

## **Remarriage after spousal death: options facing widows and implications for livelihood security**

### **Abstract**

Remarriage following spousal death has important implications for individual and household livelihoods. Research in the Caprivi Region of Namibia found that while widowers commonly remarry, the 'traditional' option open to women through widow inheritance has been outlawed. While forcing widows off the land is now prohibited, socio-cultural pressures, the status of the woman's children and a lack of basic support from the late-husband's relatives can result in a more subtle form of property disinheritance. In addition to upheaval caused by relocation, many widows are limited in undertaking livelihood activities, constrained in their capacity to engage in profitable income earning opportunities and heavily reliant upon the support of others.

Keywords: widows, marriage, livelihoods, vulnerability, HIV/AIDS, Namibia

### **Introduction**

Across sub-Saharan Africa, marriage has long been the basis for household formation and subsequent production, and the means by which men and women have gained access to land and labour (Fafchamps and Quisumbing 2005; Yngstrom 2001). As sites not only of competing, but also of joint interests (Whitehead and Kabeer 2001; Jackson 2003), marriage can constitute an advantageous form of gender co-operation and work as a key safety net and form of insurance for women by securing their social status, legitimating their entitlements and enabling material advantage (Jackson 2007). This is particularly true in areas in which livelihood activities are strongly gendered, since household composition plays a key role in determining livelihood strategies and expectations. Significant pressures are placed upon women to marry to increase identity, respect and livelihood security (Calvès 1999). However, for the significant number of women in sub-Saharan Africa who live as widows (1), the option of (re)marriage is far more constrained, a situation that not only influences their role and identity but has significant implications for their livelihood security and well-being.

Widows have long been identified as a vulnerable group, a situation exacerbated as the AIDS epidemic has taken hold across much of sub-Saharan Africa. While the majority of widows in sub-Saharan Africa are elderly women, at least two in five are now under the age of 60 (Oppong 2006). In many places, society continues to condone a range of physically and psychologically harmful and degrading practices concerned with widowhood, many of which deprive women of their inheritance and land rights and in turn contribute to poverty and marginalisation (Ntozi 1997; Sossou 2002; Young 2006; Izumi 2007; Rosenblatt and Nkosi 2007). As Whitehead and Tsikata (2003) explain, becoming a widow can create uncertainties that have to be carefully negotiated, often resulting in them having to fight for access to key resources such as land, despite any gains that have been made in passing legislation to enable women to access their rights.

No such adverse practices are reported to be suffered by widowers, and the tendency of men to remarry helps ensure that their long-term livelihood security is not adversely impacted. Conversely, relatively few widows remarry. While it is now widely accepted that female-headed households are not necessarily the poorest in

society, it is probably true to say that relatively few are amongst the wealthiest or most asset secure. In many cases therefore, remaining unmarried is unlikely to be an economically advantageous livelihood strategy. Using research from the Caprivi Region of Namibia, this paper discusses the options and challenges facing women following the death of their husband, and examines why, given its livelihood advantages, relatively few widows remarry.

### **Methodology**

Findings reported here derive from ethnographic work carried out in three rural settlements in the Caprivi Region in 2003-2004 and followed up in 2007 as part of a larger study on the impacts of HIV/AIDS on livelihoods, vulnerability and support networks. A livelihoods survey with 100 households established key activities undertaken by, and support networks available to, male-headed and female-headed households. Semi-structured interviews with 16 widows enabled investigation into their experiences, challenges faced and coping strategies employed both before and since the death of their husband. Three focus group discussions with widows and four sex segregated focus groups provided further context by exploring cultural norms regarding marriage, and the challenges arising from spousal death. Interviews were held with representatives from three traditional authorities and various government ministries to gain insight into laws and norms regarding gender equality and inheritance.

### **Background to research area**

While strategically important for trade and transport, the Caprivi Region is one of the least developed areas of Namibia (Mendelsohn et al. 2002). This is due largely to the region's poor health profile, with HIV prevalence rates of 39% amongst ante-natal attendees (MOHSS, 2007). Subsistence cultivation and livestock husbandry play a central role in livelihoods, although most households are involved in an array of activities to meet food and cash requirements. Livelihood activities are strongly gendered, thus households with both male and female labour are usually at a considerable advantage over those without.

Unless residing in the communal 'compounds' in the town of Katima Mulilo, access to usufruct land and settlement rights are assured through inheritance, normally through the paternal line. To access these rights, the majority of men remain in their father's settlement and most marriages are based on a patrilocal system of residence (2). Restrictions on travel prior to Independence in 1990 meant that it was common for marriages to be between two people from the same locality. However, since these restrictions have been lifted, it is now common for people to marry from further afield, a factor which can have significant implications for the challenges faced, and support networks available to widows. While most women agreed that moving to their husband's village proved commitment on both sides and helped 'legitimise' the marriage, treatment once there was very much dependent on acceptance by his family. Although simplistic, it is perhaps fair to say that in most cases examined in this research, men's rights were primarily inherited, while women's conjugal rights had to be earned and were largely conditional upon her behaviour conforming to that of a dutiful and submissive wife, particularly when significant *lobola* (bride-wealth) had been paid (cf. Thomas 2007).

According to the traditional authorities, the practice of ‘*mayolo*’ (widow inheritance) was already being discouraged from the 1970s, and religious influence and concerns regarding HIV/AIDS have resulted in the practice being outlawed. An increase in witchcraft accusations was also thought to have undermined the *mayolo* practice by raising suspicions that brother had purposefully killed the man so that he could marry his wife. The vast majority of people interviewed felt that this was a positive change, particularly with regards to decreasing the spread of HIV. However, older widows explained that as well as providing an important purification ritual, the practice had acted as a strong safety net at a time when they and their children were particularly vulnerable. As well as implying that the husband’s family had respect for the widow, it also ensured that she could continue to expect a level of support from them.

Despite changes to *mayolo*, a ‘washing’ ritual continues to be undertaken to purify the remaining spouse. The timing of this ritual is ultimately decided by the relatives of the man, although the woman’s relatives have the right to mediate when it is the husband who has died. Prior to the ritual, the remaining spouse is expected to wear black, and is not allowed to engage in work beyond the village. Failure to adhere to this ritual is considered to show disrespect to both the deceased and their relatives.

Data from the latest national census show that a significant proportion of the population of Namibia are widows who have not remarried, a situation due, in part at least, to the outlawing of wife inheritance practices. According to the census, 7% of women over 15 are widows who have not remarried compared to only 1% of men who live as widowers. In the Caprivi Region this difference is particularly evident, with 89% of those widowed and never remarried being women (National Planning Commission 2003). (3)

Official acknowledgement of property dispossession and the resulting vulnerability of widows in Namibia played a key role in securing the Communal Land Reform Act in 2002. This grants widows rights to inherit land accessed via their late-husband. While instances of property grabbing are still reported, there is no doubt that such policy has been beneficial in raising awareness and in assisting significant numbers of women to secure their rights. However, despite such policy, it is argued here that socio-cultural norms and expectations continue to play a central role in influencing the options available to women following the death of their husband, and that pressures inherent within inter-personal relationships can still undermine the rights of widows to secure their livelihoods.

### **Options facing widows**

While women now have legal rights to land and property in their husband’s village, the implementation of these rights was found to be very much influenced by the goodwill of the late-husband’s relatives and the age of any children of the widow. All of those interviewed agreed that a woman’s status in the village significantly decreased upon becoming a widow, since her standing had been determined primarily through her husband. In turn, this could lead to a weakening of support networks available, and even outright hostility against the widow, particularly if her children were young and if the husband had died leaving assets desired by his own relatives.

“The person who she came to be with has passed away, and the things that she was getting from that person she won’t get any more....If you have adult children who have their own houses you can stay as they will look after you, and give you help, but if they are only young you have no reason to stay.” Marjory, widow, Masokotwane

“When I was living there with my husband they [his relatives] were very kind to me and I did not know that this change in life could happen. We were sharing everything, especially with my sister-in-law. We even shared the same blanket when my husband was not there. So I was very confused when they started changing. The very day my husband passed away – just the day after is when they started asking for his bank card and his id.” Priscilla, widow, Lusese

Blatant violations of widow’s rights to inherit were reported in the study sites and by the Ministry of Gender Equality and Child Welfare (4), although it was generally felt that such instances had declined due to policy changes and the tendency for young people to be better educated about their rights. However, it was also found that the rights of widows, particularly those with only young children, could be undermined by more subtle forms of coercion directed against them by their late-husband’s family, which ultimately forced them to uproot and give up their land rights. Refusing to help the widow with any livelihood activities or basic daily tasks such as caring for the children were identified as some of the main difficulties.

“I have a problem with the flooded crops at my land but my husband’s relatives are not helping me even to take a *makoro* [canoe] there to take out the crops before they flood more.” Rebecca, widow, Lusese

“The husband’s family are not interested in the kids unless when they are grown up those kids go to university. Then they can show interest and come close because they can see that the kids will soon be employed and get money. But when they are still young they don’t care – you can say ‘my kids are sick, I can’t pay school funds, they are missing out’ and they just say, ‘they are *your* kids’. Prisca, widow, Sangwali

Several of the widows with young children also reported that it had taken their husband’s relatives a year or more before agreeing that they could be ‘washed’, during which they were unable to carry out livelihood activities outside of the village (such as selling at the market in town), yet received no extra support from them during this time. However, male and female focus group participants reported that it was common for men to be washed within weeks of their wife’s funeral, negating any long term livelihood losses.

In some cases, widows reported that they were well looked after in their late-husband’s village, and felt that moving away would be emotionally upsetting and inappropriate. This was particularly true for older widows with adult children who played a vital role, not only in providing direct support to the widow, but in negotiating a level of ongoing communication and support between her and their late husband’s relatives.

“If the relative tells you to move out your children will say ‘if our mother is going then we are also going’, and those relatives don’t want those children to go to their

mother's village. It becomes a problem so they have to decide if they can treat you better." Polly, widow, Sangwali

In several cases, where widows reported that they would actually like to give up their inheritance rights and return to their own relatives where they felt they would get more social and material support, they were constrained by pressures from older children who, having grown up in their fathers village, did not want to move to a new area.

"They said they cannot cope with the life where I come from as they didn't grow up there" Josephine, widow, Masokotwane.

"You can't leave your children here alone when you know that those people won't even take care of them – what if they get sick, who will care for them?" Rebecca, widow, Lusese.

As well as pressuring them to stay by reminding them of their duties as mothers (and often grandmothers), it was commonly reported that children threatened to withdraw immediate and future support to their mothers if they moved away. This can in part be explained by traditional land inheritance rules. Because land has traditionally been inherited through the father, moving away has major implications for the children's future, as access to land becomes dependent on the benevolence of the mother's male relatives. When asked why widows had stayed in their late-husband's village, the following comments were typical.

"It's because of my children who are there – I can't move because they own land here and they don't have land at my relatives – they [her relatives] would say 'why are you here, go to your fathers land.'" Rosemary, widow, Lusese

"My young brother can say 'you must leave, this is not your land it's mine. You must go to your husband's land where you can get land for your children'." Tessa, widow, Lusese.

The desire for mothers to stay near their children was for most, axiomatic. However, with their status undermined and without other relatives nearby, widows are heavily reliant upon their children for continued material, labour and social support. This kind of assistance is by no means guaranteed, and several widows reported instances of ill-treatment, neglect and exploitation.

### **Livelihood implications of widowhood**

Few widows felt that they had been able to achieve the same level of livelihood security they had had when their husband was alive. While there was no significant difference in the amount of land men and women had access to, the capability of widows to make full and productive use of it was often severely constrained. For those who had moved back to their own village, there was the additional challenge of re-establishing and preparing land which may not have been cultivated for several years. One of the most frequently mentioned challenges faced by widows was the sole responsibility they endured ensuring livelihood and food security for themselves and their children.

“The biggest problem is looking after my children alone, having to pay their school funds and find them something to eat.....Everything that has to be done, it is me that has to do it. I have to be responsible for everything and take care of my children alone.” Precious, widow, Lusese.

“Everything is done by me – I don’t have any oxen and I only have one boy and the rest are girls so it’s difficult for ploughing - even if the boy helps he can’t do everything. I have to do the ploughing using a hoe. And then I have to collect firewood myself. With building houses, it’s a problem and now I don’t have a hut at the field as there’s no-one who can build that for me.” Prudence, widow, Sangwali.

With few exceptions (5), those without adult male labour available within the household were significantly disadvantaged. As a ‘male activity’, ploughing fields was a particular problem for widows without adult sons. In 43% of widow headed households, members had had to work for others in order to raise cash to hire male labourers. While households with sufficient labour are able to undertake measures to optimise their yield (e.g. early weeding), those reliant on external labourers, or undertaking the time-consuming task of ploughing by hand, are less able to do this, leading to lower levels of food production and increasing the necessity to spend cash purchasing food. Sixty seven percent of households headed by a married couple were able to cultivate crops surplus to immediate requirements for an average of six months storage, compared to only 50% of widow headed households with an average surplus of four months. As a result, a third of widow headed households reported cutting their food intake, and cited much greater reliance upon wild foods than when their husbands had been alive.

It was also found that without the level of collective security provided by their husbands, many widows felt constrained in taking risks and often had only limited capacity to engage in more profitable income earning opportunities. This was due both to caution exercised by the woman and reluctance on the part of others to provide support that they felt may not be reciprocated. Fifty two percent of widows surveyed reported a significant decline in income since the death of their husband, with the loss of his salary or pension, labour shortages and/or the death of cattle being cited as the main issues (6).

### **Constraints and concerns over remarriage**

Given the challenges faced by widows it is perhaps surprising that relatively few remarry (7). Some, particularly older widows, claimed that they did not want to remarry because they were still grieving for their late husband, or felt secure where they were and did not want to have to uproot again to adjust to life in another man’s village. Several widows also reported that they had greater independence and leadership roles within their family which they felt may be lost if they remarried.

Others however, explained that a number of obstacles existed which made it extremely difficult to remarry should they want to. To remarry, or even enter another relationship whilst resident in the late-husband’s village was considered deeply disrespectful, and was strictly forbidden before the woman had been ‘washed’. Any woman even considering remarriage was therefore expected to wait to undergo the

washing ritual, give up her land rights and return to her own relatives. At the same time, finding a partner was made more difficult by cultural norms which denounce women initiating relationships, and by a fear that AIDS had caused the death of the husband. The low number of unmarried widowers in the region implies that social expectation and the livelihood insecurities facing single women make it easier for men to remarry despite any fears that may exist over the cause of their late wife's death.

A number of those with older children reported that their children had threatened to abandon them if they remarried. For those with younger children, their greatest fear was that their children would suffer as a new husband would not treat them well, and that remarriage would involve further upheaval and uncertainty.

“One of the reasons we don't get married is because we are left with children so even if we wanted to it would be difficult for the man to come and look after someone else's children. He will start fighting every day saying ‘your kids are destroying my things and eating my money.’ So it's better just to stay with your children.” Saya, widow, Sangwali

“Another man is not perfect and they won't treat your kids the way you would like. Some men, if you have a girl, he can rape and infect that girl. So some women are scared about this and they are worried that their new husband may also die and then you have to move again.” Priscilla, widow, Lusese

Although it was acknowledged that a woman marrying a widower did not necessarily treat his children as she might her own, it was widely agreed that gendered power relations meant that a woman was expected to take on a caring role for a man's children. Both men and women also identified the sexual ‘needs’ of men as a key reason why it was expected that men would remarry, with his relatives ensuring that the washing ritual took place within weeks of his wife's death.

“Men have desires for sex so they are not like women. Women love men but men do not deeply love us. Even when women pass away we are different – men will just be thinking ‘who can I marry next?’ Then he will get another wife....In just a few months a man can get another woman to remarry. For some men they have girlfriends anyway so when their wife dies they already have these other women. And for men people don't talk much [gossip] like with women. His relatives just make sure that they wash him quickly so that he can go and remarry.” Gladys, women's focus group, Lusese

“If my wife has died and I have [sexual] desires, then I can get another wife. I have to do that, there is no crime there, it's not me who caused the death. Even God has said you can do that.” Ernest, men's focus group, Sangwali

## **Discussion**

Significant steps have been made in passing legislation to protect the inheritance rights of widows in Namibia. However, the patrilocal residence system in the Caprivi Region means that the level of basic social and material support provided by the late husband's relatives, as well as the status of the woman's children play an influential role in key residence and livelihood decisions made by, or on behalf of, the widow.

Most widows reported experiencing a decline in livelihood security, and an increased reliance upon the support of their children. An examination of remarriage options found that it was perceived to be far easier and more socially acceptable for men to remarry. While it is certainly not the intention of this paper to promote marriage as a panacea to livelihood insecurity (indeed, many widows, expressed no desire whatsoever to remarry), it was generally agreed that livelihood options were greater for those within marriage and that women wishing to remarry were confronted by a range of coexisting constraints which widowers rarely faced.

Although changing socio-cultural norms is only likely to be possible through sustained education, pressure and advocacy, several more immediate initiatives exist to ease the challenges faced by widows in the Caprivi. A monthly pension payment is available to Namibians over the age of sixty and recent years have seen an increase in the allocation of maintenance grants for care of single and double orphans, and foster grants available to those (often older widows) already looking after children whose parents have died. While small, such grants have proved vital in aiding food security, paying children's school fees and meeting other key basic household requirements.

A Conference on Women's Land, Property Rights and Livelihoods was initiated by the Namibian Government and UN agencies in 2006 to raise awareness of harmful inheritance practices exacerbated by HIV/AIDS as well as the need to sensitise traditional leaders to protect land and property for women. This has been paralleled by the establishment of the Organisation for the Empowerment of Widows, Widowers and Orphans of HIV/AIDS in Namibia (OEWONA). In the Caprivi Region, the organisation is undertaking community outreach and sensitisation workshops to raise awareness of the challenges facing widows, widowers and orphans, encouraging HIV counselling and testing for those thinking of remarriage and ensuring that people are aware of the support grants to which they are entitled.

While such initiatives are undeniably positive, this paper has demonstrated that policy, even when endorsed by customary law, can be superseded by more immediate inter-personal relationships which more subtly undermine widow's choices and rights. Given the difficulties of fostering and sustaining positive inter-personal social relations, it is important that organisations such as OEWONA are supported to develop initiatives which are empowering to widows, assist them to support one another, gain confidence and self-respect and enable them to make informed decisions over their futures.

## References

**Calvès, A.E.** (1999) 'Marginalization of African single mothers in the marriage market: Evidence from Cameroon', *Population Studies*, 53(3): 291-301

**Fafchamps, M. and A.R. Quisumbing** (2005) 'Marriage, Bequest, and Assortative Matching in Rural Ethiopia', *Economic Development and Cultural Change*, 53(2): 347-380

**Izumi, K.** (2007) 'Gender-based violence and property grabbing in Africa: a denial of women's liberty and security', *Gender and Development*, 15(1): 11-23

**Jackson, C.** (2007) Resolving risk? Marriage and creative conjugality, *Development and Change*, 38(1): 107-129

**Jackson, C.** (2003) 'Gender analysis of land: beyond land rights for women?', *Journal of Agrarian Change*, 3(4): 453-480

**Mendelsohn, J., A. Jarvis, C. Roberts and T. Roberson** (2002) *Atlas of Namibia: A Portrait of a Land and its People*, Cape Town, David Philip Publishers

**MOHSS** (2007) *Report of the 2006 National HIV Sentinel Survey*, Windhoek, MOHSS

**National Planning Commission** (2003) *2001 Population and Housing Census, Caprivi Region: Basic Analysis with Highlights*, Windhoek, National Planning Commission

**Ntozi, J.P.M.** (1997) 'Widowhood, remarriage and migration during the HIV/AIDS epidemic in Uganda', *Health Transition Review*, 7(Supplement): 125-144

**Oppong, C.** (2006) 'Familial roles and social transformations: older men and women in sub-Saharan Africa', *Research on Aging*, 28(6): 654-668

**Rosenblatt, P.C. and B.C. Nkosi** (2007) 'South Africa Zulu widows in a time of poverty and social change', *Death Studies* 31: 67-85

**Sossou, M.A.** (2002) 'Widowhood practices in West Africa: the silent victims', *International Journal of Social Welfare*, 11: 201-209

**Thomas, F.** (forthcoming) 'Global rights, local realities: negotiating gender equality and sexual rights in the Caprivi Region, Namibia', *Culture, Health and Sexuality*

**Whitehead, A. and Kabeer, N.** (2001) Living with uncertainty: gender, livelihoods and pro-poor growth in rural sub-Saharan Africa, *IDS Working Paper 134*, Brighton, IDS

**Whitehead, A. and Tsikata, D.** (2003) 'Policy discourses on women's land rights in sub-Saharan Africa: the implications of the re-turn to the customary', *Journal of Agrarian Change*, 3: 67-112

**Yngstrom, I.** (2001) 'Women, wives and land rights in Africa: situating gender beyond the household in the debate over land policy and changing tenure systems', *Oxford Development Studies*, 30(1): 21-40

**Young, K.** (2006) 'Widows without rights: challenging marginalisation and dispossession', *Gender and Development*, 14(2): 199-209

(1) Oppong (2006) suggests figures as high as 25% amongst adult women.

(2) Where livelihood opportunities are agreed to be more advantageous at the woman's village, it is possible for the man to move. However, all men interviewed felt this was undesirable and undermined their power within the relationship.

(3) The national census recorded 263 unmarried widowers compared to 2222 unmarried widows.

(4) At the time of the research this was known as the Ministry of Women Affairs and Child Welfare.

(5) The livelihoods survey recorded only four households in which women had enough cash to pay for regular male labourers.

(6) Those who had not had either qualified for a pension subsequent to their husband's death or had started receiving remittances from their children.

(7) It was widely claimed that those who did were the poorest and most vulnerable widows who engaged in 'risky' relationships to improve livelihood prospects.

Article word count (inclusive of references): 4634