, "Where they want to be buried," 6-7.

Look at the one at Abiola way, Kuto, Iyana Mortuary. I even wonder if they are being secured because when I pass there, I hardly see a security man.<sup>63</sup>

The above shows that cost of the utilization of cemeteries is one of a few factors that have discouraged some indigenes from using the facilities. Another Egba woman stated that her late father vehemently told the family not to attempt to bury him in the cemetery or churchyard because doing so was like treating him like a stranger. She further noted that it has become the tradition in their family.<sup>64</sup> Another key informant had this to say:

Before my dad died, he commanded us to make sure we bury him in the only house he built, which is this one where we are now, and that any attempt to thwart his wishes will be met with provocation from his ghost. In fact, he even said if our mother, which is his wife, died, she should be buried close to him.<sup>65</sup>

The above shows that at times resolutions by family members to bury the dead in appropriated places, such as the cemetery, may be hopeless because of the wishes of the deceased while alive. Indeed, some deceased also ask their family members to bury them in the house in order to secure the house from being sold by any prodigal child. While some do so to make the house a rallying point for the children or family, others do it as a sign that there is no place like home (*ile ni abo isimi oko*) or my corpse must not leave the premise (*oku mi ko gbodo sun ita*).<sup>66</sup> That is, if the deceased is buried in the house or ancestral home, it will enable the kit and kin in the diaspora to regularly visit, so as not to forget home. This arises as a result of kinship ties, culture, cost of burial abroad, and religious beliefs.<sup>67</sup> Another reason for misappropriation is the fear that the family house may be sold-off after the demise of the patriarch or matriarch.<sup>68</sup> A key informant puts it this way:

At times, the deceased may suspect that if he is not buried in the house, one of his/her prodigal children may sell the house. So, he/she will ask that they bury him in the house as such a grave scares land speculators. Even for leasing, most people are displeased merely seeing a burial site on landed properties.<sup>69</sup>

Aside from the reasons given above, there are other reasons the Egba ethnic group frowns upon burying their dead ones at the appropriated areas—be they privately or publicly owned.

The figure above is a graveyard beside a house around the *Ake* area of Egba land. The figure depicts a burial ground behind the window of a house and a kiosk, where retail household needs are sold beside the burial ground.

63. Key informant, male 70 years, interview held at Obantoko, Odeda Local Government, February 18, 2019.

64. Key informant, Female, interview held at Alabata, Odeda Local Government, February 18, 2019.

65. Julius Musuru, 20 years, interview held at Somorin, January 29, 2019.

66. Home is the final abode of every sojourn.

67. Daniel Smith, "Burials and belonging in Nigeria: Rural-urban relations and social inequality in a contemporary African ritual," *American Anthropologist*, 106, 3, (2004): 569–579; Wilfred Komakech, "When I die, bury me at home in Africa! U.S African immigrants' preference for burial in ancestral land," *Thanatos*, 5/2 (2016): 25–32.

68. Key informant, 51 years male, interview held at Adatan, Abeokuta South Local Government, February 17, 2019.

69. Personal discussion with Professor M.O. Oyeyemi, who was on sabbatical at the University of Ilorin, February 23, 2019.



FIGURE 1. An example of a Home Burial in Egba land, Ake, Abeokuta. Photo by Olasupo Thompson.

This figure above is of a burial graveyard behind a house around *Ago Oko* area of Abeokuta. To avoid dirt and secure it, a fence is built around it. The two figures above are informative because while figure 1 shows how the indigenous people value the dead and how far they could go to bury the dead as a sign of remembrance, figure 2 shows how most people want the graveyard to be secured, neat, and well-preserved.

There are so many reasons for burying the dead within the house or premises. One is for the children or families of the deceased to be close to the grave. This is in case there are spiritual issues in which family members or their children are asked to appease the dead. One woman makes this succinct statement:

Although it is not ideal for Muslims or [other] people to bury the dead in or within the house, this is common in Egba, because if one of the sons or families of the deceased has spiritual problems in the future and they ask him or her to go and appease or propitiate his/her ancestors, it will be easy to carry out. If he or she is buried in the cemetery, visiting such places or performing such ritual may be hard. More so, if the dead was an Islamic scholar or leader, it is bad for people to play or do unholy things on his burial ground. This is because he may be angry and may not sleep well in heaven.<sup>70</sup>

In fact, the woman revealed that she still goes to the cemetery where her parents are buried to take care of the tomb and offer prayers for them, so as to seek forgiveness for their sins.<sup>71</sup> A key informant who recently buried her late father revealed that the family

70. Interview with Alhaja Olusoji at the Secretary's Office, CGNS, Federal University of Agriculture Abeokuta, February 18, 2019.

71. She revealed that she usually tipped the attendant N1,000 or N2,000 to gain entrance into the cemetery. Note that \$1=N306.



FIGURE 2. An ornamental burial ground behind a house. Photo by Olasupo Thompson.



FIGURE 3. An image of a cemetery worker caught with two skulls. Photo from: <https://www.pulse.ng/gist/in-ogun-police-arrest-cemetery-worker-found-with-human-skulls/odtb7oz>

chose to bury him in the verandah of his house because they do not want his corpse to “sleep outside” or be stolen by a “ritualist” if buried in the cemetery.<sup>72</sup>

It appears as if the stealing of a corpse or its parts are some of the reasons for the apathy toward the use of cemeteries. Few newspapers have exposed the incidences of stolen

72. Interview with Mrs. Adeyanju at her shop, Obantoko, Abeokuta, February 19, 2019.





FIGURE 4. Muslim Cemetery Oke Idi with a fallen fencing. Photo by Olasupo Thompson.

corpses in Ogun State in general, particularly in Abeokuta.<sup>73</sup> It was revealed that stolen corpses are either sold in parts or in full for suspected money rituals, good luck charms, success charms, infertility, political attainments, longevity, etc.<sup>74</sup> For instance, one of the newspapers exposed how some suspects, including a cemetery attendant, were arrested at the Muslim cemetery, Oke-Idi area of Abeokuta, with a dried human jaw. Upon interrogation, they confessed that they wanted to use it for a money ritual. The revelations above show that the issue of security is one of the challenges associated with the misappropriation and discouragement of cemetery use on Egba land. Similarly, a key informant during an interview made this statement:

Cemeteries, God forbid! When we hear stories on daily basis of how cemetery attendants chop off the skulls and parts of the corpse for sale. We even hear that sometimes; they collect money from people to come and make love to the corpse. I cannot take any of my dead relations to the cemeteries to bury. Rather I will take them to our site, which is on outskirts of the town.<sup>75</sup>

The above shows some of the unwholesome practices perpetuated by some cemetery attendants in the country, including Abeokuta, that informed the choice of burial or led to orders being handed down by the individuals before he/she died.

The above figure is of the perimeter fencing of a private cemetery owned by a Muslim organization at Oke Idi. One can also see how the cemetery is overgrown with weeds and thick trees. There is no doubt that this depicts the unkempt nature of cemeteries, the issue of appropriation or unavailability of lands or spaces for cemeteries, and lack of foresight on roads. On the unavailability of land, a government official interviewed said that the

73. Gbenga Akinfenwa, "Uneasy calm in Cemeteries, as raiders, scavengers hunt for human parts," *Guardian*, January 28, 2018, <https://guardian.ng/sunday-magazine/uneasy-calm-in-cemeteries-as-robbers-scavengers-hunt-for-human-parts/>; Samuel Awoyinfa, 'man caught with human skull in Ogun,' *The Punch*, February 2, 2018.

74. A skull sells for between N10,000 and 40,000; thighbone N50,000, while prices of other parts range from N10,000 to N12,000.

75. Interview with Mrs. Funmilayo Kolawole, 59 years at Somorin, February 18, 2019.





FIGURE 5. The untidy state of a religious organization Cemetery at Iyana Mortuary in Egba land. Photo by Olasupo Thompson.

government would have loved to invest in cemeteries and burial sites, but there are no available lands to purchase in urban areas for cemeteries. His assertion was based on the premise that the government would prefer investment in manufacturing sectors, industrialization, education, oil and gas, etc., rather than cemeteries.<sup>76</sup>

The above figure is a reflection of the state of cemeteries on Egba land. Although this is a relatively neat public cemetery owned by a religious organization, most of the graves are broken. More so, there are no more spaces available in this cemetery located at Iyana Mortuary. There are also no security personnel to watch the place during the day, though a key informant revealed that the church that owns the cemetery pays for night watchmen.<sup>77</sup>

The above figure is of a fallen fence of a private cemetery that was affected by expansion of the Iyana-Mortuary Road by the state government. Aside from the fallen fences, there was no attendant or watchman at the cemetery at the various times of visitation. A key informant at Iyana Mortuary stated that when the government was expanding the road at Abiola Way, most of the corpses buried in the cemetery were excavated by bulldozers, though the government gave the church notices to evacuate the corpses, the timing was considered short.<sup>78</sup> Little wonder that an elderly key informant was vehemently opposed to the public cemetery because the government could decide to expand roads in the future.<sup>79</sup>

The above figure shows a well-kept path to the graves in the cemetery. The paths are being cleared by the attendants, but the cemeteries also have their challenges. One of which is that some graves are no longer visually appealing.

76. Key informant, civil servant, male, interview at Obantoko, Odeda Local Government, January 13, 2019.

77. Key informant, welder, male 41 years, beside the cemetery, February 20, 2019.

78. Key informant, female, passer-by/residence of the area, interview held at Iyana Mortuary, February 20, 2019.

79. Key informant, aged male residence, c 70 years, interview at Iyana Mortuary February 20, 2019.



FIGURE 6. The perimeter fence of a cemetery at Iyana Mortuary in ruins after several years of road expansion. Photo by Olasupo Thompson.



FIGURE 7. A footpath at Lantoro Missionary Cemetery owned by the Catholic Church. Photo by Olasupo Thompson.

While most of the paths are tidied and cleared, some of the graves are weedy. For example, the graves are not categorized, spaces are insufficient, parameter fencing is short, it is in proximity to residential buildings and close to a refuse dump, and it has poor staffing, among other problems. During one of the visits, only one elderly man was seen at the cemetery. He stated that he secures the cemetery with another watchman who was on night duty.<sup>80</sup> One wonders whether just two elderly men could secure a vast land of about two hectares at a time. Moreover, it is not cheap, going by the cost of getting a vault space. The cost of getting a vault in this cemetery varies from N40,000 to N150,000, without monuments. In fact, most of these private cemeteries are not cheap. An Egba-Owu man,

80. Interview with Baba Ibeji, Cemetery Attendant, c75 years at the cemetery, February 20, 2019.



FIGURE 8. Some parts of the Lantoro Missionary Cemetery owned by the Catholic Church. Photo by Olasupo Thompson.

who is also a lecturer in Egba land, put the cost of using a missionary double vault at N75,000 (\$245). He also stated that it depends on the way the family of the deceased wants the monuments, such as plastering, tiles, marbles, concrete, etc.<sup>81</sup> A mortuary attendant revealed that a single vault costs about N40,000 without the monuments. This cost undoubtedly makes it hard for most indigenes to patronize, especially when the country is not only a developing country, but also houses a good number of the poorest people in the world, having overtaken India.<sup>82</sup> As one woman puts it, “Instead of me burying my aged parents in a public cemetery and paying thousands of naira, I will take them to the backyard of their house or bury them on my site. After all, God owns the land and everything on it. Why should burying the dead be that costly?”<sup>83</sup> However, the cost may not be too much for some families, owing to the level of education, and the exposure and status of the deceased or the family. As one woman puts it, “It will not augur well for us to be buried at the back of our homes, or verandah of our houses or just an ordinary place due to our status as Professors. Of course, there will be eminent personalities at our funeral, so we will prefer to be interred in a cemetery.”<sup>84</sup>

Thus, most of the people who use the private cemeteries are the elites and those who are educated. For example, a key informant revealed that most of the people who bring their dead to the cemeteries are strangers, those who are wealthy, elites, and those who do not have houses or personal plots of land.<sup>85</sup> This belief was countered by an Ifa Priest who asserted that no matter the position of the deceased in the society, as long as he/she belongs to the Ogboni occult or initiate, he/she must be buried in one of the rooms in the

81. Dr. Olalekan Akintona, Lecturer CGNS Department, FUNAAB, via WhatsApp, March 5, 2019.

82. Bukola Adebayo “Nigeria overtakes India in extreme poverty ranking.” *CNN*, June, 26, 2018, <https://edition.cnn.com/2018/06/26/africa/nigeria-overtakes-india-extreme-poverty-intl/index.html>, accessed October 7, 2018.

83. Key informant, female, 49 years, interview held at Somorin, Odeda LG, Abeokuta, February 15, 2019.

84. Professor C.A. Onifade, FUNAAB, February 14, 2019.

85. A plot of land varies from N100,000 to 3.5 million. Lands within the city are very expensive. Interview with Baba Asoju, 65 years, Cemetery Attendant at Oke Idi Cemetery, February 20, 2019.



FIGURE 9. Burying on pathway due to overcrowding at the Local Government cemetery, Lantoro, Egba. Photo by Olasupo Thompson

house, especially his/her bedroom while alive.<sup>86</sup> Ajisafe states that the deceased must be buried in the society in which he/she belonged and if he belonged to numerous societies, the highest among the societies takes precedence.<sup>87</sup>

Other than the state of privately owned religious cemeteries, how has the government's public cemetery fared? The Local Government in Abeokuta South has only one cemetery, which is not only costly, but also filled-up. In fact, graves are now situated along the pathways.

The above figure is of a narrow pathway to the Local Government Cemetery in the Lantoro area of the town, but looking carefully one sees graves on the footpath. This is coupled with overgrown weeds beside the fences and around the cemetery. Explaining why they now bury on the pathway, a key informant stated, "We cannot bury within residential areas due to the population explosion in Egba town. People now encroach into the areas we designated as cemeteries, a long time ago. Even if we buy appropriate lands for cemeteries today, people will still start buying lands there."<sup>88</sup> Another senior health officer at the Abeokuta South Local Government stated that the public cemetery is filled because most of the corpses on the roads, or who die as a result of an accident and whose corpses are unclaimed, are buried in the public cemetery.<sup>89</sup> Little wonder, John McManus in an article stated that there is a looming problem all over the world over what to do with dead bodies as a result of insufficient lands.<sup>90</sup>

86. Interview with Baba Ifa (Ifa Priest), c.97 years at Somorin, January 3, 2019.

87. Ajayi Ajisafe, *The Laws and Customs of The Yoruba People* (Abeokuta: M.A. Ola Fola Bookshops, nd), 71.

88. Interview with Mr. Akintola, February 20, 2019.

89. Key informant, male, 51 years, interview at Ake, February 18, 2019.

90. John McManus, "The World is running out of burial space," BBC News, March 13, 2015, <https://www.bbc.com/news/uk-31837964>.



To address these numerous challenges, the Local Government opened the public space for investors to invest in burial services and also instituted a Compound Burial Permit. This permit was aimed at making sure that home burials are done under the supervision of the Sanitary and Water Inspectorate department of the LG. Yet, most of the people interviewed stated that they do not know about such permits.<sup>91</sup> Admittedly, the officials in charge lamented that there is low use of the Compound Burial Permit despite the reduction in price so as to encourage the indigenous people to use it.

## CONCLUSION

Human burial in compounds and inside houses is prevalent in developing countries, especially among indigenous ethnic groups. Despite its consequences to human, environmental, and sustainable development, it has remained unabated. This study traced the development, appropriation, and causes of the misappropriation of cemeteries and burial sites among the indigenous people of Egba land, a Yoruba subgroup. It also examined the responses of the government to this phenomenon.

The study found among other things that there is a distinction between a cemetery and a burial site. While cemeteries are places appropriated for the disposition of the dead, mostly outside the compounds and far from residential areas, burial sites are places where the dead are buried. Implicitly, even if the dead is buried in the room, the room becomes a burial site. Hence, the study revealed that the indigenous ethnic group of Egba buried their dead in burial sites that could be within their houses due to the beliefs that the dead were not just ancestors but that they also protect and provide various roles in the family and larger society.

Furthermore, the study discovered that the indigenous Egba people view burying outside the house or in segregated areas as only for strangers or settlers resident in their towns. It was the contact with the missionaries that brought about the introduction of burying the dead in appropriated places that were either graveyards or public cemeteries. Yet, most of the indigenous people were unreceptive to the idea, to the extent that when a missionary organization made an attempt to bury a convert in the nineteenth century, the people staged a protest.

After Abeokuta came under colonialism, the provision of public cemeteries was raised by the paramount leader, the Alake Ladapo Ademola, in the 1930s, and afterward the King made a case for the use of public cemeteries across the town. He acknowledged that the Ogboni were exempted due to their religious beliefs. He established the fact that the issue of the public cemetery was in the hands of the Native Authority and subsequently within the spheres of the Local Government. However, with the Land Use Act of 1978, which appropriated all powers to manage lands in trust to the state, the power of the local government to appropriate lands for cemeteries and other things, was affected, despite the fact that the Constitution clearly stated that the Local Government should manage cemeteries and burial sites.

91. Key informants, interviews held from January to March 2019.

Having embarked on an ethnographic study, further findings revealed that most of the indigenous people do not bury the dead in cemeteries for many reasons: family beliefs and traditions that the dead must not sleep outside (*oku mi ko gbodo sun ita*), wishes of the dead while alive, lack of education, lack of awareness of public cemeteries, lack of sufficient spaces in the public cemeteries, poverty, lack of security in cemeteries leading to fear of ritualists, lack of access, and belief that their dead ones are exhumed and disposed after some time in the cemeteries, as well as the fear of government road expansion programs that could affect the cemeteries and the high cost of public cemeteries.

The study recommends that these beliefs and challenges can be tackled through a multifaceted approach. First the Federal government must make legislation to empower the Local Government Administration to be more independent and autonomous. More funding should be provided for the LG to manage cemeteries and lands for other useful purposes. The government must also endeavor to make provisions and plan for the dead, just as plans are made for the living. Moreover, the government at all levels must begin a campaign to encourage use of public cemeteries and acquire more lands for public cemeteries, land that will be accessible, affordable, and secure. Private individuals should also be encouraged to venture into the burial business. Partnerships should be formed with religious organizations on how to sensitize their followers to cultivate the culture of appropriating public cemeteries. The political economy of the lot of the indigenous ethnic groups as well as that of the country should also be improved. There should be a national program to educate the people because when they are educated, then they can appreciate the appropriation of cemeteries and also shun the belief in money rituals. ■