

Provincial Report

Limpopo



COMMISSION ON GENDER EQUALITY

Gender Equality Ensures a Better Life for All

PREFACE

The CGE's widowhood survey was a nationwide survey of public- and private-sector responses to the plight of widows in the different provinces of South Africa. In order to understand the experiences of widows and widowers, the key issue is to understand the concept of widowhood, as this is influenced by different cultures in different geographical areas and language groups. The study also examined the concepts of human rights in the cultural and religious mourning practices and how these practices impact on both men and women. It is also important to note how participants think they can be helped in trying to address the challenges facing widowhood in the respective provinces.

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LIMPOPO

Background of the province

Limpopo is predominantly a rural province. It is dominated by blacks (97% of the population) and consists of five districts (Capricorn, Sekhukhune, Mopani, Vhembe and the Waterberg). The distinct language groups in the province are Northern Sotho, Venda, Tsonga and Nguni. The strongest religious affiliation is the Zion Christian Church. Limpopo was classified as having the second lowest literacy rate of all provinces, with only 2,2% of households having access to a computer, and the matric pass rate was in the lower ranks. The Labour Force Survey of 2004 indicates that about 28,2% of the working-age population was employed. Employment is mainly in the mining, quarrying and general government services.

Research methodology

Data collection process

The data was collected through focus group interviews, individual questionnaires to widows and widowers, and questionnaires distributed at stakeholder meetings. Five focus group interviews were conducted. The aim was to cover all the dominant language groups within different geographical settings.

Figure 1: Focus group interviews

Research sites	No of respondents/participants		No of focus group interviews
	Female	Male	
Capricorn district	22	3	2
Sekhukhune district	21	2	1
Mopani district	50	2	1
Vhembe district	15	8	1

In Capricorn, only one male participant showed interest in the issues that were discussed. The discussions also impacted more directly on women.

Stakeholders (such as NGOs and FBOs) played a major role in probing questions and also shed light on experiences that they normally come across. In Sekhukhune, a number of the issues that were raised related more to widows than to widowers and participants focused mainly on negative issues. Some participants were emotional and did not focus specifically on the issues raised.

Data was also collected through individual questionnaires (20 in the Capricorn district and 30 in the rural areas of Sekhukhune, Mopani and Vhembe). Many participants in the rural areas were unable to complete the questionnaires due to illiteracy. Fieldworkers translated and completed the questionnaires on behalf of some participants.

The focus group interviews were conducted in the mother tongue of the respondent within different districts and were transcribed and translated into English. The data was analysed by identifying themes.

Findings

Understanding of the widowhood concept

Participants' conceptualisation and understanding of widowhood is similar in the rural and urban areas. Widowhood is associated with one's marital status. Most elderly participants considered a person to have been married, whether the marriage was a civil or a customary one. This issue is informed by different cultures in different language groups in different geographical settings. The issue of 'lobola' was raised as an important contributory factor to customary



marriage. Civil marriage was also acknowledged by all participants in the study. Some participants cited long-term domestic partnerships as being controversial, as the remaining spouse bears the same emotional and financial loss as a widow/widower, whether the marriage was a customary or a civil one.

Experiences of widows/widowers in different geographical settings

Rural areas

The issue of gender came out strongly. Widows and widowers are subjected to various dehumanising practices during the mourning period. These practices are normative and are defined by culture and tradition, and sometimes by religion.



- **Mourning clothes:** This is one of the common practices in various cultures and religions that should be followed for a particular period. According to participants, widows wear mourning clothes so as to be easily identifiable and to be respected. The concept of 'Makgoma' was raised as a form of disease. The mourning period differs from one culture to another. Widows are subjected to long periods of mourning, during which they have to wear mourning clothes. Widowers, on the other hand, wear mourning clothes voluntarily, and for a shorter period of time. Participants cited this incidence as discriminatory.
- **Restricted movements:** Widows are confined to sleep on a mattress until the day of the spouse's funeral, yet widowers do not have to do this. Unlike widowers, widows are restricted to stay indoors before and after the funeral, as well as at dusk. Before the funeral of the spouse, widows are not allowed to socialise and sometimes cannot even see their own children. This is emotional abuse that does not only affect the widow, but also young children who do not understand what is happening.
- **Cleansing ceremony:** When the mourning period is over and all the necessary cultural and religious practices have been followed, the cleansing ceremony will be arranged. It is believed that the widow or widower's blood is contaminated and must be cleansed to be able to live a normal life. The clothes of the deceased are cleansed with traditional medicine. Traditional beer is prepared for the widow and she may chose to remarry into the family.
- **Social exclusion:** Unlike widowers, widows are deprived of their rights to make decisions about their own lives. In some families, widows are not allowed to choose partners, but the in-laws take this responsibility to protect the family name. Another controversy arises when widows are disposed of their possessions. If the husband died without a will (intestate), the in-laws usually take over the responsibility of distributing the estate. Widows are consulted only if their signatures are needed. Sometimes in-laws even commit fraud to access the deceased's estate. In polygamous marriages the widow of an unregistered marriage will have no decision-making rights. In such cases, only the lawful wife benefits from the estate.

Urban areas

- Mourning practices: The mourning practices and belief systems are similar to those in rural areas, except that widows in urban areas are generally more literate and more knowledgeable about their legal rights. Practices are mostly followed voluntarily. Knowledge empowers these women and spares them the trauma of being unnecessarily discriminated against.
- Services provided by the business sector to widows: Some widows are concerned that the people who provide support services are also involved in fraud, for example with claims to the Road Accident Fund and insurance policies. Another barrier that widows have to overcome is claiming from funeral policies. Clients are often ill-informed, ignorant or do not understand the jargon in the policy documents, resulting in claim delays. Widows also complain about banks when they want to access the title deeds of the deceased's property. The procedures are intricate and the focus group participants proposed that these should be simplified.
- Services provided by the public sector: The participants highlighted the issue of the high tax rates that are levied by the South African Revenue Service (SARS) on pension funds. SARS should be educating people about the payment of taxes. Some participants complained about teachers extorting funeral contributions made by learners to the families of the bereaved.
- Suppression and subordination of widows: The abovementioned repressive norms and practices are not documented, but in all districts it became clear that elderly women enforce these practices. A poor relationship between a widow and her in-laws contributes to such practices.
- The effects of widowhood on males and females: The enforcement of religious and cultural mourning practices and laws impacts differently on men and women. Widowhood has a social, psychological and economic impact. Cultural and religious reasons cause women to be more affected as they are discriminated against by all institutions of society, be it family, communities, the market or the state.
- Social exclusion and dispossession: The belief system that widows should be excluded from social gatherings and events is a discriminatory and unfair practice. Some widows experienced stigmatisation and social exclusion from other women who view them as a threat.
- Physical, psychological and emotional effects: Some widows and widowers develop health problems after losing their partners as their bodies are unable to cope with the loss, mourning practices and the financial and social problems. Widows who do not get support are emotionally affected.
- Economic effects: The impact of losing a breadwinner is one of the most challenging aspects facing widowhood. Since the province is predominantly rural, most widows are unemployed and were economically dependent on their husbands. The cultural aspect also becomes a mitigating factor as most women do not know how to exercise their rights





to access the estate of their deceased husbands.

- The impact of widowhood on children: Children suffer emotionally and financially when one or both parents die. The study revealed that if the breadwinner dies intestate, in many instances it is the in-laws who dispossess the family of their rightful assets. When the mother dies, children suffer emotionally when their fathers remarry. Extended families are not easy to maintain and various forms of abuse come to the fore, which have long-term effects on children.

Stakeholders

Not all stakeholders managed to provide information on all the questions asked. However, some were able to provide additional information based on their experiences.

- Department of Home Affairs: Widows and widowers are given first preference when they need services such as a death certificate or other enabling documents. The department also provides advice on applying for support grants and the administration of an estate.
- Department of Health and Social Development: There are no specific programmes or grants aimed at widows or widowers. The department provides free health services to specific groups as the social acts stipulate. If a breadwinner or parent dies, the department encounters challenges, especially if the remaining spouse is unemployed. An Old Age Grant, Child Support Grant or Disability Grant is only available if the widow/widower qualifies for it. Social services are provided to distressed families, such as those affected and infected by diseases like HIV/AIDS and those who are left destitute. Social workers provide food parcels and home-based care. Municipalities identify vulnerable families through community development workers, who provide and distribute food parcels on a temporary basis. Women are victims of various chronic diseases such as cancer and high blood pressure. When they pass away, there are no specific programmes for widowers and they resort to remarrying, which brings about a new set of social problems.
- The Master of the High Court/Magistrates' Court: The Master of the High Court administers the estate of a deceased who has died without a valid will. The Intestate Succession Act, Act 81 of 1978, governs how the estate should be distributed. The surviving spouse and children of the deceased are to be considered first for inheritance. To resolve issues that are traditional, religious and cultural, the Master of the High Court calls a meeting to explain the position of the law to the interested parties. Culture tends to affect widows where inheritance is concerned. Widows are advised to get legal assistance when relatives refuse to hand over the property of the deceased to her.
- The Department of Local Government and Housing: Even though the district municipality is co-coordinating the implementation of gender programmes in the local municipalities, there are no specific programmes or projects targeting widowhood. Information is disseminated through

ward councillors. Currently, the department is rolling out campaigns on child abuse in partnership with Child Line Limpopo. Gender-specific programmes are also promoted.

Civil society organisations

Civil society organisations also play a role in the community, and widows and widowers benefit from them to some extent.

- **SOS Community Social Centre:** This organisation understands the vulnerability of widows and widowers during and after the bereavement period. It provides training programmes in partnership with other stakeholders and government departments to share skills, knowledge and other resources on aspects such as the understanding of legal rights, the writing of wills and children's rights. It provides training on the organisation of awareness campaigns on issues relating to widowhood. It also collects information about the deceased's estate and refers widows and widowers to relevant service providers for assistance.

Faith-based organisations/churches

Faith-based organisations also play a supportive role to widows and widowers and their families during and after bereavement. The data collected was from the independent charismatic churches only. Findings included the fact that support is realised by praying for the sick, giving spiritual counselling to the family, providing ongoing support during the bereavement period, assisting when tension or conflict arises in the family, and referring widows and widowers to the Department of Social Development and the SOS Community Social Centre for assistance.

Interpretation of findings

Widowhood is still a challenge within this predominantly rural province, with cultural and traditional practices being the norm. The issue of the violation of human rights is still a serious challenge and has gender implications. The Bill of Rights, as contained in the South African constitution, affirms the rights of all people in the country, including the democratic values of equality and human dignity. However, the study revealed that these are being violated during the bereavement process.

Cultural and religious practices violate the following rights:

- **Equality:** Widows and widowers are treated equally by families, communities, the market and the state. They are discriminated against directly and are excluded from social gatherings or participation in religious activities for a particular mourning period. These practices apply more to widows than to widowers, which deprive them of the freedom to exercise their constitutional rights.
- **Human dignity:** The rights of widows are violated as they are still treated badly by their in-laws.
- **Freedom and security of person:** In-laws use cultural and religious mourning practices and laws to punish widows, leaving them unprotected.





- Privacy: During the period of bereavement, a widows' privacy is compromised.
- Freedom of religion, belief and opinion: This right is violated due to the cultural belief that a married woman needs to inherit her husband's religion. The widow is then forced to follow mourning practices and laws she does not believe in.
- Freedom of expression: Widows are denied the right to express their feelings, and are not treated with dignity.
- Freedom of movement: Unlike widowers, widows are restricted in movement during the bereavement period and at sunset.
- Housing: This is a basic need of widows and widowers and their families. However, some in-laws repossess houses or change ownership fraudulently. This raises the question of how aware these vulnerable groups of people are about their rights.
- Health care, food, water and social security: Different government departments are responsible to provide these services, but there is no preferential treatment of widows and widowers. This implies that widowhood has not been prioritised yet.
- Recognition of children's rights: Children are sometimes deprived of family care, basic nutrition, shelter and education, which violates their constitutional rights.
- Access to information: Some widows and widowers do not know their constitutional rights, so they do not take legal steps against in-laws who abuse them, using culture and religion as an excuse.
- Just administration action: Lack of knowledge about drafting wills among African people is a challenge. The level of corruption affects the administration of many services and delays progress in the implementation of many policies.

Recommendations

The following recommendations emanated from the research:

- Legislation should be developed targeting widowhood.
- Advocacy programmes should be instituted to educate communities about their rights and to change the mindset of people on widowhood.
- Materials should be developed to educate communities about their legal rights as widows and widowers and who to consult if they have problems.
- Government departments, financial institutions (such as insurance houses and banks) and other service providers should provide information to their clients in advance to avoid problems and confusion at a time when beneficiaries are most vulnerable.