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## Emotional Experiences of Contesting Parties of Probate of Will in Accra, Ghana

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**ABSTRACT:** This study investigated the emotional experiences, psychological trauma and coping strategies of individuals contesting in probate of will. Employing a mixed-method sequential explanatory design, data was collected among sixty-two bereaved individuals at the Law Courts Complex (Probate Courts 1 and 3) in Accra, using a semi-structured questionnaire and an interview guide. Purposive and snowballing sampling techniques were employed to identify bereaved individuals who were going through the probate of will at the Probate Courts. The data was analysed using SPSS version 22 and thematic analysis for the in-depth interview. Descriptive statistics, correlation, Chi-Square statistics and thematic analysis were used to analyse the various objectives. The results revealed that 30.6% of the respondents were widows, 27.4% had lost their siblings, 22.6% of them had lost their fathers while 14.5% had lost the mothers. The least (4.8%) of the respondents had their wives dead. Also, 59.7% of the participants who were going through the probate of a will were highly educated, thus, had secondary education and 72.6% of them were Christians. The findings showed a strong positive correlation between emotional experiences of participants and their psychological trauma. Also, educational background and religious affiliation of the contestants were significantly associated with their emotional experiences. It is recommended that counselling sessions for bereaved individuals contesting for the probate of will should be enhanced to prevent mental health issues.

**KEYWORDS:** *Emotions:* Emotion is defined as a complex reaction pattern, involving experiential, behavioural and physiological elements. They are how individuals handle matters or situations they find personally significant.

*Emotional Experiences:* Emotional experience is a unit in a constant dialectic relationship between the representation of the outside world and how the world is experienced by a person. Emotional experience have three components: a subjective experience, a physiological response and a behavioural or expressive response.

*Contesting Parties:* These are individuals involved in the defense against an adverse claim made in a court by a plaintiff or a prosecutor. To contest in law is to defend against an adverse claim made in a court by a plaintiff or a prosecutor.

*Will:* A Will is a legal document by which the testator, expresses their desires as to how their property is to be distributed at death, and names one or more persons, the executor, to manage the estate until its final distribution.

*Probate of Will:* This is the process of proving a Will is legal and thereafter administering the estate of a dead person in accordance with the terms of a Will.

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### INTRODUCTION

Contesting a will can be a very lengthy and expensive process fraught with bitterness, anger, acrimony, rancour, antagonism, heated exchanges which often ruin or in some extreme cases severs relationships between and among beneficiaries and disappointed hopefuls, thus, family relations and friends (Odoi, 2020; Simons, 2021). It can go a long way to build outrageous enmity between beneficiaries and disappointed survivors. According to the American Psychological Association (APA), becoming a widow has a sudden and powerful depressing effect on the mental health of the individual (American Psychological Association, 2003). The changes in depressed mood, general mental health and social functioning are of medium to large magnitude (Wilcox et al., 2003). Out of the 70,000 women that were interviewed in the United States of America (USA), 40% of them were going through some form of emotional stress and anxiety after the loss of their spouse and the battle of who gains access to the properties of the deceased (Wilcox et al., 2003). Another study also revealed that, the death of a spouse is one of the most distressing life events (Carr, 2020). According to Carr (2020), 70% of the widowed women were going through emotional trauma, anger, bitterness and depression due to the contention of their spouse's estate and Will. In Cameroon, 40% of families who had lost the breadwinner of the family were going through stress and depression due to the probate of a Will in court (Rene, 2020). It was also revealed that there was some form of rivalry among siblings who were contesting the estate or properties of their deceased father (Rene, 2020). In Ghana, contesting parties of probate of a Will, especially among siblings and families, were always angry and bitter and wore a moody and gloomy face all the time (Odoi, 2019). Existing materials and laws have addressed the instances where a person dies without making

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a Will. In the case of Ghana, the PNDC Law 111 tackles this problem quite well even though there is some room for improvement. However, in the case of Probate of Will, not much has been done to address its shortcomings, particularly with regard to the emotional experiences of surviving parties contesting the probate of Will go through and how these parties resolve the differences and reconcile afterwards. This research paper, therefore, sought to explore the emotional experiences, psychological trauma and coping strategies of contestants of probate of Will in Accra. The study sought to address these specific Objectives: to describe the emotional experiences of contesting parties, to identify the psychological trauma the contesting parties go through, to explore the coping strategies of contesting parties. The study will provide empirical evidence of the emotional experiences, psychological trauma and coping strategies of bereaved individuals contesting for probate of Will. It will inform counsellors the need to pay attention to the mental health wellness of these contestants considering the potential mental health and psychological trauma status of bereaved individuals – a problem encountered in this study.

**Method:** The study applied a mixed-method approach. A mixed-method design is a method for collecting, analyzing, and mixing both quantitative and qualitative data at some stage of the research process within a single study, to understand a research problem more completely (Creswell & Clark, 2018). The mixed-method used in this research was sequential explanatory approach. This means that the quantitative method is followed by the qualitative method. The rationale for adopting a mixed-method approach is that neither quantitative nor qualitative methods are sufficient by themselves to capture the trends and details of the situation. When used in combination, quantitative and qualitative methods complement each other and allow for a more complete analysis (Creswell, 2009, 2012;).

**Setting:** The study was conducted at the Law Court Complex that houses all the higher Courts in Accra. The Law Court Complex has 43 Court rooms operating under four Registries namely; Land Court, Human Rights Court, Commercial Court and General Jurisdiction Registries. There are eight separate divisions under the four registries. These are Land Court, Criminal Court, Probate and Administration Court, Divorce & Matrimonial Court, Labour Court, Commercial Court, Financial and Economic Crime Court and General Jurisdiction. (Judiciary Service, 2018). Judges who sit in the High Court are referred to as Justices of the High Court. It is duly constituted by a single Judge unless the court is required to sit with jurors or assessors. (Judiciary Service, 2018).



**Figure 1: The Law Courts Complex, Accra**  
**Source:** Judiciary Service (2018)

**Target Group:** The target group for the study was persons previously involved in the probate of Will or parties currently contesting a Will at the time of the research. Participants were limited specifically to the Greater Accra Metropolitan area in the capital of Ghana. The sample size of the study was 62, made up of 20 interviewees for the qualitative phase and 42 questionnaire respondents for quantitative phase. This sample size was chosen due to the nature and sensitivity of the cases and the difficulty in getting available and willing respondents concerned with the issue under study. The sampling technique used in this study was a combination of two non-probability sampling methods; purposive sampling and snowballing. The purposive sampling technique was used in selecting interviewees and respondents who were parties in current and previously contested probate of will cases at the High Court of Ghana. Purposive sampling is a widely used sampling technique where the researcher uses his or her discretion in the selection of respondents from a population-based on some qualities they possess, experiences they have, or information they are privy to (Etikan, 2016). This technique is also ideal because it allows the researcher to approach scientific respondents who have the needed information thereby saving the researcher a lot of time.

This technique was used together with the snowballing technique, which allows for interviewees to recommend other respondents and possible interviewees who may have some additional in-depth knowledge on the topic under study (V. L. P. Clark & Ivankova, 2016; Creswell, 2012). The purposive sampling technique was used in selecting current parties in ongoing and previous Will

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contesting cases who granted the audience volunteered to be interviewed. These initial interviewees together with some judicial service staff members recommended other willing interviewees. Hence, the snowballing technique.

**Data Collection Process:** To meet the objectives of the research and find answers to the research questions posed, a semi-structured questionnaire for the quantitative aspect and an open-ended interview guide for the qualitative aspect was used. In terms of quantitative data, a semi-structured questionnaire was administered to respondents in an attempt to quantify or ascertain a nominal representation of their responses. The questionnaire consisted mostly of closed-ended questions with likert scale questions and a few open-ended questions. The questionnaire was self-designed. The questionnaire addressed questions on the demographic characteristics of the respondents, their emotional experiences and the psychological trauma they go through. With regard to the psychometric properties of the five-point Likert type response scale that was used, a Cronbach's alpha reliability coefficient range of 0.89 – 0.94 was reported and a one year test re-test reliability coefficient of 0.73. The qualitative aspect of the study used a COPE Inventory type of open-ended interview guide to answer the research questions (Carver, 2013). This gave the interviewees the flexibility to express their perspectives, opinions, and experiences in their own words on the topic. It enabled the interviewer to probe further for clarity and insight, thereby understanding people's perceptions and perspectives on the topic (Creswell and Clark, 2018). The interviews were recorded with a recorder with the knowledge and consent of the interviewees, after which the audios were transcribed for easy analysis. The dual method approach was used complementarily to increase validity and reliability. Before the questionnaire and interview guide were used in the interviews, they were pretested to identify questions that needed to be reworded to improve comprehension of the test, the completeness of the questions to elicit the required responses to achieve the objectives of the research.

**Data Analysis:** The Statistical Product and Services Solution (SPSS) statistics version 22 software was used for the analysis. Data was first cleaned and then edited and formatted to ensure data accuracy. The data was explored for normality using skewness and kurtosis. Descriptive statistics was conducted with the help of frequency tables and charts to assess the emotional experience of contesting parties and the psychological trauma they go through. Information gathered from the interviews was categorized and analyzed to themes identified and developed by the researcher.

**Ethics:** Permission was obtained from the Judiciary Service of Ghana, Accra, to carry out the study at their premises. With the permission the researchers were able to gain access to individuals contesting probate of Will. Introduced was made to the participants at the Probate Courts 1 & 3 and thoroughly explained the objectives of the research to them. Further clarification regarding the research was provided to those who needed it. The researchers informed the respondents of their right to opt out of the research at any time and assured them of confidentiality and anonymity of their responses. This was to obtain their consent and voluntary participation. To ensure confidentiality of participants, the questionnaires were given code numbers. For the qualitative aspect, the consent of interviewees was first sought before recording their views and opinions on the subject matter. The interview was done one after the other to ensure confidentiality. Besides, the researcher did not go through the responses of the participants. The identities of interviewees and respondents were kept anonymous for their safety and the interviews were carried out in a conducive and safe environment. Respondents were offered a token for their participation. Those who wanted to discontinue the research were allowed to do so and were also given some token.

For data validity, the researcher ensured credibility, conformability, dependability and transferability in the data collection and analysis process with the aim of making the findings of the study reliable (Creswell, 2014). One limitation of the research was that it could have included contesting parties from the other parts of the country. Also, the small number of participants in the study due to the nature of the study was another limitation. Some of the respondents discontinued the interview because they got too emotional during the session. In addition, the perceived anxiety of the court environment made some of the respondents to decline the invitation to participate in the research. From the results, it was observed that the respondents were giving almost the same response to the in-depth interviews and mini saturation was reached, hence, only 20 respondents were interviewed for the qualitative aspect of the study.

**Results:** The research findings are presented here according to the research objectives and questions which are : to assess the emotional experiences of the contesting parties; to describe the psychological trauma the contesting parties go through; and to explore coping strategies of contesting parties. Sixty-two contesting individuals were interviewed from the High Court of Accra, Ghana. Out of 62 participants, 42 were interviewed using questionnaires whilst 20 were interviewed using the interview guide. The response rate was over 80%. The background information covers all 62 participants interviewed for both the quantitative and qualitative aspects of the study. The results from Table 1 indicates that more than half (56.5%) of the respondents were males whilst females represented 43.5%. This indicates that there were more male than female respondents who have had a relative dead and were contesting for a Will. The youngest participant was 25 years and the oldest was 49 years with an average age of 32 years ( $SD = 1.08$ ). In terms of educational attainment, more than half (59.7%) have either the secondary or vocational and technical level of education, followed by 16.1% of respondents with higher education including diplomas, degrees and postgraduate degree certificates. Most of the respondents were single (43.5%) because the widowed were also counted as single whereas 37.1% of them were married. Further, most of the respondents (72.6%) of them were Christians and 20.9% of them were Muslims. This information is shown in Table1.

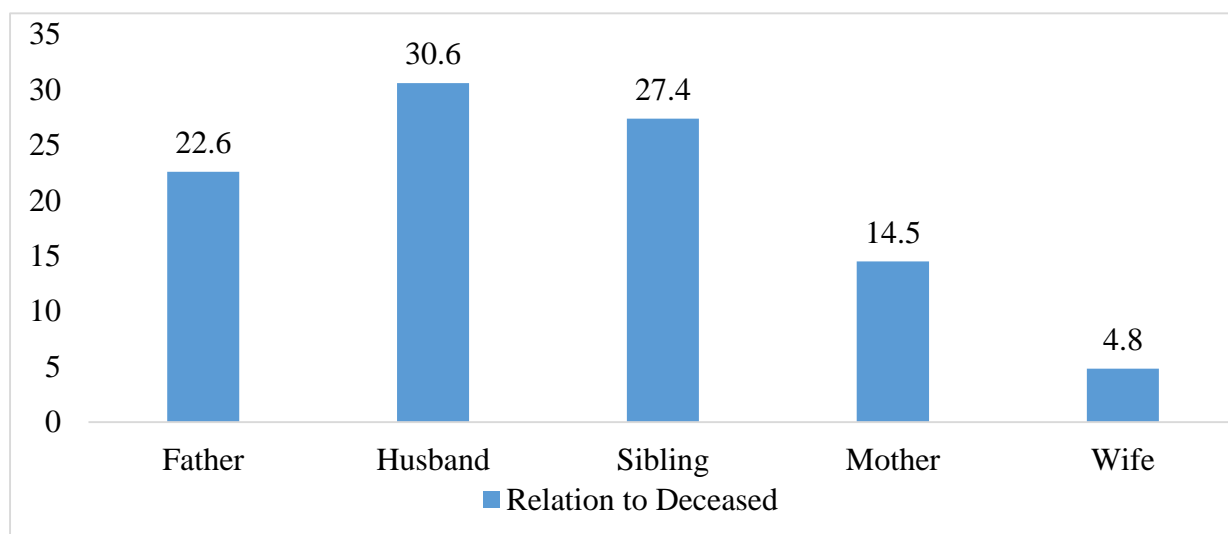
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**Table 1. Background Information of Respondents**

Characteristics	Categories	Frequency (n)	Percent (%)
<b>Sex</b>	Male	35	56.5
	Female	27	43.5
<b>Age</b>	25-29yrs	5	8.1
	30-34yrs	28	45.2
	35-39yrs	15	24.2
	40-44yrs	9	14.5
	45-49yrs	5	8.1
<b>Marital Status</b>	Single	27	43.5
	Married	23	37.1
	Divorced	11	17.7
	Re-married	1	1.6
<b>Educational Level</b>	No Education	6	9.7
	Primary	9	14.5
	Secondary/Vocational/Technical	37	59.7
	Higher	10	16.1
<b>Religious Affiliation</b>	None	4	6.5
	Christian	45	72.6
	Islam	13	20.9
<b>TOTAL</b>		<b>62</b>	<b>100.0</b>

Source: Field Data (March, 2022)

The background information helps to determine if there is any association between the contesting parties and their emotional experiences and coping strategies. It will also help to understand the counselling needs of the contesting parties based on their different backgrounds and ages and the best coping strategies available for them. Respondents' relationship with the deceased was assessed with findings captured in Table.1. It was found that 30.6% had their husbands dead, 27.4% had their siblings dead and 22.6% had their fathers dead. It was also found that 14.5% of them had lost their mothers. The least (4.8%) of the respondents had their wives dead. This means that a third of those who were contesting a Will were wives who had lost their husbands. It was also found that all the dear ones of the respondents died testate.



**Figure 2: Relationship with the Deceased**

Source: Field Data (March, 2022)

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### Emotional Experiences of Contesting Parties

The first objective was to assess the emotional experiences of the contesting parties. The findings indicate that the variables related to emotional experiences received high scores for “strongly agree” and “agree” which showed that individuals go through negative emotional experiences during the contention of a Will ( $p < 0.05$ ). From the table 4.2, most of the respondents displayed a strong sense of anger due to the contention of Will with a mean of 4.57 and S.D = 1.20. Their anger was based on the great investments they made during the lifetime of the deceased. Most of the respondents (49.5%) were extremely sad about the turn of events ( $M = 4.52$ ,  $SD = 1.21$ ). They least expected the kind of Will that was read to them and the contention that came with it. Further, some respondents were disgusted about the whole idea of contesting a Will ( $M = 4.02$ ,  $SD = 1.38$ ) and were ready to fight for what they believed was rightly theirs. On the other hand, some were not happy about the Will because they believed the Will would bring about issues and separation in the family ( $M = 2.65$ ,  $SD = 1.52$ ).

**Table 2 . Emotional Experiences of Contesting Parties**

Statement	N	Min	Max	Mean	S.D
I was very <b>happy</b> when I heard about the Will and knew it was going to rule in my favour.	42	1	5	2.65	1.52
I was extremely <b>sad</b> about the will and the contention that went on concerning the Will.	42	1	5	<b>4.52</b>	1.21
I was <b>afraid</b> of what was going to be the outcome of the contesting of a Will.	42	1	5	4.21	1.26
I was <b>disgusted</b> about the whole idea of contesting for a Will. I don't like fights among families	42	1	5	4.02	1.38
I was <b>angry</b> that after all my investment in the deceased, I still have to contest for a Will.	42	1	5	<b>4.57</b>	1.20
I was <b>surprised</b> at the level of contention that came up because of the Will of the deceased.	42	1	5	4.18	1.32

Source: Field Data (March, 2022)

Similar to the results of the in-depth interviews that were conducted, positive and negative emotional experiences were generated. That is, positive emotional experience being happiness and negative emotional experience being fear, sadness, anger and disgust.

**FEAR:** Respondents expressed fear as one of the negative emotions contesting the probate of Will. The following narrations show this theme:

*‘When I am sleeping, I get startled [sic] and wake up all of a sudden. I have grown lean. I no longer pay attention to my appearance.’ (Respondent 4, wife to deceased person). ‘I am scared of the outcome of the contention. I get so anxious about it. I am not able to sleep and it gives me headache.’ (Respondent 9, wife of a deceased person). ‘I get so scared, I literally shake every time I think about the issue. I have to take sleeping tablet before I am able to sleep’ (Respondent 12, wife of a deceased person).*

**SADNESS:** Another negative emotion respondents expressed in the contest of probate of Will was sadness. In the following narrations this theme was evident:

*‘I am always sad about this [the will] and didn't anticipate that things will go this way.’ I cry within every time I remember the content of the will” (Respondent 9, Wife of the deceased person). ‘I am heart broken and sad, I did not expect things to turn out this way at all’ (Respondent 10, son of the deceased person). ‘I am so sad and disgraced, I cannot tell anybody about my troubles. My husband really failed me by leaving us this early’ (Respondent 12, wife of the deceased).*

### ANGER

In addition to fear and sadness, respondents expressed anger as a negative emotion they go through. This is shown in the narration below:

*‘I get so angry about this whole Will and the fact that I have to come to court and contest with those who virtually made no investment in the life of my dad when he was alive.’*



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(Respondent 6, daughter of deceased person). 'Madam, I am very angry at my father's families. I won't allow them to get what does not belong to them. I will fight with my last blood to prevent them from getting what they don't qualify for.' (Respondent 11, son of the deceased person). 'I am so angry at my late husband for the kind of Will he left behind. I sometimes wonder what came over him to do such a Will. This is not normal. Hmmm.' (She sighs). (Respondent 8, wife of the deceased).

**Table 3: Composite Score of Emotional Experiences**

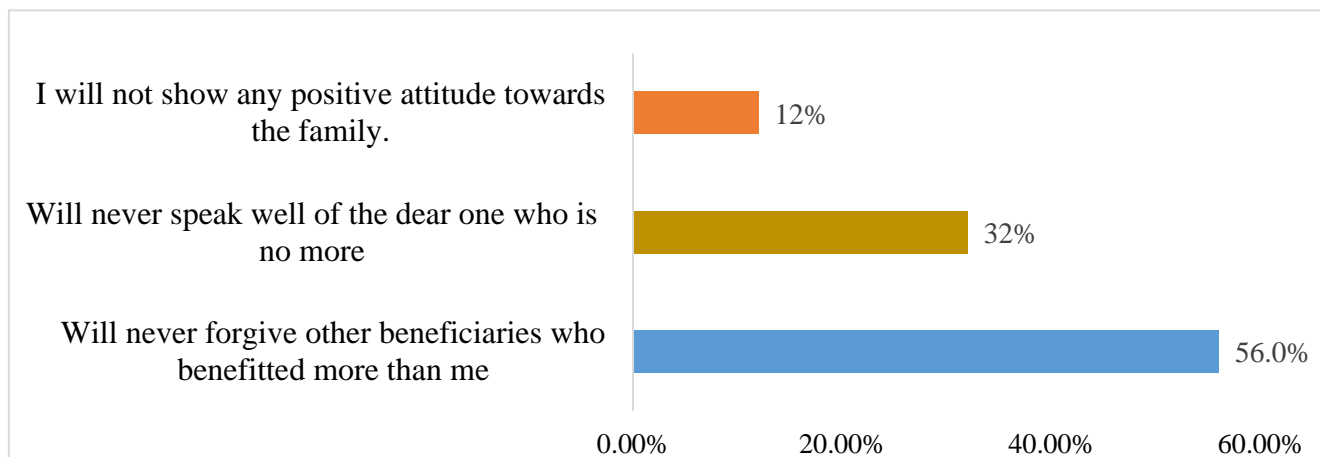
Item	Mean	S.D	t-cal	P-value
<b>Emotional Experience</b>				
Positive emotional experience	4.32	13.26	2.21	0.56
Negative emotional experience	25.68	23.44	2.89	0.001**

One sample t-test,  $p < 0.001$

Source: Field Data (March, 2022)

### How Emotional Experiences Affect Unity and Cohesion within the Family

The study also assessed how the emotional experiences of the respondents after dissatisfaction with the contention of the Will could affect the unity and cohesion of the family system. From the figure 2, the results showed that (56.0%) said they will never forgive other beneficiaries in the family who benefited more than they did. Another 32.0% indicated that they will never speak well of the deceased while 12% indicated that they will not show a positive attitude towards the family. This is likely to breed contention among family members and affect the unity, peace and harmony in the family.



**Figure 3: Emotional Experiences within the Famil**

Source: Field Data (March, 2022)

From the in-depth interviews conducted, a respondent who is a wife to a deceased person expressed that she will not forgive any of the beneficiaries of the family. This she expressed as;

'No, never, not at all. It will be difficult even if I stop pursuing the case. I have suffered a lot of humiliation in their hands.' (Respondent 12, Wife to deceased).

Other respondents also mentioned that;

'I will hate them forever including the deceased person. How could I suffer for you and you distribute all your properties to others who did very little for you'

(Respondent 3, wife of a deceased person).

'I will hate my brother forever. I think he influenced my father to make the will in his favour, neglecting some of us. He has been greedy since day one.' (Respondent 5, Son to deceased person).

### TESTING OF HYPOTHESIS

$H_A$ : There is a relationship between the contesting of a will and its effects on emotional experiences such as the anger and bitterness a family goes through, affecting the unity and cohesion in the family.

The scatterplot graphical presentation was looked at before running the Pearson correlation to determine whether there exists a correlation between the contests of a Will and the emotional experiences that affect the unity and cohesion within the family. The scatterplot line of best feet (linear fit) showed a positive relation between the contest of a Will and their emotional experiences. A Pearson correlation was conducted to determine the correlation between the contest of a will and emotional experiences. A significant positive relationship was found between the contest of a Will and their emotional experiences that affected the unity and

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cohesion within the family at significant level of 0.001,  $r(62) = 0.27$ ,  $p < 0.001$ , with  $r^2 = 0.07$  for a one tailed test. As a positive relationship, it means that as the contest of a Will increases, the emotional experience that affects the unity and cohesion within the family also increases. We therefore reject the null hypothesis and conclude that, the research hypothesis ( $H_A$ : There is a relationship between the contesting of a Will and its effect on emotional experiences such as anger and bitterness a family goes through, affecting the unity and cohesion within the family) is supported. In addition, a significant relationship was found between the contest of a Will and anger, bitterness and fear at a significant level of 0.01,  $r(62) = 0.23$ ,  $p < 0.01$ , with  $r^2 = 0.05$ ,  $r(62) = 0.34$ ,  $p < 0.001$ , with  $r^2 = 0.12$  and  $r(62) = 0.25$ ,  $p < 0.01$ , with  $r^2 = 0.06$  respectively.

**Table 4: Correlation between the Contest of a Will and Emotional Experiences that Affect the Unity and Cohesion within the Family**

Variable	Mean	S.D	Contest of a Will (r)
Contest of a Will	25.38	4.117	1
Emotional experiences	14.79	10.722	.27**
Anger	7.25	5.154	.23**
Fear	9.73	3.649	.34**
Bitterness	7.41	3.282	.25**

Source: Field Data (March 2022)

### Psychological Trauma the Contesting Parties Go Through

The second objective was to describe the psychological trauma that the contesting parties go through. From Table 4, the results showed that the respondents go through some form of severe psychological trauma during the probate of a Will ( $p < 0.05$ ). Most of the respondents confirmed the unbearable pain of loss they go through when they lose a dear one ( $M = 29.7$ ,  $SD = 1.24$ ). Apart from the pain, 83.8% of the respondents developed strong hatred for the people contending with them over the Will of the deceased ( $M = 23.6$ ,  $SD = 1.28$ ). Further, respondents developed hatred for the deceased for the pain they have caused them and the trauma they have to go through ( $M = 26.4$ ,  $SD = 1.26$ ). Some of the respondents also found it difficult to forgive themselves for their loss ( $M = 15.4$ ,  $SD = 2.76$ ).

**Table 5 Psychological Trauma the Contesting Parties Go Through**

	N	Min	Max	Mean	S.D
It was very painful when I lost a dear one very close to me.	42	1	2	<b>29.7</b>	1.24
I will never forgive myself for this great loss	42	1	2	15.4	2.76
Upsetting thoughts come into my mind because of the contention going on now concerning the Will.	42	1	2	18.7	2.35
I have developed strong hatred for the dear person who is no more.	42	1	2	23.6	1.28
I hate the people contending with me over the Will of the deceased.	42	1	2	<b>26.4</b>	1.26
Thoughts of hurting the people contending with me come to mind from time to time	42	1	2	<b>21.5</b>	1.29

Source: Field Data (March, 2022)

Similarly, the response from the in-depth interviews also showed that respondents go through psychological trauma during the probate of a will. Themes such as hatred and stress were generated.

**Hatred :** Respondents expressed hatred as a psychological trauma they go through. The narratives below from respondents vividly confirm this theme:

*'I hate them. I curse them anytime it rains. I take off my clothes, sit on the ground in the rain and curse them. I also call on God that if he is alive, he must intervene.'*

*(Respondent 2, son to deceased). 'I won't allow them to take what does not belong to them. The property was jointly acquired by the two of us. I will not leave it for them. They do not deserve it. Where were they during the 12 years that the deceased was ill? I single-handedly took care of him.'* (She chuckles). *(Respondent 3, Wife to deceased person). 'I hate the families of my father who have the gut to contend the Will with us. Who do they think they are? This is all they know. Reaping where they have not sown.'* (Respondent 6, daughter of the deceased person).

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**Table 6: Composite Score of Psychological Trauma**

Item	Mean	SD	t-cal	P-value
<b>Psychological Trauma</b>				
Severe Psychological Trauma	32.4	1.21	2.96	0.012*
Mild Psychological Trauma	12.6	1.86	2.37	0.067

Source: Field Data (March 2022)

### Association between Background Characteristics and Emotional Experiences of Contesting Parties

The Chi-square test of independence was used to determine any significant association between the background information of the contesting parties and their emotional experiences. The analysis showed that emotional experiences of contesting parties were not significantly associated with the age and marital status of the respondents ( $p > 0.05$ ). However, educational background and religious affiliation of the contestants'  $p < 0.01$  were significantly associated with their emotional experiences. Table 4 shows the Chi-square test of independence of the association between the participants' characteristics and their emotional experiences.

**Table 7: Association between Respondents Characteristics and Emotional Experiences**

Variable	Chi-Square Value	P Value
Age	3.643	0.517
Marital Status	7.421	0.091
Educational Level	18.422	0.004**
Religious Affiliation	34.763	0.002**

\* Significant at  $p < 0.05$

Source: Field Data (March, 2022)

\*\* Significant at  $p < 0.01$

### Correlation between Psychological Trauma and Emotional Experiences

The relationship between psychological trauma and respondents' emotional experiences was determined using Pearson's  $r$ . The correlation analysis from Table 8 showed a strong positive correlation between emotional experiences of participants and their psychological trauma ( $r(62) = 0.041$ ,  $p < 0.05$ ). This means that as the psychological trauma of the participants' increases, their emotional experiences increase as well. That is to say that, the more the respondents go through psychological trauma, the more likely they are to have extreme emotional experiences.

**Table 8: Correlation between Psychological Trauma and Emotional Experiences**

	1	2
1. Psychological Trauma	1	0.041*
2. Emotional Experiences	0.041*	1

\* Correlation is significant at the 0.05 level (2-tailed), " $p < 0.05$  level (2-tailed)"

Source: Field Data (March, 2022)

### Coping Strategies of Contesting Parties

The third objective was to explore the coping strategies of contesting parties. The research question was "what coping strategies do the contesting parties employ when going through the probate of a Will?" This was done through the in-depth interviews that were conducted. Four themes with subthemes were generated from the data: seeking counselling (subthemes: talking to a Pastor, talking to the elderly and talking to friends), self-help (subthemes: turning to media, crying, asking for intervention), unhealthy habits (subthemes: overeating, underrating, drinking excessively) and couch potato (sitting aloof, not talking to anyone).

**Seeking Counselling:** Counselling is one way of providing skilled assistance and guidance in resolving personal or psychological problems. Some respondents indicated that by way of coping with the emotional experiences from contesting the probate of Will they sought to counselling. The counselling ranged from talking to a pastor to talking to the elderly and friends.

**Talking to a Pastor:** Respondents indicated that one of the ways they seek counselling, as a coping mechanism, is to talk to their pastor. This is evidenced from the narratives of respondents as follows:

*'I speak to my pastor when I am down' (Respondent 3, wife to a deceased person) 'I call on my pastor for counsel and prayer.' (Respondent 6, daughter of the deceased). 'I seek counsel from my pastor on how to proceed further with the case.'* (Respondent 2, son of the deceased). *'I call my pastor for divine direction.'* (Respondent 10, son of the deceased).

**Talking to the Elderly:** Another way respondents sought counselling to cope with their emotional experiences is to talk to the elderly. Respondent's narratives below confirm this:



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*'I speak to an elderly woman in church when the pain is extreme.'* (Respondent 12, wife of the deceased) *'I consult an elderly man in our neighbourhood for advice. When people have similar cases they go to him for advice.'* (Respondent 13, son of the deceased). *'I pour out my pain on to an elder in our church. This really brings me relief.'* (Respondent 16, daughter of the deceased). *'I speak to our family elder who assures me that everything will be well.'* (Respondent 1, wife of the deceased).

**TALKING TO FRIENDS:** Some respondents also sought counselling from friends. This is supported by the following narratives from respondents:

*'I chat with my friends about the case and listen to their opinions to advise myself.'* (Respondent 2, son to the deceased) *'I speak with my friends a lot and they make me laugh often which helps me to be a bit relieved.'* (Respondent 15, husband to the deceased) *'I spend hours chatting with my friends to help me forget my troubles but this is only for a while. It doesn't last long then I go back to being sad again. Will this pain ever go away?'* (Respondent 14, wife to the deceased)

**SELF-HELP:** Self-help was another way respondents employed in managing their emotional experiences following the contest of probate of Will. Subthemes under self-help were "turning to media, crying, and asking for intervention."

Turning to Media: Some respondents mentioned that they turn to various types of media to help them cope with the emotions experienced during the contest of probate of Will. This is confirmed by their narratives as follows:

*'I watch TV programmes of others going through similar or worse experiences and how they were able to handle such situations.'* (Respondent 1, wife of the deceased). *'I also follow social media to calm me down.'* (Respondent 16, daughter of the deceased). *'I listen to music to get some relief.'* (Respondent 19, son of the deceased).

**CRYING:** This is reflected in their responses as shown below:

*'I lock myself up, cry and rain curses upon my husband's family who are contending the Will with me.'* (Respondent 9, wife of the deceased). *'I go to church and cry on God. By the time I am done crying, I feel a lot better.'* (Respondent 12, wife of the deceased). *'After every court proceeding, I cry out the pain when I get home.'* (Respondent 18, daughter of the deceased).

Asking for Intervention: Some respondents also used several means to ask for intervention in the contention of Wills as a way of managing their emotions. This was reflected in their narratives below:

*'I go to my father's grave and tell him all that I am going through believing that he will come and fight the battle for me'* (Respondent 17, daughter of the deceased) *'I also pray to God for divine intervention.'* (Respondent 1, wife of the deceased). *'I call on God that if He is alive He must intervene.'* (Respondent 2, son of the deceased).

Unhealthy Habits: Respondents resorted to unhealthy habits to cope with their emotional experiences. An unhealthy habit is engaging in a patterned behaviour that is regarded as detrimental to one's physical or mental health. Subthemes grouped under Unhealthy Habits were overeating, under-eating and drinking excessively.

### Overeating

Respondents resorted to overeating as a coping strategy. Responses given below by the respondents confirm it.

*'I eat a lot and I just can't help myself. That is where I find my peace.'* (Respondent 17, daughter of the deceased). *'Unfortunately, I find myself eating too much. At least it gives me some consolation.'* (Respondent 7, wife of the deceased). *'Look at me. I have gained unnecessary weight as a result of overeating. I binge on anything that comes my way.'* (She sobs). (Respondent 16, daughter of the deceased).

**UNDEREATING:** Whiles some respondents overate to cope with their emotional experiences, others underrate. Below are some responses in that regard.

*'I can't eat when I am served food. I put the food under my bed and later throw it away when everybody is asleep.'* (Respondent 1, wife of the deceased.) *'Since we began this whole court process, I have lost weight because I am not able to eat well as I used to. I don't feel for food.'* (Respondent 4, wife of the deceased). *'I have low appetite. I am not able to eat enough. This whole contesting of Will is weighing me down. I have reduced in weight.'* (Respondent 12, wife of the deceased).

**DRINKING:** In addition to overeating and under eating, some respondents took to drinking to manage their emotional experiences. Respondents had the following to say in support of that.

*'I go out to drink with my friends. It helps me forget the troubles from this contention of Will.'* (Respondent 15, husband to the deceased). *'I feel relaxed when I drink. I think it helps me drown the stress associated with contesting this Will.'* (Respondent 10, son of the deceased). *'For now I find solace in alcohol. No day passes without taking a bottle of beer.'* (Respondent 5, son of the deceased)

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**Couch Potato:** A couch potato is one who has refused to budge no matter what needs to be done. The results of the in-depth interview showed that one of the ways the respondents coped was to refuse to budge at anything. They became adamant and did not bother about things that were happening around them. Subthemes under this were sitting aloof and not talking to anyone. Sitting aloof. Some respondents indicated that they sat aloof to cope with their emotional experiences. This was reflected in the responses of the respondents.

*'I don't do anything. After all, it's not as if there is something I can do to change the situation.'* (Respondent 20, wife of the deceased). *'Well, I don't do anything. I don't have the energy. I am just there.'* (Respondent 17, daughter of the deceased). *'I'm just there. I don't do anything. Whatever can come, can come.'* (Respondent 4, wife of the deceased).

**Not Talking to Anyone:** Some respondents said that they do not talk to anyone as part of their coping strategy as indicated in the responses below.

*'I don't talk to anybody for days till I feel I am okay. Nobody really understands my pain anyway, so why talk?'* (Respondent 17, daughter of the deceased). *'There is no point talking to anyone. Who knows and understands what you are going through?'* (Respondent 18, daughter of the deceased). *'I don't talk to anyone. I prefer to keep to myself.'* (Respondent 19, son of the deceased).

**Discussion:** Rene (2020) indicated that it is the educated people and those who have substantial wealth that go through the probate of Wills. Another study also argued that more Christians were involved in the probate of a Will and questioned the role of the church in handling family disputes (Gary, 1997). The study found that 29.4% of the respondents were not happy about the contention of the Will. This was because most of them were still mourning the deceased and they knew the contention of a Will was going to breed anger and separation in the family. Moreover, 49.5% of the respondents were extremely sad about the Will and the contention that came about concerning the Will. This is confirmed by Wilcox et al., (2003) that contesting a Will breeds anger and separation in a family and affects the emotions of the bereaved family, thereby, making everyone in the family sad. Apart from the fact that sadness was a strong emotion of most of the respondents, fear also gripped their hearts. The study found that 48.7% of the respondents were afraid of what was going to be the outcome of the probate of a Will. Other studies have shown that the emotional experiences that contesting parties go through during the probate of a Will has something to do with psychological trauma (Nasrul et al., 2019; Selmer, 2021) The American Psychological Association says that the first year of widowhood is most harmful to the mental health of the widow. The Association mentions that widows are extremely angry during the loss of their husbands and even angrier when they have to contest for a will considering the lifetime they have spent with the deceased (American Psychological Association, 2003). The age and marital status of the individual did not play a major role in who goes to court to contest a Will. The findings corroborate the work of Odoi (2019), who mentioned that most people who went through the probate of a Will after losing a dear one were mostly Christians and highly educated. The results of the study showed that some respondents were going through coping strategies to help them overcome the stress, emotions and psychological trauma they were going through. This objective of the study and the research questions were analyzed using in-depth interviews. Based on the responses from the respondents, the coping strategies that the contesting parties employed were seeking counselling, self-help, unhealthy habits and couch potato. In seeking counselling, respondents spoke to a pastor, the elderly and friends. As part of self-help, some respondents resorted to media, crying and asking for intervention. Respondents experienced overeating, under-eating and drinking as unhealthy habits while others sat aloof and talked to no one under couch potato. One of the most ideal coping mechanisms to use when going through emotional stress and psychological trauma is counselling. Studies have shown that counselling is one of the best strategies to overcome emotional stress and prevent mental health illnesses (Carr, 2020) . Most of the respondents (70%) of them mentioned that they speak with someone (a pastor, church elder, and elderly person or their peers) when they are distressed and do not know what to do. In a study conducted by Selmer (2021), most widows who were highly educated went through the probate of a Will and were able to manage their emotions effectively. Those that had emotional problems were able to overcome them because they saw the need for therapy and sought help when they needed it. On the other hand, some widows were not able to manage their emotions properly though they were educated and battled with psychological trauma. The findings confirmed that the emotional experiences of contesting parties of probate of Will affected their thoughts and reactions automatically which led to their emotions, behaviour and physiological responses. The findings also indicates that bereaved people who had to contest for the probate of a Will of the deceased automatically had strong thoughts of loss, anger, bitterness and hatred, especially for those they had to contend with. Some of the reactions that were seen as findings of this study were crying and murmuring, unhealthy eating habits and moody looks. Moreover, the findings revealed that emotions such as happiness, sadness, fear, disgust, anger and surprise were seen among the respondents during the probate of the Will. Sadness, fear and anger were the most seen among the respondents because they could not tell what will be the outcome of the probate of Will and how it was going to affect the unity and cohesion within their families. Despite the emotions of the respondents, the results showed that majority of the participants were either stressed, anxious or depressed because of the processes they had to go through while mourning their loved ones.

Implication include mental health authority can help address the emotional experiences of contesting parties of probate of Will by regular review meetings and psycho-education could be held with the administration of the High Court of Ghana. Also, mental

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health nurses and counsellors could be assigned to the court to provide mental health services during a court session or when the probate of a Will is ongoing. Counselling institutions/facilities could liaise with the Mental Health Authority to offer quality and the appropriate counselling services to the bereaved. Psycho-education could also be given on the potential effect of nursing pain, anger and bitterness on their health. Ghana Psychology Council should intensify measures put in place to provide adequate and quality mental health care for all. Other studies and investigations could also be conducted to investigate whether the emotional experiences of the contesting parties lead to adverse mental health conditions such as schizophrenia, obsessive-compulsive disorder and post-traumatic stress disorders. Other studies could also explore whether the court processes further exacerbate the emotional experiences of the contesting parties.

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