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An Analysis of Esan Oromhe and Western Adoption Models Using Kant's Categorical Imperative

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Abstract

This study explores the intersection of adoption practices, cultural identity, and moral philosophy by comparing the Esan Oromhe model of adoption with the Western adoption system. Through in-depth oral interviews with individuals familiar with the Esan Oromhe adoption practices, we gathered rich insights into the cultural values and traditions that shape this unique approach to adoption. Grounded in the African ontological concept of personhood and human dignity, the study evaluates both models through the lens of Kant's Categorical Imperative. It argues that while the Western model emphasizes individualism, privacy, and legal formalism, the Esan Oromhe model prioritizes community bonds, cultural continuity, and social integration. The study highlights areas of convergence and divergence between these models, showing that the Esan Oromhe approach aligns more closely with Kantian deontology by treating the child as an end rather than a means. The study contributes to philosophical and ethical discussions on adoption, advocating for culturally sensitive adoption policies that respect communal values and individual dignity.

Key Words: Esan Oromhe, Ethics, Kant, Deontology, Philosophy, Adoption

Introduction

Child adoption is a complex issue with many challenges. The country's cultural, social, and economic context plays a significant role in this complexity. In Africa, fertility is highly valued, and childlessness is stigmatized (Okonofua, 2014, p. 12). As a result, infertility and childlessness are significant problems, addressed through methods like polygamy, assisted reproduction, and adoption. However, these methods raise various financial, cultural, religious, social, and ethical concerns (Modell, 2002, p. 12; Nzegwu, 2006, p. 23).

In African culture, family and community are essential, and the concept of "ubuntu" or "personhood" emphasises the importance of relationships and responsibilities within the community (Gyekye, 1997, p. 45). However, Western scholars have often overlooked African ethical and intellectual contributions, imposing their own cultural biases on African societies instead (Wiredu, 1996, p. 20). This has led to a lack of understanding and appreciation for African cultures and philosophies.

This study identifies five primary problems that need to be addressed. Firstly, the high cost of adoption in Africa makes it inaccessible to many individuals and families, creating an environment where corruption and exploitation thrive, and leaving vulnerable children without permanent homes. Secondly, current adoption practices in Nigeria prioritise the interests of adoptive parents over those of the child and the broader community, neglecting the child's dignity and worth. Thirdly, Nigerian cultural values, such as Ubuntu and communalism, are not adequately considered in current adoption practices. This leads to a disconnect between the adopted child and their cultural heritage, potentially resulting in identity confusion and cultural dislocation. Fourthly, the inadequacy of existing adoption laws and policies in Nigeria lacks transparency and accountability, creating an environment where corruption and exploitation thrive. Lastly, the indigenous models of adoption in Africa, such as the Esan *Oromhe* model, have been silenced and marginalised due to the dominance of Westernoriented adoption practices.

To gain a deeper understanding of the complexities surrounding child adoption in Nigeria, this study seeks to answer the following questions: What are the philosophical differences between the Esan Oromhe and Western adoption models, and how do these differences impact our understanding of adoption, community, and the rights and dignity of the child? How do these models align with Immanuel Kant's categorical imperative and the principle of treating individuals as ends in themselves?

The Western Model of Adoption

This section examines the Western model of adoption, starting with its history. In Western thought, adoption has a rich and varied history. Historically, adoption was often viewed as a means of providing care for children who were orphaned, abandoned, or born out of wedlock. Adoption is a legal process where a person or couple assumes the parental role and rights for a child, usually from their birth parents, creating a permanent family relationship. In other words, it is a process that involves the permanent transfer of parental rights and responsibilities from a child's biological parents to adoptive parents (Isibor, 2015). This process provides the child with a new family and a sense of belonging, while also offering a viable solution for infertility and a means of providing relief to parents who are unable to care for their children

(Ekeh, 1990).

The concept of adoption has evolved over time, influenced by changing social norms, cultural values, and philosophical perspectives. In ancient Rome, adoption was a common practice, where a childless couple could adopt a child to inherit their property and continue their family line. With the rise of Christianity, adoption became seen as a way to provide a loving family for children in need, reflecting the Christian values of compassion and charity. During the Enlightenment, adoption began to be viewed as a way to provide a rational and ordered family structure for children, reflecting the values of reason and social contract theory. In modern times, adoption has become more complicated, with changing attitudes towards family, identity, and cultural heritage. Philosophers like John Locke and Georg Wilhelm Friedrich Hegel have shaped the discussion, emphasizing consent, identity, and the tension between universal and particular family relationships. Feminist philosophers have critiqued traditional notions of family and adoption, highlighting issues of power, identity, and cultural heritage.

Today, debates surrounding transracial adoption and globalisation have raised questions about identity, cultural heritage, and the need for adoptive families to navigate complicated issues of belonging and identity. The concept of adoption in Western thought reflects changing social norms, cultural values, and philosophical perspectives over time.

It worthy of note that the Western model often emphasises the importance of secrecy and confidentiality in adoption, which can be problematic in African cultures where community and family ties are highly valued (Mbiti, 1969). Additionally, the Western model's focus on individual rights and interests can lead to a neglect of the broader social and cultural context in which adoption takes place. This can result in adoption practices that are insensitive to the unique needs and contexts of African societies, and that prioritise the interests of adoptive parents over those of the child and the broader community.

A Philosophical Examination of Esan Oromhe Adoption

In contrast to the Western model, adoption systems in African cultures, such as the Esan *Oromhe* model, maintain the child's connection to extended family, ensuring that adoption enhances rather than disrupts social cohesion (Okoro, 2013). This approach highlights the importance of communal narratives and cultural inheritance in shaping a child's identity, which is often disregarded in Western adoption practices (Gyekye, 1997; Menkiti, 1984).

Be that as it may, like many philosophical subjects, the concept of Esan *Oromhe*, a traditional principle of child adoption among the Esan people of Southern Nigeria, has garnered both praise and criticism from scholars. To gain a comprehensive understanding of this unique adoption approach, it is essential to consider multiple perspectives and engage in a thorough analysis that encompasses cultural, social, ethical, and legal dimensions. By doing so, we can identify the strengths and weaknesses of Esan *Oromhe* adoption and its implications for individuals and society.

On a positive note, Esan *Oromhe* adoption is viewed as a culturally sensitive, socially accommodating, and religiously connective home-grown solution. (Omodiagbon, Oral Interview, 2023). This approach contrasts with formal adoption systems prevalent in Western cultures, which often prioritise bureaucratic procedures over cultural and social

considerations. Esan *Oromhe* seeks to address the challenges of infertility and childlessness from within, drawing on the imagery and experiences of the people to address their ethical and existential concerns.

According to Ahianba (Oral Interview, 2024), the concept of *Oromhe* is deeply rooted in cultural and spiritual beliefs, derived from dreams, careful choices, and divination. Becoming an *Oromhe* is considered an honour, signifying recognition by the ancestors or divinities. This notion is further supported by Ahianba (Interview, 2024), Oiwoh, and Okonofua (Oral Interview, 2023), who argue that the adopting parents, also referred to as "*Oro*," can counter and reverse any curse, even if biological parents do not wish the "*Oro*," well.

Furthermore, the EsanOromhe model emphasises the importance of community and extended family ties. In this system, the adopted child is not severed from their ancestral lineage, connections, or interactions (Oiwoh, Interview, 2023). Instead, the child is integrated into the adoptive family while maintaining ties with their biological family. This approach prioritises the well-being and dignity of the child, ensuring that they are treated as an end in themselves, rather than a means to an end.

Unlike formal adoption systems that often involve monetary transactions, the Esan *Oromhe* process does not require financial exchange, thus avoiding the commercialisation that devalues a human person to the level of commodity. The process prioritises wise decision-making, divination, clear communication within the family, dreams, and sometimes sacrifices. Dreams and occasional sacrifices to appease the ancestors, with all elements documented if necessary.

Finally, Esan Oromhe's adoption is lauded for minimising social stigma. Egbadon (Interview, 2024) emphasises that the Esan people view this practice as an integral part of their history. Unlike adoptions in the West, which can involve unrelated ethnicity and nationalities, Esan Oromhe prioritises adoption within the lineage, fostering a sense of belonging for the adopted child. This is particularly significant in Nigerian and African contexts, where cultural norms and customs often hold greater weight than legal adoptions during critical moments like inheritance or burial rites.

Despite its strengths as highlighted above, Esan Oromhe is not without criticism. Ojomo (Oral Interview, 2023) argues that the practice may not be fully functional in the contemporary world. She suggests that the tenets may be outdated and impractical in modern society. However, Ahianba (Oral Interview, 2024) counters these views, citing ongoing instances of Esan *Oromhe* in localities like Uromi and Ubiaja. He emphasises the need for continued education and promotion of this cultural practice through various media outlets and community leaders. Additionally, Ahianba suggests that research like this study, with its recommendations, can address Ojomo's concerns.

Another critique concerns the practice of adopted children retaining their biological surnames. This has been argued to lead to the eventual extinction of infertile families' names. Ahianba (Interview, 2024) addresses this by explaining the concept of surnames as a relatively recent phenomenon in Esan land. Traditionally, children were identified by the more prominent parental name within the community. Surnames, according to Ahianba, were not inherently tied to biological lineage and were often adopted based on prominent figures within the household. This historical context sheds light on the perceived insignificance of surname changes in Esan *Oromhe* adoption.

According to Ahianba and Omodiagbon (Interview-2024, 2023), surnaming is a relatively new phenomenon in Esan culture that emerged with the advent of Western education. Before this, individuals were identified primarily by their first names, and there was no standardised documentation procedure, nor was writing a common practice. Surnaming in early Esan culture was not associated with biological descent or gender. People were typically surnamed based on their place of residence or the most prominent names in their community. Therefore, the criticism that adopted children are still being identified by their biological parents' names is irrelevant in the context of Esan cosmology.

In recent times, there exists a criticism of the Esan *Oromhe* of child adoption, suggesting that modern families are increasingly hesitant to release their children to other families, even within the same clan, family, community, or village. This reluctance is attributed to contemporary couples having fewer children due to various factors. In response to this argument, Abu asserts that in the cultural perspective of the Esan people, an adoptive or a child's belonging extends beyond their biological family alone. Instead, every child is equally a part of the extended family, community, or the village as a whole. This belief underscores the collective involvement of the entire community in the upbringing and development of each child. Within this cultural context, no individual can claim exclusive ownership of a child, as the child is viewed as an integral part of the community.

Consequently, the principles of solidarity, connectivity, collectivity, and belongingness are highly emphasised and valued in Esan indigenous thought. Therefore, in the practice of Esan *Oromhe* adoption, it is emphasised that fertile members of the family should receive support and assistance from extended family structures, as well as from governmental and non-governmental organisations, to ensure the production of more children for future family members, including adoption by infertile and childless couples.

From the above analysis, the Esan Oromhe model of adoption offers a valuable window into a unique cultural approach to infertility and childlessness. While navigating contemporary challenges, its emphasis on social inclusion, spiritual connection, and affordability makes it a compelling alternative to formal adoption systems. Further research and community engagement can ensure this tradition's continued relevance, fostering a dialogue between cultural practices and evolving societal needs.

Convergence and Divergence in the Esan Oromhe and Western Model of Adoption

Points of Convergence:

The Universality of Human Needs: The convergence between the Esan Oromhe and Western models of adoption highlights the shared human experiences and universal needs that underlie these two distinct approaches to adoption. Firstly, both models address the existential needs of the human person, providing a sense of belonging, identity, and family connection (Hart, 2011, p.10). This fundamental human need for connection and belonging is a universal aspect of human experience, transcending cultural and societal boundaries. As the German philosopher, Hans-Georg Gadamer, notes, "human existence is characterised by its fundamental sociality" (Gadamer, 1975, p. 341). This sociality is reflected in the universal human need for connection and belonging.

Non-Biological Parents: Adoption shows that family relationships can be formed through love, care, and commitment, not just biology. Both Western and Esan *Oromhe* adoption models involve non-biological parents, highlighting that family ties are not solely defined by blood (Nancy, 2000, p. 123). According to Jean-Luc Nancy, "the family is a symbolic and social construct" shaped by cultural, social, and historical contexts. This means that family relationships are built on nurture, care, and mutual support, rather than just biological ties. By recognising this, we can redefine what it means to be a family and celebrate the diversity of family relationships across cultures.

The Importance of Cultural Sensitivity: both models acknowledge the significance of cultural and social factors in shaping the adoption process and experience, highlighting the need for cultural sensitivity and responsiveness in adoption practices (Okoro, 2013). As the Nigerian philosopher, Sophie Oluwole, notes, "culture is not just a static entity, but a dynamic and evolving process that shapes our understanding of the world and our place in it" (Oluwole, 1999, p. 156). This dynamic and evolving process is reflected in the diverse cultural practices and traditions that shape the adoption process.

Points of Divergence:

Adoption: Beyond Infertility: The Esan Oromhe model of adoption is not strictly tied to infertility and childlessness, unlike the Western model of adoption, which is often primarily motivated by these factors (Eze, 2017, p. 45). This distinction highlights the varying cultural attitudes towards family, kinship, and community relationships. In the Esan Oromhe culture, adoption is often seen as a way of strengthening family ties and promoting social cohesion, rather than solely as a means of addressing infertility or childlessness. This approach to adoption reflects the African philosophical concept of "ubuntu," which emphasises the importance of community and interconnectedness (Tutu, 1999, p.10).

Adoption and Family Lineage: The Esan Oromhe model of adoption prioritises the adoption of children from within the family lineage or clan, whereas the Western model of adoption often involves the adoption of children from outside the family or community (Okoro, 2013, p.20). This difference reflects the strong emphasis on kinship ties and community relationships in Esan Oromhe culture. The prioritisation of kinship ties in Esan Oromhe adoption highlights the importance of maintaining family lineage and cultural heritage. This approach to adoption is grounded in the African philosophical concept of "filial piety," which emphasises the importance of respect for one's ancestors and heritage (Gyekye, 1996, p.23).

Surname Retention in Esan Oromhe Adoption: The Esan Oromhe model of adoption does not require the adoptee to change their surname except otherwise, unlike the Western model of adoption, which often requires the adoptee to take the surname of the adoptive family (Nwachukwu, 2015, p.7). This difference highlights the varying cultural attitudes towards identity, family, and belonging. The retention of surname in Esan Oromhe adoption reflects the importance of maintaining cultural heritage and family lineage. This approach to adoption is grounded in the African philosophical concept of "nominal identity," which emphasizes the

importance of names and naming practices in shaping identity and belonging (Appiah, 2005, p.12).

Kinship Ties in Adoption: The Western model of adoption often involves a complete severance of ties between the adoptee and their biological family, whereas the Esan *Oromhe* model of adoption typically maintains relationships between the adoptee and their biological family (Eze, 2017, pp.12-15). This difference reflects the strong emphasis on kinship ties and community relationships in Esan Oromhe culture. The maintenance of kinship ties in Esan Oromhe adoption is grounded in the African philosophical concept of "ubuntu," which emphasizes the importance of community and interconnectedness (Tutu, 1999, p.19).

Procedural Differences: The Western model of adoption often involves a rigorous and demanding procedural process, characterised by significant financial and bureaucratic hurdles, whereas the Esan *Oromhe* model of adoption is often less cumbersome and more flexible (Kirk, 1964, p.16). This difference highlights the varying cultural attitudes towards bureaucracy and formalism. The Esan *Oromhe* model of adoption reflects a more communitarian approach, which prioritises community recognition and witness over formal documentation and legal procedures.

Adoption and Community Involvement: The Esan Oromhe model of adoption relies on witness and community recognition, rather than formal documentation and legal procedures, which are characteristic of the Western model of adoption (Okoro, 2013, p.15). This difference reflects the strong emphasis on community relationships and social cohesion in Esan Oromhe culture. The role of community recognition in Esan Oromhe adoption is grounded in the African philosophical concept of "communitarianism," which emphasises the importance of community and collective responsibility (Gyekye, 1996).

The Social and Emotional Implications of Adoption: The Esan Oromhe model of adoption has significant social and emotional benefits for the adoptee, unlike the Western model, which can lead to social stigma and trauma (Nwachukwu, 2015, p.12). The Esan Oromhe approach prioritises the adoptee's well-being and social integration, recognising that adoption involves the broader community and social context. This model offers a holistic approach, emphasising kinship ties, community relationships, and cultural heritage. It also provides the adoptee with easier access to their family lineage and medical history. While criticisms exist, such as the lack of formal documentation and potential difficulties with inheritance and property rights, this study argues that the Esan Oromhe model offers a valuable approach to adoption, prioritising the needs and well-being of all parties involved.

Kantian Ethics and Western Adoption

Kant's categorical imperative, a fundamental principle of his deontological ethics, emphasises the importance of treating individuals as ends in themselves, rather than as means to an end. This principle is rooted in the concept of respect for persons, which requires that we treat individuals with dignity and respect, and recognise their autonomy and agency. In

African ontology, personhood is understood as a complex interplay of physical, spiritual, and metaphysical aspects, and is deeply rooted in the understanding of human existence, dignity, and worth.

The African concept of personhood is relational, emphasising the importance of community, social relationships, and the spiritual realm in shaping human existence. This perspective is reflected in the concept of "ubuntu," which emphasises the interconnectedness of human existence and the importance of treating others with dignity and respect. Similarly, Kant's categorical imperative prioritises the dignity and autonomy of individuals, recognizing their inherent worth and value as human beings.

The Esan *Oromhe* model of adoption, an indigenous adoption practice among the Esan people of Nigeria, offers a valuable framework for promoting human dignity in Africa. This model prioritises the autonomy and dignity of the adoptee, while also maintaining family ties and cultural heritage. By examining the Esan Oromhe model of adoption through the lens of Kant's categorical imperative and African personhood, we can gain a deeper understanding of the importance of prioritizing human dignity in adoption practices.

In contrast, the Western model of adoption often prioritizes the interests of adoptive parents over those of the adoptees, treating individuals as means to an end rather than as ends in themselves. This approach goes against the principles of Kant's categorical imperative and the African concept of personhood, which emphasize the importance of treating individuals with dignity and respect.

In contrast, the Western model of adoption has been criticized through the lens of Immanuel Kant's ethics, particularly his concept of the Categorical Imperative.

The Western model of adoption often commodifies children, treating them as goods to be bought and sold rather than as human beings with dignity and autonomy. This approach goes against the principles of Kant's categorical imperative and the African concept of personhood.

It neglects the autonomy and agency of adoptees, treating them as passive recipients of care rather than as active agents with their own interests and desires. This can lead to the erasure of adoptees' identities and experiences.

These criticisms highlight the need for an alternative approach to adoption. The Esan *Oromhe* model of adoption, an indigenous adoption practice among the Esan people of Nigeria, offers a different perspective. This model prioritizes the dignity and autonomy of the adoptee, while also maintaining family ties and cultural heritage.

By respecting the biological identity and autonomy of the adoptee, the Esan *Oromhe* model provides a more holistic approach to adoption. It prioritises the well-being and dignity of the adoptee, rather than treating them as a means to an end.

In conclusion, the Western model of adoption has significant criticisms, including commodification and neglect of adoptees' autonomy. The Esan *Oromhe* model offers a more dignified and respectful approach to adoption, prioritizing the well-being and autonomy of the adoptee.

Evaluation and Conclusion

This study explored the concept of adoption across cultures, raising questions about identity, belonging, and human existence. As the study examined the details of adoption, it

considered the relationships, values, and beliefs that shaped its understanding of this phenomenon. We also investigated the Esan Oromhe model of adoption, which is rooted in African philosophy, to gain a deeper understanding of adoption as a culturally situated practice. The Esan Oromhe model prioritised kinship, cultural continuity, and collective responsibility, which was different from the Western model of adoption. The Western model emphasised individual autonomy and legal formalism, which led to the severance of biological ties and the commodification of adoption, raising concerns from a Kantian perspective that individuals are being treated as means to an end rather than as ends in themselves.

In contrast, the Esan Oromhe model offered a more holistic and inclusive approach to adoption, focusing on community and social relationships. The findings of this study had significant implications for policymakers, researchers, and practitioners working in adoption. By highlighting the importance of cultural sensitivity and philosophical perspective, including the principles of Kant's categorical imperative, the study developed adoption policies and practices that were more effective and nuanced. The study contributed to a deeper understanding of adoption practices in Africa, emphasizing the need for culturally sensitive and inclusive approaches that prioritized the well-being and dignity of all individuals involved.

In conclusion, the Esan Oromhe model of adoption offered a valuable framework for understanding adoption practices in Africa. By examining this model, the study gained a deeper understanding of the importance of community, social relationships, and cultural values in shaping its understanding of adoption, and how these values align with Kant's emphasis on treating individuals as ends in themselves. As a result of this study, it became clear that cultural sensitivity and philosophical perspective, including the principles of Kant's categorical imperative, are essential in shaping our understanding of adoption, and that adoption policies and practices should be developed with these considerations in mind.

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