

A Philosophical Reflection on African Conception of Widowhood and the Problems of Human Right Abuses; a Call for Justice for African (Igbo) Women

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ABSTRACT: *Justice has been conceived by many scholars from different perspectives but the underlining factor still remains that it (Justice) tends to ensure that there is a fair treatment of all concerned in a society. This paper therefore tries to evaluate the African (Igbo) conception of widowhood practices vis-à-vis the violations of rights of women who are treated as victims in such society. It conceives widowhood as a state of losing one's husband and the customary practices thereof. The paper observed that in traditional African(Igbo) society, Widows face maltreatment that includes domestic violence, sexual assault, forced marriage, trafficking, property grabbing, conversion of property, forced evictions, as well as discrimination against women in regard to marriage, its dissolution and divorce, property and land rights, children and inheritance. The paper adopted the method of Hermeneutics and logical argumentation to arrive at the conclusion that women are being maltreated in African (Igbo) society and their fundamental human right violated and therefore submits that Civil and criminal laws must address and prohibit all of these forms, protect the rights of women and girls, provide a legal remedy, and promote accountability for perpetrators.*

KEYWORDS: *Widowhood, problems, human right and justice.*

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I. INTRODUCTION

While birth is seen as an occasion for joy and as a natural happening in all circumstances, death is seen as great and unredeemed tragedy even when it happens in extreme old age [1]. If it happens in other than extreme old age, it is a still greater tragedy. Also unlike birth, it is never considered as fully natural. On this point, many anthropologists who have made a study of this matter are agreed as a few quotations will show. After investigating this matter, A. G. Leonard concluded around the turn of the century that;

it is impossible to discuss this matter of death without taking into consideration the question of witchcraft according to popular estimates, nearly every death is, in the first instance, at all events, attributed to or associated with the accursed magic [2].

"There is" according to Talbot's 1920s study, a strange contradiction in the minds of the people. Death should be and often is, accepted with equanimity since nearly all recognised that the gods, juju and over-soul only permit its approach when the person has earned it, yet they are liable when it touches them personally, to believe that it would not have come except through the machinations of some enemy, and in any case, whether deserved or not they attempt to revenge themselves on those who are deemed instrumental in causing it [3]. Where the death in question is that of a young person, he continued, "all restraints are thrown overboard and explanation sought in witchcraft, juju or bad medicine. According to him, "one of the first acts of a bereaved family especially among the semi-Bantu, is to procure the services of a diviner and ask him to find out the cause, with the result that it is often followed by many other deaths-of those who are forced to undergo an ordeal on the accusation of witchcraft [4].

Following from this attitude to death is the fact that, in Igboland, a funeral is much more than ensuring the repose of the soul or disposing of the earthly remains. Indeed, on many occasions, these two otherwise primary purposes of a funeral take the second place to the need to establish who or what evil spirit caused the death. In this kind of atmosphere, nobody is considered, as manifestly beyond suspicion-father, mother, brothers, sisters, husband, wife, friend or any known but unseen force. All had to be put through some kind of ordeal to make assurance doubly sure. "When the burial is finished", reports Basden for the Niger Igbos, "more omu" are deposited on top of the grave. The closing words said over the grave are sokwuonyegbulu-I (follow and fight (kill) the one who killed you) or imalaonyegbulu-iisoya (you know the one who has killed you, follow him) [5]. In this kind of atmosphere charged with superstition, the regime of denials and privations brought on the widow and widowers to some extent constituted a means of placing them under oath for the entire duration of the mourning. In 1938, Basden reported that should a widow die during this period, "no people of the village will touch the corpse. The reason for this repugnance may arise from a belief that a woman dying shortly after her

husband is thereby proved to be guilty of causing his death". Basden maintained that in certain situations a widow or whoever is involved may be expected to drink the remains of the water used in washing the dead man's corpse as a way of proving one's innocence [6]. It is expected that if one caused the death of such a person he would die within a certain period—usually one year.

Some other practices were explained by other aspects of the people's beliefs. Africans tended to have an overpowering belief in the ability of the ghost of a dead person to come back to dispute his former property and all kinds of things with them. For one who was the priest of a local deity for example, a special ceremony had to be performed to "remove his hands" *sepuya* aka from the priesthood. In this culture who could be closer to a dead man than his wife? This fact made it necessary for many rituals to be performed to enable the man to hands-off his wife or wives. In this context it is reasonable to suggest that the unhygienic and appalling personal appearance of a widow was all part of an effort to make her no longer attractive to her otherwise would-be jealous, deceased husband. Allied to all this was the belief that, while death created for the dead the problem of gaining admission into the convocation of the ancestors of the community in the spirit world, it threatened the integrity and quiet repose of the community of the deceased's living relations. They guarantee the dead easy admission into this convocation in the spirit world, "all the practice associated with death and dying must be meticulously gone through. If not, he would be considered to have been improperly or inconclusively buried and would be denied admission" [7].

Widowhood Practices in Igbo Society

Despite various changes in the modern Igbo society, like many other traditional practices, widowhood practices have continued to exist silently or openly in spite of modernisation. In the Igbo society, as in many other African societies, human greed exists in many families and the death of a male member of the family offers an opportunity to the other male of the extended family to increase their holding of the scarce and inelastic commodity 'land'. The commodity now in question can expand to other items of properties. Its acquisition, that is, the ownership of the scarce commodity, land, basically controls the treatment of widows. The implication of this is that, the in-laws could throw the widows and their children out or falsely accuse widows of killing their husbands so as to acquire the late man's properties and land. All other activities serve the same purpose and any mystification and other rituals and superstitious sanctions are geared towards the oppression of the widow. The Igbo widow, in the course of fulfilling funeral rites, is subjected to a greater agony than the grief of the loss of her husband. The harmful nature of these widowhood practices on the woman as an individual with rights is the focus of this paper. As [8], puts it, "it is almost a common syndrome that widows are accused of being responsible for their partner's death". So they establish their innocence through certain acts. The travails of a widow begins immediately her husband breaths his last breath, she is made to go through various traditional rites, most of them very wicked and dehumanizing.

Widow Inheritance (Levirate)-Nkushi, as an example of abuse of right of widows

Like many other African peoples, the pre-colonial Igbo required that a widow be inherited by her deceased husband's kinsman. In Igbo customs, it means for a widow to be "taken over" or "to be inherited" in a more general sense by a brother of the deceased. For example by the son or brother of her deceased husband. The levir's normative role is to sire children, if the widow's family is not already considered complete; to manage the property held in trust for her minor son's; to assist her by providing labour for clearing, ploughing, planting and harvesting and to contribute to the maintenance of her household. In traditional Igbo society when levirate was more frequent, a young widow is typically more likely to choose the levirate for several reasons;

1. She was under considerable pressure to have more children as quickly as possible particularly if she has no sons.
2. Young widows also may value the advice of an older man in managing her property
3. She needs the services of a man to cut her palm fruits for her and help in farm work
4. She needs assistance in farm work, mending the house and a guardian for her children

A widow in Igbo society is not compelled to become involved in a levirate arrangement. Although the levirate was common in traditional society, it is unlikely that a widow with a grown son would enter into such a relationship. With an adult male heir for her house, such a woman will not be under pressure to continue bearing children. She would probably depend on her sons to perform the male role in the gendered division of labour and give her other assistance that otherwise might be provided by a levir. If such a woman has a lover, it is a man of her choice and generally unrelated to her late husband [8].

From the foregoing it is pertinent to note that the widow is deprived of the right to choose whom she wishes to spend her life with but is expected to abide by the custom of the society whether she likes it or not and as such the individual is oppressed psychologically. According to [9], to be psychologically oppressed is to be weighed down in the mind and it is to have a harsh dominion exercised over one's self esteem. Psychological oppression could be regarded as the internalisation of intimations of inferiority. Like economic oppression,

psychological oppression is institutionalised and systematic and it serves to make the work of domination easier by breaking the spirit of the dominated and by rendering them incapable of understanding the nature of those agencies responsible for their subjugation [10]. This situation allows those who benefit from the established order of things to maintain their ascendancy with more appearance of legitimacy and with less recourse to overt acts of violence than they might otherwise require.

Other examples of Widowhood Practices in Africa(Igbo)

Generally, other examples of harmful widowhood practices include:

1. Shaving of Hairs
2. Wearing of Black/White clothes
3. Sleeping on the floor or mat
4. Refrain from taking bath for a period of time
5. Being made to swear with Husband's corpse
6. Seclusion

Reasons for Prevalence of Widowhood Practices

Many reasons could be adduced to be responsible for the prevalence of widowhood practices as highlighted below:

Superstitious Beliefs ; there is the wide-spread belief in African societies including Nigeria that without all these rites and practices, the spirit of the dead man will not have rest, instead his soul will be wandering around and in some cases the dead man's spirit will be destroying things and hurting people in the community. So, the wife has to go through all these widowhood practices to appease the dead.

State of Joblessness of the Wife; this is another contributory factor, where wives depend solely on their husband for survival. This usually placed them at abject poverty level after the death of their husbands as other members of the extended family would want to lay claim to the deceased husband's properties. If women are economically empowered, they would be able to stand up and refuse to compromise to these obnoxious widowhood practices [11].

Lack of Education; Ignorance, people say, is a disease. Most of the women who are victims of these widowhood practices believed in their culture and are very hard to convince. Also, there are still some sections of the country that do not strongly believe in educating girls. An educated woman would not succumb to be abused and be maltreated as a widow. Education of the girl child therefore becomes very important as it may serve as future security against various forms of violence against women especially widowhood practices.

Failure of Men to Write a Will; Most husbands do not bother to write a will before their death and when a mere suggestion is made by the wife, this might attract a village or family council meeting on the basis that she is planning to kill the husband so as to inherit his properties. Lack of any written will pertaining to inheritance of properties will place the wife at a disadvantaged position since the in-laws would want to confiscate their brother's properties, show antagonism to the wife and evict her from the family house.

Lack of Respect for Womenfolk; this is another cause of these obnoxious practices. Africa is being seen to be "a man's world", due to our patriarchal background therefore, women are being treated as an article, like chattel that was purchased, which you can drop or transfer. This belief makes the in-laws to treat the wife without respect when the husband dies.

Widowhood and Human Right abuses in African (Igbo) society

Bearing in mind that human right entails those inalienable rights in which an individual is entitled to for the reason of being human, it means that widowhood practices as experienced in Africa (Igbo) society amounts to;

Alienation from human dignity

The word dignity has a plethora of interpretations. The endowment and origin of human dignity can be traced back to God's creation of man in His own image and likeness. This image expresses an intimate relationship between God and man, toward a marvelous paternal concern for his creation. Therefore, the period of enlightenment defined dignity as the worth of being human, hence the two concepts 'human' and 'dignity' are synonymous. To be able to say what dignity is would be to describe the fundamental meaning of being human [12]. Following this conception, human dignity becomes the source, driving force and norm by which all human actions are judged. This is why [13], rightly defined human dignity as the seat of personality, valuation, decision and choices. Against this backdrop, it is clear that the dignity of widowed females in our study population are violated, hence they are isolated from the values and sanctity of human dignity. Thus, in the rituals, widows are reduced from being subjects, to mere objects. The widow's appearance, mood, subjection and alienation as she undertake the rituals and practices before and after interment of her husband, go on to

contradict her natural endowments which she possess by being made human. This is underscored by [14], when he states that human dignity is a concept based on the fundamental values of justice, liberty, equality and fraternity, and ironically connected with the recognition and promotion of basic human rights and decency in standard of living. The widowhood practices draw sharp parallel lines which separate widows from enjoying modern ideals, whose aim of uplifting humanity is grounded on human dignity and personality. Suffice it to say that the alienating power of the practices constitute a violent force toward human indignities, while they promote destruction of the personality and worth of the female folk. The forceful execution of rituals and sanctions on the widow without option is another dimension of traditional violence and alienation from human liberty, considered to be the highest natural endowment and an indispensable pivot of human dignity. Therefore, the exploitative manipulation of the human faculty of liberty as observed in the treatment and lived experience of widows in Africa(Igbo) society is an insult and debase of human dignity and personality. Hence, unwarranted suppression of the legitimate expressions of human liberty is a violent offence against human nature and human dignity which liberty symbolizes and represent [15].

Alienation from Groups

The traditional conception of the widowhood institution as a transition period characterized by rituals and practices, separate widows from normal social relations and interaction, and posit them in a secluded realm of the world. [6], calls this seclusion sacred impure state, which no doubt is alienation. The institutionalized alienating power of widowhood defines the widow as defiled and ritually unclean. As a result she is isolated to prevent 'contamination' of 'normal people'. The demands of the cleansing rituals further estrange her, splitting the bond of human relation, especially of the female folk in a relationship of unequal powers. Consequently, the deceased's kinswomen act as superiors and dictators as they execute the rituals and supervise the practices, while the widow is the inferior and their subject.

Alienation from Nature

The customary and ontological interpretation given the hypostatized widowhood practices further alienates the widow from natural phenomena. Thus, the widow is forced to turn from nature, and focus attention at the spiritual horizon of existence, in order to harmonize and strengthen relationship with it, hence it is believed to have been disorganized by her husband's death. In trying to achieve this, the African (Igbo) widow (especially the traditionalists), is preoccupied with divinations, sacrifices and rituals. As a result, she no longer has inner harmony between her and the natural and social environment. For the widow, nature becomes an object of mystery, fear and source of danger. Every natural explanation to events surrounding her is rejected, while her mind is occupied by fear of the situation and the desire to control and dominate it. This is the morbid fear of nature. And, sequel to this situation are exploitation, alienation and destruction of the virtues and wit of personality and dignity of womanhood [7].

Alienation from Self

The mystifying of natural events in widowhood practices further encourages self-alienation of the widow. This is based on the belief that the divine truth and harmony which she needs is outside the realm of the physical world. The widow becomes estranged, turning deaf ears to the voices speaking within her life, while eager to welcome the voice of liberation which she believe must come from the rituals and the spiritual realm.

Alienation from Possessions

In addition to her individual earnings, the African (Igbo) women work in tandem with her husband to build up their family and to acquire some material wealth. Rather than logically being the direct inheritor of the wealth on demise of the husband, the widow is alienated from the products of her sweat and matrimonial home. This is done by her brothers-in-law and extended family members. The widow's alienation from the possessions is validated by the widowhood custom which regards the widow as trustee of her late husband's property, without the power to possess them. This is the type of alienation that worried Karl Marx most in his thought about human condition. On remarriage or divorce, she is further dispossessed of all the property she is allowed custody. This widow's alienation from the products of her labour transits her from relative luxury to pauperization. Again, she is dispossessed by women-ritual actors, activists and supervisors who exploit her to their own interest. Within the period of the widow's restrictions from movement and eating, her matrimonial kinswomen eat sumptuously at her expense.

II. CONCLUSION

This article has shown that despite efforts made at the international level to address gender inequality, women still encounter discriminatory practices on a daily basis. In particular, cultural practices such as widowhood practices have continued to perpetuate the subordinate position of African (Igbo) women.

Moreover, widowhood practices are a violation of women's rights to dignity and non-discrimination guaranteed in the Nigerian Constitution. Given that Nigeria has ratified international and regional human rights instruments that prohibit discrimination against women, it is imperative that the government adopts appropriate steps and measures to address cultural practices that continue to discriminate against women. The Nigerian government will need to embark on holistic legal and social reforms that must respond to the peculiar needs of women in the country. The government would need to immediately abolish cultural practices that continue to perpetuate inferior status of women in society. Moreover, the government will need to enact laws that will promote gender equality in society and protect women from discriminatory practices in general. Such efforts will need to be complemented by education and awareness campaign programmes targeted at correcting stereotypical attitudes towards women.

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