



BEAUTY FOR ASHES: EDUCATING WOMEN ON THE LEGAL IMPLICATION OF WIDOWHOOD RITES IN NIGERIA

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ABSTRACT

Every family or extended family has at least one widow or more. Widowhood is not an award any woman would normally crave. It is not a tag to attract favour neither is it an exclusive club. Sometimes life just throws bricks at a time one is unprepared and mother fate then has the task of either building you a palace or burying you under the rubble. This study looks at educating women on legal implications of customary widowhood rites in Nigeria and a few international cases. Discussions also bring to light the position of some popular religious and governmental intervention. It has been discovered that widowhood rites are practiced in every custom in Africa and some of these practices have led to irreversible psychological and emotional damages, to mention but a few. Recommendations are made for more proactive legislation towards expunging repugnant laws and widowhood practices in Nigeria. This study is expected to be relevant to various human rights organizations, government ministries and parastatal, traditional institutions, religious organizations and indeed all humanity.

Key words: Beauty, Ashes, Widowhood, Rites

Introduction

Widowhood is a position where a woman loses her husband to death and is thereby mandatory to undergo a stipulated period of sobriety by way of mourning and neglecting ostentatious life style. The Merriam Webster Dictionary describes widowhood as the period in which a woman remains a widow. Widowhood has been described as humiliating and oppressive practices a woman goes through as a result of the death of her husband.¹

A widow can, therefore be described as a woman whose spouse has died while a widower is a man whose spouse has died.² Where the husband is a sole provider, the widow and children may find it difficult to make ends meet. The effect of this sudden change could lead to destitution and moral collapse of the children.

Many reasons can account for the early demise of a husband. The first being that men tend to marry younger women and some also engage in polygamy and all the stress that come with such expanded responsibilities. In Patriarchal societies, many women have little or no economic power to be independent and so the loss of a spouse can have far reaching negative effect. Along with the burden of lonesomeness is the humiliation of traditional and cultural expectations bordering on inhuman and degrading subjugation of rights.

1 Eboh,L and Boye, T Widowhood in African Society and its Effect on Women's Health Sciences, Makerere University Medical School <www.ncbi.nlm.nih.gov> assessed 12 January 2021

2 www.en.m.wikipedia.org

AFRICAN PERCEPTION OF WIDOWHOOD

The widow in the African setting is stigmatized and continues to stand accused irrespective of the circumstance(s) surrounding her husband's death. It would appear the message initially was to make sure wives loved and protected their husbands in order not to face such harrowing experiences. Widowhood rites in Nigeria is tinged with all forms of malpractices. The journey into widowhood, distasteful as it already is to lose one as close as a spouse, is not the end of the hurdle for the widow. Nevertheless, the practices of ushering widows into their new status has advanced and in spite of civilization, continues to acquire upgrading. The level of victimization is upgraded and there seems to be no enforcement of legislation to curb its excesses.

Widowhood is often seen as payback time for perceived wrongs done by the widow, her husband or family during her husband's life time. In a situation where the man was a man of means but did not or refused to carry the community along by granting choice employment, scholarship, assisting to construct roads and grant business opportunities for members of his community, God save that family. Also where the deceased was a government functionary with a high position there would have been great expectations. Even so, assuming the man is recognized to have 'done well' for his community, the audacity with which his wife allowed him die would be the focus. Even if a man dies in an adulterous mode, the oblivious wife at home would be accused of complicity in his death. The grieving family of the deceased husband are very fierce and unforgiving. To crown it all, they whip up all kinds of sentiments to conjure their pain and their son's indispensability.

Widowhood rites and practices vary from place to place but not in terms of the pain and indignity it shoves on the still bewildered widow. While the shock and

disbelief of losing a husband is yet to filter out of the widow's brain, she in her unguarded state, is made to perform certain unorthodox and medically appalling tasks.

Let us begin by looking at religion and widowhood practices.

Widowhood rites Practices in Some Religions in Africa

Islamic Widowhood Rites

The Arab woman suffered many atrocities and untold hardships. She had no right whatsoever and was even considered as a property to be inherited upon death of her husband. She was kept in a small room similar to a pen, where animals are kept. Here she undergoes a waiting period of one year. She is made to wear the worst among her dresses, not allowed to bath, no use of perfume or fragrance of any sought, no jewelery. In fact, animals like goats, sheep and birds are used to rub her body. After completing one year the faeces of the camel is poured on her. All these happened 1,400 years ago, before the advent of Islam.

After the advent of Islam, the Qur'an enshrines her rights unambiguously. Chapter 4 also called AN-NISA meaning 'The women' spells out opportunities for women. Here the woman is given the right to choose her own spouse, dispose of her property as she deems fit, a right to education. Islam supports education as a means to eradicate poverty, hunger and disease. From the day a man dies, the widow is expected to mourn for 130 days, she is expected to appear neat, simple and modest, free of affluence for this period. No jewelry is allowed, she must not marry another within this time. No makeup of any nature is allowed, Quaran.com [2/234].

The waiting period enables the woman come to terms with the shock of losing her husband and gives her time to put things in perspective. Also a pregnancy would manifest, if any at this period and confusion about the paternity would be settled. A widow would not engage in social activity but maintains a sober outlook. The

widow is to be taken care of from her husband's estate, not to work, else she would naturally be allowed to work to sustain herself and children.

The sharee'ah entitles a widow a share of the inheritance from her deceased husband. It is shared in the proportion of one fourth if she has no child but one eighth if a child is involved. (Quran.com/4/12).

Hinduism

It may come as a rude shock that inspite of what is considered to be barbaric customs and rites in African widowhood rites, the Hindu religion surpasses all. The 'sati', though outlawed and illegal is still a thriving culture in India. The Sati is the dehumanizing culture of burning the widow at the death of her husband. This is regarded by some Hindus as the ultimate form of womanly devotion and sacrifice. Sometimes a woman volunteers herself or is coerced to commit suicide. Other forms of Sati include being drowned or buried alive with the husband's corpse. At the death of the widow via Sati all her possessions devolve to the husband's family.

Sati is considered the highest expression of wifely devotion to a dead husband, Allen and Dwivedi, (1998), Moore (2004). After the death of her husband the widow is shaven, eating only boiled rice and sleeping on bare matting. She is not expected to attend any social events. Hardgrave (1998) refers to the practice as 'dreadful'. Women were often bound to the corpse to prevent their escape, Parkers (1850).

Not going through the Sati meant the woman had brought shame and dishonor to the family. Supporters of Sati are often educated and continue to fight for its legitimization, Kumar (1995). This led to the creation of India government's, The Commission of Sati (Prevention) Act 1987. This has brought reforms which make Sati illegal and even bystanders at the event are culpable.

Buddhism

Buddhism sees women as being equally useful to the society as most women are facing evolving roles in Islamic, Christian, Hindu religion and indeed in every sphere of life but not much interest has been evoked about women in Buddhist societies.

Buddhism is practiced principally in Asia but has fellowship all over the world. A look at Sri Lanka, Thailand, Burma and Tibet before the advent of the west has been mirrored by Hugh Boyd (1782) in Dewarija (1994) Lingalese women are not kept in confinement nor any humiliating restraint impose on them.

Grant Brown (1889-1917) who was a revenue officer for 28 years in Burma posted that the degree of independence attained by the women was remarkable. Marriage in Buddhism unlike Christianity or Hinduism is not a sacrament. The duties of a husband and wife is that the husband is expected to respect, show courtesy, be faithful hand over authority to the wife and providing her with ornaments. The wife also is faithful and respectful.

Judaism

At the death of her husband a woman becomes independent and free to take her own decisions. A widower was permitted to mourn the death of his wife for seven days before he was allowed to remarry, especially if he had very young children that need motherly care. The classical rabbis forbade widows from remarrying until at least 90 days had passed after her spouse's demise. The 90 days just like the Islamic religion enables clarity on the pregnancy status of the wife. A widow could not remarry if she had a child 24 months or less who was still suckling, Wikipedia.

Christianity

In this religion the woman is supposed to be taken care of by both the church and her family. She is made to read the word of God from the Bible and encouraged to see God as her Husband and father of her children. Christianity looks with pity at widows, Job 22:9, Ps 68:5. They also frown at straying, promiscuous widows. Luke 20:47. The widows are to be cared for Acts 6:1, 1Tim 5:3, they are allowed to remarry, 1 Tim 5:16, James 1: 27.

Widowhood Customs And Rites In Nigeria

In Nigeria, religion and customs have continued to fuse to the end that many do not know where to draw the line any more. Here are some customs and traditional widowhood rites that continues to hold sway over other religions. Let us visit a few prominent groups in Nigeria. Nigeria has 250 ethnic groups. Chief amongst them are the Hausa, Yoruba, Igbos

Yorubas

The Wikipedia describes the yorubas as an ethnic group that inhabit Western Africa mainly Nigeria, Benin and Togo. In Nigeria, they make up 15.5% of the country's population, The World Factbook. They are found in Lagos, Ogun, Osun, Ekiti, Oyo, Ondo and states. They speak Yoruba language.

A Yoruba widow is expected to express her loss wearing black clothes, crying, falling into the hands of close relatives, Adekanye (1988). The widow secludes herself for seven days as the case may be during which she neither takes a bath nor changes her clothes. Scraping her hair is seen to be symbolically severing bonds between her and her departed spouse. Mourning periods vary from community to

community. The widow lies on a bare floor or a mat whilst eating from and cooking with broken and disused earthenware, Fasoranti and Arunah (2007). After 30 to 40 days, she undergoes some further rites to cleanse and protect her from the spirit of the departed. These rites would also expose the widow in the event that she is culpable in her husband's death, Aranisola and Ige (2010). Her behavior towards her in-laws during her husband's lifetime, determine the level sympathy accorded her.

Ikwerre (River State)

The deceased's relative exert immediate control of all the husband's properties. The woman is given a list of what she has to provide before her husband's body could be buried. These include goats, yams and hot drinks. The widow mourns her husband wearing a single black cloth for six months and is not allowed to eat any decent meals in any plate.

A second burial is conducted to sever her from the deceased and she is then free to remarry, Nigerian Tribune, 15/07/06.

Ibibio/Annang (Akwa Ibom State)

In Akwa Ibom State exists two forms of widowhood rites, Christian and non-Christian.

For the non-Christian a six week mourning period follows shaving of hair, killing of fowl and incantation. The widow wears the same black cloth without a bath for her mourning period. Her pubic hair is shaved in a ceremony to sever her relationship with her late husband. The pubic hair and her cut finger nails are buried near

the grave with strict pronunciations and enchantment to separate the couple spiritually, Africa Guardian Magazine. The woman is then bathed in public and rites performed to separate the children, if any, from the hovering spirit of their father. The house is cleansed and rubbish and debris from it placed at the foot of a plantain tree. The woman is given a small portion from the husband's estate to farm if she had a male child. If no male child, she is sent away unless she was of good behavior.

Elderly widows come to surround and comfort her, eating and drinking palm wine and singing songs of comfort to her for days.

The Christian widowhood rites in the south eastern states entail the widow would wear black clothes for six months. She swears to an oath to prove she did not sleep with another man. She does not comb her hair nor wash her hands after her two meals per day until the following day, African Guardian Magazine. She is not allowed to go to the river, farm or market till the end of her mourning period.

To end her mourning, elderly widows come around her and rub on her body a substance called 'Iduot' or native chalk gotten from the river bed. She is then made to go around the town and market in her sack or widowhood garment for the last time. She is given a leaf called 'Ofuho' to put in her mouth so she will not talk. When she returns she is allowed to bath, adorned and her hair shaved off. She dances around the market and specific areas of the village holding out a basket where people place money, food stuff and drink and cloth, African Guardian Magazine 12/9/88. This gesture is seen as a way to assist her start up life after her husband's demise.

The Igbos

They are a meta-ethnicity native in present day south central and south eastern Nigeria. They are also found in Cameroon, Gabon and Equatorial Guinea, wikipedia. They occupy Anambra, Imo, Enugu, Ebonyi and Abia states of Nigeria.

In some parts of Igbo land, the widow ties a piece of wrapper round her chest wearing nothing else by way of adornment or clothing, Nwakegbo (1996) She must not talk to anybody until her husband is buried. After the burial, the 'Umuadas' will come to shave her hair. Callous in-laws would always seize this opportunity to fight and cause arduous and difficult tasks to be performed by the widow. The widows are not allowed to touch anything, even themselves to avoid defilement so they were given little sticks to use and scratch themselves. They were made to sleep on the bare floor but some communities tolerated the barest- bedding, a flimsy mat. The flimsy bedding would be burnt as part of the rites completion. If a woman dies within the year of her husband's demise, she was adjudged culpable in his death by the community, Nwezi (1981). In some Igbo society after one year mourning period the widow is taken for cleansing to the river and the Aja-ani priest(s) rape(s) her repeatedly as part of the cleansing and separation from her late husband's dangerous spirit.

Some General Practices of Widow Hood Rites in Nigeria

- Seclusion for a number of days weeks
- Wearing of black clothes

- No bath
- Eating from condemned earthen ware with her fingers
- Made to swear or drink water from the washing of her husband corpse
- Shaving of hairs, including the pubic hairs
- Enchantments and incantation
- Rituals such as killing animals and rubbing the blood on the widow and children.

Reasons for Continuous Widowhood Practices

- Lack of education: Ignorance accounts for 90% of what widows face
- Patriarchal society of the world: The aim of widowhood is to subject the woman to a status of no symbol. She is classless in her misfortune. The men do not undergo such rigors but are pampered all the way.
- Lack of economic empowerment on the part of the woman: Economic strength would determine how much they are willing to submit to obnoxious traditions
- Superstition: This plays a major role in that the widow is threatened to obey or bear spiritual reprisals from her lack of cooperation
- Character of the wife: For a wife who was proud and arrogant, the in-laws, find this a convenient plank to stand and payback for all her perceived mal-treatment of the family.

- Many men still die intestate: They wrongfully believe their families would step in, in the event of the unforeseen. Even having witnessed all these men still write near relations as next of kin to the exclusion of their spouse and children. When death comes to them, their little children are ripped off of everything and they suffer. Many men trust their families so much even to their detriment.

Policy Response to Widowhood status in Nigeria

The law on civil marriage is modelled on British law and so it is clear that inheritance is to be shared by the widow and the children. The common view in Nigeria traditional setting is that, extended family members of the deceased man have 'closer' ties to the man and so should be left to take charge of his properties. Of course if a woman wanted to be sure and asked for the husband to disclose his will, she would be seen as wishing him dead.

Nigeria laws are clearly couched to obliterate the pains of widowhood but it's clearly not so in enforcement. Statutory laws have precedence over traditional laws especially in cases that promote hardship.

The type of marriage conducted also portrays to what custom a woman would be bound. Traditional marriage alone means that only the traditions of the place would be enforced. Many men look away from making their wives their next of kin, a relationship recognized by law to confer the rights of an individual's property from a third party, The News, 30th November (1999).

An appeal court in Enugu declared that ‘women should not be discriminated against in inheritance practices and ruled that a widow should inherit her husband’s property’, Democracy and Government program in Nigeria (1988).

Justice Tobi also over ruled a repugnant custom in Nnewi Oli-EKpe hinging on the fact that it was inconsistent with the world in which we have today, *Mojekwu v Okechukwu*. In 2001, the Government of Enugu State passed the prohibition of infringement of a widow’s and widower’s fundamental Rights law. Two other States have followed suit. These are Edo and Oyo, Vanguard Nigeria.

Ban Ki- moon called on women not to lose their rights when they lose their husbands. He noted at the International Widow’s Day that globally 115 million widows live in poverty and 81million have suffered physical abuse.

Nigerian has signed and ratified different regional and international human rights instrument that would protect the woman, these include; CEDAW, African Protocol, and so on. The government should without delay implement these regional instrument.

Conclusion

All the aforementioned situation can come upon any woman, mother, sister, daughter, friend, wife, at any time if the laws against such practices are not enforced.

The menfolk must come to an understanding that any of their loved ones can be found in this state, even their daughters. Even the family members meting out such evil have not realized that it may

come back to bite them in the sense that any of their loved ones too may be at the receiving end one day.

The hazardous health effects, psychological trauma and dehumanizing effects of these practices should be given a second thought.

The social stigma of widowhood is unplanned and can suddenly be the lot of anyone so it should be viewed with the thought that it may come any ones way too.

NGOs (non-governmental Organizations) structured to harness this situation should advertise themselves, availing help and support for the widows especially in the rural areas.

Government can adopt schemes that are transparent and not enshrouded in controversies to support these women. Men should stop taking advantage of their vulnerability. Government should empower traditional rulers to stop these practices and take a census of widows in their domain with a view to empowering them.

Laws should be enacted and enforced to stop these practices just like Female Genital Mutilation. The writer also personally recommends that just as there is prenuptial agreement in civilized societies Nigeria families should begin to look towards prenuptial agreements stating the needful in event of the unexpected.

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