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The Reliance on Anti-Discrimination Laws to Curb Caste-Based Discrimination Against the Osus in South-Eastern Nigeria

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Abstract: The caste system among the Igbo of South Eastern Nigeria segregates the indigenes into freeborn (Diala) and untouchables (Osu). The Igbo customary law discriminates against the Osu in certain aspects of life such as freedom of movement and choice of residence, the right of peaceful association, the right to choose a spouse, the right to take a chieftaincy title and access to public office. The Osu people are also socially discriminated against in the Nigerian society. A freeborn who marries an Osu partner automatically assumes the status of the untouchable. Despite the origination and incorporation of the Osu caste system in the old animistic tribal religions which the majority of the Igbo have abandoned for Christianity the practice persists, the Osu people are still facing discrimination challenges. The promulgation of state and federal laws such as section 42 of the Constitution of the Federal Republic of Nigeria, 1999 Chapter C 23 of 2004 (Nigerian Constitution, 1999) and the Abolition of Osu System Law, LEN 13 of 1956 which prohibits any discrimination based on the circumstances of birth have failed to curb the discrimination against the Osu people in Igboland. This article discusses the flaws embedded in the relevant legislation, Christianity and civilisation in dealing with the problems of social prejudice and discrimination against the Osu in Igboland. It also discusses the campaigns by charitable organisations and individuals in a bid to secure equal legal and social rights with freeborn for the Osu people. We further submit that the discrimination and stigma against the Osu people is still occurring despite the enactment of the aforesaid legislation.

Keywords: customary law, Osu caste system, Diala (freeborn), equality, discrimination

1. Introductory Remarks

Igbo is one of the major ethnic groups in Nigeria (Britannica, 2024; Ndubuisi, 2018, pp. 867-871; Anyacho & Anyacho, 2016, pp. 679-684; Metuh, 1991, pp. 3-170; Nwala, 1985, pp. 1-200). The indigenous homestead of the Igbo is primarily in Abia, Anambra, Imo, Enugu and Ebonyi states (Kumar & Bushan, 2018, pp. 33-34; Dike, 2002, pp. 10-80). A sizeable number of Ndigbo persons are found in parts of Delta and Rivers State (Kumar & Bushan, 2018, pp. 34-35; Ubaku & Ugwuja, 2014, pp. 292-293; Dike, 2002, pp. 10-80). This article focuses on the fairness of some aspects of Igbo customary law that are outlawed by federal and state laws, in a bid to grant social justice to the minority Osu caste people. It also discusses the campaign by the Osu people to emancipate themselves and secure equal

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legal and social rights with the Diala people. The article exposes the limitations of legislation as an instrument of social policy, and raises questions about alternative policy approaches to this scourge of social inequality based on primordial custom and social construct.

Prior to 1960, governments, humanitarian pressure groups, some of the clergies and the laities deplored the institution of Osu among the Igbo, and sought legislation and propaganda to eradicate the prejudice and stigma attached to their plight. However, these primordial prejudices against the Osu people are sustained by culturally forced intermarriages and other forms of customary inhibitions. For instance, the term “Osu” is no longer in common use due to some subtle tolerance and restraint. Be that as it may, the idea is still couched in various local pseudonyms and euphemisms such as “Ndi Aha” which translates to “those people” so as to obscure reality and circumvent the legal sanctions against words spoken or publications which impute that a person is an “Osu” (Okwelume, 2009, pp. ii, 1-28; Nwaka, 1985, pp. 473-485). We submit that the Nigerian policymakers should carefully consider that customs and customary laws that are uncoded but imprinted in the minds of the local traditional people cannot be changed by legislation alone.

2. Conceptual Aspects

Racism refers to prejudice, discrimination or antagonism directed against someone of a different race or within one’s own race on the belief that one is superior to the others (Peter, 2017, pp. 1-5; Mautner, 1997, pp. 20-500). Racists often regard the others as biologically, intellectually and/or morally inferior owing to their skin colour, language, customs, place of birth or any factor that supposedly reveals the basic nature of that person (Kikon, 2022, pp. 279–287; Kumar & Bushan, 2018, pp. 31-35; Peter, 2017, pp.1-5; Bonnett, 2018, pp. 1199-1216; Pinto, 2001, pp. 2818-2820; Mautner, 1997, pp. 20-500).

The Igbo society has some underprivileged classes in it such as the Osu caste (Anyacho & Anyacho, 2016, pp. 679-684; Alam, 2014, pp. 30-34; Udoji, 1995, pp. 28). Caste denotes a system of rigid social stratification into ranked groups that are classified strictly by descent and/or occupation. The caste system is reinforced through the practice and threat of social ostracism, economic boycotts, and/or physical violence (Goghari & Kusi, 2023, pp. 2; Subedi, 2013, 52-54; Simon & Thorat, 2020, pp. i–vii; Human Rights Watch, 2001). It is a form of social stratification characterized by endogamy and hereditary transmission of a lifestyle. Such lifestyle includes ritual status in a hierarchy and exclusion, based on cultural notions of purity and defilement (Goghari & Kusi, 2023, pp. 2-3; Onu & Ugboaja, 2018, pp. 215-222). Lower-caste communities are invariably indistinguishable in physical appearance and speech from higher caste communities (Das, 2014, pp. 264–268; Human Rights Watch, 2001). Caste processes can also be understood as a generalized social phenomenon involving ascriptive hierarchy, identity discrimination, categorical exclusion and unfair allocation of resources and opportunities (Mosse, 2018, pp. 422-436; Desai & Dubey, 2012, pp. 47–48, Desai, Adams, & Dubey, 2010, pp. 230–252).

The Osu caste system is a traditional practice that stigmatizes some people who are believed to be dedicated to deities. Such people are treated as outcasts. The Osu caste system divides Igbo society into two categories namely, the “freeborn” and the “Osu”. Notably, the “freeborn” (the Diala, Nwafor, Nwala or Nwadiala) is the authentic indigene in Igbo society, that has full socio-cultural and political status in the society unlike the Osu. Members of the Osu caste are often denied basic social rights such as marriage with “freeborns”, inclusion in communal activities, and access to certain public offices.

Custom is the established pattern of behaviour that is acceptable in a given society. On the other hand, customary law refers to the native customs which govern the traditional communities in a particular society (Cuskelly, 2011, pp. 2-30; Tobin & Taylor, 2009, pp. 7-62; International Institute for Environment and Development, 2009, pp. 1-20). A large body of the African customary law is unwritten (*leges non scriptum*) and subject to change from time to time (Benda-Beckmann, 2001, pp. 5705-5708). The violation of customary law rules attracts sanctions (Kuruk, 2002, pp. 4). Such customary sanctions include appeasement, restoration, penitence, capital punishment, excommunication and/or compensation by the offender to the affected persons (Onipede & Adegbite, 2014, pp. 24-26; Cotran & Rubin, 1970, pp. 10-25). The Supreme Court of Nigeria in *Princess Bilewu Oyewunmi v Ogunesan Amos Owode* (1990) 3 NWLR (Pt. 137) 182 para D), stipulated that customary law is the non-static, organic and living law of the indigenous people of Nigeria (see further *Kharie Zaidan v Fatima Mohssen* (1973) 86, para G).

3. The Nature and Challenges of the Osu Caste System

Osu caste system originates from the age-long practice of the Igbos where the ancestors of the Osu people were dedicated to their gods and goddesses. The Osu status is mainly acquired through birth and other modes of acquisition such as intermarriage and commensality (Simon & Thorat, 2020, pp. i–vii; Dike, 2002, pp. 2-3; Human Rights Watch, 2001). Once the Osu status has been acquired, it is an eternal bestowment (Goghari & Kusi, 2023, pp. 3; Dike, 2002, pp. 8-9). Osu people are also known by many names such as Ume, Ohu, Oru, Ohu Ume, and Omoni, who were sacrificed in pre-colonial era to appease their deities (Ama-Ogbari, 2021, pp. 91-94; Australian Government, 2010, pp. 1-8; Achebe, 1960, pp. 88; 120). Osu people were and still are classified as an untouchable caste in South-East Nigeria and they were regarded as the servants of the gods, restricted to certain quarters and required to perform some unpleasant jobs (Agunyai & Etembo, 2017, pp. 21; Nwaoga, 2013, pp. 708; Osinubi, 2015, pp. 58; Nwaosuji, 2015, pp. 103; Onyeozili & Ebbe, 2012, pp. 34; Onwubuariri, 2016, pp. 61; Offiong, 1985, pp. 51; Igwe & Akolokwu, 2014, pp. 276-280).

Although the discrimination is mainly social and benign nowadays the caste-based Igbo custom discriminates against the Osu people. For instance, Osu people are forbidden from taking traditional titles, participating or expressing their view in the local assemblies, compelled to shop in designated markets, live in specified sections in Igbo villages and only sit on reserved benches in churches (Arinze, 2022, pp. 55-58; Ama-Ogbari, 2021, pp. 91-94; Nmah, 2014, pp. 43-47). The negative consequences of these discriminatory practices include disinheritance, ostracism, delayed marriage, denial of intermarriage with freeborns, denial of chieftaincy titles, organised attacks and deprivation of property (Taù, 2023, pp. 73-81; Agunyai & Etembo, 2017, pp. 14; Nwaosuji, 2015, pp. 105). Osu people are also discriminated against on burial procedures. For instance, Osu people are not allowed to be buried around the places the freeborns are buried as well as in certain communities such as Aguata and Nnewi in Anambra State (Onwubuariri, 2016, pp. 54-91). Under the Igbo culture, Osu people are believed to have no soul and other cultural rights (Onwubuariri, 2016, pp. 54-91). The denial of social and cultural rights to the Osu people in the Igbo society was argued to be an endemic Igbo disease by authors such as Nwagbara and Scent (Nwagbara et al, 2011, pp. 142-151; Alam, 2014, pp. 30-34). It is submitted that the discriminatory practices against the Osu people could be regarded as internal apartheid in the Igbo society (Hedström & Smith, 2013, pp. 18-99).

During the colonial era, between 1900-1966, majority of the Igbo people became Christians and are still Christians to date. However, the mass exodus of Nigerians from indigenous religions has had little effect on the belief in Osu caste system (Ezeala, 1991, pp. 17). Some Osu people have found faith in Christianity because the missionaries did not discriminate against them (Owoyemi, 2012, pp. 180-182). Therefore, Christianity offered a refuge to some Osu people who were regarded as outcasts (Owoyemi, 2012, pp. 180; Alam, 2014, pp. 32). Currently the discrimination against the Osu people is not as severe as it used to be due to civilization, education and the adoption of Christianity (Igwe & Akolokwu, 2014, pp. 277-285). It is submitted that the Osu caste system should be understood as a social construct rooted in the discarded primordial religious practices of the Ndigbo people. The effects of Igbo caste system are not locational, they follow the Ndigbo people from their villages to the cities and the diaspora (Mosse, 2018, pp. 433; Okwelume, 2009, pp. 14; Das, 2014, pp. 264-282). The Osu caste system reflects an unequal power relations within the structure-versus-agency interplay. For instance, intermarriage among the Osu and the Diala people is still forbidden in the Igbo society (Okwelume, 2009, pp. 1-28; Ezeala, 1991, pp. 17). It is submitted that the reasons of avoiding the contamination of the Diala or incurring the wrath of their lifeless gods seems farfetched to a community of persons who are third or fourth generation Christians. Accordingly, the Osu people should be treated the same like other people (Achebe, 1960, pp. 88-102).

The public narrative of a casteless modernity is difficult to obtain because the Osu people are still subjected to numerous social and civil discriminatory practices. Some of the Osu people have internalised this status quo and turned to activities such as prostitution, homosexuality, drug abuse, robbery and suicide (Goghari & Kusi, 2023, pp. 8; Taù, 2023, pp. 73-81; Mosse, 2018, pp. 432-433; Gnana, 2018, pp. 66-71; Ubaku & Ugwuja, 2014, pp. 290-311). This is worsened by poor leadership in the Igbo communities which promotes unfair and barbaric activities of the caste-based Igbo customs (Okwelume, 2009, pp. 14). Therefore, all discriminatory practices against the Osu people in the South-East Nigeria should be treated as human rights and internal security violations that need urgent intervention and redress.

4. Domestic, Regional and International Legislative Safeguards Against Discrimination

The Osu people are historically designated as an outcast group among the Igbo communities. They continue to face severe social stigma and discrimination in Nigeria to date. In this regard, various Nigerian state and federal statutes were enacted to prohibit all discriminatory practices such as the Osu caste-based system. Section 3 of the Abolition of Osu System Law 13 of 1956 (Abolition of Osu System Law) prohibits discrimination against the Osu people. Section 6 of the Abolition of Osu System Law also prohibits discrimination of the Osu people, especially with regard to marriage, acquisition or inheritance of any property, membership of societies and societal customs. Under section 8 of the Abolition of Osu System Law, an allegation that someone is an Osu is regarded as slander (see *Nwachukwu v Nnoremale* (1957) II ERLR 50). In addition, section 10 of the Abolition of Osu System Law states that any successful or failed attempt of any person to persuade another person not to marry or give his daughter or ward in marriage to a third party on the ground that the third party is an Osu is an offence. If found guilty of the offence, the offender shall be liable to a fine not exceeding 50 pounds or face imprisonment not exceeding six months. Subsequent convictions attract enhanced punishment on the offenders (section 11 of the Abolition of Osu System Law).

In addition, section 7 of the Nigerian Criminal Code Act provides that any person who is found guilty of committing, procuring, facilitating or aiding in the commission of a crime is liable for the same

penalties under that crime. Thus, procuring, facilitating or aiding someone in discriminating against the Osu people attracts the same punishment as anyone who actually discriminates against them.

However, the Abolition of Osu System Law is an old law which has neither been amended nor altered to bring it in tandem with the new trends in the globalised world. Moreover, this Act imposes the responsibility for bringing the offender to trial on the Police and/or the public prosecutor rather than the affected party. This could give rise to delays and inconsistencies in the prosecution of any offences against the Osu people. Under sections 174 and 211 of the Nigerian Constitution, 1999, the Federal Attorney General (AGF) and Attorney Generals (AG) of each Nigerian state may institute or discontinue any criminal case respectively (*Osahon v Federal Republic of Nigeria* [2003] 43 WRN 69). Similarly, the police may institute and prosecute criminal cases in inferior and superior courts in Nigeria (section 57 of the Federal High Court Act Chapter F12 LFN 2004 (Federal High Court Act); sections 26, 27, 37, 38, 39, 40, 44 & 45 of the Criminal Procedure Code of Nigeria; section 23 of the Police Act, 2004; section 47 of the Nigerian Police Act, 2020; *Olusemo v Commissioner of Police* [1988] 11NWLR (pt. 575)). In *Tawakalitu v FRN* [2011] 9 WRN 58, the Court held that the police may institute legal proceedings against any criminal offenders for prosecution in any court in Nigeria (*Tawakalitu v FRN* [2011] ALL FWLR (Pt. 561)). Moreover, certain Nigerian agencies are authorised to institute legal proceedings against offenders on specialised cases involving such agencies (see sections 5 & 6 of the Economic and Financial Crimes Commission (Establishment) Act Chapter E1 LFN 2004 and section 8 of the Federal Inland Revenue Service (Establishment) Act 13 of 2007). In a few cases, a private party may institute legal proceedings against the criminal offenders. Notwithstanding this status quo, the AGF and AG may enter a *nolle prosequi* (sections 174(1) and 211(b) & (c) of the Nigerian Constitution, 1999 respectively). Furthermore, another challenge is that the burden of proof employed in criminal cases is considerably higher than that of civil cases. For instance, prosecutors of criminal cases under the Abolition of Osu Law were required to prove such cases beyond reasonable doubt. Thus, criminal cases involving discrimination against the Osu people could probably fail where a civil action founded on the same facts would have succeeded. Accordingly, a better approach should be adopted by policy makers and all relevant persons so that all acts of discrimination against the Osu people are treated as a civil wrong rather than a criminal offence.

Furthermore, the Nigerian Constitution, 1999 outlaws the Osu caste discrimination system in the Chapter IV. For instance, section 34(1)(a) and (b) of the Nigerian Constitution, 1999 provides that no person shall be subjected to torture, inhuman, degrading treatment, slavery or servitude. Section 40 of the Nigerian Constitution, 1999 guarantees the right to freedom of association and peaceful assembly to all persons. This includes the right to freely associate with other persons, form or belong to any lawful trade union, political party or association. Similarly, section 42(2) of the Nigerian Constitution, 1999 prohibits any disability or deprivation of persons on the basis of their birth or related birth circumstances. Section 42(1) of the Nigerian Constitution, 1999 provides that no citizen shall be subjected to disabilities or restrictions and/or discrimination on the basis of their community, ethnic group, place of origin, sex, religion, or political opinion. Moreover, sections 34, 40 and 41 of the Nigerian Constitution, 1999 provides different rights that directly and indirectly prohibit various discriminatory activities against all persons in Nigeria. It is interesting to note that various discriminatory activities were also previously outlawed in sections 17, 18, 31(1)(a) & (b), 37 and 39 of the now repealed Nigerian Constitution, 1979. These provisions outlawed the Osu caste-based system by stipulating the need for equal rights for all citizens. Similarly, section 28 of the now repealed Nigerian Constitution, 1963 stipulated that everyone has a right to freedom from discrimination. This shows that the although the Osu caste-based system persist to date, it was constitutionally outlawed in Nigeria since 1963.

The Osu caste-based system has also been a subject of litigation in the international courts. For instance, in *SE (A Minor) v Refugee Appeals Tribunal and the Minister for Justice, Equality and Law Reform* [2014] IEHC 240, a mother applied for asylum on behalf of her minor child who was born in Limerick, Ireland. She was a failed asylum seeker who was facing a deportation order after leaving Nigeria and settling in Ireland in May 2001. Her husband was affected by the Diala caste-based system while she was affected by the Osu caste-based system. She applied for asylum on behalf of her minor child claiming that she would be in danger if she was deported to Nigeria with her husband and child since they were affected by the Osu and Diala case-based systems. Unfortunately, her asylum application was rejected by the court citing that the people affected by the Diala and Osu caste-based systems only suffered from social stigma but they were not in danger of annihilation and/or violent attacks. Moreover, the court held that the applicant and her mother should consider relocating from Igbo communities to cities such as Abuja or Port Harcourt where there is less social stigma against the Osu and Diala people.

4.1. Regional and International Human Rights Mechanisms

Nigeria has ratified several international human rights treaties that oblige it to eliminate discrimination. Section 12 of the Nigerian Constitution, 1999 provides that treaties are only binding if they are ratified and transposed into Nigerian law by the National Assembly. Nigeria has ratified the International Convention on the Elimination of All Forms of Racial Discrimination, United Nations (UN) General Assembly Resolution 2106, 21 December 1965 (Convention on Racial Discrimination). This means Osu caste-based discrimination is contrary to this convention. Moreover, the Committee on the Elimination of Racial Discrimination (CERD) adopted the UN General Recommendation 29 in 2002 to, inter alia, curb descent-based discrimination. The UN General Recommendation 29 empowers all Nigerian states to identify and isolate communities affected by Osu caste-based discrimination and take steps to eliminate such discrimination by providing equal access to basic services and socio-economic rights to all people. Inequality and all forms of discrimination are outlawed under the International Covenant on Civil and Political Rights (ICCPR), UN General Assembly resolution 2200A (XXI), 16 December 1966 and the International Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), UN General Assembly resolution 34/180, 18 December 1979. For instance, the ICCPR provides that fundamental rights of all people such as the rights to life, dignity, freedom from torture, slavery and inhuman treated should be adequately protected (see articles 6-10; 14; 16; 18; 21-24 of the ICCPR). The CEDAW obliges its member states to prohibit all forms of discrimination against women (see articles 1-16 of the CEDAW). Therefore, Nigeria is required to take relevant legislative and other measures to prohibit all forms of discrimination against women, including Osu caste-based discrimination against vulnerable persons in the affected communities. The CEDAW requires member states to ensure equality between man and women with regard to the recognition, enjoyment or the exercise of human rights and all fundamental freedoms (see article 1 of the CEDAW). Accordingly, Nigeria should ensure that its domestic laws comply with all its ratified international treaties in order to adequately combat any caste or descent-based discrimination that affects the Osu people.

Regionally, the African Charter on Human and Peoples' Rights 1986 (African Charter), to which Nigeria is a signatory, guarantees the right to equality and it discourages various forms of discrimination. For instance, article 2 of the African Charter prohibits discrimination on various grounds such as race, ethnic group, colour, sex, language, religion, political, opinion, national and social origin, birth, fortune or any status. This means that social status discrimination against the Osu people is contrary to article 2 of the African Charter. In *General Sanni Abacha & Others v Chief Gani Fawehinmi* [2000] NGSC 2, the Supreme Court of Nigeria recognised the rights protected in the African Charter (articles 4, 5, 6 and 12),

which were transposed in the African Charter on Human and Peoples' Rights (Ratification and Enforcement) Act, Chapter 10 of 1990 in terms of section 12 of the Nigerian Constitution, 1999. The court held that articles 3 to 9 of the African Charter should be applied to people with affected human rights such as the Osu people, to enable them to have legal remedies. Moreover, *Ogugu v The State* (1994) 9 NWLR (Pt. 366) 1, held that the African Charter is enforceable in Nigeria to protect the right to life that is enshrined in section 33 of the Nigerian Constitution, 1999. Thus, any discrimination and unlawful killing of the Osu people is unconstitutional and contrary to the provisions of the African Charter. Despite these national, regional and international instruments, their enforcement remains poor and inconsistent. Many victims of the Osu caste-based discrimination are reluctant to seek judicial redress owing to cultural stigma, fear of retribution, and poor access to effective legal remedies.

5. Challenges in Addressing Osu Caste-Based Discrimination in the South- Eastern Nigeria

There are several challenges affecting the statutory prohibition and combating of the caste-based discrimination against the Osu people in the South-Eastern Nigeria. One of the challenges is deep cultural entrenchment on the part the Osu people and the Igbo community. The Osu caste-based system is deeply embedded in the cultural and social fabric of many communities in the South-Eastern Nigeria (Nwaocha, 2021, pp. 11-25; Obeta, 2018). Consequently, legal reforms alone could be insufficient to eradicate the Osu caste-based discrimination, particularly when traditional institutions and local customs continue to perpetuate these discriminatory practices in the Igbo communities (Nwaocha, 2021, pp. 11-25; Obeta, 2018). It appears that the purported initiatives by Igbo leaders (traditional leaders, pastors and political leaders) to eradicate the Osu caste-based discrimination have to date failed to yield positive results. For instance, the Osu caste-based discrimination was only officially abolished on 28 December 2018 by Igbo leaders in Anambra State (Nwaocha, 2021, pp. 11-25; Obeta, 2018). Moreover, this abolishment has not precluded people from perpetrating Osu caste-based discriminatory offences and/or related activities against the Osu people to date. It is submitted that the progressive Igbo leaders should lead by example in endorsing marriages between their children or wards and the Osu people in order to eliminate the ongoing stigma and discrimination challenges.

Moreover, the relevant anti-discrimination laws are generally poorly and inconsistently enforced. It appears that the law enforcement agencies, the judiciary, and other regulatory bodies do not have sufficient resources to effectively enforce the relevant anti-discrimination laws to curb the Osu caste-based discrimination. In addition, there is no political will to provide adequate resources for training, awareness campaigns and optimal prosecution of all Osu caste-based discrimination cases. The Osu people are also reluctant to seek judicial redress owing to cultural stigma, fear of reprisals and unavailability of effective legal remedies. Most victims of caste-based discrimination do not have access to affordable legal resources and appropriate remedies. Most of Osu people are poor and they live in rural areas in the Eastern Nigeria with limited access to legal aid and other legal resources. This makes it very difficult for them to institute any legal action against the offenders. Furthermore, there is a strong social stigma attached to anyone that challenges the caste-based discrimination in the South-Eastern Nigeria, making extremely difficult to gather relevant evidence in legal cases.

6. Recommendations

It is submitted that a specific legislation should be enacted to expressly deal with all caste-based discrimination cases in Nigeria. The other option is to amend and/or revamp the Abolition of Osu System Law to provide criminal, civil and administrative sanctions against the Osu caste-based discrimination offenders. This approach could provide an adequate legal framework for affected persons to seek redress. The aforesaid legal framework should be affordable and accessible to all affected persons in Nigeria. The government, policy makers and other stakeholders should consider providing monetary incentives that are constantly adjusted in line with inflation for inter-caste marriages and preferential treatment to be given to children born out of such unions (Ubaku & Ugwuja, 2014, pp. 311). This could effectively combat the Osu caste-based discrimination and encourage unity and social cohesion in Nigeria (Ubaku & Ugwuja, 2014, pp. 311). Moreover, employment, affordable healthcare and other related opportunities in the public and private sectors should be prioritised for the Osu people. The government, policy makers and other stakeholders should consider providing public awareness campaigns to educate Igbo communities about their human rights, the importance of social cohesion and the available legal remedies against the Osu caste-based discrimination.

Law enforcement agencies, traditional leaders and regulatory bodies should receive sufficient training on how to handle caste-based discrimination cases in Nigeria. Additionally, the government and policy makers should consider establishing specialised regulatory bodies and specialised courts to monitor and adjudicate on caste-based discrimination cases. Nigeria should strengthen its engagement with regional and international human rights bodies and comply with all the relevant treaties and conventions to curb caste-based discrimination. Accordingly, it should consistently submit periodic reports to the relevant human rights committees and embrace international scrutiny of its domestic laws, rules, practices and/or regulations on the prohibition of caste-based discrimination.

7. Concluding Remarks

Although Nigeria has made significant strides in promoting equality and combating discriminatory practices, the caste-based discrimination against the Osu people in South-Eastern Nigeria remains a significant challenge to the Nigerian government and its communities. This is worsened by the fact that the current Nigerian legal framework is not consistently enforced in accordance with the relevant regional and international treaties and conventions that discourage unfair discrimination of all persons. Moreover, the effectiveness of the Nigerian anti-discrimination laws is somewhat limited by the inadequacy of these laws and their poor enforcement. This is further exacerbated by cultural entrenchment in the Igbo communities and the absence of legislative measures that specifically prohibit the Osu caste-based discrimination. Accordingly, the government, policy makers and regulatory authorities should consider utilising educational awareness campaigns in the Igbo communities to discourage Osu caste-based rituals, discrimination challenges and the associated stigma against those that oppose these barbaric practices (Subedi, 2013, pp. 82). Therefore, there is a need for new regulatory measures such as enacting a new statute to specifically deal with the Osu caste-based discrimination challenges in Nigeria. Moreover, the Osu people should be encouraged to report all acts of discrimination against them in their communities without fear of reprisals. Lastly, there is need for political will and provision of more resources on the part of the government and policy makers to dismantle the entrenched Igbo caste systems and effectively curb the Osu caste-based discrimination challenges in Nigeria.

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