



Research Article



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Examining widowhood inheritance: A comparative analysis among talensi and Nabdam, Ghana

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Abstract

This study sought to examine widowhood in Talensi and Nabdam and inheritance practises in the Upper East. In both areas, widows want their grandkids to inherit their estates so they can marry anyone they want. Both ethnic groups imprison widows, limiting their mobility and freedom. The number of days for both varies per district. Unlike in Nabdam, widowhood traditions continue eight days in Talensi. Unlike the Talensi widow, the Nabdam widow carries the calabash for numerous reasons. They put a calabash on her and sacrifice a bird. A floured calabash is placed on her. They're also prepared to bury her late husband. The Talensi widow would sit on the sheep with her eldest son and daughter as the older butchered it. The Nabdams would strangle a goat and use only a patch of the skin to cover the corpse (kumo-suuluko). The study also found inter-ethnic inequalities. Notably, widowhood rites and inheritance are harmful to widows' health and violate their rights. Respondents criticised formal education, Christianity, government institutions, and NGOs of attempting to label their culture and lifestyle as "harmful to women." These norms were imposed by elder women in both ethnic groups. The study suggests that conventional authorities focus on women and widows as victims who need economic growth.

Keywords: inheritance, widowhood, upper east region, widowhood ceremonies, Christianity

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Public Interest Statement

Widowhood is a heinous situation in which women find themselves after the death of their husbands. The purpose of this research was to look into widowhood in Talensi and Nabdam, as well as inheritance practices in the Upper East. According to the study, traditional authorities view women and widows as victims in need of economic growth.

Introduction

Widowhood is a heinous circumstance that women find themselves in following the loss of their husbands. According to Ihekwaaba and Amasiatu (2016), a widow is any female who has been married under indigenous law and custom, or under the Marriage Act or any other law and has not remarried (also see Amasiatu, 2009). Widowhood is the state or time during which a person is a widow or a widower (Foluso, 2011). A widow's inheritance is a cultural practise in which a widow is expected to marry a close male relative or a kinsman of her deceased spouse. It is occasionally referred to in society as a "levirate marriage." According to Phiri (2000), the reason for widow inheritance is that a man may inherit his brother's "wife in order to assist her in raising the children." According to a 2006 United Nations report, this practise also tries to provide means and support for the widow and her children during the husband's absence. It is considered a means of ensuring the deceased man's wife and children's social and financial security. In northern Ghana, where polygamy is prevalent, a man may pass away, leaving multiple widows and children. Among the Talensi, the widow and any property left behind by the deceased are inherited by the deceased man's family. According to White, Kamanga, Kachika, Chweza, & Chidyaonga (2002), this indicated that the widow, along with inanimate property, is viewed as a material resource. Because of their subservient status, women are thought to have no property rights. When a widow inherits, she continues to perform wifely obligations in her deceased husband's community. As a result, the widow is responsible for her deceased husband's property. If she chooses not to marry the levirate and leaves, she forfeits her inheritance and her children. If she chooses to remain but does not marry the levirate, her actions are constantly monitored and regulated to the point where she is prohibited from using certain things without the agreement of the deceased husband's kin (White et al., 2002). These activities stifle the widow's free will, limiting her decision-making powers.

Problem Statement

It has been noticed that in African communities, the distinction between men's and women's roles is one of submissive superiority in favour of men. It entails a hierarchy in which men are granted greater decision-making authority and resources than women. This tradition relegates women to the background and obliterates their rights and advantages, particularly at times of bereavement (Luke, 2001). Violations of the rights have a detrimental effect on the socioeconomic status of widows and children. Most women enter such marriages under duress from their husband's family, who threaten them with the loss of their property and children. And most inheritors favour the practise because it allows them to inherit the deceased's property if he is thought to have amassed riches (White et al., 2002). Additionally, proponents of the custom assert that it assists women in avoiding promiscuity and may even pacify the spirit of the departed, sparing the family from retribution (Ligomeka, 2003). Cultural remarriage, also known as "widow inheritance" (WI), has unspoken economic, social, and psychological consequences. It amounts to social discrimination, economic

deprivation, and “property grabbing,” motivated by the deceased relative’s wish to maintain the deceased relative’s property within the family, ostensibly to protect the bereaved children and wife. This is frequently done with complete contempt for the widow’s rights; this is linked to economic hardship, psychological distress, and personal issues. (1990, UN-CRC). The obligation to preserve a child’s rights on both parents in a marriage union or on the new parents (s) in a subsequent remarriage is a fundamental right that is largely unprotected, posing significant obstacles to these children’s future achievement (CEDAW, 2003). This has exacerbated the socioeconomic predicament of impacted widows and children, who already face significant financial limitations and social discrimination. Inheritance from a widow exacerbates poverty and impairs the household’s ability to provide for children in this scenario.

The literature on widowhood rites shows that widows’ experiences were frequently marked by deprivation, subordination, and humiliation (Fasoranti and Aruna, 2007). According to Afigbo (1989), when a spouse dies, the widow becomes the main suspect and is treated brutally as such. According to Afigbo (1989), if the deceased’s spirit is not appeased, misfortune may befall the family. This could be due to the death of another clan member, disease, or any other tragedy. The task of resolving these disasters is placed on the deceased’s widow. In this instance, the wife is compelled to follow tradition in order to avoid future misfortunes befalling the family. In contrast, upon the death of a wife, the husband is almost immediately offered a replacement to console him and ease the severity of the grieving grief (Fasoranti and Aruna, 2007). According to 2010 Population and Housing Census data, women numbered 12,421,770, while males numbered 11,801,661. This means that, because women constitute most of the population in Ghana, any issue affecting them is a “majority” national issue that must be addressed. A widow had two options for protection: she could remarry the nearest male relative of her husband, in which case she would receive all the protection and care normally reserved for their wives, or she could be given collective protection and care by her deceased husband’s relatives if she chose not to remarry. In some instances, the widow received assistance from the late husband’s family in the form of cash and labour assistance (Luke, 2001).

Brown (1992) stated that in Ghana, like in the majority of African countries, the death of a spouse is seen as a grave matter that requires the performance of a sequence of rites and ceremonies intended to indicate the deceased spouse’s spiritual separation from the surviving spouse. This is predicated on the widespread assumption that the spouses’ relationship was unique and that something must be done to commemorate the relationship’s permanent dissolution and the departure of one of the partners. Brown (1992) argued that any of these criteria might be used to show her responsibility, and that a widow who suffered grave repercussions was pronounced guilty, while anyone who did not was declared innocent.

Empirical research and anecdotal reports from a variety of Third World areas reveal that widows of all ages and cultures are likely to face many forms of prejudice, neglect, cultural and psychological oppression, and abuse (Owen, 1994). They are socially isolated and subjected to destructive and humiliating traditional behaviours. Between 15% and 20% of widows are under 45 years old. Many are responsible for young families or elderly parents. For instance, Women for Human Rights discovered that 67 percent of widows in Nepal were between the ages of 20 and 30. Widows account for a sizable section of society and are the most mistreated (Widows Rights International, 2006).

In several communities throughout the world, including Ghana, widows are compelled to marry their late husband’s siblings or into polygamous marriages and are frequently exposed to sexual assault by male members of their late husband’s family (Oduro, 2007).

Oduro added that the troubling aspect of this problem is that there are no signs of these activities ceasing anytime soon, owing to campaigners and government agencies' inability to accept tradition. Though these behaviours are prevalent in the majority of African countries, including Ghana, little research has been conducted in this area in Ghana. Additionally, prior publications made little comparative effort to emphasise the similarities and contrasts across tribes and ethnic groupings. Thus, this study among Talensi and Nabdams aims to (re) construct widowhood and inheritance forms and practises in order to compare and contrast them from the perspectives of the two ethnic groups (Talensi and Nabdam) with the goal of demonstrating their similarities and differences in terms of women's rights.

Literature Review

2.3 The Concept of Widow Inheritance and its practice in Africa

In Africa, researchers have done a lot of studies on widow inheritance and its related issues (Seyoum 2015; Nyambedha and Aagaard-Hansen 2003; Tembo 2013; Oke 200; Gwako and Moogi 1998; Awuor 2013; Kamoble 2015; Jemphrey 2011; Miruka et al 2015 ;) According to Seyoum (2015), Widow Inheritance is a customary practice whereby a relative of a deceased husband inherits the widow as his wife without considering any act of marriages under the marriage act.

In that study, some customs in Widow Inheritance recognizes what is known as "levirate unions" by which the widows cohabit with a brother or other relative of her deceased husband. In this case any children resulting from the union are regarded as those of the deceased husband. Thus, traditionally, wives of the deceased were part of his property and could be inherited by somebody Kirwen, M.C, 1979 & Wilson, 1961 as cited by Seyoum (2015) noted that, too old or too young (at times by someone who is younger than her or their own son). The 'brother' who takes up the role of her late husband is to be known as inheritor. They concluded that, the wedding album 'is the cohabitation of a widow with her brother in-law in which the brother in-law relates to the widow as a substitute of her deceased husband' 'Brother' in this context has wider meaning - brother of the deceased or a paternal first cousin or a clan cousin or an adopted stranger.

According to Nyambedha and Aagaard-Hansen (2003), among the Luo, a patrilineal ethnic group in western Kenya, husbands are the traditional breadwinners and the women and their children belongs to the entire kin group. This marriage arrangement has its roots in the traditional marriage practices and the fact that bride wealth payment upon marriage was the responsibility of husbands' family or kin family. They further revealed that the payment of bride wealth guaranteed children and their mothers the right to resources within the kin group and a place within the kinship structure. While, the husband had sole matrimonial rights over the wife, their children were considered to belong to the entire community and socialization was its responsibility (Kayongo-Male and Onyango 1991).

Oke (2001), observed among the Yoruba people if a man dies without having a son his belongings goes to his brother or uncle, and his name is believed to have been lost. So, among the Yoruba people having a male child is sacrosanct and the relevance of his name is not lost. Due to this a women may not inherit, rather she could be inherited.

Ambasa-Shisanya (2007) also indicated that, the practice of widow inheritance can be categorized in terms of the inheritor and the purpose of inheritance. Inheritors can be brothers or cousins to the widow's late husband (brothers are traditionally preferred), or someone who is not related to the husband. Broadly, widows may enter into inheritance contract either for companionship or for sexual ritual performed to cleanse the widow after the burial of the husband. Again widow inheritance for purposes of companionship and

support is generally for long-term and either monogamous or one in which an inheritor is shared only with his wife/wives. On the other hand, widow inheritance conducted for the purposes of fulfilling a sexual ritual is generally short-term and may involve different inheritors on different occasions (Agot EK, 2005, Okeyo TM, Allen AK, 1994).

Gwako and Moogi (1998) discuss the continuity and change in the practice of widow inheritance or levirate marriage among the Maragoli of western Kenya. The perspectives of widows are examined to illustrate how levirate marriage affects them. It is argued that the practice benefits and serves different and sometimes conflicting interests for various groups of men and women, and the experiences and perspectives of Maragoli widows with regard to this practice are not homogeneous. Some existing incentives favour the continuation of levirate marriage. For example, financial constraints and other continued strains on their households' limited resources may influence some widows' stand vis-à-vis this practice. The results of this study show that although levirate marriage still obtains among the Maragoli, signs of an impending change are appearing as more economically secure and resource-owning widows become increasingly assertive of their right to make independent decisions about what to do with their lives.

Limann (2003) examined wife inheritance in most ethnic groups is supposed to ensure that widows are not left destitute without any form of protection for themselves and their children. Hence many people regard people who inherit widows as knights in shining armour who come to the rescue of destitute women. It's thus not surprising that a Lugbara from Ora clan in Terego County was quoted as having said that men who take over widows in their culture need to have a large heart, proven integrity and generosity asserts that the rights of widows are being infringed upon with impunity all over Africa. Munkner and Human Rights Watch attribute this to African customary laws, which inherently discriminate against women thus negating most attempts by the human rights laws in the protection of the rights of the African woman.

Tembo (2013) study revealed that women who try to resist being inherited are forced to be inherited with threats that their children and property will be taken away from them if they do not cooperate with the tradition. The study finds a link between gender based violence and the tradition of wife inheritance. The violence experienced by women in this practice has been categorized into four kinds of violence. The first one is Economic violence which mainly concerns taking away property from the widows or someone taking control of their property.

Secondly, emotional and psychological violence, some widows were traumatized by the whole experience while others stated feelings of shame and resignation in connection to some of the acts involved in the practice. Thirdly is physical abuse and lastly, sexual abuse when the widows are forced to sleep with a man during the cleansing ceremony, being forced into a sexual relationship against their will and limiting the widows sexual freedom. The study also established that even though the main reason for doing wife inheritance as stated by the informants is to offer security and protection to the widows, this is not the case in practice.

Similarly Miruka et al (2015) study was conducted on wife Inheritance which was a custom practiced by the Luo people of western Kenya in the name of widow care dictates that "if a man dies, one of his brothers or close relatives inherits his widow and must meet all of her marital requirements. In the study, widows are also confronted with various challenges which include: Burden of raising their children, economic exploitation, and denial of rights to remarry men of their choice, fear of excommunication and lack of mutual respect.

A related study conducted by Jemphrey (2011), explained that, the Levirate Custom

of Inheriting Widows among the Supyire People of Mali are spiritual (to raise up those who will worship the deceased), economic (regulating access to the land) and social (caring for the widow and fatherless and maintaining good relations between different clans). Ideally the levirate relationship will last until one partner dies, and it replicates the marriage relationship in all its aspects, with the inheritor substituting for his deceased brother.

The study was clear that, supyire levirate is a continuation of marriage; as such it is at the heart of kinship obligations which marriage gives rise to and thereby helps to regulate the overall structure of Supyire society. Without levirate, there would be no security for bride wealth, no guaranteed access to land for widows and fatherless and no networks with other villages.

Awuor (2013), asserted that inherited widows are denied their rights to inherit their deceased husband's property or at times the husbands did not leave anything behind and therefore this affects the learning of the children as they are weak economically. Therefore, in general, it is imperative from the study findings to conclude that widow inheritance has a negative influence on children's right to education.

The study established that widow inheritance has influence on children's nutrition and health care, which impacts heavily on children's early childhood education. Kamoble (2015) also indicated that, Widow Inheritance is a custom commonly practiced in Africa. In this custom, a man inherits the property and wife of his deceased brother or relative. The custom is practiced in order to ensure that a widow and her children are taken care of after the death of her husband. In Zambia, the custom is supported and portions of it given statutory legal effect by The Deceased Brother's Widow's Marriage Act Chapter 57 of the Laws of Zambia, which legalises the marriage between a man and his deceased brother's widow. This research was conducted to compare the practice of widow inheritance among the Bemba, Nsenga and Lenje tribes of Zambia.

It was established that under customary law, women were not allowed to own property or land without the consent of their husbands or their fathers if unmarried. Therefore, when a man died, his male relative inherited his property. Widow inheritance was therefore necessary because the widow could not inherit the property of her deceased husband. Therefore, widow inheritance ensured her continued care from her deceased's husbands relatives who inherited his property. Widow inheritance was also done in order to continue the deceased's lineage and in order to keep the widow in the family.

2.3 Case studies

Various cases studies were used to further explain the concept of widow inheritance practice in Africa in this study.

2.3.1 Malik (2013) conducted a study in India on Problems of Widow Remarriage.

The study observed that, in spite of various enactments being made to improve the conditions of widows, it cannot however be said that widows in India are free and happy. Lot more is required to be done to remove the stigma attached to widows. In the study, one of the greatest traumas a widow faces after the death of her husband is the entire question of support or shelter; how and where can she live. If she is living with her in laws, she is normally thrown out or life is made so difficult that it becomes impossible for her to remain there. If she is living in accommodation provided by the employer of her husband then that must be vacated. She may or may not be welcome in her parental home, and is at the mercy of relatives and others. It is thus essential that some thought is given to this aspect and some sort of shelter is organized during the lifetime of her husband. If joint family land has been partitioned then it should be registered in the name of the husband and wife: so that after his death she can

continue to look after the fields and support herself and her children.

The study concludes that, Public pressure must be built up to grant these women due dignity and respect. Non-Government Organizations must take on the role of social reformers and press ahead to make life easier for her. Non Governmental Organizations should take steps to conduct mass marriages of widows which will help their cause to a great extent. Education of widows should be given utmost priority. If possible, training for employment or compensatory job opportunities should be examined; for example where a relative is given a job in lieu of the deceased. Smaller entrepreneurial units should be made available, so that a widow might have some means of livelihood and need not have to take recourse to migrating to Vrindavan or Varanasi or some other equally horrible place as a last resort.

Similarly Shyamala et al (2012), research reveals that it is possible to save and rehabilitate the life of more number of widows through sensitizing the young men to come forward to get married to widows. The only sustainable means for widows to overcome their grief is remarriage through which an adjustment process of empowerment takes place and allowing them to fulfill their basic human development needs.

In these circumstances, empowerment would enable women to increase their human and economic developmental goals as defined by their families and communities. It is advisable to reorganize communities through sensitization and awareness programmes on widow remarriage. The study shows that, the educated and politicians at the higher level should find out the ways to bring a major breakthrough of widow remarriage. Mass widow remarriages may be organized by the political and religious leaders to mark occasions like women's day.

The study concludes this; let us stop giving yesterday's solutions for today's problems. Let us work together with the sharpened vision, oriented mission and prompt actions for the whole improvement of the status of widows in India which is a big social change. The practice of wife inheritance is very popular in Kenya among different tribes. Many studies about widow inheritance have been conducted in Kenya focusing on different angles of the practice. Others have also written books about widowhood, loss of spouse which also in part describes widow inheritance.

Here I will briefly review two studies of widow inheritance that were conducted among two tribes in Kenya namely the Maragoli and the Luo.

Nyarwath (1994), study of Luo care for widows and the contemporary challenges, examined the rationale and the challenges of widow inheritance among the Luo of Kenya. On the one hand this paper acknowledges that widow inheritance ensures the continued family stability by providing for the missed roles and duties of a dead husband. Thus it is regarded as the best alternative for care of widows in the Luo culture.

On the rationality of the practice, the study quotes Kayongo-male and Onyango (1984), observed that widow inheritance is a means of checking the disruptive consequences of death. This is because the practice attempts to cope with the death and its socio-economic and psychological implications, filling the gap created by the death of a husband, thereby maintaining social normalcy for the widow as much as possible.

On the other hand the study also admits the challenges of this tradition towards women. This involves violating a widow's right to freedom of choice to remarry or not, perpetuating the spread of HIV/AIDS, and that the practice encourages the economic exploitation of widows and their families. This is done by imposing guardians or inheritors who deny the widow and her children the power to inherit the deceased property.

This study quotes Nzamo (1994), who states that the term widow inheritance in itself

is repugnant. Nzamo is of the view that one can inherit property, objects and not people. He however argued that this could be understandable in the early days because women were taken as objects of pleasure, sexual and otherwise. This means women were part and parcel of men's property. They basically did not have independent minds. And that is why men thought of the concept of inheriting them (Nzamo, 1994).

In this study Nyarwath (1994), states that women have no choice in the practice unlike men who can choose whether they will inherit the woman or not. He also links the practice to gender based economic violence because those who say that they are giving support and guidance, are also inheriting the property of the deceased and his wife. Nyarwath (1994), viewed wife inheritance as an institution that commodifies women, for their domination and exploitation by men.

Jommo (1994), argued that inheritors are not interested in inheriting poor widows. And when the inheritors are more interested in the wealth of the widow, then their main concern is not to take care of the widow. The absence of this care makes the whole institution meaningless. This study focused on many areas related to my study but it is in the Kenyan Luo context. A related study by Gwako (1998), discusses widow inheritance among the Maragoli of western Kenya. He argued that the practice benefits and serves different and sometimes conflicting interests for various groups of men and women.

In a related argument Gwako (1998) quotes Lopata (1996), who suggested that some individuals are likely to uphold widow inheritance because of anticipated net benefits. The extent to which widows lose or gain status from accepting or rejecting widow inheritance, depends on their control over societal resources. The widows who stand to gain the least and may courageously persevere in resisting the practice at all possible costs. The attitude of self-interest on the part of those who derive differential advantage from the practice may also significantly influence its change and continuity.

The study quotes Shapiro-Perl (1994), argument that sometimes widows may consent widow inheritance because of economic vulnerabilities and family constraints. Thus, widows who have no means of supporting themselves economically might comply with the practice in the hope that they get assistance from their in-laws while others consent inheritance because of pressure from their families. Gwako also uses Gruenbaum (1996), argument that the adherence to or deviation from existing social norms can be explained in terms of the intentional acts of the individual. This necessitates the question of who benefits from this practice rather than asking what functions it serves. Therefore, widow inheritance may also significantly manifest aspects of power relations of cultural patterns which are good for the power or wealth of others (Gruenbaum, 1996). Thus, this study concluded that the practice of widow inheritance is perpetuated by people who benefit from it and mostly these are men who are regarded as inheritors and not the widows.

These two studies provide different understandings and detailed descriptions of widow inheritance. The study by Nyarwath tackles the rationality in the practice and its challenges while the study by Gwako focuses on factors that perpetuate the practice based on who benefits from it. Studies like these have not yet been conducted in the Ghanaian context. This might be since in Kenya the practice is almost practiced in all tribes while in Ghana it is practiced by few tribes. This could be the reason for the lack of interest by many scholars in the area, but it still has been mentioned in many studies as it is going to be noted below. The difference is that the studies in Ghana have not gone into great details of this practice in Ghana and my study will provide detailed experiences of this practice in the Ghanaian context.

2.3.2 A study of widow inheritance in Zambia among three ethnic groups.

Kambole (2015), examined the rationale of the practices of widow inheritance and the similarities and differences among the tribes in Zambia. On one hand, this study acknowledges that widow inheritance among three tribes (Bemba, Nsengas and Lenje) is to ensure continuity—that is to continue the lineage of the deceased, to take care of the children as well as to marry the widow thereby keeping her in the family. Thus it is regarded as the best alternative for care of widows. On the rationality of the practice, the study stated that widow inheritance is a means of checking the consequences of death on widows. This is because the practice attempts to cope with the death and its socio-economic and psychological implications, filling the gap created by the death of a husband, thereby maintaining social normalcy for the widow as much as possible. The study compared the widow inheritance practices in the terms of similarities and differences among the tribes in the study.

On the other hand, the study acknowledges the challenges of this tradition towards women. This involves violating a widow's right to freedom of choice to remarry or not, perpetuating the spread of HIV/AIDS, and that the practice encourages the economic exploitation of widows and their families. This is done by imposing guardians or inheritors who deny the widow and her children the power to inherit the deceased property. This is done so that the family name, wealth, children and widows are maintained. It is believed that when a death occurs, the spirit of the dead spouse hovers over the surviving spouse unless they are cleansed through some ritual to rid of the spirit of the deceased. One of the rituals used to rid the surviving spouse of the spirit of the deceased spouse is sexual cleansing. According to Kambole (2015), The Bemba ethnic group of Zambia are matrilineal which means inheritance is through the mother's side. He explains that, the funeral practice that takes place is "*ukupyana*" which lasts for two days is to mean to rid the widow of the taboo of death through sexual cleansing and prevent her from going mad after the burial. This is done through the widow having sexual relations with the cousin of the deceased. If the person appointed by the family to perform the ceremony is unmarried, he usually inherits the widow after the ceremony and takes her to be his wife. He said where the person chosen to cleanse the widow is already married, the ceremony is more public but he can also inherit the widow and became polygamous.

According to the study, widows in Bemba land are given the option of whether to be inherited or not by the deceased husband's relative after they are cleansed and those who refuse are set free and allowed to remarry elsewhere. However, in the past, the widows agreed to be inherited by the person who cleansed them and performed the "*ukupyana*" ceremony.

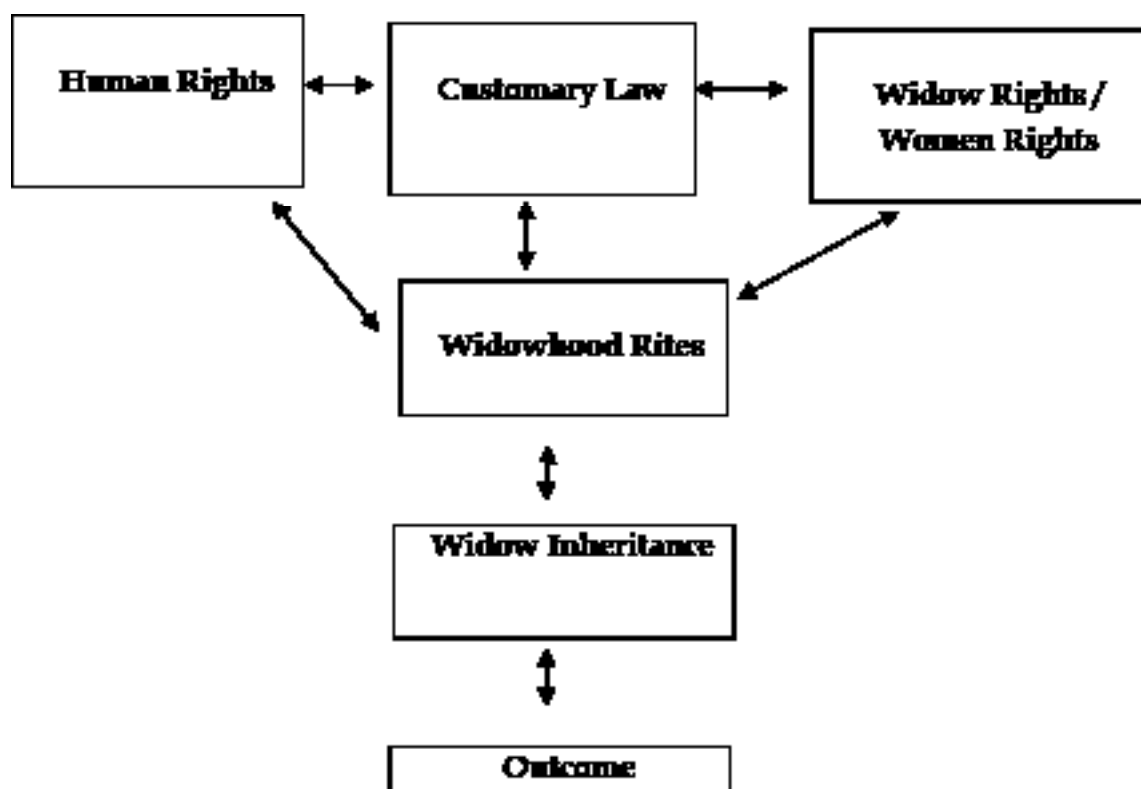
The study further discussed the reasons why widow inheritance is undertaken in Bemba land. Firstly, it was meant to continue the lineage of the deceased, to take care of the children as well as to marry the widow thereby keeping her in the family. However, women may choose not to marry the men who cleanse them, some women even refuse to be sexually cleansed due to religious reasons and fear of the spread of diseases especially where the deceased was very sick. Kambole (2015), reveals that, in the past women did not own anything, they relied on their husbands for financial and economic support. However, in addition to laws that protect succession rights of women, many women today have jobs that make them economically stable and well able to take care of themselves and their children. Therefore, "*ukupyana*" has been phased out and replaced by a ceremony where the widow is poured mealie meal, blessed and given beads to wear on her hand before she is allowed to remarry.

2.3.3 The effect of inheritance on the livelihoods of widows in Northern Ghana.

Ibrahim (2015), conducted a study about the effect of inheritance practices on the livelihoods of widows in northern Ghana. This examines the rationale and the challenges widows go through in terms of inheriting their late husband's properties in northern Ghana. According to him, the study reviewed the act of helping widows to own property in the midst of traditions. The study reviewed the traditions and customs that restrict widows from owning land and other properties. The study looked at many traditions including the widow inheritance tradition. He Focus on how traditions like widow inheritance enhance economic violence for widows by making it difficult for women to inherit property after the deaths of their husbands. The tradition of widow inheritance was also discussed with regards to the dowry payment. Thus, in that study, like the others, the tradition of widow inheritance was not described in details rather focus was only on the economic violence. The study was also generalist in nature because focus was on all the traditions that limit the freedom of widows in owning property. We can therefore conclude that the study focused on economical violence that is related to property or material ownership than general violence (Ibrahim 2015).

2.7 Conceptual Framework of Widowhood and Widow Inheritance.

Figure 2.1 Conceptual frameworks.



Source: Field study,2017

The framework was teased out as the conceptual framework for this thesis. This was developed to understand the Customary Law in the practices of widowhood and widow inheritance and their impact on widow's human rights, and widow rights / women rights. These dimensions are interlinked in the districts and have influence on women issues. Widowhood and widow inheritance as a variable is expected to influence the human rights, customary law and widow rights or women issues which will have an impact on widows. The culture of widowhood

and widow inheritance where widows are involved has been observed to have an adverse effect on how the widows enjoy their rights and by extension affect their inheritance. Foster families have been identified as having both a positive or negative influence on the lives of the widows and their children. This study is expected to identify the effects of widowhood and widow inheritance as a cultural practice on its influence on the quality of life of the widows reflected by how their rights are protected or otherwise and how it affects their human rights. The study seeks to find out the outcome of the interplay of these dimensions.

Methodology

This study used ethnographic research to investigate widowhood and widow inheritance. A qualitative study describes, interprets, or reconstructs the meanings expressed by the subjects. This study used a descriptive research design to characterise the widowhood and widow inheritance patterns in the Talensi and Nabdam districts. The study is exploratory and explanatory, examining the practises in both districts and comparing them. This research approach was used to gather, analyse, and evaluate data and gain a deeper knowledge of the respondents' views on widowhood and widow inheritance. It describes the conditions under which practises occur and suggests some greater significance and deeper understanding of the culture of the routine practises within their natural environment (Scott W et al., 2009). Thus, this technique is useful for studying widowhood and widow inheritance in the Talensi and Nabdam traditional districts of Ghana's Upper East Region. The study used a comparative research method. This requires comparing Talen and Nabt's practises on widowhood and widow inheritance within Talen and then between Talen and Nabt. The purposive sampling technique was used to sample participants for the study. Table 3.4 & 3.5 shows the categories of people who were involved in the study.

Table 3.1 Distribution of sample in Talensi Traditional Area in Talensi District.

Talensi Traditional Area	Male	Female	Total
Widows	0	200	200
Family Heads	0	10	10
Traditional Leaders	6	4	10
Ritualists / Chief Priests	7	3	10
Non - Widows	0	10	10
Total	13	227	230

Table 3.2 Distribution of sample in Nabdam Traditional Area in Nabdam District.

Nabdam Traditional Area	Male	Female	Total
Widows	0	200	200
Family Heads	0	10	10
Traditional Leaders	6	4	10
Ritualists / Chief Priests	7	3	10
Non - Widows	0	10	10
Total	13	227	230

By respecting respondents' rights to participate voluntarily or withdraw, the researcher developed rapport and credibility with them. Widows were treated with decency and respect and were encouraged to discuss just what was comfortable for them. The researcher

demonstrated sensitivity to the participants by first ascertaining their preconceived notions, values, and personal interests regarding the subject and method. The respondents' privacy and confidentiality were safeguarded. The use of letters and numbers to conceal the participants' identities during the interviews ensured their anonymity (Lincoln, 2009). After transcription, the recorded cassettes were safely stored with the consent papers for a reasonable period before being discarded at the conclusion of this study.

Result and discussion

4.2.1 The Concept of Widow Inheritance ("Pakore Marriage")

Generally, widow inheritance is the practice of assuming responsibility over the wife and children of a dead relative. Responsibility in this sense refers both to the sexual and sometimes up keep of the women and children. Some respondents described *"widow inheritance as a practice whereby you and your brother living in a house, farm and work together to acquire some properties used to dowry his wife. If unfortunately he passes away leaving his wife and children, you inherit her and the children to take care of them and retain the property in the family.* Another respondent described it as *a traditional practice, where a husband dies and the woman chooses a man from the family or within the house or the extended family of the late husband to marry. It is the process whereby a man dies leaving his wife (wives) and the brother to the late husband or family inherits the wife and her children"* In widow inheritance, the element of transfer of the rights and responsibility of the widow to another relative is crucial.

4.2.2 Widow Inheritance practices in Talensi District.

Among the Talensi, respondents explained that widow inheritance is done on the last day of the widowhood rites which is the final day of the funeral "Kuu -kpee Maling". They described that;

"The family will gather, the elder in the house who perform the final funeral or open and close the house of the deceased will then inform the elders that we have finish the funeral of my brother or my son and he has not gone just like that but he left some properties which includes the land, cattle etc and the wife and children. So I want you to ask her who she will marry. Two elders from different clan together with elder from the funeral family will called the woman who is performing the rites for the funeral that is normally the deceased sister called ("Poayameris") and the widow sister - in law will enter the compound where the widow is sitting to inform the close sister of the widow that now that we have finish your husband funeral per the tradition here you cannot be left alone you need a man to take care of you and the children and if the man who perform the funeral in the house do not taboo her which means he does not call the widow his daughter - in law then they will ask the widow that now your new husband is the brother to your late husband who perform the funeral and if the widow accepts him they will start the tradition but the widow may say no because he was not take care of me and my children when my husband was alive. They will go out and come back ask the widow for three times and if the widow stand like that then the elders will ask the widow to select among the brothers of the late husband within the house, widow sometimes will say I have to go back to parents to seek their opinion before I can do what you are saying then the elders will have to set a day again to come back to the house as when the widow will come back from her parents".

"If the widow finally chosen a man from the house or the family, the man chosen will provide bunch of millet, fowl and arrow. These items are taken home by different clan in the community. This means that the widow now have a new husband".

"The new husband will go to the widow village to inform her parents or relatives, then

the widow family or relatives will find a day to visit their in-law house for some performance of rites where two fowls, guinea fowl and a goat will be kill for them”.

“One of the fowl is used for what we called “Dakore -korit” (old brother in-law) and one fowl will be used for “Dakore - saani” (new brother in-law). This is referred to in Talensi as “Belung” meaning begging for the widow from her parents”.

“After the man (inheritor or new husband of the widow) has done this tradition when the widow gives birth, the child belongs to the inheritor but not the dead husband of the widow. But if the inheritor does not follow the tradition and the widow give birth with him the child belongs to the late husband of the widow”.

4.2.3 Widow Inheritance Practices in Nabdam District.

Similar to the Talensi, the Nabdam community provided the following description of the widow inheritance;

“In the final funeral day, the one who perform the funeral will inform the elders that we have finish my brother or my son funeral and he also left with properties including cloths he wear, land, and the widow as one of the property for us to take care of as tradition demands”.

“Now the elders will ask whether the deceased have a male child if yes then they will call him to being his father “Luuk” (the bag that contains the bolt and arrows) out to the front of the house and the elders will then give the cloths and the land to the male child and perform a ritual called breaking of “luuk” which term as (“Luuk”)

“The elders of different clan and one of the elders in the funeral house will call the elderly widow (“Pakore - Ma”) who sit with the widow and guide her to inform the widow that they have finish the funeral of her late husband and she was marriage to this family and also have children now that her husband is no more she needs somebody to take care of her and the children and they will say the a man who perform the tradition is your new husband if the man do not taboo the widow without her own choice but if he does taboo the widow, then the elders will select a man from the family for her to be her husband”.

“The widow may say I have to see my parents back home to decide on the new marriage and the elders will give her some time to consult her parents”.

“When the widow comes back from her parents the elders will enter the compound again to inform her the final decision if she refuses to accept they out to inform the clan head and enter the compound for three times and if no by the widow then she is beat and sack to go back to her parents in the older days, but in the case that the widow accepts the man chosen for her by the elders. The man chosen or the inheritor brings a bunch of millet, a guinea flow for the widow to prepare T.Z for the elders in the funeral to eat and later in the night the widow will prepare T.Z and prepare herself send it to her new husband or the inheritor house or room if they are in same house to eat with new husband and pass the night with him”.

“In Nabdam tradition when widow give birth the child belongs to the late husband except that the widow remarry the direct brother of her late husband that the child belongs to the inheritor”.

1.1.4.0 Types or Options of widow inheritance in Talensi and Nabdam Districts.

Widowhood inheritance takes different forms. During the interview with respondents in both districts, respondents named the following as the forms that widow inheritance can take; direct brother widow inheritance, grandson widow inheritance, within the family widow inheritance, within the clan widow inheritance and Others (Different clan widow

inheritance/ new marriage).

4.2.4.1 Widowhood Inheritance by direct brother.

Here direct brother according to respondents refer to the brother of the deceased man. It can be either a junior brother or a senior brother but only the third person after or before the deceased man. It is a taboo for the one following the deceased to inherit his brother's widow. Data from the field revealed that this form is mostly preferred to keep the property of the deceased man within the immediate family. Here, another set of marital rites will be performed for the widow who then becomes the wife of the new man with all the laws and taboos bounding on her.

4.2.4.2 Grandson Widow Inheritance

This is where the widow is permitted to choose her own grandson or step grandson to inherit her. Traditionally, every woman calls her grandson her husband. Upon the death of a husband, it is permitted for the widow to choose the grandson to inherit her. Under this category, no rites are performed and the widow after choosing her grandson is permitted by custom and tradition to have other men. In time past, this form was mostly chosen by older widows who have no need for sexual attention and have matured children who can take care of them and were using this as obedience to custom. However, with time there are much younger widows opting for this form. The reasons that respondents gave ranged from desire to avoid conflicts with and insults from other rivals as 'husband killers', obedience to tradition to avoiding limitation to one man.

4.2.4.3 Within the Family Widow Inheritance

Under this category, the widow chooses a man from the extended family who traces their roots to the same lineage or to one common grandfather. The new husband of the widow is related to the deceased through common grandparents. Here the widow can also select a grandson to inherit but the most common practice is a grown man to inherit her. Similar to the direct brother, other marital rites will also be performed for her to official make her his wife.

4.2.4.4 Within the Clan Widow Inheritance

This form of inheritance is open to all lineages in a community. The clan members do everything together in terms of marriage, funerals, gods sacrifice and many others and they are also marrying each other's widows. The widow can marry a man from the clan.

4.2.4.5 Others (Different clan/new marriage)

This refers to a clan outside the extended family circle. This type of inheritance is considered as a new marriage altogether and a dowry must be paid to family of deceased man. Here she ceases to be the wife and relative of the deceased family and any child/children are taken from her and they will remain in the family of the deceased whilst she moves to her new home to start another family. Below is a percentage distribution for the various forms of widow inheritance in both districts.

In both districts, a total of four hundred widows were interviewed (200 in each district). From both districts, most widows prefer to be inherited by their grandsons with percent distribution of 35% and 30% for the respective districts. They explained that no marital rites are performed under this option as such where the widow has growth up children in the house who would not allow her to opt for forms or the widow is above child bearing age,

then this grandson inheritance becomes the best option. It is also chosen where the widow just wants to obey the tradition and custom of the community whilst possessing the freedom to take any man of her choice either within the community or outside and not have other rivals with daily fights and insults like 'bad luck woman', 'witch' with the 'luxury' to still remain in the late husband's house to take care of her children.

The second to fourth options have district level variations. In Talensi district, after grandson is followed by direct brother then within the family, within the clan and finally other forms of widow inheritance with percentile distribution of 25%, 20%, 18% and 2% respectively. Reasons for the choice of direct brother were given that where there existed a good relationship between the widow and her late husband's brother and knows the brother of deceased will and can take care of her and her children, or in instances where the widow needed to give birth to expand the late husband's lineage and also for the children to have same character traits in the family, or a situation where the widow and her children want a share in her late husband's property. In the Nabdam district however, after grandson is within the clan, within the family, direct brother and finally other forms with distributions of 26%, 21%, 20% and 3% respectively. The main difference as espoused in the research points to the fact that whilst in Talensi the new husband owns any children and property acquired in the marriage and Nabdam district any children and property acquired in the new marriage still belongs to the deceased man. Actually in the Nabdam district, to be inherited is to start a new life altogether and the children and property of the deceased man stay in the family of the deceased man and the widow alone moves to join her new husband to start life afresh.

1.1.5.0 Relevance of Widow Inheritance among Talensi and Nabdam Districts

Widowhood inheritance in both districts is considered a continuance of family relationships. In the study areas, respondents explained that immediately a woman is married to a family she is considered a stranger to that family does not partner or part of the family hence she has no inheritance rights from the family and the woman is supposed to be taken care of by the family of the husband. Hence the marriage does not end with the death of the husband but the relationship is continued in the inheritance. Based on this, the following were described as the relevance of the practice;

1. To discourage widows from abandoning their marital home and their children. Because the Talensi and Nabdam communities are organized around the patrilineal kinship system where children belong to their father and his clan, a widow who leaves her late husband's home would risk leaving her children behind.

2. The practice restrains widows from seeking sexual liaisons outside the husbands' clan which, in cultural perceptions, could bring misfortunes to the widows and her family. It can also leads to adultery causing many deaths among the community men.

3. The practice also helps widows without children (especially sons) to have an opportunity to get children to continue the lineage of the deceased, hence the requirement that an inheritor should be his blood relative. The requirement underscores the fact that a child born with an inheritor who is not a relative does not biologically share any blood relationship with the deceased and cannot, technically be considered his lineage.

4. By being inherited, the widow acquired (or expected to acquire) some rights to economic support from the inheritor, to take care of the widow and her children's up-keeping in the family. A man is normally a bread winner in the family but when that man is gone, it is hard for the widow to cope with the situation in terms of feeding herself, clothing and feeding her children and sending her children to school and many others. Hence the widow inheritance was designed for a man to take care of the widow and her children after the death

of the husband.

5. Inheritance enables the widow to participate in certain social events for which sexual rite are part. For example, to mark the start of the farming season (cultivating, planting, weeding and harvesting) to put up or refurbish the home, or to mark the rites of passage of loved ones (birth, marriages and death).

6. To maintain the property in the family (cows or the bride price paid). In terms of marriage in the study areas, respondents said marriage is quite expensive and requires payment of four to three cows on one marriage. Hence they explained that if the widow is not been inherited by the family, it means their property is taken away from their family.

The respondents suggested that the tradition was a great arrangement that ensures that women are well taken care of after the death of their husbands. Different reasons were given in support of their views.

The first thing that was noted in the interviews was that some who did not like the practice and sees it as violence were from the both Talensi and Nabdam tribes. However, there were other respondents who did approve of the tradition. It was noticed that, being in the village and growing up with these customs had a great influence on women's acceptance of the tradition. For example one widow said:

"Widow Inheritance tradition has always been practiced in this village. I was raised by my mother's inheritor because my father died when I was young. My mother could not raise us all by herself she had 4 children and I was the youngest. Had it not been for the tradition we could not have been where we are now. When my husband died, I knew what would happen so for me it was just history repeating it. I knew that what happed to my mother will also happen to me".

According to this widow, she was raised by a man who inherited her mother. This means to her this practice was something she knew very well. From her statement the researcher noted that she regarded her mother being inherited as a good thing in their circumstances. She stated that had it not for the fact that her mother was inherited things would have been bad for them. In this regard she had a very positive view of the practice. When the widow lost her husband she knew what would follow and she was prepared for it. In her situation it would be easier for her to approve of the tradition than those who have never been exposed to it. This reflects the argument by Berger & Luckmann (1966) that once the socially constructed reality has been internalized among the members of the society it becomes part of them and it becomes the normal way of doing things. Therefore for members who have been fully socialized, it is easy for them to accept their way of doing things than to question it. One of the respondent, who was also born in this society and grew up there said;-

"I was born and raised in this village and I know how things are done and I have come to accept how things are done. Attention in this tribe is given to boys as they are the ones who are sent to school. As girls we are supposed to help with household chores and we are also trained to be good wives to our husbands".

Following these suggestions the socialization that respondents went through in the village, was so internalized, in such a way that according to them this tradition cannot be questioned at all. It is in this regard natural and rightful for a woman to go through this tradition and holding this view gives no room to think of the practice as a violation of their rights.

Another reason was the dependence of women on men. This could be linked to the internalization of their cultural practices but it is something that has influences in many areas of their life. It was realized that women depend on men in many other areas more than just economic reasons. From the responses given, division of labour goes well more beyond the bread winner and household keeper roles. There are other roles that are believed to be

performed better by men and not women. Because of this the women feel that there is a need for a man in their lives at all times. In relation to this factor one respondent said:-

"I don't think I can live by myself without a man, and I know with the practice, I belong to my husband's people. When my husband died I was to follow the tradition and then I was inherited by my brother in law. I need a man to do so many things in the house".

In a focus Group discussion, widows also mentioned that they depend on men in the matters of raising children and themselves in the area. One widow mentioned how difficult it would be if she had to raise the children alone as a single woman. She said;-

"For me I think it is hard for a woman to raise children by herself. Most of the time the children are not afraid of their mother but a man acts as an authoritative figure and the children cannot misbehave when there is a male figure around".

In this regard the researcher noted that the men are regarded as authoritative figures for the children. They are supposed to ensure that the children are well behaved. I believe that there is a tendency among children to fear one parent more than the other and mostly the mothers can make that parent the father. This is done by making statements like 'I will report you to your father' each time a child does something wrong. In this way women socially constructed men as authoritative figures to be feared by their children.

These women also highly depended on the men economically. As stated earlier, the society is socially constructed in such a way that men are the ones who take paid jobs and women are supposed to stay at home and take care of the children and the home. This means the provider of the family is supposed to be the man. When he is dead, the practice of widow inheritance is the only mechanism that ensures that the family continues to be taken care of economically. With regards to this reason another respondent said;-

"Some women who don't like this arrangement are educated and maybe they are better off without a man. That is why they choose to mourn their husbands for a long time and choose who they want to marry in their own times. They have the money so they don't really need a man in their lives to provide for them. For women like me a man is the bread winner who provides for the family and the decision maker in the family".

The other reason that was noticed among the women who approve of the practice had to do with the expectations of the society on what is morally appropriate for women. It was noted that, the need to remarry or be inherited has much more to do with how the other members of the society look at women who are not married, one discussant said:

"In my view a husband is very important for a woman. Here in the village when one is not married people think you are a prostitute and promiscuous. This does not give respect at all. This means a husband / a man is a sign of respect for a woman and a source of pride".

In this regard a man is not just a provider but also ignore a sign of respect for the woman. When one is not married in the society, people think she is a prostitute and according to this respondent, women wouldn't want to be associated with such people because they think they will go out with their husbands. To get rid of this shame one has to get a man to gain the community's respect. An interviewee supported this assertion that:

"The practice is very important because it will stop the widow from moving from one man to another that sometimes result in killing men in the community and the widow children and the community will not have respect for that widow".

Another respondent in a group discussion said:

"Widows, who have respect and who protect the traditions and values of community, can live harmoniously with the community. This is where widows must pass through widowhood rites and inheritance. So, the community does often give support for those widows during sickness, economic problems, and lends them a hand on those occasions when they harvest crop, build house...etc. However,

those widows who do not respect the traditions and values of community do not get any positive social recognition and support”.

This notion though originates from the fact that they still need to be attached to a man and being inherited is the quickest way to get a man in the community and be respected. In other words it is difficult to a husband when she has been married and have children. This also shows that being married in this culture is very important for the women. It could therefore be argued that, these women’s acceptance of the tradition is drivers by their need to be married which as shown here is something they value a lot.

The last thing that also influences their approval of the practice has to do with the type of inheritors that shows up after the death of their husbands. It was observed that the women who did not link this practice to gender based violence were inherited by men they described as good men. They were inherited by men who were better off economically than their late husbands. The other feature that made the women look at their husbands favorably is that their inheritors were not very different from their husbands. A widow described her situation in the following words:

“I really wanted to be inherited by the man who inherited me. And when the elders proposed him, I was so happy. He looks just like my husband and even more handsome because he is a little younger than my late husband. He is richer than my late husband so I couldn’t ask for anything else apart from what I got. My husband and I were not so rich and we struggled at times. Now that am married to his brother who is richer, I have everything I want. He gives me money, we have had four children together and he also loves his late brother’s children they have all gone to school one of them is a soldier. When she was inherited the inheritor already has three wives now he has forty wives and becomes chief in the village. For me widow inheritance is a good thing I wonder what I could have done had it not been for this tradition”.

The researcher noticed that according to this widow, she liked her second marriage with her inheritor more than she did with her first marriage. And as stated some of the reasons for this were the economic status of her inheritor and the attributes that she associated with her inheritor like physical appearance and how he was taking care of her and the children. This is different from Mode’s experience who married a man who she considered much older than her late husband. According to another widow, women who hate the tradition are the ones who did not get good men, she said:

“Others might hate the practice because their inheritors are not good men. Some inheritors might not be interested in the marriage but to take away what belongs to the widow. And worse still some inheritors abuse their inherited wives. We have seen many of these cases in this village”.

In conclusion, it could be observed that the reasons that were given by the women who approved of this practice, are very important to be analyzed and they give insight to how the same reasons can reflect an acceptance of oppression by the women. Even though these women approved of this tradition, they also had some recommendation on which they thought the practice could be improved. For example a widow suggested that:

“Tradition must be followed but women should be given a choice as to whether they want to be inherited or not. But also women should choose the one they want to be inherited. There are many problems because some women are not happy with their inheritors”

4.2.7 Who Benefits from the Widow Inheritance Practice?

Norms and values regarding widow inheritance may benefit specific groups and sometimes it does not benefit the intended beneficiary. The study attempted to answer the question about who benefits from this practice by analyzing the findings of the research. This question comes in mainly because it is clearly stated by the respondents that, the practice is

there to help the widow by offering support like security and protection but also financial assistance to the widow after the death of her husband. But from the findings of this study these reasons are highly in conflict with what happens in practice or in reality. This leads to the question about who really benefits from this arrangement. Is it the widow, the children, the inheritor or relatives of the inheritor?

Schmidt (2006), argued that with reference to widow inheritance the reason for the critical attitude towards this practice is the experience of the traditional system, if it ever worked before but surely it is not working in modern days to many modern women. Looking at this statement critically, the study observed that the main role of the men in this tradition was to provide support economically or physically, but from the findings of this study it appears that, the interest has moved from taking care of the widow to taking from the widow. In this respect, it is not the woman who has abandoned the old value systems, but the man has done that by refusing to be a responsible caretaker of the widow and in so doing using the practice to take the property of the widow to his own benefit. This mainly focuses at men who look at widows in terms of what they can extract from them but not in terms of what they can do to make their lives more comfortable and meaningful. It is therefore evident in this study that the main reason why some men would want to be associated with the widow is not financial support of women but to take away their property. This evidence is drawn from several grounds in this study and it is that deviation from the normal objective that can be the root cause of violence or abuse experienced by women in this practice more especially economically. From the findings of this study it has been revealed that the practice of widow inheritance benefits and serves different and sometimes conflicting interests for various groups of people.

Lopata (1996), argued that some individuals are likely to uphold widow inheritance because of the anticipated net benefits. The extent to which widows lose or gain status from accepting or rejecting widow inheritance, depends on their control over societal resources. In Lopata (*ibid*)'s argument, widows who stand to gain the least may courageously persevere in resisting the practice at all possible costs. Some widows find themselves at the losing end with respect to land and property previously owned by their husbands. The strategy of forcing or chasing the widow out of her husband's home in order to take control of the property seemed very common in the experiences of widows in this study and this directly benefits the one who is to inherit the widow and his clansmen. Since it is rare for husbands to leave a will, customary rules of inheritance are the only methods for distribution of property. These rules do not make provision for the widows and thereby benefiting the inheritor. As stated by Owen (1996), inheritance rules and widow inheritance is therefore used as an excuse to gain control over a widow so as to acquire property and not to protect the widow.

The study also found that, adherence to or deviation from the existing social norms can also be explained in terms of the intentional acts of individual social actors. Thus asking who benefits, rather than what functions widow inheritance serves, has allowed the research to explore the different and conflicting interests among various groups within the society. As it is argued by Gruenbaum (1996), that some acts do not necessarily serve the functions they portray to serve and there might be hidden agendas in some practices. This reflects to Edgerton (1992), argument that in different societies, some people are better served than others by the existing cultural practices. Widow inheritance may also significantly manifest aspects and power relations of cultural patterns which are good for the power or wealth of others.

The study concluded that widows who are economically secure are more likely to resist widow inheritance because they know that it will not benefit them. It was also found

that some widows' resistance is enhanced by their increasing and assertive bargaining power which may derive from the substantial resources they control. Thus some widows in this study had the power to resist widow inheritance because they could withstand the consequences of violating the social norm. It can be concluded that the presence or absence of benefits associated with widow inheritance affects the incentive structure which either encourages or inhibits the practice.

The study has also concluded that the inheritors are more concerned with issues of inheritance when they know that they are going to benefit materially when they inherit the widow and her property. These inheritors think about the immediate sexual gratification and the material benefits they will have access to, by inheriting widows left behind by financially well established deceased men. The study has revealed that many inheritors are much more concerned with the widow when there is wealth or property involved and for the widows who do not have a lot of wealth then the inheritors interest is mainly in relation to sexual relationship with the widow. In this regard the study found that this practice encourages the economic exploitation of widows by imposing on the widow an inheritor who in most cases denies the widow and her children the opportunity to inherit the deceased property.

Nzamo (1997) as cited by Tembo (2013), stated that women have no choice because those who say that they are giving support and guidance, they are also inheriting the immediate property of the deceased and his wife, so in fact the financial support that is said to be given to the widow is actually the property which should have gone to the widow in the first place. Not only is she given her own property but it is also taken away from her when the inheritor takes control of the widows' property. A widow said:

"I was told I am being inherited so they can take care of me and my children. I was told they would give me financial support but instead of helping me, they have taken all my property away. So I wonder who they wanted to help in this case. Is it me or themselves"

In this case the practice highly benefits the one who is inheriting because if the role was really to take care of the widow, it would make sense for inheritors to shy away from this responsibility and not forcing responsibility on themselves. This is because inheriting another family would be adding more responsibilities to the inheritor. This study agrees with Jommo (1994), that the widow inheritance becomes especially attractive when there is property involved and it is therefore a means of disinheriting the widow. According to Jommo (1994), inheritors are not interested in inheriting poor widows. When the inheritors are more interested in the wealth of the widow, then their main concern is not to take care of the widow, and the absence of this care makes the whole institution meaningless. The study has concluded that some existing incentives favor the continuation of widow inheritance; this is true for those widows and men who stand to benefit economically or otherwise from the practice.

4.2.8 Case Studies

In this study, twelve cases were conducted across the research areas. Two cases were taken in each community but these have been subsumed under two categories below. The first category is made up of widows who have accepted the tradition to be inherited and they are living well with their inheritors.

The second, category comprises middle aged widows with children and who do not have plans of remarrying but instead have resorted to hard work and personal commitment to make ends meet and those who are enable to come out of the problem because of the support they received from their older children and other sources such as religious bodies friends and relatives.

Talata Bawa: (57 years) A Talensi by tribe, born and raised in the village. She has 5 children, 3 with her late husband and 2 with her inheritor. When her husband died she knew what would follow because she is familiar with the tradition after she went through the widowhood rites and got inherited by her late Husband's brother. She is now added to forty (40) wives. She is so happy that there is this tradition because her inheritor is a good man and a chief of the community and he takes very good care of her and her children. Her inheritor is very rich as they do not lack anything.

Mama Ayinbire: (30 years). Her husband died when she was 25 years old and she only had one child with her husband. Her child is less than the 10 years. She is not a Nabdam by tribe and she was inherited by her late husband's eldest brother who is 55 years old. She was told that if she does not perform the tradition she would never see her son again and that they would take all her property. She had nowhere to go and was left with the choice of marrying a man who was much older than herself. She has two more children with her inheritor and she is the second wife. She is not happy but due to the culture of the people.

Lariba Atia: (68 years). Her husband died when she was 60 years old. She has 7 children all of them above the age of 20 years. She is a Nabdam by tribe, born and raised in the village. She went through the widow cleansing ritual but she refused to be inherited. Her children could take care of her because they are all adults and she was allowed to stay on the premises on the condition that she will never get involved with any other man and that her late husband's relatives will take full control of her property. With these conditions she was allowed to stay in her matrimonial home. She was able to come out of this problems because of the help she get from her children and the government programme on Livelihood Empowerment Against Poverty (LEAP) in the district which supported widows and Orphans with monthly cash.

Azumah kolog: (48 years). She was married for 24 years and a worker. She is a Talensi by tribe and originally hailed from the village where the study was conducted, but has spent most of her life in the urban areas and has four children. Two of her children were in their early 20's and the other two were teenagers. The time her husband died her children were not very young as they were all above the age of 14 years. She refused to be inherited by her late husband's relatives and left the community to stay in Kumasi since they threatened her that they would take her children. So she was enable to come out of this problem due to the fact she was able to sell some of her property but some of it was taken by her late husband's relatives. She remarried a man of her choice and she only goes to Talensi to visit her relatives. The time she was interviewed she had come to visit her relatives.

This finding reflects what literature supports. According to Madam Betty Ayagiba, the president of the Widows and Orphans Movement (WOM) at Bolgatanga, in widowhood rites, it is normally concluded that the widow killed her husband through adultery or unfaithfulness hence widows are taken through a series of rites some of which are dehumanizing and discriminatory in order to prove her innocence in the death of her husband. She explained that in some communities, the widow does not drink water from her own water pot or the yard of her husband until the body was buried. She added that the widow was at all times accompanied by the ritualist. When they were about to bury, she is accompanied to where the corpse lay to see the husband before burial. If unfortunately she was bitten by an ant, a soothsayer was consulted again to know the reason. It is noted as disgrace for the widow to be bitten by an ant and seen as a sign of unfaithfulness. The widow is only allowed to wear clothes after the burial of her husband. The feeding of the person performing the rituals is the responsibility of the widow. She explains that this adds to the impoverishment of the widow.

In a resolution presented by widows in the Talensi and Nabdam districts in

collaboration with the Widows and Orphans Movement (WOM) to the Upper East Regional Minister, the widows recounted the following as some of the rites and practices that they are forced to undergo;

1. The widows are forced to visit the copse of their deceased husband whilst naked and in the company of men.
2. During funerals rites, widows are compelled to wear only leaves.
3. Widows must bathe and eat whilst sitting on a refuse-dump.
4. Widows are compelled to drink a concoction usually made of ashes and the leaves which a former widow wore during her husband's funeral. This is done to prove the widows innocence in the death of her husband.
5. Widows who refused to select a relative of the deceased husband are subjected to sexual harassment and sometimes rape. In some cases, they are subjected to beating and other maltreatment.
6. Widows are confined during the funeral rites of the deceased husband for up to a month until the rites are all performed.
7. After the funeral, the widow must walk naked, accompanied by a man to bath in a river.

Conclusion

The Talensi and Nabdam tribes both practise widowhood rites and widow inheritance. The findings from the research revealed that widows whose spouses practised traditional religion were subject to these rites. Some of the widows, for fear of rejection and being accused of complicity in the death of their spouse, also subjected themselves to undertaking the rites. Due to the liberties attached to it, Talensi and Nabdam widows prefer to be inherited by their grandchildren. Women in both districts normally lead themselves through the practices, as whether there is an infringement or not is another discussion. The findings show that to completely describe the whole practise as an infringement of human rights may be misleading. Widows are allowed to undertake widowhood rites according to their faith or religion. Widows do not sit on the bare floor, stripped naked, because they are now allowed to wear clothes. During the ritual cleansing, women are not bathed in full view of the public but rather surrounded by other women in a ring. The people of Talensi and Nabdam have instituted some changes in the rites to protect the dignity of womanhood, respect diversity and show religious tolerance. This practise encourages the economic exploitation of widows by imposing on the widow an inheritor who, in most cases, denies the widow and her children the right to inherit the deceased property.

Recommendations

The study makes the following recommendation based on its results and conclusions.

1. A critical review of numerous activities should be conducted to identify and eliminate factors that violate women's rights. For example, violating the widow's right to dignity by exposing her nakedness during a time of trauma should be reconsidered and, if feasible, corrected, because culture is supposed to be dynamic, and so the practices of the people should evolve with time.
2. A creative method of establishing women's fidelity should be approved in lieu of exposing widows' nakedness, forcing widows to drink concoctions, and forcing widows to sit on the mat naked and not be bitten by an ant or other creeping bug as a result of the food widows eat on the mat. Thus, the problem can be resolved without jeopardizing women's rights.

3. To increase the likelihood of success in dealing with widows, the researcher advises that older women be recruited as change agents. Future interventions and support should go a step further by identifying all elder women who serve as enforcers and curators of widowhood ceremonies practise.

4. In Ghana and other developing nations, women's lives are more likely to be governed by customary or traditional religious norms than by modern legislation. This is due to ingrained cultural attitudes and unequal gender and power relations. Thus, empowerment and transformative tactics including both individual women and women organisations are necessary to campaign for the abolition of these harmful cultural behaviours.

5. In the Talensi and Nabdam districts, widowhood customs and widow inheritance are observed. Certain aspects of the practise are harmful, and as mandated by the 1992 Constitution, the National and Regional Houses of Chiefs, as well as the various Traditional Councils, should be resourced and empowered by government to evaluate and reform harmful and negative practises or to eliminate them in their chiefdoms. The research unit formed to examine and recommend changes to obsolete rituals and practises or harmful traditions in the National and Regional Houses of Chiefs should be appropriately resourced and their recommendations legally enforceable.

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