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CULTURE, MEDIA & FILM | RESEARCH ARTICLE

Gendered violence and human rights: An evaluation of widowhood rites in Nigeria

Lady Adaina Ajayi^{1*}, Faith Osasumwen Olanrewaju¹, Adekunle Olanrewaju¹ and Onwuli Nwannebuife¹

Abstract: This paper evaluates the connecting fabric between gendered violence and human rights through the dire lenses of widowhood rites in Oshimili-North Local Government Area in Delta State, Nigeria. This evaluation stems from the Sustainable Development Goal-5 whose aim is the eradication of all forms of discrimination against women as well as harmful practices. Hinged on the theories of cultural relativism and universalism, the paper provides information on the existence of dehumanizing cultural practices related with widowhood rites despite the enactment of human rights instruments that are expected to address this form of discrimination targeted mostly against women. In-depth interviews were conducted among widows who voluntarily shared their experiences. Findings show widows' acceptability of widowhood practices despite their educational and financial status notwithstanding. Also worthy of note is that women are perpetrators of these widowhood rites and they ensure its strict compliance among other widows. It recommends the dire need of the Nigerian government to domesticate the global

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PUBLIC INTEREST STATEMENT

Gendered violence is a global crisis that has rapidly gained universal attention. It has become pertinent in the global struggle to protect women's rights. There have been major global debates on creating a point of convergence between women's rights through the enactment of conventions. However, these efforts have not been commensurate as women in the past and till date are been subjected to various forms of widowhood rites in the guise of culture or simply because certain practices are acceptable to particular societies. Research is therefore required on how to ensure that countries not only sign these global human rights instruments but ensure its actual domestication bearing in mind their current realities.









rights regime into its legal framework, education of the populace through the interpretation, appropriation and the reconstructing of these transnational discourses into the indigenous and ensure that, effective monitoring mechanisms are in place to guarantee the effective protection of this vulnerable population.

Subjects: Gender Studies; International Relations; Sociology; Psychology; Cultural Studies Keywords: culture; gendered violence; human rights; Nigeria; widowhood rites; women

1. Introduction

There have been major global deliberations on creating a point of convergence between women's rights fortified by the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) and harmful cultural practices for the last two decades (Ajayi & Soyinka-Airewele, 2018a; Durojaye, 2013; Sossou, 2002; United Nations [UN], 2001). Women in the past and up till today have been subjected to various forms of torture in the name of culture or simply because certain practices are acceptable to particular societies (Adomako-Ampofo, 2008; Ajayi & Soyinka-Airewele, 2018b). For widows, cultural abuses are often gruesome and as emphasized by Ohiaege (2017) and Akinbi (2015) widowhood has deep negative psychological and emotional effects on the widows because of the degrading and inhumane treatment meted out on them. However, despite the condemnations of these practices by international organisations or the ratifications of treaties by states including Nigeria, gendered violence is still very much on the increase as the sanctions to address these issues have been inadequate (Ajayi, 2018; Mathias, 2015; Nogradi, 2011). In other words, there are clashes between existing cultural practices and the standard or acceptable response to women's rights, which must be managed. It is evident that the above-mentioned fall short of the Sustainable Development Goal 5 whose focal point has to do with the elimination of all forms of violence against women as well as harmful practices, such as widowhood rites amongst others.

In the Nigerian context which could be the case in other African countries, women whose spouses are deceased are subjected to numerous widowhood rites that expose their vulnerability. These rites include; consuming the water used to wash the corpse, sleeping in the same room where the corpse is laid, forced to marry her deceased husband's brother, confined to a room and forced to sit on ashes, served food on broken plates and in some cases, prohibited from gazing at the person who served the meal, and in some cases they are restricted to wearing certain colours, styles or tattered clothes for a period of time (this vary across cultures). Sometimes, these widows are expected to scream so that people in the community could hear them. These practices vary by ethnicity in Nigeria and by region across sub-Saharan Africa (Ohiaege, 2017; Pemunta & Alubafi, 2016; Korang-Okrah & Haight, 2014; Merry, 2006).

In contrast to the dehumanizing elements embedded in some cultures as reiterated by Amlor and Owusu (2016) highlighted certain cultural norms and values that guarantee the general well-being of widows. First of such was their justification for a widow's confinement is that this practice is to infuse fear, moral discipline and to daunt adultery. Put differently, the practise seen as preventive measures which shields the widow from being targets to men with voracious sexual desires. Secondly, as noted by Amlor and Owusu (2016), was the ritual of farewell of marital ties between the widow and her deceased spouse is said to be a mental enhancement that braces the widow to accept masculine roles which means she is able to take up the tasks of being a single parent. It is important to note that, widowhood rites vary across different cultures. One thing that is common across these cultures is the fact that they are often denied access to legal intervention which worsens their situation.

For instance, in Nigeria specifically, despite the protection offered by Section 34 (1) of the 1999 Nigerian Constitution which guarantees the rights of all citizens against torture and other inhuman or degrading treatment, traditional and religious laws—the Sharia law, a product of the Islamic faith-based religion being a candid example—still limits and violates women's rights. Although



Nigeria is a pluralist and multi-religious society harboring Christians, Muslims and Traditional religious among other forms of religious worshippers, the ideological Islamic legal principles of Sharia law occupy major sections of the Nigeria constitution, such that after Nigeria's return to civil rule in 1999, the Muslim majority states in the north imposed Sharia law as a result of the radical Islamic movement in the Northern Nigeria built on the thought that poor socio-economic infrastructure, poor governance, poverty amongst other social ills are results of Nigeria's adoption of western political and economic ideologies which can only be corrected with the formation of an Islamic caliphate in Nigeria (Imo, 1990). The frequency of this cultural abuses can no longer be checked by the Nigerian government, due to lack of data on its occurrences and the perception held amongst widows that widowhood practices are sacred traditions that must be observed. Furthermore, victims do not report such cultural abuses officially or formally but accept their fate seeing widowhood practices as cultural procedures paying their last respect for their dead spouses.

As a democratic society, it is expected that there should be liberty, equity and respect for another person's right which would lead to an improvement in the treatment meted on widows. George (2016) and Jafi (2007) recognise widowhood rites as culturally influenced forms of gendered violence and decries the attitude of law enforcing institutions of the Nigerian state in handling such cases. Among the Igbos, gendered violence occurs frequently due to cultural observances which have been practised over time and are deemed unchangeable (Ihekwuaba & Amasiatu, 2016; Nwogu, 2015; Aduba, 1999). Widowhood practices among the Igbos are deeply established practices that aim at, above all else, proving the innocence of the widow. They are profound cleansing processes that are supposedly for vindicating the woman. It is a culture that the custodians take pride in and protect despite the influence of various regimes of rights both at the global and national levels.

Although, Nigeria has endorsed international and regional treaties that work towards the safety of human rights such as the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), the Convention on the Rights of the Child (CRC), the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol) and the African Charter on Human and Peoples' Rights (Banjul Charter). Traditional practices that violate women's right such as the widowhood rites in Nigeria are still practiced on a large scale without recourse to existing treaties to curb the situation (Ohiaege, 2017; Mathias, 2015; Durojaye, 2013). It is against this background that this study seeks to investigate the extent to which cultural structures, specifically the widowhood rites, have been used as an oppressive tool against women in Oshimili-North Local Government Area of Delta State despite Nigeria's commitment to international and national human rights instruments.

2. Literature review and theoretical framework

It was in the 1980s that the concept gendered violence was first given a human rights violation definition (Merry, 2006). The original meaning of gendered violence as Merry (2006,p. 21) posited was male violence against their partner in the form of rape, assault and murder has stretched and now includes female cutting/genital mutilation, sexual harassment, gender-based violence by the military and police forces during armed conflict, violence against asylum and refugee women, forced sterilization, forced abortion, forced pregnancy, infanticide and female foeticide, honour killings, forced and early marriage, sex trafficking and prostitution, widowhood rituals, acid burning and dowry deaths. One major challenge to addressing gendered violence has been the lack of a clear definition of the concept. Specifically, this problem became evident in the 1980s when "Battered Women and Violence in the family" was adopted by the World Conference on the United Nations Decade for Women: Equality, Development and Peace which held in Copenhagen adopted the resolution (Rico, 1997:12).

It is necessary to note that the Nairobi Forward-looking Strategies for the Advancement of Women, developed in 1985 recognized gendered violence as a fundamental approach for addressing the subject of Peace. On the other hand, the 1979 CEDAW never made reference to gendered violence rather it was the team in charge of observation that developed a draft for the



recommendation of gendered violence in 1989. This is because a clear definition of the concept was still lacking. Thereafter in 1992, the committee or team framed a wide-ranging recommendation which defined gendered violence as a form of discrimination. This draft situated gendered violence within the lens of human rights and fundamental freedoms and made it pertinent for state obligation to address violence perpetrated by private persons and public authorities (Merry, 2006:22; Report of the Secretary-General, 1995, p. 132).

In the 1990s, activists began to argue that the failure of a state in the protection of women from violence is a form of human rights violation even though studies like Ghani (2014), Falk (2004) and Cook (1994a) have shown that numerous forms of this violence and sexual assault are done by private persons rather than states. Abraham and Tastsoglou (2016, p. 518) disagrees with the aforementioned by saying "we consider the role of the state to be dualistic, both as an agent of justice and an instrument of domination and oppression particularly in regard to the implications for policies and practices aimed at addressing issues of violence against women". Nonetheless, states are accountable for ensuring due diligence in the protection of citizens, women inclusive, even from the claws of private individuals. Thus, states who fail to protect their citizens from any form of violence violate their responsibilities towards their citizens (Fareo, 2015; Cook, 1994b). It is important to note that boys, men and other sexualities also are victims of gendered violence. But this study joins it voice with other studies like Ajayi (2018), Katembo (2015), Adomako-Ampofo (2008) and the Committee responsible for enforcing CEDAW opined that gendered violence which most times is often referred to as violence against women because women accounts for the major victims and men often the perpetrators. This to a large extent is described as a form of discrimination. Article 1 of the CEDAW Convention states that:

Any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. (UN Convention on the Elimination of Discrimination against Women, 1979–1981).

Furthermore, during the 1993 United Nations Conference on human rights held in Vienna, international engagement by feminist's NGOs emphasised the attention about the growing concern of gendered violence which cannot be separated from the issues of human rights violations. This drew a worldwide campaign which attracted over three hundred thousand autographs from about one hundred and twenty-three countries with the issue of gendered violence being the focus of the conference (Adomako-Ampofo, 2008; Friedman, 1995, p. 27). At the conclusion of the conference, the Vienna Declaration and Programme of Action recognized formally women's rights as "an inalienable, integral and indivisible part of human rights" (Merry, 2006, p. 22). Also, in addressing violence against women in private and public spaces, the document advocates for the "the eradication of any conflicts which may arise between the rights of women and the harmful effects of certain customary or traditional practices and the elimination of gender bias in the administration of justice" (sec. II, B, par.38, UN Doc A/Conf.157/24, 1993, cited in Merry, 2006, p. 23). The Declaration went ahead and requested that a special rapporteur on violence against women be designated. They were charged with the responsibility of drafting a declaration eliminating violence against women be appointed. This request was granted in 1994 by the United Nations Commission on Human Rights who outrightly condemned gendered violence. The Special Rapporteur was mandated to collect information regarding violence against women, recommend measure to remedy the situation and work with other members of the Commission on Human Rights.

It is significant to note that the Commission on the Status of Women (CSW) developed DEVAW in 1993 which the General Assembly adopted unanimously even though it has no binding force; it, however, has the moral force of worldwide acceptability. The declaration defines violence against women from a broader perspective which includes physical, sexual and psychological harm or threats of harm in public and private spaces. According to Coomaraswamy and Kois (1999, p. 183),



"the declaration attributes the root of gendered violence to historically unequal power relations between men and women. He argues that the process is socially constructed and historically justified rather than natural". The 1995 Fourth World Conference on Women in Beijing famously referred to as the 1995 Beijing Platform for Action also had a section to address the issues of gendered violence. The 1995 Platform for Action reads the "violence against women both violates and impairs or nullifies the enjoyment of women of their human rights and fundamental freedoms. The long-standing failure to protect those rights and freedoms in the case of violence against women is a matter of concern to all states and should be addressed" (United Nations [UN], 1995: 112). It is important to note that Article 1 of CEDAW further emphasized that;

State parties are urged to modify the social and cultural patterns of the conduct of men and women with a view to achieving the elimination of prejudices and customary and other practices which are based on the idea of the inferiority of women (UN Convention on the Elimination of Discrimination against Women, 1979–1981).

By 2003 again the issue took centre stage during this period the Commission on the Status of Women (CSW) has earlier considered violence against women in connection with racism and HIV/ AIDS in 2001, and poverty and natural disaster in 2002. This global development of human rights declarations and concerns has been what has built on extensive national, local and social movements. The need for intervention was widely recognized by both the global north and south. Due to the high-level awareness, intensified efforts begun to grant these vulnerable citizens the ability to voice out and seek refuge instead of dying in silence which is the ultimate consequence of violence against women. States that have signed up and ratified these declarations are beginning to ensure they create a sustainable environment habitable by their citizens, which is a safe haven for all. It is pertinent to note that regardless of the level of awareness by international, national and local agencies to address violence against women, there still persist major obstacles obstructing its absolute eradication which stems from, culture, patriarchal norms and religion to mention a few. This is because various state governments lack defined policies for eradicating/addressing various forms of gendered violence even with the existence of international regimes that have set the stage but various countries need to take a deeper look into the socio-political and cultural structure of its society and transplant tenets from these regimes for its local execution.

A lot of attention has been given to understanding the concept of human rights as well as addressing the challenges of human rights violations since 1948 when the Universal Declaration of Human Rights [UDHR] became adopted as the universal standard for protecting human rights. Prior to 1948, human rights such as the right to life, freedom of association, the freedom of speech, amongst others were believed to have been given by God (Kullving, 2011). According to Article 2 of the 1948 UDHR, "everyone is entitled to these rights and freedoms irrespective of race, sex, language, colour, religion, political or another opinion, social or national origin, birth, property, or status" (United Nations General Assembly, 1948). Scholars such as Ogunniyi and Dosunmu (2014, p. 323) established the difference between human rights and women's rights. They defined women's rights as "human rights peculiar to women individually and particularly" especially as they are recognized by international treaties while human rights are rights applicable to all irrespective of sex or gender. However, the Convention on the Elimination of all forms of Discrimination against Women (CEDAW), a global document adopted in 1979 for the protection of the rights women, did not properly express women's rights. Rather than achieving its goal of curbing or eradicating women's rights violations, the issue of women's rights gained recognition in the international system as a result of persisting discrimination against and oppression of women due to the patriarchal nature of most societies of the world.

Furthermore, and with more specific focus on the Nigerian context, despite the global recognition of the rights of all humans and its inscription in the Nigerian Constitution, violations of women's rights still occur and are more conspicuous in the areas of traditional practices or rites such as widowhood malpractices and wife inheritance (Ogunniyi & Dosunmu, 2014). Nnadi (2012)



asserts that widowhood rites vary across cultures and are usually inflicted on the widow by members of her husband's community or family. Tsanga and Stewart (2007) asserted that widowhood is a difficult phase for women and the harshness of widowhood rites is an infringement of women's rights to equality which is supported by Article 2 of CEDAW, and Article 21 of the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa. Widowhood rites are primitive, wicked and harmful traditional practices which challenge and demoralise the dignity of women (Nnadi, 2014; Olebara, 2008).

In establishing the nexus between gendered violence and human rights violations, this study anchored its arguments on the theories of cultural relativism and universalism. A major proponent of cultural relativism is James Rachels, which he explicitly analysed in his 2003 book "The Elements of Moral Philosophy". Rachels (2003) proposes that cultural relativism is founded on the notion that all human rights are dependent on culture and that no universal moral principles can be said to apply to all cultures. A major proponent of the theory of universalism is Jack Donnelly. The theory of universalism finds its roots in Article 1of the UDHR of 1948 which states that "all human beings are born equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood". According to Donnelly (2013), universalism was based on the idea that all human beings hold rights just because they are human. It draws on the fact that human rights are inalienable regardless of religious views or national status. Donnelly (1984) explains that these theories of universalism and cultural relativism have always been in contrast.

Cultural relativism has been applied by many scholars such that it has been used as the traditional rationalization for gendered violence and is used to justify the cultural excuse for the permissiveness of the continuance of these practices. While universalism proposes that the existence of human rights covers all including widows, cultural relativism means that traditional practices such as widowhood rites should not be made subject to the international law because it is justified by culture. Epochi-Olise (2008) and Brown (2008) are of the view that cultural relativism removes any ground for the comparison and checks of cultures thereby allowing unpleasant circumstances. Cases of human rights violations and discrimination against women based on their gender and supported by culture are often seen as not being the business of the state and outside the scope and jurisdiction of legislative bodies (Coker-Appiah, 2009). The implication of this on widows is that there is a seeming permissiveness for these practices which is a violation of their rights as humans.

3. Research methods

3.1. Study design

This study utilised the cross-sectional research design. In-depth interviews were conducted to explore the perception of women over gendered violence through the practice of widowhood rites. The study basically provided an answer to the question of whether widowhood rite constitutes rights violation from the victims' perception. It also seeks to investigate the extent to which cultural structures, specifically the widowhood rites, have been used as an oppressive tool against women in Oshimili-North Local Government Area of Delta State despite Nigeria's commitment to international and national human rights instruments. The in-depth interviews offered the opportunity for the researchers to seek clarifications on issues bothering on widowhood rites and women's rights in Nigeria.

3.2. Study location

The data used for this study were part of a broader research conducted in communities such as Illah, Atuma, and Akwukwu-Igbo in Oshimili-North Local Government Area of Delta State, Nigeria. There is an avalanche of literature that supports the prevalence of widowhood rites among the Igbo tribe who are the dominating tribe in the state and the region as a whole (Durojaye, 2013; Genyi & George-Genyi, 2013; Ihekwuaba & Amasiatu, 2016). Also, few of the researchers' have affiliation with the state and were able to communicate in the local dialect which provided the opportunity for ease of interaction including interpretation of respondents' responses. Thus, due to



the cultural affiliation, there were widows who took pride in their culture and were willing to share their personal experiences with our team.

3.3. Recruitment of participants

The study population comprised of widows aged ≥40 who are resident in Oshimili-North Local Government Area of Delta State. The participants of the study could not be absolutely defined or determined by the authors. Due to the sensitivity of the subject matter, some widows declined to participate in the study. There was no deliberate exclusion of widows from ages below 40. All widows were qualified for the study. The only selection criteria were the widowhood status and not age. The snowball sampling technique was used in the identification and selection process of the widows. A person who meets the criteria for inclusion in the study is identified and this person recommends others who also fit the criteria for inclusion in the study (Ajayi & Soyinka-Airewele, 2018a; StatPac, 2014). Therefore, the first widow who was known by the researcher was asked to identify other widows in the community and the researchers were put in contact with those widows. Convenience sampling was also adopted for this research. It involved the collection of samples by the researchers based on the judgment of the researchers. Women that were not widows were excluded from the study. Permission was obtained from relevant authorities before the commencement of the interviews with participants. Participants were adequately notified about the essence of the research and were not coerced into participating in the in-depth interview sessions. The major characteristics of participants (such as socio-marital status, years of being widowed, religion, education, occupation and so on) were evaluated at the beginning of the interview.

3.4. Data collection

The locations selected for the in-depth interviews were those chosen by participants as comfortable for the interviews and void of distractions. A total of 8 in-depth interviews were conducted. The use of 8 participants was because participants of the study could not be absolutely defined or determined by the researchers. Due to the sensitivity of the subject matter, some widows declined participating in the study. There was no deliberate exclusion of widows from ages below 40. All widows were qualified for the study. The only selection criteria is the status of widowhood and not age. All the respondents, that is, 100% of the respondents were widowed. One of the participants aged 40-60 years, 6 were in the age group 61-80 years and one was 81 years old. Relatively, 4 (i.e. 50%) of the participants have been widowed between 3 and 10 years while 4 have been widowed between 11 and 20 years, About 2(25%) of the participants had some levels of formal education while 6 (75%) of the respondents had no formal education. Approximately, 7(87.5%) participants were Christians, while 1(12.5%) was a traditional African worshipper. Relatively, 7 (87.5%) of the respondents were traders, while 1(12.5%) occupied a traditional office and was not permitted to work. None of the respondents was Muslim. Each interview sessions lasted for between 25 and 40 minutes. The interviews were conducted in both English and the native language spoken in the area of study. Respondents were asked about their perceptions about whether widowhood rites constituted gender-based violence against women and if the government's interventions have effectively and adequately addressed the violation of the rights of women. The interview sessions were recorded and additional notes were taken. Discussions held in both Igbo, the native language in the study area and English. Some individuals communicated in both English and Iqbo which one of the researchers understood and interpreted. The interview guide was adapted from George (2016). Participants were asked about their experiences and knowledge of widowhood rites and how the rites have affected their human rights.

3.5. Data analysis

Components of framework analysis were used to analyse data. The framework analysis refers to the flexible and systematic approach of analyzing qualitative data (Amoo et al., 2018, 2017; Green & Thoroghgood, 2004; Olanrewaju, Omotoso, & Alabi, 2018a). It aids the description and interpretation of any situation occurring in a particular place or setting (Srivastava & Thomson, 2009). The method of framework analysis has been relevant in the adoption of themes evolving from the



research work through the use of content analysis method (Olanrewaju, Omotoso, & Alabi, 2018b). Thematic analysis provides insightful and comprehension of difficult phenomena as well as be implemented across an array of epistemological and theoretical approaches emanating from the responses of participants (Amoo et al., 2018, 2017; Green & Thorogood, 2004; Smith & Firth, 2011). Thus, the responses of participants were summarized and classified with themes. One of the importance of this analytic framework centres on the use of the framework to proffer solutions to real-life challenges such as human rights.

Interview with participants was with the use of a recording device. Notes were taken during all the sessions. The responses were transcribed by the researchers and thereafter analysed using the systematic content analysis method. The field notes and transcripts were read over and over by the researchers to have a good grasp of the data in the notes and transcripts. Through the scissors and paste approach, recurring themes were classified. Repeated review of the transcript helped with the identification of more themes. Responses were noted on a Microsoft word document and cross-tabulated by "years of being widowed". The results were compared with the existing literature. The analysis of data followed the qualitative research review guidelines (RATS) that give so much relevance to scientific methods, transparency as well as the soundness of the interpretive approach. To ensure a systematic presentation of the research findings, the consolidated criteria for reporting qualitative research (COREQ) were used.

3.6. Results

Majority of the respondents were widowed from 3 to 10 years. All eight of the interviewed participants were widows. 7 out of every 8 respondents were economically active (trading) while 1 of every 8 respondents was a traditionalist and was not allowed to trade or engage in other forms of economic activities. One in every four respondents could not read nor write. However, discussions in the local dialect *Igbo* gave all respondent the opportunity to participate fully (Table 1).

3.7. Patriarchy

The influence of patriarchy was evident in responses gathered from the respondents. The notion that a woman is expected to serve and be submissive to men (in this context, her husband) is a recurring undertone of responses derived from the participants. Even in a man's death, the woman is not considered free from the domination of her husband and must perform the widowhood rites. Below is an excerpt describing the patriarchal undertone of widowhood practice:

Women have been suffering for a long time. There was a time we (women) called for these practices to stop but the owners of the tradition refused. What they said is that it is a man that marries a woman so she must mourn him (Widowed for 11–20 years).

The excerpt points to the fact that women's rights have been considered an unimportant issue for a long time. The reasons for this neglect are hinged on and cannot be divorced from the patriarchal narratives and the subservient placement of women to men in society.

3.8. Perception of conflicting operation/reality of human rights and widowhood practices

Majority of the women indicated different perception about human rights and widowhood rites. While many of the participants were aware that human rights exist, they argued that it cannot be placed alongside the tradition of widowhood practices. A number of the participants mentioned that they had some reservations towards some of the practices they were subjected to which includes the scrapping of their hairs on the head and private parts, confinement to a small space and huts, and prohibition from going to public places such as the market amongst others. One out of every four participants agreed that such practices violated their human rights and constituted gendered violence perpetrated against women. Below are some of the excerpts of the ordeals of the respondents on the contradiction between widowhood practice and human rights:



Selected characteristics	Frequency	%
Age group		
40-60 years	1	12.5
61–80	6	75
81 & above	1	12.5
Total	8	100
Education		
No	2	25
/es	6	75
Total	8	100
Religious affiliation		
Christianity	7	87.5
Íslam	-	
Others	1	12.5
Total	8	100
Awareness about Human rights		
'es	6	75
lo	2	25
otal	8	100
Nourning rites		
es	8	100
lo lo	-	
Total Total	8	100
Nidowhood duration		
I-10 years	4	50
11-20 years	2	25
Don't know	2	25
otal	8	100
Occupation		
rading	7	87.5
Fraditional offices	1	12.5
Not working	-	-
Total	8	100

Source: Authors' Computation (2018)

I had to wear black clothes and my hair was shaved off so that I would look like a woman who was mourning her husband (**Widowed** for 3–10 years).

When we started the mourning rites, I was kept outside my husband's house for two days although I had been told I would be there for seven days. Normally, other widows stay outside for a month or close to three months but I refused. I stayed for a day then I paid the Omus (widows) and gave them a goat, then I was allowed to go inside. Still, I was not allowed to leave my husband's house (**Widowed for 11–20 years**).

Personally, I stayed there (makeshift house) for one month. I was there even while it rained. These days, however, the widows just stay outside in the makeshift house for a day after they must have paid some money to the Omu. However, widows still go to the stream in the morning and night of that same day. That is how we have made the tradition now. In the other villages in Illah, on the other hand, the widow walks through the marketplace and the garage. On the first



walk, that is when she is going out, she places her left hand on her left chin; when she is coming back, she places her right hand on her right chin. This switching of hands is also done for Onyah widows on their way to the stream. A widow's hair is also shaved and she is given a big bag of rice to wear over her dress (**Widowed for 11–20 years**).

When I was younger, my father died and my mother went through these practices. She was kept in the okono (same as uno akwa [a temporary mourning house made from bamboo sticks and palm fronds]) at the back of the house. She was only allowed to have her bath in the night. She was only allowed to eat with her left hand. This was the tradition practised then by the real traditional people before Christianity got involved. So I experience the same issues when my husband died (Widowed, for 3 –10 years).

3.9. Perceptions that religion co-exist with the culture of widowhood rites

The participants recognised the influential role of religion in moderating widowhood rites. Majority perceived religion as a factor that had encouraged the lessening of harmful widowhood practices. Generally, there was a sense that religion had acted as a shield for many of the widows and reduces the manifestations of widowhood rites. Christian widows often refused these widowhood practices and are not disturbed by anyone because of protection from the church. According to a woman who had been **widowed for between 3 and 10 years**, "fortunately, Christianity came and these things (widowhood practices) reduced, so I mourned my husband as a Christian not traditionally". Stated below is another excerpt:

I mourned him (husband) for three months. In the past, I know widows used to stay in mourning for up to a year, but since the advent and initiation of religion, the period was reduced to three months (Widowed for 11–20 years).

However, in some cases, respondents revealed that clashes usually occurred between the traditionalists who were custodians of the culture and existing religious belief. Sometimes, widows were not allowed to pick the Christian burial over the traditional. Widows who chose to do the former were still mandated to do the latter. Some excerpts are described below to explain this:

The umuada (women from the man's village) did not allow my church members to cut my hair. I attend Cherubim and Seraphim but the umuada wanted me to undergo the traditional rites instead of letting the Christians do it. Eventually, the umuada had their way (**Widowed for 3–10 years**).

In Issele Ukwu (a village in the area of study), widows are not fully allowed to pick the Christian mourning rites over the traditional. The widows who choose to undergo Christian rites were still asked to go through the traditional rites (**Widowed for 3 and 10 years**).

Some respondents reported a cordial relationship between the church and the traditionalists. Sometimes, tradition and religion are merged to ensure that both culture and religious practice were not hindered. Thus, the role of the church is entrenching culture was also obvious. Below are excerpts:

My husband was a Christian man. The church members came to my house and joined me in mourning him ... The umuada were also there but they did not disturb me. They permitted the Church to cut my hair but they (umuada) first laid their hands on my head (**Widowed for 11–20 years**).

After the burial, people from my church shaved my hair and dressed me in the black cloth. The umuada acknowledged that I was good to my husband and to them while my husband was alive, so they were not harsh towards me (**Widowed for 3–10 years**).

3.10. Ignorance, illiteracy and resignation to fate

Two-third of the participants asserted that they were aware of their right and that they could refuse to accept the widowhood rites. One out of four participant was not aware of their rights due



to their lack of education but refused to seek protection from the government and other relevant authorities from the widowhood practices. Below is an excerpt showing the assertion that if given another chance, some widows would strongly oppose such maltreatment:

In fact, I was treated very badly. My husband did not treat me well during our marriage. If I had set my mind to that fact, I would not have undergone the practices. I could have contacted the government but I wanted to please the people so I kept quiet. I did it for my children ... Sometime before his death, some government officials gave me their card, I could have called and gotten them arrested but I chose not to do so (Widowed for 3–10 years).

However, despite this knowledge, most of the participants observed their mourning rites due to their perception that widowhood practices occurred across the world and was not peculiar to their culture alone. According to a woman (Widowed for 11–20 years),

Even if you decide to go by the constitution, tradition is everywhere. There is hardly any place where people do not have a tradition. Even the people that have drafted the constitution (the people in government) they are from villages and towns and these places have their own traditions Even foreign people have their own tradition.

Some of the respondents opined that education, literacy and law could not have prevented them from observing the widowhood tradition. They would not have appreciated anybody talking them out of mourning their husbands according to the traditional way. Below is an excerpt:

I would not have liked it if someone had asked me not to mourn my husband the way I did. My husband was good to me so I had to mourn him. I am a traditional woman and believe in the culture (Widowed for 3–10 years).

3.11. Supremacy of culture

Responses from the widows (aged 60 and above) and one of the younger ones favoured the supremacy of culture over human rights. There was a general perception that culture is the most determining factor for a person's conduct irrespective of education or religion. One participant who had no idea about the number of years she has been widowed for suggests that "every woman living in a place must take part in the full mourning rites despite their religious beliefs". Another excerpt from participants widowed for between 11 and 20 years also supports the role of culture and widowhood practices:

I just want to say that I am not in support of totally eradicating these practices. I do not expect a woman who has just lost her husband to wake up the next day and start attending social activities. She must pay her husband some respect.

Some of the respondents also expressed anger towards the involvement and interference of the constitution or any other sort of law in matters of culture. According to a woman widowed between 11 and 20 years:

Angrily ... who would refuse to mourn her husband? Why would I have refused to mourn him? Was it the constitution that brought my husband to my father's house?

All the participants, representing 100% of the respondents, agreed to mourn their husbands and were not coerced.

3.12. Internalised submissiveness (fear of punishment from non-conformance)

Findings indicate that most of the respondents had internalised submissiveness towards their late husbands and culture. In a male-dominated society, the respondents thought of survival to be made easier by accepting the cultural demands of society. Compliance to tradition has been the vogue for so long that even when it violates their rights, the women must be resilient enough and be willing to conform. Widows were unwilling to question or disobey culture despite knowledge of human rights. In



most cases, this submission to widowhood practices was a result of fear of repercussions of social exclusion, ostracisation from the community, expulsion from the house or village of the late husband and disinheritance of children and themselves from properties left by the deceased. Below are some excerpts projecting some punishments for a woman that refuses to engage in the rites:

There has never been such a woman (who will refuse to perform the widowhood rites). She will be considered as having committed an abomination ... If she does not do it, she will be punished perhaps by banishing her from the land (**Widowed for 3–10**).

I am aware of my rights and how government can help me, but I would not have refused to do them. I would never have agreed to defy tradition because my children would have suffered. In fact, in such a case, my children would have had the right to ask me to leave their father's house (Widowed for 3–10 years).

I would not have even agreed to defy these practices ... the people in the town would have refused to bury my husband for me (Widowed for 11–20 years).

Internalised submissiveness led to deep resignation to fate. The widows who were aware of their rights did not even support the interference of the constitution or any other law in the affairs of tradition. The most striking issue is that most of the participants did not recognize their unwillingness to question these widowhood practices even when they had acknowledged that it was a painful time for them. Below is an excerpt:

There is no need to refuse to conform to the widowhood rites as women have been suffering for a long time, they have the knowledge that they are suffering but will not fight the causes of their suffering (Widowed between 11 and 20 years).

4. Discussion

The study provided insight into the perception of widows on widowhood practices which is a form of gendered violence. The study is important most significantly in its search for approaches and strategies for the improvement of the rights of women in Nigeria and sub-Saharan Africa (SSA). This is because most countries in SSA including Nigeria are highly heterogeneity with cultural practices, rituals and traditions such as widowhood rites that have remained age-longed, universalized and negatively undermine women's human rights and well-being in general (Manala, 2015). This to a very large extent does not take into cognizance the Sustainable Development Goal 5 whose main target is "elimination of all forms of violence against women as well as harmful practices, such as early, forced and child marriage, female genital mutilation and widowhood rites inclusive".

The overall outcome of the study also specified that the continuous prevalence of widowhood rites is created by the absence of effective implementation mechanisms of existing conventions relating to the rights of women in Nigeria. It advances the need for the formulation of improved implementation strategies for the existing frameworks. Thus, this study is therefore relevant for the achievement of social justice for women in SSA through its publicity of the plights of women during the execution of widowhood rites and practices.

The study identified the factors that have continually influenced the discontinuation or adjustment of traditional practices such as widowhood rites in Nigeria. Findings in this study show that women's rights which are also regarded as human rights have been considered trivial issues for a long time even till date. The reasons for this triviality are hinged on and cannot be dissociated from the very long and deep-rooted cultural structures that have further complicated and shrouded harmful practices in the form of violence. This can be captured in what is referred to as "the culture of patriarchy" which is still very much evident in the many societies to date. Simply put, it is the privileging of men over women; thereby making women undergo various



dehumanising treatments and abuse while mourning her spouse. This finding is in tandem with Ajayi and Soyinka-Airewele (2018a); Ihekwuaba and Amasiatu (2016) and Onyekuru (2011).

The study established that certain widowhood rites are harmful to the widows whether psychologically, physically, socially or emotionally as a consequence of their impetuousness and continuing relevance. Despite a seeming general awareness that these practices are harmful and a violation of their rights, the women chose to subject themselves to the rites out of respect for tradition, protection from societal backlash and security of their children. This corroborates the findings of Ajayi and Soyinka-Airewele (2018a), Amoo (2018), Amoo et al. (2017), Katembo (2015) and Tuncay-Senlet (2012) who averred that women remain in abusive relationships, silently tolerate abuse or develop different coping strategies in order to secure the safety of their children, keep their marriages and so that they do not experience societal disgrace and retribution.

Studies such as Nwogu (2015), Genyi and George-Genyi (2013) and George (2011) have observed that a widow's educational background and economic status to a large extent regulates the administration of practices culturally associated with widowhood. Put differently, well-educated and financially buoyant women who are widowed are privileged to choose which practices to accept or reject without inviting the rage of tradition while poverty-stricken widows are obliged to experience the most brutal customs of widowhood practices. It is interesting that this study takes on another narrative that rather reveals that economically buoyant and well-educated women who the society believes should be knowledgeable of their rights and agency look forward to these dehumanizing cultural practices and feel the obligation to go through this procedure as their last respect to their spouses.

The widows had a general expression of pain and nostalgia at having to recount the traumatic experiences they had to face when their partner died. They thought it a great joy to give their late spouse the last honour or respect by going through with the mourning rites. Respondents felt that fulfilling the widowhood rites was a thing of pride. Sound educational background and financial buoyancy could not suppress this dehumanising cultural practices. From the aforementioned, it is evident that most of the respondents were not ignorant of their rights or agency. They were highly knowledgeable about their rights and despite the fact that they were financially stable, they still chose to go perform these widowhood rites. This says a lot about the extent to which culture strives and is able to compete effectively in the face of globalization. Like Ajayi (2018) states, "culture is hard to die". It is worthy of note, that there was a general consensus that religion had rather acted as a form of armour or protection for many of the widows which have over the years led to the reduction of the manifestations of these widowhood rites.

It is crucial to note that, this study found that, though women were victims/survivors of this violence. It was fascinating to note that, they were also perpetrators, custodians, promoters and judicious enforcers of this practice. Most times, these women perpetrators looked forward to receiving and initiating other women through the processes. It is imperative to note that, they were also passionately opposed any form of change as far as these rites are concerned. This finding was seen to be in agreement with that of Ilika and Ilika (2005), who averred that the reasons for their opposition or resistance to change (the elimination of this harmful widowhood practises) is linked to issues such as fear of the unknown or some superstitious beliefs such as losing their children to death amongst others.

However, studies like George (2016), Durojaye (2013) and Ilika and Ilika (2005) continuously show that cultural stereotypes and practices have amplified discrimination against women and the political resolve to enact policies and laws that address gender inequality is pathetic. This is quite revealing in this study as it was discovered that there are no Non-Governmental Organisations (NGOs) in the area to protect widows from these harmful practices. The basic function of the NGOs found in the area were there solely for charity purposes and were not knowledgeable of neither CEDAW nor its tenets. This exposed the huge gap between the global arena where these notions are articulated and the exact conditions in which they are been organized.



5. Limitation of the study

There were no Non-governmental Organisations found in Oshimili-North Local Government Area with an expert opinion on CEDAW. This is because most of the NGOs in the area belonged to citizens who established these organisations for charitable deeds. Therefore, the researcher could not get officials from NGOs who were knowledgeable of CEDAW on their perspective and possible steps that could or have been taken to address the issue. This does not in any way undermine the findings of the study rather it is revealing because it confirms the critical disconnect or gap between the implementation and the application processes of these human rights instruments constantly and hastily signed and in some cases ratified by the Nigerian government. The study's selection criteria focused on the status of widowhood and not the age of the respondents. Further research could interrogate not just the status of widowhood but also their ages as well.

6. Conclusion and recommendations

The study concludes that the society is an extremely cultural one because of the indigene's strong belief of keeping the cultural system alive and sacred notwithstanding the educational pedigree or qualification attained by either men or women. The study, however, recommends that there is the need for better strategies and frameworks for the implementation of existing international human rights instruments that can eradicate or reduce the effects of widowhood rites in Nigeria and by extension in other countries in the Sub-Saharan African countries. In this regard, these human rights instruments which look ambiguous should be given a national interpretation which will be translated into different dialects and made accessible to the citizenry at various levels in the society. The main essence of this is to educate and highlight the extent to which some of these practices could be harmful health-wise, the stigmatization it brings, the dignity it erodes, an amplifier of injustice, its dehumanizing attributes and many more. In other words, addressing the impact and eliminating these widowhood rites, there should be a collaborative and collective involvement of the citizenry at the grassroots level who are the custodians of this practices, those that are affected and the lawmakers. The involvement of both men and women as social agents of change, who would champion the eventual elimination of this long, harmful and deep-rooted cultural structure called widowhood rites which have been identified as a form of gendered violence is very vital in ensuring sustainability in the society at large. It is important to note that, if the SDG on human rights ideas is to have significant effects, those at the grassroots need to be part of its framing.

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