

REGINA OPOKU

# Gendered Violence

Patterns and causes of women-to-women violence  
in the Lake Zone Regions of Tanzania, East Africa





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ACADEMIC DISSERTATION

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UNIVERSITY OF TAMPERE

REGINA OPOKU

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I dedicate this research work and its findings to all African women who are caught between duty and honour in the light of culture and tradition.



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Regina Opoku  
Tampere, 31 January 2017

# ABSTRACT

This study explored the mechanisms that sustain the phenomenon of women-to-women violence in the patriarchal communities of the Kuria and the Kerewe ethnic groups located in the north-western part of Tanzania. Most cultures in the patriarchal communities have traditionally exercised strict control over the female bodies in a wide range of cultural practices in Africa. Women and girls in these communities are made to undergo and are unable to oppose certain traditional practices even when these practices have adverse consequences on their health and lives. Studies in this field have indicated that elderly women in Africa are implicated in ensuring the implementation of the gender roles for the political and economic stability for the social order.

This study attempted to answer three research questions: How is the phenomenon of “women-to-women” violence perpetuated over time? What are the mechanisms in which women establish domination and power over fellow women? What are the driving force feeding continual women-to-women violence? The focus of the study was on three traditional practices: female genital cutting (FGC), widow cleansing rituals, and woman-to-woman marriage, which are examples of subtle cultural violence perpetuated by women on women.

FGC is the removal of part or all the female genitalia as a rite of passage from childhood to adulthood. Widow cleansing ritual is a cultural practice some women undergo after the death of their husband. It requires the widow to have sex with a village cleanser to be purified from the haunted spirit of her deceased husband. Through this cleansing ritual, the widow is inherited into the deceased homestead and accepted in her community. Woman-to-woman marriage (*Nyumba Ntobhu*) refers to the institution whereby a barren woman or a woman who have only girl children pay a dowry to marry another woman (very often a younger woman) and assumes control over her and her offspring. The younger women in such relationship are frequently treated as “the reproductive instrument” for another woman. These three practices continue to exist in communities along the Lake Zone regions of Tanzania despite efforts made to address and curb them through various initiatives nationally and internationally.

This study was guided by critical social work theory, which deals with issues of power and powerlessness, oppression, privilege, the impacts of structural issues on peoples' lives, empowerment, consciousness raising and liberation of people.

The study adopted a qualitative approach, where data were gathered via interviews, which drew on the biographical narratives of a selected group of women who were subjects to the traditional practices examined. Interviews (n=26) and focus group discussions (n=6) were conducted to collect the empirical data. The narratives were collected in collaboration with the "Kivulini Women's Rights Organisation," (NGO) that works in the targeted area. Interviews and discussions were recorded in Kiswahili, which were later translated into English and transcribed. Thematic analyses were used to analyze the data.

The study found, firstly, that the traditional practices that are intended to give identity and shape the social well-being of the women and girls also harm their sexuality and affect their health in various ways. While the senior women acknowledged the harm done to women's bodies through the traditional practices, they perceived their role in promoting the rituals as a duty. However, they do not recognise their involvement as perpetuating violence due to the societal demand of cultural and traditional beliefs. Secondly, this study discovered that the state laws recognise the application of the customary laws related to female genital cutting, and widow cleansing rituals. However, where the customary laws violated the rights of the women, the state laws fall short to provide the mechanism for the resolutions of the conflict that arose between the norms of the studied socio-cultural practices and the human rights norms. The woman-to-woman marriage is not even recognised in the state law. Hence, women in the studied communities continue to be discriminated against and their rights violated. Thirdly, the study highlighted that there is a culture of silence in the patriarchal society about the types of violence that is intertwined with traditional practices.

The study concludes that the women's fear of bad omen, the curse of the ancestral spirits and community ostracisation or isolation rather than government sanctions had kept the practice alive and on-going. These findings give certain tasks for social work. Hence, the study recommends that social workers need to coordinate as facilitators to network with all the entities such as local community members and organisations (both government and NGOs) who are involved in community building in bringing about the needed change. In addition, social workers need to conscientise the locals to address the perceived oppressive practices in their communities and encourage them to replace the harm-inducing cultural and traditional practices with symbolic rituals that are meaningful in their own context.

Key Words: Gendered violence, cultural violence, patriarchal, FGC, *Nyumba Ntobhu* (woman-to-woman) marriage, widow cleansing ritual, and social work.

# Tiivistelmä

## Sukupuolitettu Väkivalta: Naisten Naisille Tekemän Väkivallan Käytännöt ja syyt Tansanian Järvalueilla Itä-Afrikassa

Tutkimuksessa tarkasteltiin naisten naisille patriarkalisissa kuria- ja kereweyhteisöissä luoteis-Tansaniassa tekemän väkivallan mekanismeja ja syitä. Afrikassa monet patriarkaliset yhteisöt ovat perinteisesti kontrolloineet naisten kehoja erilaisin kulttuurisin käytännöin. Tyttöjen ja naisten odotetaan osallistuvan näihin käytäntöihin ja olevan vastustamatta niitä silloinkin, kun ne ovat vaaraksi heidän terveydelleen ja elämälleen. Käytännössä naisia ja heidän kehojaan kontrolloivien käytäntöjen toimeenpano on usein yhteisöjen iäkkäämpien naisten tehtävä. Yhteisöissä naisia kontrolloivat perinteiset käytännöt nähdään tutkimuksissa yhteiskunnan poliittisen ja taloudellisen tasapainon ja sosiaalisen järjestyksen ylläpitona.

Tutkimus pyrki vastaamaan kolmeen kysymykseen: Miten naisten toisille naisille tekemä väkivalta jatkuu? Mitkä mekanismit mahdollistavat naisten alistavan vallan toisia naisia kohtaan? Mitkä tekijät ylläpitävät naisten toisiin naisiin kohdistavaa väkivaltaa? Tutkimus kohdistuu kolmeen perinteiseen käytäntöön: naisten sukupuolielinten silpominen, naisleskien puhdistusrituaali ja naisten välinen avioliitto.

Tutkituissa yhteisöissä Tansanian järvalueilla naisten sukupuolielinten silpominen joko kokonaan tai osin on siirtymäriitti lapsuudesta aikuisuuteen. Lesken puhdistus on kulttuurinen käytäntö, jonka jotkut naiset läpikäyvät aviomiehensä kuoleman jälkeen. Siihen kuuluu, että leski on sukupuoliyhteydessä niin sanotun puhdistajan kanssa. Puhdistusrituaalin myötä lesken ajatellaan puhdistuvan edesmenneen puolisonsa kummittelusta (ja todentavansa syyttömyytensä tämän kuolemaan), jolloin hänet voidaan jälleen hyväksyä osaksi perhettä ja yhteisöä. Naisten välinen avioliitto on paikallinen käytäntö, jossa lapseton nainen tai nainen, jolla on vain tyttölapsia, maksaa morsiusmaksut nuoremmasta naisesta ja tulee näin ikään kuin hänen aviopuolisokseen saaden vallan häneen ja hänen jälkikasvuunsa. Tällaisissa suhteissa nuoremmat naiset ovat yleensä vanhempien puolisoitensa reproduktio-instrumentteja: järjestelyn tarkoitus on että he synnyttäisivät lapsia vanhemmalle naiselle. Nämä käytännöt jatkuvat Tansanian järvalueilla, vaikka niitä on pyritty poistamaan monin kansallisin ja kansainvälisin toimin.

Tutkimus nojautuu kriittiseen sosiaalityön teoriaan, jossa kysymykset vallasta, vallan puutteesta, sorrosta, etuoikeuksista, sosiaalisten rakenteiden vaikutuksista

ihmisten elämään, tietoisuuden lisäämisestä ja ihmisten vapauttamisesta ovat keskeisiä. Laadullisen tutkimusorientaation mukaisesti tutkimuksessa kerättiin elämänkerrallinen haastatteluaineisto edellä mainittuihin perinteisiin käytäntöihin sidoksissa olevien naisten parissa. Haastattelut (n=26) ja fokusryhmähaastattelut (n=6) muodostivat empiirisen aineiston. Aineisto kerättiin yhteistyössä tutkimusalueella toimivan kansalaisjärjestön kanssa (Kivulini Women's Rights Organisation). Aineisto tallennettiin kistahiliksi ja käännettiin myöhemmin englanniksi ja puhtaaksikirjoitettiin. Aineisto analysoitiin temaattisen analyysin menetelmällä.

Tutkimuksessa todetaan ensinnäkin, että tutkitut naisten identiteettiä ja sosiaalista hyvinvointia vahvistaviksi tarkoitetut käytännöt vaurioittavat naisten ja tyttöjen seksuaalisuutta ja terveyttä monin eri tavoin. Vaikka vanhemmat naiset tunnistavat perinteisten käytäntöjen naisille aiheuttamat haitat, he näkevät rituaalien käytäntöönpanon ja ylläpidon velvollisuutenaan. Koska teot motivoituvat vahvasti kulttuuristen ja perinteisten uskomusten pohjalta, niitä toteuttavat naiset eivät tunnista osallistuvansa väkivallantekoihin. Toiseksi tutkimuksessa todettiin, että lainsäädäntö tunnistaa olemassa olevan niin sanotun perinteisen oikeuden, jonka piiriin naisten silpominen, leskien puhdistus, naisten väliset avioliitot ja muut yhteisöjen sisäisiksi ajatellut kulttuuriset käytännöt kuuluvat. Vaikka laki kieltää naisten oikeuksien loukkaamisen ja heidän vahingoittamisensa myös perinteisten käytäntöjen osalta, laki ja vallitsevat oikeuskäytännöt eivät onnistu riittävästi sääntelemään konflikteja, jotka syntyvät sosio-kulttuuristen käytäntöjen ja ihmisoikeusnormien välille. Siksi tutkituissa yhteisöissä naisten oikeuksia loukataan toistuvasti. Kolmanneksi tutkimus tuo näkyviin patriarkalisessa yhteisössä vallitsevaa tutkittuja käytäntöjä koskevaa hiljaisuuden kulttuuria.

Tutkimuksen johtopäätös on, että naisten kokemaa pelko pahoja enteitä, aiempien sukupolvien kirousta ja yhteisöstä poissulkemista kohtaan pitää käytäntöjä niin vahvasti yllä, että viranomaissanktiot eivät vaikuta niihin. Käytäntöihin on kuitenkin mahdollista vaikuttaa sosiaalityön keinoin. Tutkimuksessa suositellaan, että sosiaalityöntekijöiden tulisi aktivoida ja koordinoita lähiyhteisöjen, valtion ja kansalaisjärjestöjen verkostoja muutoksen aikaansaamiseksi. Lisäksi sosiaalityöntekijöiden tulisi vahvistaa ihmisten tietoisuutta yhteisöjen alistavista käytännöistä ja rohkaista heitä korvaamaan terveydelle vaaralliset ja muuten haitalliset käytännöt muilla yhteisöissä merkityksellisillä symbolisilla käytännöillä.



Asiasanat: sukupuolitettu väkivalta, kulttuurinen väkivalta, patriarkaalinen, silpominen, Nyamba Ntobhu (naisten välinen) avioliitto, leskien puhdistusrituaali, sosiaalityö.

# LIST OF ABBREVIATIONS

ABCF	Action Based Community Foundation
AC	Africa Charter
AIAHA	American International Health Alliance
AIDS	Acquired Immune Deficiency Syndrome
AU	Africa Union
BBC	British Broadcasting Corporation
CBO	Community Based Organisation
CCT	Christian Council of Tanzania
CEDAW	Convention on the Elimination of all Forms of Discrimination Against Women
CNN	Cable News Network
CSO	Civil Society Organisation
DV	Domestic Violence
EAC	East Africa Community Treaty
FGC	Female Genital Cutting
FGDs	Focus Group Discussions
FGM	Female Genital Mutilation
HIV	Human Immunodeficiency Virus
ICESR	International Covenant on Economic, Social and Cultural Rights
KIMIDEU	Kuboresha Mienedo na Desturi kwa Ustawi
LHRC	Legal and Human Rights Centre
MCH	Maternal and Child Health
NGO	None Governmental Organisation
PSWs	Paraprofessional Social Workers
STD	Sexual Transmitted Diseases
SV	Sexual Violence
TAMWA	Tanzania Media Women's Association
TASWO	Tanzania Association of Social Workers
TAWLA	Tanzania Women Lawyers Association

TDHS	Tanzanian Demographic Health Survey
TESWEP	Tanzania Emerging Schools of Social Work Programme
UN	United Nations
UNFPA	United Nations Fund for Population Activities
UNICEF	United Nations International Children Emerging Fund
VAW	Violence Against Women
WHO	World Health Organisation

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# 1 INTRODUCTION

## 1.1 Addressing Women-to-Women Violence from a Cultural Perspective

*If I object to FGM or the practice of widowhood rituals, am I defending the dignity of the girl and woman concerned or am I violating a people's right to cultural autonomy? And if I object when a widow is disinherited because land must only pass to a male relative, am I crossing the boundary of cultural rights? (McGarvey 2007:1).*

The questions raised by McGarvey (2007) in the above quotation echo “...issues that are central to human rights” (Sewpaul 2014: 1), and address the central burning question of whether cultural rights contradict and undermine the human rights of women in Tanzania and on the African continent. Anyone visiting Mwanza and Mara regions in the Northwestern part of Tanzania will not take long before hearing about the practices of Female Genital Cutting (hereafter referred to as FGC), woman-to-woman marriage (locally known as *Nyumba Ntobhu* marriage), and the widow cleansing ritual<sup>1</sup>. These three traditional practices are examples of subtle cultural violence perpetuated by women on fellow women in the Kuria and Ukerewe communities. These communities are situated along the shores of Lake Victoria where these cultural practices are highly prevalent. There appears to be a lack of statistical information to determine an accurate number of the women who have undergone the cleansing ritual on Ukerewe Island and those involved in *Nyumba Ntobhu* marriage in the Kuria communities. In 2012, the Tanzanian Demographic Health Survey (TDHS) estimated that the percentage of “cut” women has increased in the Mara region from 43.2% in 2004-5 to 51% in 2010. (28 TooMany 2013:10; Winterbottom, Koomen, and Burford 2009: 48; see also National Bureau of Statistic 2005: 13).

In Tanzania, most studies on violence against women scrutinize gender relations by examining male dominant power over the female body. However, this research project explores how cultural beliefs and practices influence and determine how female power becomes dominant and is used against young women and girls.

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<sup>1</sup> A detailed explanation of these three cultural practices is presented in Chapter Two.

Researchers such as Tuyizere (2007) and Tungaraza (2005) argue that many African societies are patriarchal in structure, resulting in the subordination of women to the authority of men; this situation often gives rise to the violent treatment of women. According to White, Kamanga, Kachika, Chweza, and Chidyaonga (2002) and Atere (2001), the preponderance of African research on gender and violence indicates that African men are both the aggressor and oppressor. Some African feminists such as Gachiri (2010), Bond (2005), Akintan (2002), and Labeodan (2002) have researched and documented gendered violence in the African context and highlighted matters that are more general on the impact of cultural practices on the oppression of women and girls in African societies. These researchers have however, not explicitly explored how elderly African women are implicated in gendered violence in the African society through their attempt to preserve their cultural heritage. While not completely countering research conclusions pointing to men as sources of aggression against women, the literature in this area might be overlooking a significant fact: there is evidence that there is “women against women” violence. In the Tanzanian context, there is very little research and literature available on the traditional practices and cultural beliefs amongst the ethnic groups under study that influence and determine female dominance, and power relations.

Cultural practices are not confined to only the ethnic groups of the Lake Zone regions in Tanzania. According to the United Nations (UN 1995: Fact Sheet 23), traditional practices and beliefs are a global fact amongst every social grouping; some of these traditions are beneficial to all members, while others are harmful to a specific group, such as women and girls. Efforts to prevent what may be perceived as harmful cultural practice challenge customs and traditional beliefs (Africanus 2012; Bond 2005; Koso-Thomas 1987), and in the African context, elderly women are often implicated in this type of violence that is intertwined with traditional practices. Researchers such as Atere (2001), Bolye (2002), Kisaakye (2002), and Gruenbaum (2001) attest that there is a contradiction posed by the fact that women often seem to perpetuate harmful practices against fellow women, which results in great risks and damages vulnerable women’s sexuality. According to Tuyizere (2007) and Gruenbaum (2001), this one question remains a puzzle in the understanding of what is termed the perpetuation of harmful traditional practices in Africa.

Traditionally, highly respected women believed to possess supernatural powers, a role either inherited or learned from a relative, are designated to perform practices such as the FGC procedure (Atere 2001; Kisaakye 2002; Talle 1993). Hence, in her study Kisaakye (2002) notes that it has become increasingly apparent and important for human rights activists, especially in Tanzania and throughout the African

continent, to recognise this ongoing tension between women's human rights and traditional culture to understand the relationship between the two. It is only by doing so that appropriate interventions to target their eradication will be put in place (Kisaakye 2002: 268).

The central aim of this study was to understand the mechanisms or driving forces that have kept and maintained the cultural practices of FGC, *Nyumba Ntobhu* marriage and the widow cleansing ritual. This study sought to understand how and why these three practices, which are considered “unacceptable cultural” and “traditional practices” by scholars and Tanzania human rights activists, persist in the Kuria and the Ukerewe communities, even in light of increased penetration of modern education in Tanzania. Winterbottom et al. (2009) attest that there are numerous civil society efforts to combat traditional beliefs and practices that are considered offensive and harmful to women and girls, particularly in Tanzania. The general perception in the studied communities is that these “unacceptable cultural practices” are pioneered by the male folk to reinforce their authority over the females. However, as already highlighted by Kisaakye (2002) and Gruenbaum (2001) in their research, the elderly women in these communities carry out the actual act of the practices over the bodies of younger and vulnerable women. The question then is: How come the oppressed have become the oppressors? This is not a new question, and it is one asked, for example, by Paulo Freire in the context of empowerment of rural peasants in Brazil in the late 1990s (Freire 1996). This question can now be debated in the social and cultural context of the women involved in the three practices that are studied here.

In exploring how older African women are implicated in this form of gendered violence, the study investigated the role the Kuria and Kerewe older women play in promoting traditional practices seen as important for the political, and economic stability and the social well-being of their communities. The physical and psychological implications as well as the exploitation of the bodies of vulnerable women who undergo the traditional practices were significant areas to examine. Hence, it is critical to understand the standpoint of both the “older women” who promote the practices and the ‘young/vulnerable women’ who become victims that undergo the rituals. Lastly, this study sought to unearth the cultural meaning of why the “women,” the “torchbearers” of customary rites, choose to preserve these practices.

To reach these objectives, this study drew on the biographical narratives of a selected group of women who were involved in such practices and claimed to have experienced violation through the process of the rituals. I chose to collaborate with

the non-governmental organisation (NGO) ‘Kivulini’<sup>2</sup>, which operates in the regions under investigation in order to have contact with those who were subjected to customary abuse. In this study, however, I was not only interested in the narratives of those whose rights were violated. The dynamic where the oppressed become the oppressor, reflects the complex dynamics between oppressor and the oppressed; the oppressor is all too often a victim of societal dictates and dominant ideologies. Hence, I was equally interested in the stories of both the perpetrators, community actors and the clan elders. I believe their narratives illuminate the socio-cultural meanings and understanding of the cultural practices in question. I consider these actors as those who could influence change in the strategies of the society. Hence, their involvement was vital in the study.

This study contributes to the general literature on gender and violence studies in the African context. This research documents the history and patterns of violence produced by women against other women. The findings provide insight into the understanding of patterns of traditional practices in the research area. In addition, the study generates concepts of gender violence to assist scholars and policy makers in understanding how and why these instances of violence persist. The study proposes a planned and structured developmental intervention network programme to work with the indigenous African communities in raising awareness and promoting social change in the research area. The study also contributes to the education and the understanding of African traditional practices for students in the African communities and those in the diaspora who may be interested in these three traditional practices or similar cultural contexts. The practice of FGC, for example, has become a global concern because of the flood of migration in Europe. For this reason, in Finland (where this study was completed), the research outcome could assist to develop strategies for working with those immigrants who come from countries with similar cultural practices.

## 1.2 Why Study These Three Practices?

There are numerous cultural practices in the Kuria, and Ukerewe communities, however, as indicated by Tanzania human rights researchers, these three practices in the study are some of the “unacceptable cultural” and “traditional practices” promoting gender discrimination and perpetuating violence against women in Tanzania (Tanzania Human Rights Report 2012; Bond 2005). For many years, the

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<sup>2</sup> A detailed account of the KIVULINI mission and vision is explained in the methodological chapter.

media (TV and radio) in Tanzania has also constantly broadcasted news locally and nationally about the occurrences of these traditional practices in the country. The local and national newspapers, such as “The Daily News,” “The Citizen,” and “Mwananchi” (to mention a few) have frequently published articles concerning the ongoing harmful traditional practices in regions such as Arusha, Dodoma, Singida, and Tanga. Each time these articles are published, they are without exception concerning incidences occurring in the Lake Zone regions, particularly Mwanza and Mara where for the past decade I have lived and worked. Religious bodies, particularly the Roman Catholics and the Pentecostals in these communities, have been against the practices, condemning them as primitive and evil (Africanus 2012). The Christian leaders in these regions have taken initiatives through youth programmes to sensitise their congregants about the immoral aspects of the rituals and some of the harm that these cultural practices inflict on the human body. There are also many small-scale programmes organised by schools, and community groups in these communities to enlighten and create public awareness of the immorality of the said cultural practices (Winterbottom et al. 2009).

Tanzania, as many African countries, continues to see the resurgence of anti-cultural practices campaigns since the 1990s (Winterbottom et al. 2009). Mutua (2006) holds that the colonial masters and missionaries regarded certain African traditional practices as offensive and tried to eradicate them through various campaigns during the colonial era in Africa. In recent years, the resurgence of such practices have many drivers, including globalisation and its opponents. According to the Tanzania Human Rights Report (2012: 153), harmful traditional practices are inhuman, degrading, and uncivilised against women in the country. These human rights campaigners continue to create awareness of the detrimental aspects of these cultural practices and the harm caused to those who undergo the respective rituals. Studies have shown that during the postcolonial era, the Tanzanian Media Women’s Association (TAMWA), and the Legal and Human Rights Centre (LHRC) reintroduced these campaigns. The Tanzanian Women Lawyers Association (TAWLA) often led coalitions of NGOs working to eradicate the practices under study through educational and advocacy programmes, media campaigns, and research projects (Winterbottom et al. 2009). Moreover, the Tanzanian government in collaboration with the Tanzanian Ministry of Health runs, for example, anti-FGC programmes in conjunction with non-governmental organisations (NGOs). These include awareness and educational programmes (ibid). Importantly, the government of Tanzania has policies against these practices and has enacted laws in recent years that forbid the practices.

On a global level, the World Health Organisation (WHO) has researched and documented the health hazards associated with the practices of FGC and widow cleansing and inheritance. This evidence has drawn the attention of the international media, which have frequently aired such news on the media channels such as CNN, Aljazeera, and the BBC. Recently, on 26 August 2015, the BBC broadcasted a documentary reported by Tulanana Bohela on the *Nyumba Ntobhu* practice among the Kuria of Tanzania. The report highlighted how an age-old tradition involving women marrying women in the Kuria communities is increasingly being used as an option to escape from domestic violence in heterosexual marriages. The report rated the Mara region in northern Tanzania as having the highest rate of domestic violence in the country. In addition, the commentary explained that the alternative family structure, known as *Nyumba Ntobu*, has become a practical alternative for many women in the region<sup>3</sup>. In another media context, for example, in Finland, where this study took place, the Finnish newspaper “Helsingin Sanomat” published an article on the 6 February 2015 on the practice of FGC by Finnish photographer Meeri Koutaniemi. This photojournalist travelled to Ethiopia and had the opportunity to interact with men attending a community meeting that discussed the eradication FGC, a programme run by Children’s Development Organisation Plan. According to the photographer, the men who participated in the discussion had a change of attitude against FGC practices when they realised the harmfulness on girl children who undergo the ritual. Narratives such as these could be replicated almost indefinitely locally, nationally, and globally.

Human rights activists lobbying against the traditional practices of FGC, *Nyumba Ntobhu* and widow cleansing rites in the Lake Zone regions consider education as the most valuable tool in their eradication process (Abdi 2010). Winterbottom and colleagues (2013) hold that many NGO workers and women’s rights advocates calling for “education” in the broadest possible terms as a strategy to end for example, FGC. They maintain that “because few girls in rural East Africa attend secondary school, many colonial and contemporary commentators have argued that ‘*harmful cultural practices*’ will decline when girl children are educated” (Winterbottom et al. 2013: 60). These researchers gave a telling example of a district education officer in the Kuria region of Kenya whom they claimed said: “Let us circumcise the minds of our daughters with quality education instead of subjecting them to this *primitive culture*....” (*The Daily Nation* 2005; cited in Winterbottom et al. 2013: 61). They sum

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<sup>3</sup> <http://www.bbc.com/news/world-africa-34059556>

up their claims with this example, “FGC is condemned worldwide the local community should not stick to it” (Ibid).

In her research, Abdi (2010) argues that “the lack of education” is not the cause of the continual practices of FGC. I shall also add that neither is it the “paucity of education” that is fueling the *Nyumba Ntobhu* marriage and the widow cleansing ritual in the Lake Zone regions of Tanzania. The idea of lack of education is an over generalised and rather ethnocentric notion implying that those perpetuating the practices are unaware of the adverse health effects (Abdi 2010: 116). I have discussed the numerous ongoing educational programmes to enlighten the communities about the harmful aspects of these three practices in this chapter. However, despite the efforts made (Africanus 2012), the practices of FGC and widow cleansing ritual persist in some parts of the country and *Nyumba Ntobhu* marriage continues among the Kuria.

In order to understand how and why these educational programmes foisted on these communities for several decades have failed to achieve their objectives, it is important to interrogate the assumptions upon which they are based. If these practices are so dehumanising and damaging to the body, why would the practising communities not be more concerned about them over the years? On the other hand, if these three practices are as harmful as the government, media, activists, religious organisations and NGOs portray, then the practising communities must definitely have an outstanding reason to perpetuate the practices. They may have strong enough reasons to continue the practices that override the adverse health effects and the harm to bodily integrity and life. Abdi (2010) points out that it is only through establishing and fully understanding the deeper meanings of these practices through the women’s stories can any change of attitude ever begin to occur.

My motivation to do this kind of study was to understand and describe the traditional practices in their social and cultural context, and explain how aspects of these traditions function in the studied communities. The knowledge would help make reasonable predictions of social behaviour to address concerns about power and control in order to promote women’s empowerment. These reflect the reality in the African patriarchal societies among the Kuria and the Kerewe ethnic groups under study. As pointed out by Twikirize quoting Anderson et al. (1994), empowerment entails a process of learning to move from only being reactive to life events to becoming proactive in shaping one’s vision for life (Twikirize 2014: 69). According to Mathias (2011), empowerment is derived from the word “power.” Quoting Batliwala (1993), she explains that “power” has two central aspects: control over resources and control over ideology (Mathias 2011: 18). Thus, to empower the

women in this study means to equip them with the ability to gain control over their resources and ideologies. Women's issues of social injustices and power relations are some of the key issues in social work discourse. The power struggles or relations between the powerful and less powerful that exist among members of the community is seen and experienced among women folks. The ability to study power and control is one of the strengths of ethnographic research as it gives the researcher the ability to provide understanding about social practices and indigenous knowledge in everyday life in the community. These may be taken for granted and easily passed without notice (Ranta-Tyrkko 2010).

Social work as a discipline and as a professional practice provides the space to equip me with such tools to deal with, and discuss the multiple dimensions of societal issues such as the phenomena under study. Twikirize (2014) attests that the key social work role is empowerment. Proposing five spheres of empowerment as: personal, social, educational, economic and political empowerment, Twikirize (2014: 69) explains that these domains provide the intertwined dimensions that serve as a focus for social work intervention. However, the use of social work approach as homogenous does not exist. This belies the complexities and the huge variations of approaches in social work. Critical social work, rooted in emancipatory and anti-oppressive approaches, speaks of issues of power and powerlessness, oppression, domination and privilege, and the impact of dominant ideologies and structural factors on the substantive aspects of peoples' lives (Sewpaul & Larsen 2014). This critical social work theory may assist to unveil the unawareness of power relations on macro and micro levels between women within the confines of the dominant cultural beliefs.

### 1.3 Gendered Violence as a Framework

In this study, gendered violence is the theoretical framework to guide the study and a detailed analysis of this concept is discussed in Chapter Three. Through an approach that does not assume a standard definition, Stanko (2004) explains that violence, as a phenomenon can no longer be conceptualised as fixed, understood and expected. She suggests that it is only through fluidity of definition that we can think creatively about disrupting violence and emphasise that violence could and should be considered in many instances as preventable (*ibid*). In this study, the term "violence against women" means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women,



including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life. This description is informed by the United Nations General Assembly's "Declaration on the Elimination of All Forms of Violence against Women" (1993). In this study, gender based violence includes other harmful behaviours directed at women and girls such as forced early marriage, servitude, subjecting a woman or a girl child to female genital cutting or intimating her to such act. Generally, these actions cripple the development of the human being and violate human rights (Tuyizere 2007; Kisaakye 2002; Boyle 2002).

According to Notko and Sevon (2006), this area of study has not been at the core of either family studies or feminist studies. They note that woman-to-woman violence poses a complex question in feminist research: as feminist researchers have not been interested in topics such as mother-in-law and daughter-in-law relationships, which challenges feminist theories that underscore female "ways of being" (ibid.). Hunnicutt (2009) argues that feminist scholars have produced abundant writings on violence against women, yet theory development has stagnated. Hence, the effort to construct a theory of patriarchy to explain violence against women was derailed by criticism. However, Hunnicutt (2009: 553) claims, "the concept of patriarchy holds promise for theorising violence against women because it keeps the theoretical focus on dominance, gender, and power."

In this study, I have made use of certain concepts such as patriarchal violence, culture and gender violence from theories that embrace feminist perspectives. These concepts concern the political, social, cultural and other forms of gender violence and their social relations to patriarchy. These concepts guided the analysis of the findings. These concepts are discussed in more detail in Chapter Three. However, the dominant concepts that this study adopted are patriarchal violence, gender violence and social violence perspective. The study also highlights the legal norms in opposition to the socio-cultural norms of the practices under study, and addresses the use of human rights issues embodied in the several international human rights conventions and regional treaties signed and ratified by the Tanzanian government. While the study recognises the contribution that each perspective makes to the understanding of FGC, woman-to-woman marriage, and widow cleansing ritual practices, it does not, however, dwell on the details of these concepts to achieve the breadth and depth of the analyses. This empirical study details with the real life experiences of women who have undergone these practices.

Having lived and worked in Tanzania for two decades I acknowledge that anthropological thinking could have influenced this study but then, an anthropologist would study the culture. In this study, my interest was to study the

experiences of the women who have undergone the said cultural practices. Nonetheless, I recognise the role of the cultural meaning and understanding in the study. Since I am not a native of any of the ethnic groups in the Lake Zone region, I do not claim to have the whole truth of the Kuria and Kerewe cultures. Hence, there may be some limitations in my input on their cultural framework. The trustworthiness of my study however, is based on the meanings and experiences of the stories the women and other participants in the study told and hold, which highlights their interpretations and understandings of their culture. My standpoint in this research project as a social work researcher was to listen to, and understand the women's experiences in a holistic manner in their social and cultural context. I therefore respect and cherish every story told in the study and view the women as the owners of their own experiences.

## 1.4 The Structure of the Thesis

This dissertation is organised in eleven chapters. Chapter One is the introduction, which gives an overview of the problems associated to the harmfulness of the cultural practices of FGC, *Nyumba Ntobhu* marriage and Widow Cleansing ritual in Tanzania. It also presents the research objectives, motivations and the relevance of the study. Chapter Two explains the three cultural practices in a more general context as practised in Africa and in Tanzania. It also discusses the cultural demands behind the practices that keep the tradition and give identity to those women who undergo the ritual associated with the said practices in the study. Chapter Three focuses on a review of related literature and the theoretical framework. The chapter addresses the general conceptual view of gendered violence and power relation issues. A detailed analysis drawn on the gendered violence that exist in the Tanzanian and African patriarchal societies thereby highlighting the gender differential and the woman's subordination in the patriarchal community setting. The specific gender role that exists in the Tanzanian communities which implicate elderly African women and compel them to take certain responsibilities to promote tradition and culture are also addressed. Lastly, the chapter addresses the policies and practices such as human rights issues, legislation and the professional institution of social work in Tanzania.

Chapter Four presents the research task and methodology. It is based on the research questions and methodological framework, which are qualitative interviews. The chapter describes the qualitative techniques used, the field experiences during the data collection, the analysis of the data, and the ethical issues. These methods

assisted in “seeking to discover and understand the phenomena, the process, or the perspectives and world views of the people involved” (Merriam 1998: 11) in this research project. Chapters Five, Six and Seven are the empirical chapters of the three cultural practices under study. Chapter Eight discusses the findings of the empirical chapters. The summary and conclusions of the entire research project are presented in Chapter Nine. The recommendations for future studies and the epilogue are presented in Chapters Ten and Eleven.

## 2 THE GENERAL OVERVIEW OF THE THREE PRACTICES

The introduction highlighted the overview of the research problem stating that the Tanzanian government, human rights activists, religious organisations and NGOs have branded the culture and traditions under study as dehumanizing, unacceptable and primitive practices that need to be eradicated in Tanzania and on the African continent as a whole. This chapter is based on existing knowledge and literature of the cultural practices under examination. It describes in detail the traditional practices of FGC, *Nyumba Ntobhu* marriage, and the widow cleansing rituals. It also gives the socio-historical and the geographical background of each practice not only as practiced among the Kuria and Kerewe ethnic groups but also as perceived among the ethnic groups in Tanzania and on the Africa continent. The chapter also highlights the symbolic meanings of the three practices and addresses some issues of tradition and cultural demand behind the studied practices.

### 2.1 What is Female Genital Cutting?

Female genital cutting is a longstanding customary ritual, which involves the total or partial removal of the external female genitalia (Lightfoot-Klein 2007; Talle 1993; Koso-Thomas 1987). Female genital cutting practice is deeply rooted in some African cultures, religions superstitious beliefs, witchcraft, and is connected to myths, as well as feelings of fear and insecurity (Gachiri 2010; Koso-Thomas 1987). Studies show that the communities practising FGC are often motivated by beliefs about what is considered appropriate sexual behaviour, with some communities considering that it ensures and preserves virginity, marital faithfulness, and even prevents promiscuity or prostitution (28 TooMany 2013; Africanus 2012; Talle 1993). In societies where FGC is practiced, there is a strong link between FGC and marriageability, the ritual often being a prerequisite to marriage (Africanus 2012, Abdi 2010; Talle 1993).

Some scholars hold that the reasons for the practice of FGC can often vary in relation to national and regional views, ethnicity, beliefs, and worldviews (Africanus

2012; Gruenbaum 2001; Talle 1993). A report by 28 TooMany (2013: 43) reveals that in Tanzania, the Maasai and similarly the Kuria, instill ideas of the importance of marriage in girl children, and socialise them to be able to run households by the age 10. According to Magoke-Mhoja (2008), this early socialisation is a means to validate a girl's body for marriage. He further emphasises that child marriage and FGC are intrinsically linked for the vast majority of practising communities in Tanzania. In Dodoma, Iringa and Mtwara Regions of Tanzania, some individuals believe that the practice cures a sexually infectious disease known as *lawalawa* (Winterbottom et al. 2009: 52). Within the families of the communities in Africa practicing FGC, girl children are perceived as those who provide the opportunity to obtain wealth through the payment of bride price. Scholars such as Tuyizere (2007) and Gruenbaum (2001) reveal that women in the practising communities are mainly viewed as potential wives and mothers. Hence, parents in such societies are not motivated to keep girl children in school for longer than is considered necessary, as this would delay marriage, prolonging parental financial responsibility for their daughters (28 TooMany 2013; Tuyizere 2007; Bond 2005; Akintunde et al. 2002). For this reason, the Children's Dignity Forum (2008) report concludes that it is within the economic interest of parents for their girls to marry early.

In recent years, it is believed that this traditional practice is no longer very common among the ethnic groups that practice it. According to Africanus (2012), female genital cutting is a socio-cultural practice with different meanings and beliefs to different practising people. Quoting Rahlenbeck and Mekonnen (2009: 445), Africanus explains that among the Amhara people of Ethiopia, the practice carries a religious meaning analogous to male circumcision. In this religious context, the Amhara people are obligated by their faith belief to undergo circumcision. In some practising communities in Tanzania, for example, the practice has no religious connotation whatsoever: to them, it is cultural just as in societies not circumcising a female is cultural (Akumadu 1998). According to Koso-Thomas (1987), FGC practice may be performed on girls during infancy, during adolescence or even during a woman's first pregnancy. Generally, with most ethnic groups on the African continent who practice FGC, the procedure is usually carried out on girls between the ages of four and twelve (Dorkenoo 1995; Koso-Thomas 1987). In case of the latter age, FGC is typically part of a ritual initiation into womanhood and marriage that includes a period of seclusion and education about rights and duties of a wife (WHO 2001, Althaus 1997). Research has shown that circumcision for both men and women is obligatory in the rural areas among practising communities in

Tanzania and in Africa as a whole. Uncircumcised men and women are not permitted to participate in important clan meetings (Akintunde et al. 2002).

The procedure is the rite that introduces youth adulthood and transforms them into respected members of society (Nandutu 2004; Talle 1998). Uncircumcised women and men are not considered to be 'full' women and 'grown' men. Hence, refusal to comply could be very costly in terms of social sanction, disgrace and ridicule that may be meted out to a non-conforming mother or uncircumcised girls themselves. In such communities, the chances are that the uncut woman or man will lose her/his opportunity to be married (Africanus 2012; Talle 1993). In Somalian culture for example, men regularly stress the value of being 'the first' to open a girl. To leave a girl 'uncut' is held to be disgusting and 'unnatural' (Talle 1993). A woman without these specific qualities is an anomaly and a phenomenon, which simply does not exist among those who practice FGC (Abdi 2010; Talle 1993). An elderly woman trained for the job does the surgery on what it takes to be a 'woman' usually in a sacred place after the girl child has been fattened and well groomed. Traditionally, the operation is carried out without any extensive forms of anesthetics or antiseptic precautions (Africanus 2012; Kisaaye 2002; Boyle 2002; Talle 1993). In order to prevent excessive bleeding and infection, a mixture of herbs and special oils believed to have homeostatic effect is applied to the wound after the operation (Akintunde et al. 2002).

Researchers on FGC have documented that clitoridectomy or excision is the most common type, which involves the cutting off the clitoris and most of the external genitalia (Tuyizere 2007; Adjetey 1995; Koso-Thomas 1987). Researchers in this field of study have stated that the most extreme form of FGC procedure is known as 'infibulation or pharaonic circumcision.' This is a form of mutilation where the clitoris, the labia minora and inner parts of labia majora are wholly or partly excised thereupon the sides of the vulva are stitched together (Tuyizere 2007; Adjetey 1995; Talle 1993). "For this kind of practice, the girl's legs are tied together for weeks to ensure that the vaginal opening is completely closed off" (Kisaakye 2002: 270). According to Talle, a tiny orifice, so small that 'nothing larger than the end of a needle can pass', is left open serving as an outlet for urine and menstrual blood. The surgery transforms the natural genitals of a woman into a flattened, smoothed vulva with an oblong scar and a tiny hole at the lower end. In appearance the mutilated vulva is radically different from that of natural pudenda, the operation accentuates and dramatises the difference between female and male organs (Talle 1993: 83-84).

Based on the above description that portrayed the intensity of the procedure of the practice, an all-embracing definition was adopted by WHO, UNICEF<sup>4</sup>, and UNFPA<sup>5</sup> in 1997. Referring to all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs for non-medical reasons as female genital mutilation (FGM) (Boyle 2002; Kissaye 2002; Dorkenoo 1995). Researchers such as Tuyizere (2007) and Kisaakye (2002) hold that there are two types of FGM (clitoridectomy or excision and infibulation or pharaonic circumcision), while Adjetey (1995) and many other researchers categorise FGM practice into three types. These researchers contend that clitoridectomy is the removal of the clitoral prepuce or tip of the clitoris and the excision is the removal of the clitoris and the inner lips of the female external genitalia or labia minora, hence could not consider these two types as one.

The WHO recognises four main types FGM, the fourth type as the ‘other’ being: All other harmful and non-medical procedures to the female genitalia, these involve the pricking, piercing, incising, cauterizing and scraping of the genitalia (WHO 2007). WHO’s classification is explained in Table 1.

**Table 1.** The WHO Classifies FGC into Four Types<sup>6</sup>

<b>Type I</b>	Partial or total removal of the clitoris and/or the prepuce (clitoridectomy).
<b>Type II</b>	Partial or total removal of the clitoris and the labia minora, with or without excision of the labia majora (excision). Note also that the term ‘excision’ is sometimes used as a general term covering all types of FGM.
<b>Type III</b>	Narrowing of the vaginal orifice with creation of a covering seal by cutting and appositioning the labia minora and/or the labia majora, with or without excision of the clitoris (infibulation).
<b>Type IV</b>	All other harmful procedures to the female genitalia for non-medical purposes, for example: pricking, piercing, incising, scraping and cauterisation (WHO 2008).

In performing the rituals of the cut, there are different types of instruments used such as special knives, razor blades, pieces of glass or scissors. Research has revealed that on some rare occasions sharp stones have been reported to be used in some parts of Eastern Sudan (Dorkenoo 1995; Talle 1993). A traditional birth attendant called the *daya* in Egypt and the Sudan (Dorkenoo 1995) does the operation of the cut. In Somalia for example, the operators of excisions are from the *midgan* clan (Talle 1993). Among the Kuria ethnic group in Tanzania, the operator is called *Ngariba* in Swahili and in the Kuria dialect *Omosari*. It is believed that she could originate from

<sup>4</sup> United Nations International Children’s Emergency Fund

<sup>5</sup> United Nations Fund for Population Activities

<sup>6</sup> [http://www.un.org/womenwatch/daw/csw/csw52/statements\\_missions/Interagency\\_Statement\\_on\\_Eliminating\\_FGM.pdf](http://www.un.org/womenwatch/daw/csw/csw52/statements_missions/Interagency_Statement_on_Eliminating_FGM.pdf)

any of the Kuria sub-tribes. These excisions look on their profession as an integral part of their culture and ethnic identity, and some perceive it as a religious obligation (Althaus 1997; Talle 1993).

In most African communities, the practice of FGC is linked to circumcision. In the Tanzanian context for example, the Swahili word for circumcision is *tahiri*, which is the collective name used to describe the variety of practices involving the cutting of the female genitalia. Tahiri often refers to operations that fall under FGC type I and II, as shown in Table 1. This term ‘circumcision’ is considered to be confusing by some since it seems to associate male circumcision with FGC (Dorkenoo 1995). However, according to WHO, the only form that anatomically is comparable to male circumcision is that form in which the clitoral prepuce is cut away, which medical experts attest seldom occurs in the practising communities. These medical experts sometimes argued that the term circumcision obscures the serious physical and psychological effects of genital cutting on women (WHO 2010; Dorkenoo 1995; Koso-Thomas 1987). Over the years, there has been misconceptions about the naming of the practice. Female circumcision was considered the favorite term used to describe the alteration of the female genitalia (Walley 1997, in Abdi 2012). Nevertheless, it was believed to portray a false image of the practice, meaning that ‘the removal of the foreskin in males is equivalent to the removal of the clitoris in the females (Abdi 2012; Boyle 2001; Dorkenoo 1995).

According to Dorkenoo (1995: 4), it has taken many years from people to start using the terminology female genital mutilation FGM as opposed to the euphemistic term female circumcision. The term FGM has been popularly used to refer to “a name given to several traditional practices which involve the cutting and removal of female sexual organs” (Adjetey 1995: 279). FGM is also a collective name used to describe other injury to female genital organs whether for cultural or other non-medical reasons (WHO 2010; Dorkenoo 1995). The term FGM used by a wide range of women's health and human rights organisations and activists was not just to describe the various forms of the cut, but also to indicate that the practice is considered a mutilation of the female genitalia as a violation of women's basic human rights (Kisaaye 2002; Adjetey 1995). Since 1994, the term FGM has been used in several United Nations conference documents, and has served as a policy and advocacy tool. According to Abdi (2012), the renaming of the practice as ‘Female Genital Mutilation’ by the WHO in 1996 was considered by some as ‘clearly disapproving and highly evocative’ (see, also WHO 2010). A 2008 statement on FGC adopted by ten prominent UN agencies clearly states that:



... the guiding principles for considering genital practices as FGC should be those of human rights, including the right to health, the rights of children and the right to nondiscrimination on basis of sex (UNICEF 2009).

The terms 'female genital operations' by Walley in (1997) and 'female genital cutting' by James and Robertson (2002) are used to provide a more precise and sensitive term to describe the practice. In Tanzania, 'Keketa' a Swahili word meaning 'cut' and 'Ukeketaji' the one who does the cutting of the genitalia is the accepted term used among those who have the practice.

For this reasons, some organisations have opted to use the more neutral term 'female genital cutting'. This stems from the fact that communities that practice FGC often find the use of the term 'mutilation' demeaning, since it seems to indicate malice on the part of parents or circumcisers (WHO 2010). The use of judgmental terminology bears the risk of creating a backlash, thus possibly causing an alienation of communities that practice FGM/FGC or even causing an actual increase in the number of girls being subjected to FGM/FGC (Abdi 2012; WHO 2010). Therefore, in this study, I have decided to use the term female genital cutting (FGC).

### 2.1.1 Historical and Geographical Background of FGC

According to UNICEF (2013), FGC is concentrated in a swathe of countries from the Atlantic Coast to the Horn of Africa. The report estimated that 125 million women and girls in Africa and the Middle East have undergone the procedure. In Africa alone, it is believed that 101 million girls over the age of ten have undergone FGC. Boyle (2002) and Tuyizere (2007) claim that FGC is widely practised in at least 28 African countries. The country with the highest number of cut girls is Egypt, with approximately 27.2 million girls and women having undergone FGM/C in the country (UNICEF 2013; Africanus 2012; Boyle 2001). This is closely followed by Ethiopia with 23.8 million women and Nigeria with 19.9 million (UNICEF 2013; Atere 2001). In Africa as a whole, there are the possibilities of over or more than three million girls at risk for FGC annually. The age of girls when they are forced to undergo the procedure varies from weeks after birth to puberty; in half the countries for which figures were available for 2013, most girls were cut before the age of five (UNICEF 2013).

Africanus (2012) holds that the origin of female genital cutting is unknown in Tanzania. While Dorkenoo (1995) has urged that it is difficult to trace the origin of FGC practice on the African continent because there are no written documents and

that the practice has been part of the African history. On the other hand, Koso-Thomas (1992: 15), attests that female circumcision has evolved from early times in primitive communities desirous of establishing control over the sexual behaviour of women. In another study, Slack (1988) affirms this claim and explains that FGC has been practiced for over 2000 years among powerful nations in ancient times. Although it has obscure origins, there has been anthropological and historical research on how FGC came about (Koso-Thomas 1992; Slack 1988).

Some researchers claim that FGC practice is found in traditional group or community cultures that have patriarchal structures (28 TooMany 2013; Dorkenoo 1995; Koso-Thomas 1992). According to Africanus (2012), the practice predates Christianity and Islam in today's practicing communities.

In Africa, clitoridectomy and excision are practiced among some ethnic groups in the following countries: Burkina Faso, Benin, Ethiopia, Cameroon, Central Africa Republic, Chad, Ghana, Gambia, Guinea, Ivory Coast, Mauritania, Niger, Togo, Nigeria, Egypt, Kenya, and Tanzania. A few, scattered occurrences of the practice have been reported in Botswana, Lesotho, and Mozambique (UNICEF 2009; Boyle 2009; Tuyizere 2007; Dorkenoo 1995). According to these researchers, in Africa, infibulation is practiced in countries such as Mali, Malawi, Sudan, Somali, and some part of Ethiopia and Northern Nigeria (UNICEF 2009; Boyle 2009; Kisaaye 2002; Dorkenoo 1995).

Studies have revealed that apart from Africa, some communities in Asia, Europe and Latin America also have practiced female circumcision. According to Dorkenoo (1995), in Asia, the practice is common among Muslims groups in the Philippines, Malaysia, Pakistan and Indonesia (ibid 1995). In her study, Koso-Thomas (1987) discloses that the practice of FGC that existed in ancient times in parts of Europe had become a practice of the past. However, she explains that the practice has resurfaced in certain parts of Europe in countries such as France and Germany where large numbers of immigrants from Africa and Asia have settled. Thus, the immigrants have transferred their circumcision culture from their countries of origin to the adopted homelands (Koso-Thomas 1987: 17). Dorkenoo (1995) holds that in Latin America, for example, female circumcision is practiced among some indigenous groups in countries such as Brazil, Eastern Mexico, and Peru.

Like many African countries that practice FGC, there are significant regional and ethnic variations in prevalence (28 TooMany 2013; Boyle 2007; Dorkenoo 1995). According to the Tanzania Demographic Health Survey (TDHS) report, Arusha, Dodoma, Kilimanjaro, Manyara, Mara and Singida are regions that have rates of FGC prevalence between 20-70% (TDHS 2010). The UNICEF (2013) report

estimated that 7.9 million women and girls in Tanzania have undergone FGC. The TDHS estimated the prevalence of FGC in girls and women aged between (15-49) was 14% in 2010, which indicated that the rate has not changed from the 2004-05 DHS but has decreased by 3.3% from 17.9% in 1996 TDHS (28 TooMany 2013).

On the one hand, the TDHS recorded that of the nine regions in Tanzania with the highest prevalence of FGC, five have seen a decline in the practice and the remaining four regions an increase between 2004-05 and 2010. On the other hand, there are indications in the 2010 report showing that the percentages of cut women have increased in Arusha and Mara regions, with the largest increase occurring in Singida from 43.2% in 2004-05 to 51% in 2010. According to 28 Too Many (2013) report, the prevalence rates may vary widely between different ethnic groups within the same region. For example, in the Mara region where this study is conducted, FGC is as high as 75% among the Kuria ethnic group, but much lower among other ethnic groups in the region (28 TooMany 2013; TDHS 2010).

## 2.1.2 The Symbolic Meaning of the FGC Practice

There is ample information among the practising communities concerning the symbolic meaning and the carving identity through the physical cutting of flesh (Abdi 2012; Talle 1993). Ironically, in the Somali context, “the act – *cutting out* part of female genitalia – is the same act that *carves in* the female gender” (Abid 2012: 134). In the communities in Africa where FGC is prevalent, the practice is perceived as any other cultural rituals, which are associated with establishing or strengthening identity, and derives some of its power and tenacity from its symbolic value in identity formation (Abdi 2012; Gruenbaum 2001; Tella 1993). According to Gruenbaum, “male circumcision for example, (and other body-altering practices such as sub-incision and ordeals of scarring) has carried the symbolism of a variety of meanings–maleness, age status such as incipient adulthood or adult manhood, membership in an ethnic or religious community” (Gruenbaum 2001: 67). In the context of those who practice it, female genital cutting conveys a similar meaning (Gruenbaum 2001; Talle 1993). In their studies on ancient Egypt, both Dorkenoo (1995) and Koso-Thomas (1987) explain that the removal of the male-like parts from women and female-like parts from men have the interpretation as reflective of gender definition.

Gender identity issues are evident in many cultures in Africa, where the removal of masculine parts from a female body is often given as one of the reasons for excision of the protruding clitoris and other tissues (Gruenbaum 2001). In Boddy’s (1989) study in Sudan, an interpretation was made that the removal of the parts

considered masculine and the construction of smooth scar tissue is seen as feminizing, and producing enclosure. Among the Somali, for example, Talle (1993) contended that the parts of the vagina being carved away are the “hard” parts of female pudenda. In the same way, in Tanzania, in the Kuria culture as with most cultures in the country that have the practice, “hardness” is associated with maleness (Africanus 2012). Thus the male element of the female genitals, the clitoris, is irrevocably removed by the operation. The clitoris, as it were, must be excised in order to give clarity to the female-male distinction and propagate ‘gender-identity’ (Talle 1993: 84). By removing the clitoris, the Gikuyu in Kenya also believe that they are removing the ambiguity of gender; in that way, “status and gender became crystalised” (Gruenbaum 2001: 67).

The beliefs and symbolic meanings the practising communities attach to FGC ritual is that the bodily substances are used as metaphors for social relations. As explicated by Talle (1993) when she studied the FGC among the Somali, the bones (hard) that symbolise maleness represent and include the testicles, the penis, the teeth and reason (intelligence). These male features are believed to be inherited patrilocally through the semen of the father. While those which are soft symbolise femaleness represents and includes features like the blood, veins, muscles, skin and tissue, flesh, the hair, nails and the cartilage derive from the mother through the female blood, with blood being the chief element that a woman contributes at conception (Talle 1993: 84). Additionally, Gruenbaum (2001) and Talle (1993) highlighted in their studies that in the practising communities, it is considered that a child being an outcome of interaction preceding birth is a person formed of both ‘hard’ and ‘soft’ relations.

Many patriarchal societies in Tanzania particularly among the Kuria and the Maasai, the culture of FGC is regarded as gender metaphoric vehicle that provides telling images of how to think about the ritual and value other relations and distinctions associated to the practice (Africanus 2012). The scheme of gender classification proposes a hierarchical relationship between the sexes, as well as between ‘things’ female and male, giving precedence to the male image (Helander 1988 in Talle 1993: 84). Talle explains that the efficacy of gender as a metaphor may be related partly to the practice of infibulation and to male circumcision. She emphasizes that genital cutting manipulates and strikes at the very part of the body where the anatomical difference between women and men is apparently most prominent (Talle 1993). Therefore, for the societies who practice FGC, the surgery reinforces a primordial genetic dichotomy (Gruenbaum 2001; Talle 1993). Those who practice FGC believe that the prominent gender images do not spring out of

biological sex as understood in the ordinary sense. Among the Somalis for example, the newborn is composed of both male and female parts; in gender terms, the infant is 'androgynous' (Abdi 2010; Talle 1993).

Bearing in mind this multiple-gendered state of the African understanding of personhood, women and men in the practising communities are considered impure beings, hence ambiguous and incapable of reproducing themselves until they have become 'women' and 'men' (Abdi 2010; Gruenbaum 2001; Talle 1993). In their studies among the Sudanese and the Somalis, both Gruenbaum (2001) and Talle (1993) state that the gendering of the person in practising communities begins right after birth. Their emphasis was on the fact that when the women assisting in delivery announce the sex of the child to the people around, in the case of a boy being born, enthusiastic clapping and cheering (a local jubilant sound, known in Tanzania as *vigelegele*) could be heard from inside the delivery room. On the other hand, the birth of a girl is met by a conspicuous silence and restrained emotion (Gruenbaum 2001; Talle 1993). Talle (1993) explains that the bodily 'opening up' of the women through silence, introduce us to the metaphor of 'opening'/'tying' which, suggest a key symbolic theme that work with and rework in the process of gender-making (Ibid).

Traditionally, to rework the process of gender making involves skillful trade of senior women who are believed to have learnt the trade from female relatives, mostly their grandmothers (Atere 2001; Kisaakye 2002). These female experts make their livelihood and depend on their job as circumcisers. In principle, any woman who has the right talent or sufficient courage may take up work as a circumciser (Africanus 2012). One important ability that is required is that she should not be 'afraid of blood' (Talle 1993: 85). Even though they are women who have themselves undergone the operation, when performing the operation they act as men, chiefly because they draw blood by handling the knife (Gruenbaum 2001; Talle 1993).

In Tanzania, the Kuria are known to be warriors and aggressive in the drawing of human blood, mainly in fighting, which is strictly a male preoccupation. According to Africanus (2012), the job of a woman circumciser in the Kuria community is somehow surrounded with ambiguous feelings and in a sense, is regarded as degrading. In some societies such as the Somali where FGC is practiced, the circumciser is seen as a mysterious being who appears like a spirit to do her job, collects her ransom and disappears again (Gruenbaum 2001; Dorkenoo 1995; Koso-Thomas 1987).

African feminist anthropologists and activists such as Dorkenoo (1995), and Koso-Thomas (1987) continue to hold that the practice of FGC remains in the female space: women are largely the excisors and direct perpetrators of the practice.

However, in the patriarchal societies it must be understood that certain women have ended up performing FGC because of the relative powerlessness of women in traditional male dominated societies. It is widely believed that women practice FGC to please men (Boyle 2009; Tuyizere 2007; Bond 2005 Gruenbaum 2001).

## 2.2 What is *Nyumba Ntobhu* (Woman-to-woman) Marriage?

Marriage is a key institution in many, if not all, societies (Nyanungo 2013: 61). Moreover, when we think of marriage, the image that often comes into mind is of a union between one man and one or more women (ibid). In this study, however, woman-to-woman marriage, known as *Nyumba Ntobhu*<sup>7</sup> marriage in Tanzania among the Kuria, refers to the institution whereby an older woman pays dowry to marry another woman (very often a young woman) and assumes control over her and her offspring (Starace 2009; Cadigan 1998; Krige 1974). Ethnographic studies reveal that many African societies have practiced woman-to-woman marriage and some still do (Cadigan 1998; Oboler 1980; Krige 1974).

For instance, in some societies, such as among the Nandi people of Western Kenya, women who are beyond child-bearing age, or never married and have no children are most likely to engage in woman-to-woman marriage and thus become female husbands (Nyanungo 2013). A marriage contracted between women normally involves an older one (a widow or one who is still married to a man) and a young one, but sometimes three or more women are involved. According to Starace (2009) and Chacha (2004), woman-to-woman marriage is beneficial mostly to the female husband more than any other persons involved in the marriage. Moreover, Cadigan (1998) specifies that cross-culturally, women in the practising communities take wives under three circumstances, all of which increase the status of the female husband. She gave her explanation thus: 1). Barren women and widows take wives to obtain rights over children produced. 2). Rich women accumulate wives to gain prestige and wealth in the same way men do through polygamy. 3). Women without sons can exercise their rights to a daughter-in-law by marrying a woman and giving her to an unborn son (Cadigan 1998).

This is because these older women will want an heir to inherit their name, wealth and property (Nyanungo 2013). Hence, some researchers describe this type of marriage as ‘woman marriage’ or marriage involving a ‘female husband’. Osiki and

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<sup>7</sup> The study participants will give a detailed description of *Nyumba Ntobhu* marriage institution among the Kuria in Chapter Seven.

Nwoko (2014) illustrated a modification of female husband in the woman marriage institution amongst two ethnic groups (Ilorin and Asaba respectively) in Nigeria. They demonstrate firstly that the driving force behind the practice of female husbands in Ilorin were, in a sense, economic rather than social considerations. They explain that in olden days, Ilorin wealthy woman demonstrated in the use of labour a maximisation of female slaves considered as her 'wives' through the exploitation of their sexuality and their 'reproductiveness', as well as the labour of the affected young men who were employed to serve as the biological fathers of the children born to the female husband. Secondly, Osiki and Nwoko (2014) revealed that colonial records point to the occurrence of female domination or control among the Asaba Division. According to these researchers, in a Confidential Report of No. C. 195/1915 of December 2, 1915, addressed to the Colonial Secretary's Office in Lagos, the Commissioner of Benin Province agreed that "the custom of women marriage was formerly prevalent in many parts of the Asaba Division." Osiki and Nwoko (2014: 28) quoting from the Benin Province File/461/1915 report stated that:

There used to be in Asaba Division a practice of marrying woman-to-woman. A barren woman would pay dowry for a girl who should bear children for her or a woman of position would pay dowry for young girls in order that they might bear children and strengthen her house. These girls did not marry and their children belonged to their mistress. This practice has been to a great extent suppressed through the medium of the Native Courts.

In an earlier study, Nwoko (2012) tells about a different form of woman marriage among the Igbos of Nigeria and explains that when a man was unable to have a male child, he appoints one of his daughters (in most cases the first daughter) to stay back in the family and procreate. In such practising communities, a man who did not have a son could pass land and trees to his daughters if the daughters were recognised. According to Amadiume (1987), this passage from womanhood to manhood and the rights of 'sons' could only be acknowledged and accomplished through rituals.

Nwoko (2012) gave another example among the *Mbaise* Igbo of Nigeria. In this case, the female children of a family collectively pay the bride price of a younger woman after the death of their father in the name of their eldest sister so that the new bride can procreate and raise male children to preserve the family lineage (Nwoko 2012: 76). Quoting Emefiene (2006), this researcher highlighted that the young bride is expected by her female husband to identify a well-behaved young man from amongst the kinfolk as the bedmate. This was done for various reasons, such as the preservation of the blood tie of that particular family, to ensure that the

children born from that relationship are not fathered by miscreants, thieves or persons with illnesses, and to prevent the introduction of unwholesome and undesirable traits into the family (Nwoko 2012: 76).

In the literature of this field of studies, it is clear that in African patrilineal societies, most older women involved in woman-to-woman marriage wanted sons to secure their inheritance. According to Lugard (1965) cited in Kjerland (1997), sons are the primary motive for woman-marriage, but he pointed out that the elder woman could marry a younger woman because she wanted someone to tend to her in her old age. Kjerland held that women also took wives in communities where political power and motherhood were mutually exclusive. He also maintained that some women used the girls to earn money, as the young girls were hired out to men, and fees were claimed for their sexual services (Kjerland (1997). In his study, Nwoko contended that many researchers have highlighted that the reason why some influential African women became female husbands was to help traditional heterosexual couples find a way out of barrenness. While some see woman-to-woman marriage as an asset in order to have an heir, others believed that the practice was a customary way for pre-colonial single but wealthy women who could not have their own children to procreate (Nwoko 2012).

Scholars such as Nyanungo (2013); Nkowo (2012); Starace (2009); Cadigan (1998) and Krige (1974) who researched woman-to-woman marriage among the different ethnic groups involved in the practice in Africa explained that to portray the essence of the woman marriage, the female husband remained the social father of all offspring resulting in the marriage. This means that the children from the woman marriage belonged to the lineage of the female husband, not to their biological father (Starace 2009; Cadigan 1998). Consequently, the female husband played the role of the father, provider, protector and indeed all the functions and responsibilities enshrined in the patriarchal concept, which included physical protection of the family and its territory, the male economic sphere, the spiritual sphere, the social sphere (Nwoko 2012; Starace 2009; Cadigan 1998). Nyanungo (2013) notes that in the traditional African context, woman marriage has served as an avenue through which women exercise social influence and patronage in societies where inheritance and succession pass through the male line. Accordingly, scholars hold that in some societies, the woman marriage makes it possible for women to gain social status as the head of the household (Nyanungo 2013; Nwoko 2012; Kjerland 1997). Many more examples of these ethnic groups and their motives for being involved in this form of marriage will unfold in the following sub-chapter as well as in subsequent chapters.



## 2.2.1 The Historical and Geographical Background of Woman-to-Woman Marriage

Since the beginning of this century, woman-marriage has been recorded among more than thirty different ethnic groups living in four regions of Sub-Saharan Africa. They are in the Transvaal<sup>8</sup>, near Nigeria, in the Southern part of the Sudan, and in East Africa (O'Brien 1976). Kjerland (1998: 4) argues that the first time that woman-marriage was recorded from the Southern Sudan was when H. O'Sullivan's article "Dinka Law and Customs" appeared in 1910. As explained earlier, a number of terms have been used to describe marriage between two women in Sub-Saharan Africa. According to Kjerland (1998), Evans-Pritchard (1951) described the marriage as "Kinship and Marriage" among the Nuer in 1951 and Krige used in her article "Woman-Marriage with special reference to the Lovedu" as its significance for the "Definition of Marriage" in 1974.

Legend has it that in Tanzania, the Kuria patrilineal Bantu groups occupying the country extending across the Kenyan-Tanzania border to the East of Lake Nyanza have the practice of woman-marriage. In his study, Kjerland (1998) shows that Kuria land is between the Migori River in Kenya and Mara River in Tanzania. Tarime is the district headquarters on the Tanzanian side of the border and Kehancha holds the same position in the Kenya side in the Kuria district (Starace 2009; Chacha 2004). In their studies on the Tanzanian region, researchers such as Starace (2009); Chacha (2004); and Kjerland (1998) have called the marriage between two Kuria women as "daughter-in-law-marriage or *mokanmööna*" and claimed to have used the right term to describe the marriage. Studies also disclose that when researchers first discovered this form of marriage, it was confusing as well as provocative. Marriage between women was unheard of in Europe at this time (Kjerland 1998; O'Brien 1977). Researchers such as Cadigan and Chacha hold that woman-to-woman marriage is a predominantly African institutional form of marriage, which is unfamiliar to most people outside Africa and even many Africans themselves (Chacha 2004; Cadigan 1998).

According to Njambi and O'Brien (1998 in Chacha 2004: 129), historians and social scientists only vaguely understand this specific form of woman-to-woman marriage. The concept remains relatively obscure, and in family studies discourse, the topic is pushed to the extreme margins by an historical fixation on western

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<sup>8</sup> A province of north-eastern South Africa originally inhabited by Africans who spoke Bantu, which was colonised by the Boers. This province existed from 1910-1994, it is no longer called Transvaal. It was restructured into different provinces post-apartheid.

nuclear families as a universal ideal (*ibid*). Questions about biological fatherhood, sexual rights and duties dominated the discussion in Lord Lugard's study (1965). In his earlier work, "The Dual Mandate in Tropical Africa" (1922), he stated that he did not regard woman-marriage in Nigeria as "normal". In that study, he recorded the marriage under the title "Slavery in British Africa" simply because he did not believe that young girls entered into such unions willingly (cited in Kjerland 1997: 2–3). A follow up study by Outwaite (1981) regarded the primary purpose of woman-marriage to be the regulation of sexual activity. Researchers such as Oboler (1980) and Krige (1974) concluded that a marriage between two women in which the younger gave birth to children implied repulsive sex.

Similarly, some early studies show that as the Christian churches banned polygamists (male and female) in the African communities from taking communion during colonial times. With Western influence emphasising that girls have the right to choose their own husbands, woman-to-woman marriage may be dying out (Krige 1974, Cadigan 1998). An example has been given in a recent study of the Western Igbo, which shows that women are becoming less tolerant of woman-to-woman marriage (Ugbabe 2013; Cadigan 1998). However, this institution of woman-to-woman marriage, which has existed from at least as early as the eighteenth century (O'Brien 1977: 109 in Cadigan 1998: 2), is still practiced among the Kuria ethnic group of Tanzania where this research was conducted.

## 2.2.2 The Symbolic Meaning of the African Woman-to-Woman Marriage

In Tanzania and on the African continent as a whole, marriage is a cultural and social construct (Otiso 2013). According to Nyanungo (2013: 61) cultural norms, beliefs and values set the rules for various aspects of marriage, which include who we marry, when we marry, how we marry and what is expected of us in the marriage. Defining the symbolic representation of the African woman in married life, Idumwonyi (2002: 100) had this to say: "...the woman's importance is derived from her role as mother. Motherhood is the focus of her economic activity and her life. It is as the bearer of children, especially males, that a woman defines her status especially in the polygamous family and forges lasting ties to her husband, home and kin. She earns more respect with a secure status compared to the woman with a female as her eldest child". Because of this, a woman with a female child may despise the child although she can console herself because she is not barren (Mere 1973: 19 in Idumwonyi 2002: 101). Most studies reveal that African society has no place for barren women (Ugbabe 2013; Nwoko 2012; Starace 2009; Chacha 2004). Hence, researchers have

highlighted the choice of woman-marriage for those in this category. However, the implications for women's lives in specific traditional African marriage and customs practiced across the continent may either support and or challenge systems of patriarchy as the women struggle for gender equality and recognition in society (Nyanungo 2013).

Among the Igbos of Nigeria for example, the female husband in theory enjoyed equal status with her male kin, though this was not the general practice in Igbo land (Osiki & Nwoko 2014). Among her female mates, the female husband was regarded as a man and equals to her male counterparts. She was treated like a man and her opinion was sought in gathering of opinions. In any ceremony, she enjoyed equal privilege with her male counterparts and in some Igbo communities, she could break kola nuts, but only among her female folks. She combined both secular and spiritual functions and obligations. She participated in secret rituals and sometimes associated with the male elders in the communal rituals (Nwoko 2012: 76).

According to Nyanungo (2013: 62) an anthropological study conducted by Oboler (1980) found that the Nandi female husband is considered culturally male and thus allowed to take on male roles. For instance, a female husband may be allowed to take on political roles that women are typically not allowed adopt. A female husband is also unlikely to carry things on her head<sup>9</sup> and so on. Oboler interviewed a female husband who described the typical male role she played when entertaining visitors:

When a visitor comes, I sit with him outside and converse with him. My wife brings out maize porridge, vegetables and milk. When we have finished eating I say, "wife, come and take the dishes." Then, I go for a walk with the visitor (Oboler 1980: 77).

Another area of symbolic importance is the fact that the children born in a woman-to-woman marriage belong to the dead husbands, which according to Oboler (1980) and O'Sullivan (1910), was peculiar to the Dinka tradition. In his studies, O'Sullivan (1910) explains that if a Dinka man died and the widow was inherited by his brother any child born to the widow was considered the offspring of her dead husband. This was similarly the case if the widow married a young girl. Bride wealth had provided for the dead husband's wealth, and therefore the child belonged to the deceased (O'Sullivan 1910). In another study among the Dahomey (or Fon) in West Africa, Herskovits (1937) wrote, "the women who took wives were independently wealthy. They paid the bride wealth themselves for their 'wives' and the 'children' were their property (O'Sullivan 1910: 181 cited in Kjerland 1997: 5). Evans-Pritchard (1951)

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<sup>9</sup> A symbolic gesture to show she is a 'male'. Traditionally, the females carry things on their head.

observed that woman-to-woman marriage occurs among the Nuer ethnic group of Sudan if a female is barren. The barren woman will take a wife, and in the Nuer context, she becomes a 'cultural man'.

Researching among the ethnic groups in Southern Africa, both N. J van Wermelo and W. N. D. Phophi (Venda Law 1948) found that wealthy females provided the bride wealth themselves and were considered 'fathers' to the children born. Some female husbands among the Venda had inherited wives from their fathers, others from their mothers. In such case, the children 'belonged' to the deceased parent who had provided the initial bride wealth. Kjerland (1998) maintained that when O'Brien's (1976) article "Female Husbands in Southern Bantu Societies" appeared, he argued that it was common practice that a woman who provides bride wealth, with no reference to male kin is considered an autonomous female husband. She may be a political leader, a trader or a female in a community where women have a large say over property. This woman will always be a patriarch for the children – given birth by her wife/wives. O'Brien emphasise that if a widow or wife marries another woman in order to give her dead or living husband children and her husband or his family provides the bride wealth, she is a surrogate female husband (a stand-in husband). Such a woman may function as the patriarch for the children, or may be merely a stand-in for a deceased or fictitious male (O'Brien 1976).

While woman-marriage occurred in different forms in Africa, debates have emerged on whether the marrying woman attains a transformed status or not. Furthermore, the idea of a same-sex relationship has spurred discussion of the sexuality of women in these marriages (Chacha 2004). In some African societies, researchers found young girls who preferred to marry other women, and married women/widows who had given birth to sons and yet took wives. Last but not the least, most of the important authors have been anthropologists such as Svensson (1991) and Kjerland (1997) who have called for more studies because they claimed this field is biased. They further expressed that the source of the practice is still problematic and it is complex to fully grasp the meaning of woman-marriage practice in Africa. These scholars requested that it would be good for researchers especially historians to study woman-marriage in the African context before it is too late.

## 2.3 What is Widow Cleansing Ritual?

Widow cleansing ritual is a rite some Tanzanian and African widows undergo after the death of their spouse. Adefemi (2015), quoting one of her interviewees, said that

death is always shocking to those close to the dead person, whether it is sudden or the result of a long illness. However, for women in many parts of sub-Saharan Africa countries, “the death of a husband represents not only the loss of a partner, protector, provider, and breadwinner, but also her relegation to the margins of the society and her subjugation to discriminatory, oppressive, and humiliating widowhood rituals imposed on widows” (Adefemi 2015: 10). The rites the widow has to observe vary from place to place among the different ethnic groups in Tanzania. Generally, the practice requires the widow to have sex with a village cleanser or her late husband’s close relative in order to be cleansed, inherited, and accepted in the community (Tuyizere 2007; Bond 2005). According to Adefemi (2015), the sexual encounter for the cleansing ritual can either occur for a short term period or just once (see also Otiochar 2011).

In Tanzania, this traditional practice is known as *kuosha kifo/ kusafisha kuondoa mkosi wa kifo* locally referred to *Kusomboka* meaning – (death cleansing/ removing death jinx). The cleaning takes place through unprotected sexual intercourse (Mwanga et al. 2011: 5). In some ethnic groups, widows are cleansed by a village cleanser or a close relative of the deceased husband of the widow. The cleansing ritual is sanctioned by clan elders and the man who is involved in this ‘ritual purity’ is paid a cow, a goat or money’ (ibid). Members of the different ethnic groups in Tanzania determine what is ‘pure’ or ‘impure’ (dirty) and the consequences of ‘purity’ and ‘dirtiness’ may be viewed differently from other cultures. Among the African ethnic groups which practice widow cleansing ritual, there is a belief that death rituals are performed to re-establish lost purity (Mwanga et al. 2011; Tuyizere 2007).

Tungaraza (2005) maintains that in some Tanzanian ethnic groups, a widow is cleansed twice. First, a widower cleanses the widow sexually four days after her husband’s burial. Two to three months later, the widow has to be cleansed by having sexual intercourse with a stranger. Additionally, a widow in these communities must be cleansed not only by a stranger, but also in a village where she is not known and her identity cannot be traced (Adefemi 2015: 64). Bergenholtz (2013), also discloses that in Tanzania, traditional beliefs hold that a widow who has not been cleansed can cause the entire community or her deceased spouse’s ‘inheritor’ to be haunted by the dead man’s spirit. The explanation given by researchers on the subject of the cleansing is that widows in the practising communities have the obligation to undergo the ritual to receive inheritance. It is also believed that omitting the cleansing ritual angers the spirit of the dead, which may make sexual intercourse with any other man dangerous in the future.

In her study on “Ritual Cleansing/Widow Cleansing under the Customary Law in Uganda and Nigeria,” Adefemi (2015), described the practice of cleansing as closely related to inheritance rights or levirate marriage as widow cleansing, also known as ‘ritual or sexual cleansing,’ which she claimed is a practice followed in parts of Uganda and Nigeria. She contended that the act of widow cleansing called ‘isiku’ by the Igbos permits a man from the widow’s village or her husband’s family (usually a brother or close male relative of her late husband) who is regarded as a widow cleanser to force the widow to have sex with him. The ostensible objective of the ritual is to allow her husband’s spirit to roam free in the afterlife (Adefemi 2015: 63).

An NGO research group known as “Broken Bodies – Broken Dreams” (2009), reported that traditional beliefs in Africa hold that a widow who has not been cleansed can cause the whole community to be haunted. Their research highlighted that the widow cleansing practice is also rooted in the belief that spirits haunt a woman after her husband dies or that she is thought to be ‘unholy’ and ‘disturbed’ if she remains unmarried and abstains from sex.

### 2.3.1 The Historical and Geographical Background of Widow Cleansing Ritual

Literature in the studies on the traditional practice of widow cleansing in Tanzania has shown that its origin is unknown. Researchers such as Mwanga et al. (2011); Tuyizere (2007) and Tungaraza (2005) attest that women widow cleansing dates back centuries and is practiced in many countries in Africa, such as Angola, Congo, Ivory Coast, Ghana, Kenya, Malawi, Nigeria, Senegal, Tanzania, Uganda and Zambia.

In a United Nations publication by the Division for the Advancement of Women (2001), (hereafter will be addressed as Women2000), the authors underscore that substantial information exists on the ages and numbers of widows in developed countries. However, the data available on the subject of widowhood for developing countries such as Africa and Asia are extremely limited (Women2000 2001). The report highlighted that in many developing countries, the exact number of widows, their ages and other social and economic aspects of their lives are unknown (ibid 2001: 2). Just as other African researchers on the subject have explored, the report in the article Women2000 (2001) explained that widows in Sub-Saharan Africa countries are subjected to patriarchal customary and religious laws and confront discrimination in inheritance rights. The document noted that an uncountable number of widows suffer exploitation and abuse often in the context of property disputes at the hands of family members (Women2000 2001).

Mwanga et al. (2011) contend that the rites a widow has to observe varies from place to place on the African continent. They claimed that in Tanzania, the inheritance of widows on the death of a husband used to be a common practice among many ethnic groups. A woman whose husband died is to get married to another man from the family of the deceased to provide security for the widow and her surviving children as well as to preserve the lineage of the clan (Mwanga et al. 2011). Some research in recent years seems to claim that this traditional practice has undergone some modification through the influence of Christianity in parts of Africa (ibid). Therefore, the practice appears to be diminishing.

### 2.3.2 The Symbolic Meaning of the Widow Cleansing Ritual

Just as every ritual of traditional practice has a symbolic meaning and implication, so too has the widow cleansing ritual. In the context of this study, a 'cleansing ritual' literally means the process of making clean what was considered dirtied and/or defiled (Dilger 2006). This implies that the death of her husband makes the widow dirty. The widow therefore needs purification to be fully accepted as a woman in society until she is 'cleansed' (White et al. 2002). To the villagers, the widow is 'unclean' by virtue of the death of her husband, which portrays a sign of ill-luck or a bad omen, and therefore she is expected not to touch herself, her children, or anyone else to avoid defiling them (Adefemi 2015; Tungaraza 2005). In describing the symbolic meaning of the procedure of the rituals among the Igbos, Adefemi (2015) holds that during the period, the widow observes the mourning rites, she is stripped naked, her hair, pubic hair, eyebrows, and armpits shaved. This researcher explains that symbolically, the shaving represents the removal of all links between the widow and her deceased spouse.

According to Onyekuru (2011), the isolation of the widow during the period and the expectation from her in-laws to wail loudly every morning is taken as a sign of agony and deep pain at the demise of her dead spouse. The widow is confined during the period of grief and is not allowed to perform any household chores. She is served and fed from an old broken pot, and denied the right to sleep. Among some ethnic groups in Nigeria, Onyekuru (2011) and Adefemi (2015) state that the widow is made to put 'bitter kola nuts' in her mouth as a symbolic reminder for her to know and feel the bitterness of her husband's death. Again, in that society, the widow is dressed in black attire and denied every form of hygiene. According to Adefemi (2015: 22), the mourning attire of the widow is deliberately designed to make her appear

distasteful and repulsive to the spirit of her deceased husband who, it is believed, would still want to perform his marital and conjugal duties with her.

Scholars such as Mwanga et al. (2011), Atere (2002) and Labeoden (2002) claim that the symbolic meaning of the practice is lost, and widows are subjected to serious health hazards and other dehumanizing conditions. These scholars point out that in some African patrilineal societies, the mourning ritual can sometimes be very abusive and degrading, which could affect widows' health. They give the example of how in some African communities, a widow has to crawl all the way to the graveyard, no matter how far. In their studies, White et al. (2002) revealed similar dehumanizing rituals they observed in Botswana. These researchers reported that a widow is not allowed to enter the house and had to sleep on the veranda after the burial of her husband. The next day, she was stripped naked and was made to lie down. Other widows proceeded to rub ointment provided by a witch doctor all over her body in the presence of everyone. She is later taken into the house but is made to walk while facing backwards, and wearing only one shoe. As she walks, she is made to chant: "I am walking backwards because I am a child; I am wearing one shoe because I am a child. Then she is made to hit the walls of the house with a pestle while shouting 'I am pounding the walls because I am child...'" (White et al. 2002: 62).

According to Dow and Kidd (1994), the rationale behind this ritual is that a child or a lesser human being could not be entrusted with property in the absence of a man. Besides, in her situation, the widow is under the total control of her-in-laws and has to comply with 'custom'. According to White et al. (2002) on such an occasion, the widow is only told what will be done, how and by whom. The instructors of such rituals in most African societies are a group of women considered 'experts' (Atere 2001). White et al. (2002: 62) hold that the widow doing as instructed must exhibit "a manifestation of 'obedience', to which the widow committed herself at the time she was getting married." These researchers argue on the other hand that "...men do not practice this ritual. This raises the presumption that due to male status, unlike women, men are regarded as clean by nature. The male folk possibly recognise the ritual as a form of punishment and being the major perpetrators of the ill practice, men therefore cannot punish themselves" (ibid).

Magoke-Mhoja (2005) stressed that historically, the justification for discriminating against women in inheritance, namely that male clan members are caring for widows and daughters, is no longer viable in Tanzania. As such, it is unjust to put the widow through a dehumanizing situation and then deny widows their right to inherit property using the Customary Rules when the reciprocal systems of care no longer exist (Magoke-Mhoja 2005: 256). Very often, a mystery is built around



certain traditional practices and not fulfilling their requirements is a taboo in the practicing communities, which leads to death or ostracism (Akintan 2002). The fear of taboos created in the minds of women subject widowed women to dehumanizing widowhood rituals (ibid). Due to such experiences, most female members in Tanzania and some African traditional patrilineal communities view the mourning ritual as a punishment (Tuyizere 2007; Akintinde et al. 2002; White et al. 2002).

## 2.4 Traditions and Cultural Demand behind the Practices

According to Hall (1989), some factors help people understand the rules in traditions and cultures, however, as a result, these factors, are taken for granted. Looking at culture with a rational critical mind is not wrong in itself (Labeodan 2002). According to White et al. (2002), what is wrong in culture and traditional practices are the way human beings (especially women folks), have decided to imprison themselves under the name of cultural practices. Atere (2001) hold that it is not enough for the African women to communicate to the world what they are experiencing in their various communities and what they do not like about their cultural practices without looking at their role in the different practices. It is for this reason that it is necessary to examine some cultural practices that are an obstacle to women's rights and what the law is doing to ensure that these harmful cultural practices are eliminated (Labeodan 2002: 69).

Eldén (2011) argues that one function of cultural demands on women to show loyalty to men and disloyalty to each other is to avoid acknowledging men's responsibility for their violent acts. She stresses that the culture and traditional demands function in a way that takes away men's responsibility for violence against women (Eldén 2011). I would argue therefore that the roles of elderly women in Tanzania are perceived as the torchbearers and preservers of customs, norms, and traditions. According to Malinowski (1961), to ensure the survival of customs society expects conformity to its defined systems of behavioural patterns, beliefs, values, and attitudes. In Tanzanian societies, the system of compliance to the customs is normally in the form of both rewards and sanctions. For example, with the practice of FGC in this study, to endure pain demonstrates bravery when initiates are being 'cut' in order to get rewards, honour and praise in their communities. To this effect, those members whose behaviour adhere to what is expected by society are usually rewarded with material gains and status ceremonies. The renegades are subjected to sanctions including reprimand, humiliation, exclusion, isolation, and other forms of

punishment. Various levels of regulatory bodies and legal systems are in place to effect the sanctions (Malinowski 1961) and there are rules for punishment set for members who defile or refuse to comply with customs. Culture and tradition demand the use of tools to ensure the smooth running of the community setting (ibid).

The term ‘cultural tool’ according to Adefemi (2015: 1) “refers to the use of women in the Sub-Saharan African countries as embodiments of cultural identity, especially in many parts of the rural areas”. Adefemi gave an example that “widows are used as tools to perpetuate traditional cultural beliefs and customs, such as widowhood rituals, levirate marriages, disinheritance, widow cleansing and other practices” (ibid: 1). Atere (2001) observed that in most African societies, the culture and tradition demanding loyalty towards men appear to be confirmed when one interprets women’s experiences of cultural violence.

Part of women’s responsibilities is to function as cultural agents in the sense that they use culturally meaningful statements when interpreting their own experiences (Brantsæter 2001). The normative demands of disloyalty between women and women’s loyalty to men can be interpreted within a framework of honour-cultural demands, in which women are expected to act according to the interests of the male collective in order to uphold the honour of the family (Eldén 2011). These could also be interpreted as a confirmation of the cultural demands that dominate the society in which they live (ibid) and it is upholding patriarchy too.

### 3 GENDERED VIOLENCE AND HUMAN RIGHTS: CULTURAL OVERVIEW, POLICIES AND SOCIAL WORK FROM TANZANIA

This chapter provides a conceptual overview of violence against women in terms of gender and power relations, which is the chief investigative concern of the thesis. The concept of human rights is central to examining the traditional values of the cultural practices of female genital cutting, *Nyumba Ntobhu* marriage, and widow cleansing ritual in the Tanzanian and African context. Moreover, international human rights laws as well as traditional African understandings of what human rights mean, are considered in this chapter. The progress the Tanzanian government has made in protecting women's rights and the limitations of the state legislation, as well as the social policies and practices, are discussed.

#### 3.1 Gendered Violence and Power

The term gendered violence in Tanzania is quite new and is often misunderstood when it comes to gender-based violence (Otiso 2013). In recent years, people in Tanzania have become aware that violence is not limited to physical violence as understood by many, but may take many forms. According to Labeodan (2002), violence can be verbal where one is being insulted or it can be economic where one is denied the right to fully enjoy one's finances. It can also be sexual where one is forced into a sexual relationship or forced to have sexual intercourse against one's will (Atere 2001). Lastly, violence can be psychological, which has been defined by White and colleagues (2002) as a spiritual injury, referring to the psychological, spiritual and cultural effects of the multiple assaults on women on the basis of their gender. White and colleagues (2002) explained further that spirit injury leads to the slow psychological death of the soul and identity of the individual. Atere (2001) pointed out that the impact of psychological violence against women encourages the African women to believe in their own inferiority, and that there is a justification for the violence perpetrated against them. However, Labeodan is of the opinion that cultural practices such as female genital cutting, the psychological and emotional

abuses that exist in woman-to-woman marriage, and widowhood rites infringe women's rights and violate womenfolk. She stresses that there is the need for women in sub-Saharan Africa to be silent no more. Accordingly, Labeodan (2002: iii) states that culture is not beyond critique; she suggests that by speaking out, offensive practices will be eradicated. The widespread nature of violence against women is a global issue, and is the most pervasive violation of human rights, occurring every day, in every country and region, regardless of income or level of development (White et al. 2002). In 2005, the United Nations Development Fund decreed the elimination of all forms of violence against women. Studies in this context acknowledged that no society on earth is free of violence against women, which has been perpetuated through social and cultural norms, and which enforce male-dominated power structures. The Declaration on the Elimination of Violence against Women encompasses, but it is not limited to physical, sexual and psychological violence occurring in the family. The UN Elimination Act on Violence against Women includes:

...battering, sexual abuse of (female) children in the household, dowry related violence, marital rape, female genital mutilation and other traditional practices harmful to women. This includes non-spousal violence and violence related to exploitation, physical, sexual and psychological violence occurring within the general community. As well as rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution, and any forms of sexual and psychological violence act perpetuated or condoned by the state, wherever it occurs (United Nations, 23 February 1994 Resolution No. A/RES/48/104).

An increasing amount of research highlights the health burdens, intergenerational effects, and demographic consequences of such violence (United Nations 1997; Campbell 2002; Kishor & Johnson 2004; 2006; Ertürk 2011).

As highlighted in the introduction chapter, the concept of gender-based violence in this study includes harmful traditional practices such as female genital cutting, woman-to-woman marriage, and widowhood rites and cleansing some Kuria and Ukerewe women undergo. I have also argued that the power relationship directed at women and girls by fellow women exists through the promotion of these cultural practices in the studied communities. Researchers on human rights issues in Africa such as Tuyizere (2007) and Bond (2005) hold that generally, the power relations between the African elderly women and the vulnerable African young girls or women are unhealthy, and have negative consequences for the development of the human body, which violate human rights. The 1993 Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and General Recommendation

19 on Violence Against Women (VAW) view gender-based violence as a form of discrimination that constitutes a serious obstacle in the enjoyment of human rights and fundamental freedoms by women. It also addresses the intersections of gender-based violence with the different substantive areas covered by the articles of CEDAW.

Violence against women according to Hunnicutt (2009: 557) is a product of a gendered arrangement, that is, when women are targeted in patterned ways because of their gender. The principal characteristic of gender-based violence is that it occurs against women precisely because of their gender. Researchers such as Hearn (2004) as well as Hester and colleagues (2002) have argued that gender-based violence involves power imbalances where, most often, men are the perpetrators and women the victims. In most societies, men still hold top positions (Africanus 2012). For example, the power of husbands over wives and fathers over daughters is still common in many societies (Connell 2009: 76). Power and violence, according to Arendt (1969), are distinct phenomena, which appear together. She contended that whether they are combined, power has been found as the primary and predominant factor. She further argues that power needs no justification being inherent in the very existence of political communities, what it does need is legitimacy (ibid) among the subjects in the communities. Unfortunately, vulnerable women subjected to certain community rituals are those who bear the brunt of power differentials.

Hunnicutt (2009) maintains that men in most clans and cultures victimise women more than the reverse. Gendered power relations characterised by a few people having the capacity to influence decision-making in a society may have the function of constraining social practices and giving opportunities to some individuals to act as well as to behave in desired ways (Africanus 2012). Ajayi-Soyinka (2005: 68), for example, argues that a patriarchal mentality permits government and international bodies to discuss the world's problems without noticing that those who suffer most from the world's problems are women, who in addition, are not consulted about possible solutions. In their studies on "women's non-spousal multiple victimisation," Rodgers and Roberts (1995) attested that the one sentiment that echoes throughout the literature on violence against women is that theories need to be situated within a broader social context. In this study, I join other feminist scholars such as Dobash and colleagues (1992) and Mooney (1992) in maintaining that explanations of violence against women should centre on gendered social arrangements and power.

In the socio-cultural context on gender and power relations, Lundgren (2004) and Hearn (1998) have contended that societal conditions that produce and sustain men's violence to women and children need to be challenged and changed at all levels and

in all fields. Thus, societal change is a fundamental part of prevention of men's violence. According to Edwards and Hearn (2004), societal conditions include broad questions of gendered power relations, men's social power, privileges and dominations, and societal constructions of masculinity, as well as the impact of poverty, economic inequalities and other inequalities upon men's violence (Edwards & Hearn 2004: 51). At the institutional level, because of the unequal relationship of power, women tend to depend on their male partners as men usually control more resources and have a higher status in the relationship (*ibid*). Abuse of power, violence, and control in relationships are viewed in this context as social mechanisms that maintain the sexual division of power (Wingood & DiClemente 2000).

Despite the modernism in social and economic changes of many kinds, these violations of power have continued to be maintained through gendered processes across generations (Edwards & Hearn 2004: 51). In recent years, change has occurred in the way researchers and activists see violence against women, following major events such as the (1993) World Conference on Human Rights in Vienna, and the 1994 World Conference on Population in Development. At the Fourth World Conference on Women in Beijing in (1995), scholars and activists, especially those working in developing nations, increasingly came to see violence against women as a human rights issue rather than merely a criminal justice or a public health issue (Labeodan 2002). In addition to recognising the debilitating effects of physical and sexual violence perpetrated against women by partners or family members in their homes, some private actors such as acquaintances and strangers in the community also violate women's rights. Human rights activists and scholars assert that this violation paradigm focuses attention on violence perpetrated against women in broader terms (Bond 2005; Hester et al. 2002).

Reports by Human Rights Watch (1999 and 2013) stated that violence has been perpetuated by soldiers for example, during times of war and internal conflicts, sexual assaults have also been perpetrated against women in state custody by law enforcement personnel. Studies by Arendt (1969) and Tuyizere (2007) emphasise many other examples such as rapes perpetrated against women in refugee camps by other refugees, local police, and/or military personnel. Above all, the trafficking of women for sexual exploitation or for unskilled labour, and harmful traditional practices such as forced marriages, genital cutting, widowhood rites, and widow sexual cleansing rituals, as well as honour crimes such as honour killing (*ibid*), and suttee/sati are the many other forms of violation that women encounter (Human Rights Watch 2013) in the community and the state.

According to Human Rights Watch (1999), a discussion of these different paradigms used historically to frame the issue of violence against women begs the question: How should violence against women be defined for purposes of establishing research protocols to assess violence against women on an international basis. Elden (2011) researching on this subject matter argues that in defining violence against women, consideration of the type of crime or act needs to be assessed as violence-related beliefs that influence behavioural patterns. This issue becomes critical because scholars such as Elden (2011) and DeKeseredy (2000) have pointed out that how we define violence against women determines what types of acts are assessed. DeKeseredy (2000) maintains that if violence against women were defined narrowly to include just violent acts proscribed by criminal sanctions, and acts perpetrated by intimate partners, then the rates of violence produced by assessment strategies would be much lower. However, if we use a broader definition, such as one that includes violent and non-violent acts perpetrated by all types of offenders (ibid) the definition of violence would be more perceptible.

Bufacchi (2005) discussed in his article two ways of thinking about violence, violence in terms of an act of force, or in terms of a violation. With the latter, he means that violence can also be conceptualised in terms of the verb 'to violate', meaning to infringe, or transgress, or to exceed some limit or norm. In another context, Garver (1973) also suggests that the idea of violence is much more closely connected with the idea of violation than it is with the idea of force. Following Garver's view on violence, Bufacchi (2005) explains that many contemporary theorists of violence have converged on the idea of defining violence in terms of violation. However, according to Waldenfels (2005), there seems to be some disagreement about what exactly is being violated when an act of violence takes place.

The whole question of gendered violence becomes more complicated when it comes to finding a definition of what constitutes cultural violence. Generally, in the Tanzanian and the African context, it is difficult to identify and determine what violence is and who defines that violence in a socio-cultural setting. On the one hand, the question of whether or not the elderly African women as 'torchbearers' of cultural practices use force to promote the customary rites harmful to young women is debatable. On the other hand, the notion that promoting the harmful traditional practices in this study by elderly African women infringe on the rights of less powerful women and girls violate their basic human rights is also debatable. A question could be asked: 'violation of what?' of promoting or practicing a traditional belief in a cultural context? The most common answer for outsiders to the question

‘violation of what?’ could be ‘violation of women’s rights’ in this study context. However, according to Bufacchi (2005), the immediate appeal to this answer is misleading. He argues that if violence is the violation of rights then obviously one ought to say something about the nature of rights that has been violated. Kelly and Radford (2002) affirm this fact and added that in order to be able to talk about something, one must first be able to identify and describe it, and most importantly to find words, which reflect and record the experience. Bufacchi (2005) further stresses that individuals have rights, and there are things no person or group may do to them without violating their rights. We could be talking about the violation of human rights, which is widely defined to include any obstruction or hindrance to the fulfillment of the individuals’ basic needs (ibid).

The violation of women’s rights through cultural practices will be determined through the narratives of the interviewees in the empirical chapters, which present a detailed description of the rituals the women have undergone and how these cultural practices are promoted in their societies. In the same vein, Garver (1973) suggested that rights are of two kinds of violations, referring to either the body or the dignity of the person. Garver held that in the socio-cultural context, the woman’s body or dignity is reflected in the concept of her sexual power, which touches on two aspects, namely her fertility and sexuality (ibid). In her study, Vuorela (1987: 19) referred to these as the distinction between sexual relations for the purpose of ‘procreation’ (i.e. human reproduction measured in terms of fertility) and for the purpose of ‘recreation’ (i.e. sexual pleasure) manifested in sexually contented individuals and satisfactory human relations. Garver (1973) believed sexual power is a concept, which is comparable both to the concept of human energy as well as the concept of labour power. However, Vuorela (1987) argues that there is tension between the use of sexual power and the labour power of the same body. She concludes that in the African patriarchal context, the tension could be resolved through various customs, practices, and ideologies regarding the time necessary for a woman to engage in solely procreative activities (ibid). The explanation that the concepts ‘sex/gender’ and ‘power’ like the theories about them is incredibly complex and multifaceted (Lundgren 1995). Studies by Bond (2011); White et al. (2002); and Atere (2002) have shown that the nature of women’s sexual power is different from that of men firstly because of the fundamental biological difference between women and men. Affirming their facts, these researchers and activists (ibid) have argued that the use of power over the women undergoing the studied cultural practices violated their rights and left them in a more vulnerable position because of their gender in a patriarchal setting.



### 3.2 Gendered Violence in African Patriarchal Societies

Accounts of patriarchy in African societies tend to be characterised by a lack of attention to what patriarchal relations really are or how they operate (Vuorela 1987). This is because in most African countries, it is believed that a variety of norms and beliefs are particularly powerful in the perpetuation of violence against women. These include the belief that men are inherently superior to women (Orebiyi 2002: 108). According to Vuorela (1987: 4), patriarchy could refer to a wide variety of things, such as the general rules of the father, to male control of female labour-power, to male control of women's sexuality and fertility, to a male dominated sexual division of labour, to exploitation of women by men, and so on. Opinions differ about whether patriarchy is to be seen as a universal characteristic of human society or whether it is a phenomenon with history and context (ibid). The concept of patriarchy holds promise for theorising violence against women because it keeps the theoretical focus on dominance, gender, and power. It also anchors the problem of violence against women in social conditions, rather than individual attributes (Hunnicut 2009). The literature available in this context is driven primarily by social action and research that contains very little theory (Yllo 1993 cited in Hunnicutt 2009: 553). There are claims that the core concept of patriarchy—systems of male domination and female subordination—continue to appear in the literature in a disguised language. A better understanding of violence against women depends on further development of feminist theory. Although feminist political action is essential, according to Hunnicutt we have not yet fully developed a gender-centred theory of violence against women (Hunnicut 2009: 553). Yllo's (1993) radical feminist literature on violence against women evoked patriarchy as a theoretical concept. Yet the term *patriarchy* quickly became heavily contested; it was criticised for being 'under theorised' (Kandiyoti 1988), and the effort to construct a theory of patriarchy to explain violence against women was derailed (Hunnicut 2009).

Following this widespread critique, scholars such as Hunnicutt (2009) and Kandiyoti (1988) argue that although the term *patriarchy* was largely abandoned, its meaning were largely imported into terms such as *male-dominated society*, *sexual inequality theory*, and the nebulous *feminist perspectives*. However, feminists critique on violence is that the 'gendered lens' is narrowly focused on issues of patriarchy and control to the exclusion of more general social factors. It is quite common that research on violence against women focuses on individual-level characteristics and family dynamics in isolation from broader social forces (ibid). It is also clear that gender-specific violence is connected to general social contexts, and therefore, a

theory of the varieties of patriarchy and violence against women should be situated within a larger social setting (Greenberg 1993 cited in Hunnicutt 2009: 563). This is because the concept of patriarchy is especially useful for theory building as a term that evokes images of gender hierarchies, dominance, and power arrangements. A theory of varieties of patriarchy would retain gender as a central organising feature, maintaining a *hierarchical* emphasis and focusing on *social systems* and *social arrangements* that reinforce domination (ibid). The concept of patriarchy is also useful in that it keeps the gaze directed toward social contexts rather than toward individual men who are motivated to dominate (Hunnicutt 2009; Chepyator-Thomson 2005).

Dobash and Dobash (1979) and Sewpaul (2013) analyse patriarchy as the structural and ideological character as a hierarchical organisation of social institutions and social relations. They present the example that women are located in subordinated positions by both structural discrimination and ideologies that legitimate and rationalise that situation. This applies both in the family and in the public institutions of society. In the societal context, Tuyizere (2007) and Hearn (1998) explain that violence is a means of control for men over women and children. Violence and its threat attempt to diminish the power and resistance of women to men. Societal institution has often sanctioned this acceptance of men's control of and violence to women (Hearn 1998).

Hunnicutt (2009) holds that the concept of patriarchy has been as problematic as it has been promising. She describes this concept as carrying a freight of historical 'baggage.' Indeed, the limits and usefulness of this concept has been the subject of extensive debate. Hunnicutt (2009: 554) explains further that prior attempts at theorising the link between patriarchy and violence against women have been criticised for at least five reasons: (a) The concept simplifies power relations; (b) the term *patriarchy* implies a 'false universalism'; (c) the ways in which the concept of patriarchy has been employed have ignored differences among men, casting men instead as a singular group; (d) a theory of patriarchy cannot account for violence by women or men against men; and finally, (e) this concept cannot help us understand why only a few men use violence against women in societies characterised as patriarchal.

I present an alternative way of gendered violence to understand violence against women by employing patriarchal violence as a core theoretical concept. Adopting what Blumberg (1984) suggests as the concept of stretching and reshaping patriarchal violence brings this gender ideology in line with the fact that favour gender inequality, which can diminish the strength of women's structural gains. In her study, hooks (2000) proposes the term 'patriarchal violence', rather than

domestic violence, as a label for the type of abuse that happens in the home as the result of patriarchal structures, beliefs, and values based on power differentials. Domestic violence in this research explores ways in which family members, in particular some female kin such as mothers-in-law, sisters-in-law and older women in families, contribute to the violence accepted by men-folk and culture at large against wives and girl children. These patterns vary from the typical scenario of the lone man battering the lone woman. hooks (2000) prefers the term 'patriarchal violence' because it maintains the connection between the violence that happens in the home with sexism and male domination. Atere (2001) argues that sexism is commonly used against women. However, either men or women may commit the subtle abuse, which aims at breaking the will of the individual and sense of God-given dignity (Atere 2001; Fitzgerald 1999).

In Tanzania, there are prevalence of domestic violence against women, which emerges from the deeper cultural assumptions about women and their worth within relationships, families, and communities (Jodie et al. 2009). The family, although regarded as the ideal basic unit of society where there is support, love, understanding and care, very often becomes the most oppressive unit including serious violence (Tanzania Gender Networking Program & Macro International 2007). There are certain beliefs, norms, and social institutions in Africa that justify cultural practices which perpetuate violence against women (Centre for Health and Gender Equity 1999). In the context of the violence that arises from cultural practices, studies highlight that the same acts that would be punished if directed at an employer, a neighbour, or an acquaintance often go unchallenged when a man (and most especially a woman) directs them at fellow woman usually within the family. The same argument goes for an act of violation that is directed to less powerful and vulnerable women or girls in most of the developing countries in Africa (Otiso 2013; Tuyizere 2007; Ajayi-Soyinka 2005).

In the East African context, a typical example that illustrates the kinship hierarchies within the system of women and power is what Aguilar describes as the most salient female relationships. For example, among sisters and between mother and daughter, mother and daughter-in-law, and co-wives, where age hierarchy is ever present, and grandmothers and granddaughters, where hierarchy is muted (Aguilar 2007: 108). The descriptions of these key relationships include both the norms of behaviour and the ways subordinates resist the power of the dominant (ibid). When women who feel victimised by traditional practices such as FGC, *Nyumba Ntobhu* marriage, and the widow cleansing ritual discover within themselves the yearning to fight for their rights, this may pose a dilemma and place them in a difficult position.

The question that could be reflected on is: How do vulnerable girls and women perceive that their yearning for social justice and rights could transform their plight into a positive reality, especially as the violent act is directed to them by fellow elderly women known to them?

### 3.2.1 Women's Position in the African Patriarchal Communities

The patriarchal system, which prevails in Tanzania, undoubtedly contributes to the marginalisation of women in the home and society (Tuyizere 2007). As discussed earlier, patriarchy exposes women to discrimination through harmful traditions, practices and ideologies (Jodie et al. 2009). The gender network researchers in Tanzania such as TAMWA, LHRC, and TAWLA argue that stereotypes also reinforce the conviction that men are leaders of the family and have the right to control women. As a result, women in most communities in Tanzania conventionally hold subordinate positions within the family and unequal power relations commonly exist between males and females. These Tanzanian gender network researchers maintain that the myth that women should be subordinate to men is one of the underlying causes of patriarchal violence against women and has led many to view violence as a normal part of an intimate relationship (Tanzania Gender Networking Program & Macro International 2007). Dwelling on their study outcome, MacPherson and colleagues emphasise that the widespread gender inequality in African societies and women's low status in communities means they are vulnerable to patriarchal violence which creates a vulnerability to a host of negative health and life outcomes (MacPherson et al. 2009).

According to Otiso (2013: 146), as most Tanzanian communities are patriarchal, lineage is usually traced along the male line, that is, from son to father to grandfather, until it terminates at the apical male ancestor who is the real or mythical founder of the clan, which is a large extended-family unit. Rop (2014: 46) holds that older members of a community act as disseminators of knowledge to the young, indoctrinating them in the beliefs and values of the community. In some communities, this learning includes an aspect of formal learning when the youth undergo for example the circumcision ceremony, which is viewed as the climax of the learning process (ibid). Gender in this study refers to what Hearn (2004) suggested as socially created and acquired notions of masculinity and femininity. In Tanzania, families, communities, and schools teach these notions of the genders. According to Otiso (2013: 158), traditionally, the training of sexes was gender specific as boys and girls were segregated from an early age and trained informally

by fathers and mothers respectively. The gendered division of labour refers to the allocation of roles and responsibilities to men and women, the nature of the work done by each category and the value that is attached to it (Twikirize 2014). Reflecting on the intersection of race and gender, and their socio-cultural and political constructions, Sewpaul (2013: 116) attested that: “Androcentric and patriarchal thinking enjoy such hegemony that gender and racial discrimination seem to be, to use the metaphor inscribed in our blood – inscriptions that are from biology and are all too often consolidated through sociocultural norms.”

Aguilar (2007: 107) considers that the females have important duties in their natal lineages throughout their lives and are valued for their hard work, for bringing bride wealth to their families, and as potential sources of support for elderly parents: ‘a duty formerly considered to be primarily that of sons.’ Nevertheless, females are peripheral in paternal lines, and wives are depersonalised in husbands’ genealogies through use of clan rather personal names (ibid). Yet, some African researchers argue that while the girl children are valued in communities, they are subordinate to almost everyone during their early years. As the women move up the kinship ladder by age, they acquire prestige and power (Otiso 2013; Aguilar 2007). Aguilar (2007) puts the patriarchal system in a nutshell pointing out that “one important way in which girls and women experience power and powerlessness is through their roles in women’s age hierarchies within the kinship system of power. Women’s opportunities for autonomy and control of resources improve with age and advanced kinship or generational status, theoretically and in practice” (Aguilar 2007: 108).

In her research on “The Emancipation of Women: An African Perspective” Dolphyne (1995) explains that elderly women gain much status and power within the family and have an interest in preserving the lineage in order to preserve the stability of the family. In her book “Cutting the Rose” Dorkenoo (1995) argues that the main point to stress is that the practice of FGC for example, is not presented to women in a straightforward manner; it has been shrouded in mystery, magic and fear. She concludes that the concept of becoming a “woman” and being elevated to higher status after undergoing genital circumcision is a theme, which runs through all the communities practicing FGC. Omari (1997) gives an example in his book, “Gender, Family and Household in Tanzania” of women marrying women as a type of practice which is regulated by customary laws of the community. He explains that a childless adult woman who wishes to have an heir for her property and wealth looks for a girl and pays a bride price after the necessary transaction with the girl’s parents. The structure of the household in this form of marriage gives authority to the older woman in the relationship. Omari (1997) argues that the younger woman’s

freedom in such relationship is limited. He concludes by pointing out that in such relationship the domination of one woman by another could take place within an overall ideology of hierarchy.

Despite the prestigious status of the elderly African woman in the patriarchal communities, feminists and scholars such as Cattell (2007), Tuyizere (2007), and White et al. (2002) have often questioned and debated the African woman's role and position in relation to gender equality in their studies. These scholars, for instance, question the notion whether the African woman could traditionally inherit property such as land in the same way as the adult male does. According to Swantz (1986: 96), there is evidence that the African elderly woman could hold property under the traditional system, but she held it in trust for her children, and not to alienate it. Swantz stresses that an elderly woman could defend her own rights herself, and be recognised as one of the heirs together with her brothers. However, she claims that in case the woman gets a full share, she could be liable to lose some of it through the manipulation of the male members of the extended families.

Structurally and culturally, women in most African families are subjected to the authority of men, whereas men delegate the supervision, for example, of the younger daughter-in-law to older women. Older women's position as generational superiors can conflict with their loyalties to younger women in the gender hierarchy. However, when faced with patriarchy, African women develop their strategies within a set of concrete constraints, which Kandiyoti (1988) identify as patriarchal bargains. Different forms of patriarchy present women with distinct "rules of the game" and call for different strategies to maximise security and optimise life options with varying potential for active or passive resistance in the face of oppression (ibid). Caldwell (1978) identifies this *patriarchal belt* as the more corporate male-headed entities that are prevalent in African societies. She analyses the breakdown and transformation of patriarchal bargains as their relationship to women's consciousness and struggles. Tuyizere (2007: 63) quoting Mugenyi (1991), describes two myths that exist in most African patriarchal cultures as the myth of female weakness and the myth of female strength. Mugenyi alleges that the same culture that assumes women to be weaker is threatened by and suspicious of women's potentials. The second myth that Mugenyi (1991) describes is that of female strength in the patriarchal community, which she claims is deep-rooted in African culture. If women obtain political power, the fear is that the world will fall into chaos and women themselves would suffer.

Discussing some complexities of power among the Abaluyia women of Kenya, Cattell (2007) explains why subordinate groups or classes accept and even actively

participate in their own oppression as one interesting puzzle. She clarifies the way dominant classes or groups maintain their dominance without constant coercion. Building arguments on such claims, Tuyizere (2007) contends that culture always reminds the African women that they are delicate and do not possess the courage and determination of men. Moreover, Swantz (1986) argues that there is a belief in the African patriarchal communities that women are not generally considered capable of handling their own affairs. She explains that those women who are confident and successfully stand up for their own rights may bear a grudge against those who violate them and feel that they have suffered an injustice. According to White et al. (2002), a woman who feels endangered by clinging to her rights may easily give up her rights. In their studies on Tanzanian women, both Vuorela (1987) and Swantz (1986) concluded that in the Tanzanian patriarchal setting, matters of inheritance in the society are a constant point of conflict. In their view, women get entangled in these conflicts. Tuyizere (2007) however, maintains that the African culture always reminds women not to set their goals too high. Cattell (2007) discusses that gender relations among the Ha (Hutu) women in colonial western Tanzania makes a case that Ha women acquiesced to their own domination because they understood their lack of options. Cattell suggests that women, realising their powerlessness are reluctant to overly challenge those who are more powerful, that is, their fathers, brothers and husbands (ibid).

In trying to make meaning of African women's powerlessness in the patriarchal communities, White and her colleagues (2002) suggest that unlike women in matrilineal societies who attempt to resist, for example, unfavourable labour relations in the household, women in patrilineal societies have more restrictions in their patriarchal system. They often adhere as far and long as they possibly can to rules that result in the unfailing devaluation of their labour (White et al. 2002). The cyclical fluctuations of their power position, combined with status considerations, result in their active collusion in the reproduction of their own subordination (Kandiyoti 1988). However, although individual power tactics do little to alter the structurally unfavourable terms of the overall patriarchal script, some women become experts in maximizing their own life chance. With regards to instruction of males, a greater emphasis is placed on gender difference (Rop 2014: 46). Traditionally, patrilineal communities assign women a subordinate role African women in such position feel unable to oppose community dictates, even when these affect them adversely (Starace 2009, Koso-Thomas, 1987).

The gender role assigned to women in the community to be subservient to men and other women encourages gender inequality and promotes gender violence.

Gender as an analytical variable refers to the social construction of male and female roles and relations (White et al. 2002: 13). It entails on the one hand, the male and female active roles in society and, on the other hand, ingrained social ideas about what men and women should do and how they ought to behave and interact in their communities (Ajayi-Soyinka 2005; White et al. 2002). These assigned gender roles are understood as systematically linked to the organisation of social inequality (Lauretis 1989; Sewpaul 2013). In Tanzania, cultural beliefs are instilled in the girl child before she reaches womanhood through agents of socialisation (Otiso 2013; Vuorela 1987). In this study, socialisation refers to pressures of reward, punishment, ignoring, and anticipating values that push the girl child towards an acceptable response (Tuyizere 2007: 62). The major agents of socialisation in the study include the family, the community, and the peer group. Through the culture of socialisation, girl children and women acquire characteristics that make them successful in a given culture (ibid). In her study, Labeodan (2002) claims that the African women are ignorant and brainwashed by customs. She highlights that African women believe that failure to abide by the culture will land them in rejection from the society (ibid). It is a common belief in African communities that women experience life differently from men due to socialisation patterns that impact on gender differently (Ajayi-Soyinka 2005). In the family, it is assumed that an African woman/wife has to remain submissive and subordinate to her male counterpart. In this study, it is worth noting that the term 'submission' as used in this context does not reflect the understanding of mutual submission. Rather a literal translation denotes a woman's subordination and inferiority before her male counterpart (Rop 2014: 47).

According to Rop (2014), in societies that have been influenced by misinterpretation, few women find themselves holding key positions either in political, societal, or religious realms. The patriarchal and extended family ideology in Tanzania that give most senior men authority over everyone else is bound up in the incorporation and control of the family, and in the transition from kin-based to tributary modes of surplus control (Otiso 2013; Hunnicutt 2009). However, in this social system, the implications of the patrilineal-patrilocal complex for women not only are remarkably uniform but also entail forms of control and subordination that cut across cultural and religious belief boundaries (Ajayi-Soyinka 2005).

It is a common historical belief in Tanzania that culture has put a double burden on women because they are the carriers of tradition and are the center of the family. Yet, according to Otiso (2013) and Tuyizere (2007), during the periods of rapid social change, women's actions and appearance change less rapidly than that of men, or do not seem to change at all. Demands for family stability and unchanged roles for



women may be tough when the processes of change are perceived, as coming from outside the group (Tuyizere 2007, Akintan 2002). These demands require a high level of female submission and acceptance of male control and in turn, provide men with a sense of superiority over events that seem to be out of control (Mlama 2002).

According to Otiso (2013), in Tanzania, female children are taught from a very early age that the man is the head of the household, and are advised by their mothers to remain in complete subjugation to their husbands. On the other hand, there are no such corresponding values imposed on male children, who therefore grow up believing that they are free to behave as they please, and that women have to shape their behaviour to suit their desires and whims (Akitunde & Labeodan 2002; White et al. 2002). Nigerian novelist, Chimamanda Ngozi Adichie put it simply in a speech she delivered in London on April 12<sup>th</sup> 2013, TEDxEuston<sup>10</sup> 'Telling the African story:

The African girl children have been raised to think so little of themselves that they feel men and boys are superior in society. We police our girls but we do not police our boys. We praise girls for their virginity but we do not praise boys for their virginity. We teach girls shame, for example, how to sit with closed legs, and teach them to cover themselves well etc. We make them feel like 'bad girls' as if they are already guilty of something. They grow up to be women who have been silenced by societal taboos. Gender role in this sense is prescribed for the African woman to portray how the woman should be rather than recognising who she is. There is too much 'weight' on gender expectation in the African sense.

Adichie (2013) explained further in her speech that the African women have been raised to think or feel guilty when they do not meet community demands. She stresses that women are often apologetic for their femaleness whereas the male folk do nothing about their gender. Atere (2001) had similar thoughts, attesting that African women are trained to endure different forms of pain, braveness and to reframe from certain taboo behaviours for the communal good of the society. Adejoke Awe (2002) for example, holds that African women have been exposed from early childhood to strenuous work such as carrying heavy loads. Some of these criticisms uncover the explanatory strengths, and lay some foundations for a more fully developed theory of violence against women. Yet, elderly African women believe that such a traditional upbringing is not meant to violate the rights of the girl child.

Adichie (2013) emphasise that socialisation exaggerates the difference between boys and girls, which becomes a self-fulfilling exercise process. In this study, I used

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<sup>10</sup> <http://bit.ly/1FAg8hB> <http://www.tedxeuston.com>

the description of socialisation according to Tuyizere (2007), which refers to pressures of rewards, punishment, ignoring and anticipating values that push the woman towards an acceptable response. Tuyizere gave an example that women over the years have been taught to see cooking as their role. And maintains that today, there are opportunities for women more than there were 50 years ago because of changes in policies on gender. Both Adichie (2013) and Tuyizere (2007) are of the opinion that the attitudes and mind-sets of what is believed to be valued as gendered roles still remain questionable and debatable in the study arena. The question I would ask is who teaches girls and boys their gender roles.

### 3.2.2 The Traditional Roles of Elderly Women in a Patriarchal Society

Historically, in the African context there are distinct gender roles with women mostly being responsible for domestic chores such as cleaning, food production and preparation, taking care of smaller livestock, fetching water and firewood, caring for the sick, and rearing children (Otiso 2013; Tuyizere 2007). Even in the area of trading, women are usually engaged in petty trades that are related to their domestic chores, including food vending. On the other hand, Tanzanian men play smaller domestic roles, though they are usually the main breadwinners and shelter providers. It is quite common in African communities that men generally own most of the country's productive assets (e.g., land, livestock, and tools) and make most of their family's important socio-economic decisions, and carry out chores like building, fishing and hunting. Generally, men are responsible for clearing, preparing and ploughing the farm and crop fields. Yet, in these areas, there is a gendered division of labour. Women do most of the milking and fish preparation, and marketing (Otiso 2013; Akintunde 2002, Kisaakye 2002). As mothers, women are the traditional guardians of family health and the teachers of sanitation, hygiene and disease prevention (Oderinde 2002).

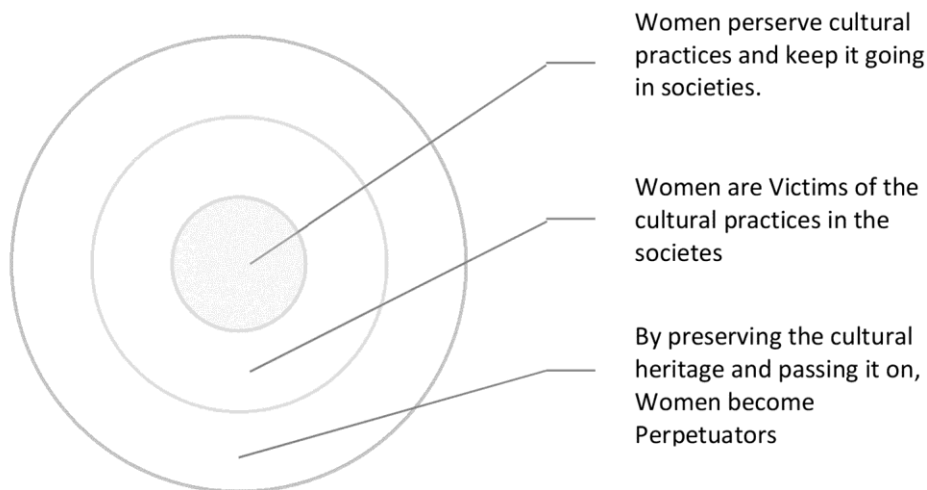
Gender inequality in the division of labour, access to and control over resources and income, circumstances and position in society, decision-making as well as exclusion from economic and political spheres are some of the factors to be taken into account for gender-sensitive social development programming (Twikirize 2014). According to Otiso (2013), Tanzanian women dominate the agriculture sector, providing up to 80 percent of the sector's labour as well as producing 60 percent of the country's food. Specifying the female role in Tanzania's agriculture sector, Otiso holds that women overwhelmingly play a central role in sowing, weeding, applying fertilisers, and pesticides and do most of the production. However, the existing social

conditions do not allow the women to control their cash-crop produce. Observing the predicament of women, the first president of Tanzania Julius Nyerere, once said: “Women in Tanzania and elsewhere in African toil on the land they do not own, to produce what they do not control and at the end of the marriage, through divorce or death, they can be sent away empty handed” (cited in Otiso 2013: 159).

It has been stressed over and over in this study that while males are encouraged from childhood to think of themselves as invulnerable, females are both subtly and overly taught to think of themselves as entirely vulnerable and in need of the protection of a male figure (Rop 2014; Akintunde & Labeodan 2002). This kind of education has been internalised, so that most women find it difficult to express their views publicly, especially before men (Rop 2014; Nussbaum & Glover 2007; White et al. 2002). Since moral formation takes place in a community, and people construct their social world, some researchers such as Nussbaum and Glover (2007) hold that the African women have been taught and socialised into thinking of themselves as incapable of making any serious decision. However, they are also the chief guardians for the upbringing of both the boy and the girl children, and are held responsible should the girl fail to withstand the restraints of societal demands (Cattell 2007; White et al. 2002). A general normative system of customs and traditions in the African context reveal that the education of traditional practices is a process that starts at birth and ends at death. Boke (2012: 235–243) holds that to be maintained effectively, society needs rules and regulations. She explains that these rules are instilled within society and implemented on a day to day basis (Boke 2012: 235). She concluded by pointing out that traditional social control embedded in its customary culture relies on the socialisation of its members to establish social order (*ibid*). That is to say, every member of society has a social position or status that goes with a specific role. In her study, Tuyizere (2007) maintains that women keep these patriarchal structures intact. According to Bourdon (2013) and Koso-Thomas (1987), those women who champion these practices adopted by their communities do not realise that some of the practices they promote are designed to subjugate them.

As predicted by Cattell (2007) and Kandiyoti (1988), a woman’s life cycle in a patriarchal extended family in several African societies are such that the deprivation and hardship she experiences as a young bride from her mother-in-law is eventually superseded by the control and authority she will have over her own subservient daughters-in-law. The cyclical nature of women’s power and control relation (Kandiyoti 1988) in the household and their anticipation of inheriting the authority of senior women encouraged a thorough internalisation of this form of patriarchy by women themselves (White et al. 2002). Dorkenoo (1994) holds that in many

African societies the older women achieve status more closely to resemble that of men. She held that it is not surprising elderly women are most often the initiators of infibulation ceremonies for their grand-daughters. Dorkenoo suggested that the elderly women must be considered perpetrators of the harmful traditional cultural practices. Additionally, she emphasises that women, having been denied wider societal power, will hang on to the little power they have and exercise it in the area over which they have most control (Dorkenoo 1994). Other researchers such as Cattell (2007), Tuyizere (2007), and Koso-Thomas (1987) have suggested that very often in patriarchal systems, subordination to men is offset by the control older women attain over younger women. Based on this realisation, Atere (2002) and White et al. (2002) highlighted in their research that by trying to preserve the traditional belief, the African elderly woman could be seen as a perpetrator of offensive cultural practices as well as a victim of these practices as demonstrated in the figure below.



**Figure 1.** The visual cycle of the African elderly woman as a victim and a perpetrator in a patriarchal community setting.

As shown in Figure 1 above, this illustration is the core of the research – it demonstrates ‘the woman’ in the dual positions of the cultural practices in the study. Firstly, the woman is a victim of these cultural practices as a young woman when she endures and sustains the rituals. Secondly, as she grows older she preserves and promotes the rituals onto the younger women in order to ensure the continuity of

the traditional practices. For example, the elderly women are expected to build and inculcate the societal value systems into their children, thus, preparing them to perpetuate the system as adults (Oderinde 2002).

The relevance of gendered violence, for instance, as a strategy that elderly women use to further their social and economic positions in society is yet to be determined in the study. The anticipation is that the strategy and practice used by the African elderly women may exhibit power and control in the relationship and violate the rights of the younger woman in that relationship (Bond 2005; White et al. 2002). Yet, Vuorela (1987) points out that in Tanzania, women are both united and divided in their concerns over the use of power by elderly and influential women. They believe that some elderly women in communities have *hidden knowledge* or 'social capital' that is used to communicate with the ancestral spirits and so use this power over vulnerable widows for example, to perform the cleansing ritual (Otiso 2013; Vuorela 1987). Similar divisions and commonalities emerged in Tanzanian debates and research as in other African countries. Vuorela (1987) holds that Tanzanian research found out that women were divided along class lines. She explains that within classes they are divided by ideological barriers and in their relationships to the male folks. With age and experience females become more adept at resisting the domination of the males and asserting themselves (Oderinde 2002). As has been highlighted earlier, Tuyizere (2007), and Dorkenoo (1995) hold the elderly women used of power over less powerful women and girls in order to promote and maintain tradition and culture also promote violence and continue to violate vulnerable women and girls' human rights.

According to Hearn (2005), as well as Stanko and Raymond (2003), the calling of violence into view and its naming are essential parts of the process of the analysis of violence in the society. The claim here is that violence is interrelated with social practices and its deployment and regulation are embedded in and constituted by social institutions, and are significant for the making and reproduction of regimes of inequality (Hearn 2005). Violence is not merely an instrument or tool of already constituted power; it is itself constitutive of power (ibid). Stanko and Raymond (2003: 1) state that "debate about violence inevitably begin by deploring standard ways of measuring the impact of violence on different populations." They stressed that too much violence is hidden and that findings based on 'seen' violence will, it is assumed, necessarily be distorted or biased (ibid). Stanko and Raymond asked: How can something so pervasive remain so elusive to research? Walker (1990) suggests that the process of making the experience of oppression in our homes visible to ourselves and getting it accepted as a matter of public concern involves defining it

as an issue or problem in our terms. She continues to describe the conceptualisation process as one occurring over time and dictated by activities and events (ibid). The study of tradition and culture in the African and the Tanzanian context may lead us to assess and understand what constitutes cultural violence.

### 3.2.3 Tradition and Culture

Culture is a universal concept yet its meaning depends on the context in which it is used (Akintan 2002). Tuyizere (2007: 45) quoting Nida (1983) defines cultures as learned behaviour, which is socially acquired, namely the material and non-material traits, which are passed from one generation to another. In this study, the concepts of culture and gender are understood as the processes by which persons learn gender roles that a culture defines as appropriate for them without questioning their underlying assumptions (Bourdon 2013). Culture is both transmissible and cumulative and the traits are cultural in the sense that they are transmitted by society, not by genes (ibid). This makes the transmission of culture different from the biological heritage of human beings or animals. Bourdon's studies show that culture is a way of behaving, thinking, and reacting to situation. Hall (2004) believes the notions of identity, race, and ethnicity has been widely discussed and perceived as conceptions that are never ending production. For Hall, culture and its values are not something to simply appreciate, or study, but a dominant position of social events and involvement, where power relations are both traditional and potentially changeable.

Hofstede (2009), however, defines the principles of culture as the collective programming of mind that distinguishes the members of one group of people from others. He says cultural values in society are the term commonly used for tribes or ethnic groups. In an earlier study, Hofstede (2004) emphasises that societal culture of race, and gender cultures, which children learn from their earliest childhood onwards, are much deeper in the human mind than the professional cultures acquired at school or the organisational cultures they acquired on a job. Societal cultures reside in the unconscious values, in the benefit of immense tendencies, to prefer certain states of affairs over others (ibid). Labeodan (2002) and White et al. (2002) believe that unlike some biological traits, culture changes with time. As pointed out by Mercy Oduyoye (2001) *culture is not static*. She made this statement at a conference held in Lagos by African women theologians on "Some Cultural Practices Infringing on the Rights of Women." Oduyoye encouraged and challenged

her fellow African women scholars to speak up against cultural practices infringing on the rights of African women (cited in Labeodan 2002: 69).

In most rural communities in Africa, including the Kuria and the Kerewe, the ethnic groups of Tanzania, culture seems to be static for some vulnerable women and girls. When researching on some East African traditions and cultures, Otiso (2013), Tuyizere (2007), and Bond (2005) explain that culture could be referred to as the accepted norms and practices. They give the example of women accepting certain societal norms, such as the practices of the FGC ritual and the payment of bride price, as well as the inheritance of widows which potentially turns them into commodities. In some West African communities, there are similar subtle cultural practices. For instance, among the Anlo-Ewes in Ghana, girls are used to appease vengeful spirits in the form of sacrifice. Other examples of the practice of polygamy exist within many African communities. Among the Msoga of Tanzania, the replacement of the dead married daughters with their younger sisters persists today (Vuorela 1987). In all of these practices, whether the act is promoted by the men or women, it is the men who benefit and remain the head of the family (Tuyizere 2007). Women, however, bear the negative impact of the practices in most cases (ibid).

In her studies, Dolphyne (1991: 1) argues, “every human society has a body of beliefs that regulate the way people behave and relate to each other in society. Over the years, these beliefs and modes of behaviour are modified to suit the changing circumstances of the society concerned. African societies are no exception.” However, in spite of the contact with Western civilisation and the uneven influence that this civilisation has had on African societies, there are traces of traditional rural society in many African cultures (Bolye 2002; White et al. 2002, Dolphyne 1991). African feminists and scholars such as Labeodan (2002), Dorkenoo (1995), Koso-Thomas (1987) and Dolphyne (1991) consider aspects of the African traditions and beliefs, which over the years have held or kept women under subjugation, and which make them feel generally inferior to men and incapable of operating at the same level as men in society. According to Orebiyi (2002), in African societies a number of norms and beliefs are particularly powerful in the perpetuation of violence against women. These include a belief that the men are inherently superior to women (Rop 2014; Chepyator-Thomson 2005; Kisaakye 2002), which creates and reinforces female oppression. In her study, Orebiyi (2002) points out that in many spheres of life, African women’s needs and issues are neglected. She explains further that women have suffered from the life threatening impact of practices that continue under the guise of cultural and social conformism and religious beliefs (ibid).

Some historians believe that the history of violence against women is tied to the history of women being viewed as property (Atere 2001; Kisaakye 2002). Women in many ways have been hidden in history and culture and are still invisible in many areas in society. It remains a task of high priority in feminist learning to do research about women and to construct an understanding of gender relations and gender and power, which interrelate culturally, historically, and societally (Lundgren 1995). For example, in the African context, the life cycle of a person is wrapped up in culture from birth to death (Akintan 2002; Gyereke 1998 Mbiti 1994). In this view, the individual is defined only in reference to his community, not by any of his physical and psychological characteristics (Gyereke 1998). The individual is born out of and into the African community and will always be part of the community (Venter 2004).

In this sense, whatever happens to the individual happens to the whole group, and whatever happens to the whole group happens to the individual (Mbiti 1970). It is in this rootedness in an ongoing human community that the individual may come to be known as a person: through language and the social rules that bind him/her with other community members and the ancestors (Menkiti 1984). In African culture, the community always comes first (Venter 2004). This understanding is summed up in John Mbiti's statement: "I am because we are, and since we are, therefore I am" (Mbiti 1970 cited in Menkiti 1984: 171). This reflects Ubuntu's philosophy 'people are people through other people' implying that the African believes 'I am human because I belong to the human community and I view, respect and treat others accordingly' (Chaplin 2014).

Based on this ideology, most African communities including the communities of Kuria and Kerewe ethnic groups in Tanzania define women's roles religiously, culturally, and socially. As a result, the traditional practices do not give the ethnic groups under study much room to decide the course of their lives. For example, Akintan (2002) argues that in most African communities, various traditional practices are dished out to people in the name of culture. Studies in this field have shown that among most African ethnic groups culture and religion are not distinct from each other: they embrace all areas of the community. The discussion is around an understanding of "culture as 'a people's way of life' the perception and manner of doing things that not only identify a people but also sets a particular framework and standard of behaviour and self-esteem for a decent socioeconomic survival of a society" (Mlama 2002: 19).

It is the societies' own vision of what constitutes an ideally decent socioeconomic structure for survival as a concept of a frame around the core evolutionary drives that foster life order to maintain stability and regularity in the community (ibid).



These visions of frames include food, shelter, safety, and procreation/reproduction (Otsio 2013). The framework of the vision is also influenced by other factors such as geographical location, climate, and innovations. Secondly, it is the system of behavioural patterns ideas, beliefs, values, and attitudes that enshrine the vision to keep the tradition in place (Mlama 2002). These concepts give guidelines for members of the society who relate to each other and their environment. With the Kerewe and the Kuria of Tanzania, as with many other African societies, deserving to belong to society means abiding by systems. These systems regulate social behaviour, including individual behaviour driven by self-interest versus communal behaviour (ibid).

In African societies as in societies worldwide, these patterns of behaviours are cherished and do not leave the cultural moldings of their people to chance or change. According to Otiso (2013), specific institutions are strategically set up to inculcate, reinforce, and foster the accepted behaviour, beliefs, values, and attitudes. Some of these institutions include religion, art, communication, and education (Oyěwúrmí 2005). Oyěwúrmí holds that from childhood, a person's perception of life in terms of what is good or bad, acceptable, desirable or undesirable is directly formed and influenced by the educational curricula of the community (ibid). The religion practiced, the images and messages of art and the communication skills are taught or passed on to young members of the community (Otiso 2013; Oyěwúrmí 2005).

Without incorporation into a particular community, individuals are considered mere risks to whom the description of 'person' does not fully apply (Menkiti 1984). In order to ensure its survival, a society expects conformity to its defined systems of behavioural patterns, beliefs, values, and attitudes. For example, in the communities those women who undergo societal rituals often try to endure their pain and demonstrate courage so as to get rewards, honour and praise in their communities. Those whose behaviour adheres to what is expected by society are normally rewarded through material gains and status (Dorkenoo 1995; Talle 1993; Malinowski 1961). The renegades are subjected to sanctions including reprimand, humiliation, exclusion, isolation, and other forms of punishment (Malinowski 1961). Various levels of regulatory bodies and legal systems are put in place to effect the sanctions (ibid). Christopher Ejizu holds that for most African groups, ostracising an individual or group that has often disobeyed the community is thought to be the most severe punishment that could be meted out to anybody. It feels like death for anyone so punished since such a person becomes an outcast/outsider who is not allowed to share the life of the community (Ejizu 2007). The punishment of being ostracised is so strong that every member of the community dreads it, and will do

anything possible to avoid it (ibid). As observed by African feminists and researchers such as Tuyizere (2007); Bond (2005) and Labeodan (2002) the immense power of the community in traditional African communities explains why the African women have to undergo some of the harmful rituals at the expense of their health. In addition, most African women in a senior or elder position even pass these rituals on to the next generation despite the physical and psychological harm to the human body (White et al. 2002).

Following the ideology of community ostracisation, Eldén (2011) explains that when discussing violence committed in the name of honour it is often conceptualised as male violence against women. She continues to say that in order to be understood, concrete acts of violence must be located in the context in which they take place and be related to the control of and the discrimination against women. In her earlier study, Eldén (2001) underscores that in a cultural context of honour, men's honour is related to what female relatives show to others: '*as their good or bad reputation*'. Eldén (2011: 6) holds that the crucial meaning of women's reputation may be interpreted in light of a divided femininity as understood in the ancient tradition of Abraham that is in cultural contexts rooted in the common tradition of Judaism, Christianity and Islam. This statement is factual and underscores the reality for believers in the African tradition where a woman's reputation is seen as appropriate when she observes cultural norms and practices desired by the society (ibid).

Reflecting on cultures of honour in the different contexts of Africa, Sirman (2011) raises questions as to whether FGC as a rite of passage for a girl child from '*childhood*' to '*womanhood*' is a 'culture of honour.' She asks: does the girl child become a 'citizen' or a 'native' only after going through the rituals? Widowhood rites and cleansing rituals, which some women undergo after the death of their husband, could also be seen as cultural honour (ibid). Traditionally, girls and women who are not able to undergo rituals and rites in societies are stigmatised and their reputation is soiled/tarnished (White et al. 2002). White and colleagues explain that a woman's inability to withstand culture and traditional demands is seen as a reason to punish her because she has stained the honour of the family, which could be seen as direct threat to her female relatives. In other words, the violent acts directed towards a woman are interpreted as the woman's own fault (Eldén 2011). Getting a bad reputation communicates a message to other women: If you behave in the same way – or if people say you do – you may meet the same fate (Eldén & Westerstrand 2004). Thus, women are not only made responsible for their own behaviour, but for other women's behaviour as well (Eldén 2011). The visibility of a woman's reputation is

of vital importance and in most instances women choose to remain loyal to their male folks.

Eldén (2011) maintains that in some cases when women have been exposed to violence by close male relatives, they interpret their experiences by using concepts which can be placed in cultural context of honour. Fernandez (2009) argues that these factors along with the economic dependence of daughters-in-law set the context in which domestic violence, when it occurs, can include not only the husband and wife but female kin as well. Eldén (2011) emphasises that the focus on women as co-perpetrators of men's honour violence against women may in many instances be a blind alley. She concludes that this focus redirects the questions and actions, and removes men's individual responsibility for their violence acts, while making the gender-cultural context in which the violence takes place invisible. However, this does not mean that it is irrelevant to talk about women's activity in, and responsibility for, violence directed towards other women (Eldén 2011). This raises issues on gendered violence that oppress the vulnerable and marginalised women in many Tanzanian communities, which could be tackled with professional approaches.

### 3.3 Policies and Practices to Tackle Gendered Violence Issues

The social work profession holds hope for millions of marginalised groups such as the women and girls in the study and other places in the world (Mwansa & Kreitzer 2013). Hence, this study draws on the social work profession to obtain the strategies "to engage with individuals, families, groups and communities, working alongside people to assess and intervene" violated issues of the cultural and traditional practices under study (Foote et al. 2013: 133). According to Spitzer and Twikirize (2014), issues of gender equality, gender mainstreaming and the empowerment of women and girls should primarily be central in the curriculum of practice. Scholars in the arena emphasise that social workers should be vested with skills and have essential knowledge about the origin and social constructions of gender roles and relations. Moreover, they should have the capacity to apply gender as a key and cross-cutting category in analyzing social, political, institutional, organisational and cultural context (Spitzer & Twikirize 2014: 364). This idea is supported by Dominelli (2012) who holds that the social work profession has a strong commitment to enabling gender equality so as to tackle the multiple forms of women's oppression and to empower them at local, national and international levels.

In an earlier study, Popple and Leighninger (2004) describe the social work profession as the core technology in the social welfare institution, which they claimed without the use of a gender lens interventions would be futile because they could ignore the key aspect of social life. In this study, problems in society are dealt with and perceived as dependency, similar to what Spitzer and Twikirize (2014) suggested in their study as the institution of society (like the home (family) and the community. The literature discussing the societal institution implies that every member of society has some social positions or status that go with specified roles. However, if a member fails to perform his/her roles adequately, or social institutions fail to extend help to them, then social stability is threatened, and social work has to intervene. Popple and Leighninger (2004) point out that the social work profession has two targets: The first target is that of helping individuals who have difficulty meeting their expectations. This is referred to as micro practice or clinical social work (social casework). The second target of social work concerns those aspects of social institutions that fail to support individuals in their efforts to fulfill role expectations. Popple and Leighninger referred to this as macro practice. Empowerment and consciousness raising must take place across all system levels. With other multi-model interventions to deal with the complex issues of cultural hegemony, patriarchy, power and violence. Sewpaul and Larsen (2014: 244) argued that “development cannot occur through macro level interventions alone. A critical reflection on one’s own thinking and on one’s social and political realities and the capacity to develop action strategies consequent upon these reflections is central to development.” Such an approach is particularly salient to issues discussed in this thesis, where social workers deal with individuals and communities that have naturalised and normalized dominant, harmful cultural beliefs and practices. In reaching out to the vulnerable and the marginalised women’s groups in this study, macro social work practice such as engaging in policy formation and legislation could assist in underlining the policy and practice in Tanzania.

### 3.3.1 The Legislation

In his book “Using the Law in Social Work,” Johns (2014) states that human rights and justice are fundamental to the principles and rule of the law in many countries. He explains that law is very important component of social work practice. He stresses that the majority of social workers today are employed by statutory agencies, that is, organisations such as local authorities whose every action has to be based on some kind of legal power that authorises it. Johns maintain that even for social

workers employed outside the statutory sector, the law provides the framework within which services are offered, and is crucial in areas such as child protection, where inter-agency co-operation is essential, and where every social worker has responsibilities (Johns 2014). The argument raised by many social work researchers is that it is impossible to practise without coming up against the law; it is equally impossible to practise effectively without an in-depth understanding of how the law affects every day social work practice. Hence, Johns (2014) contended that much of social workers' professional lives are spent in providing services to people and, in some cases, intervening in people's lives in order to protect them from themselves or other people.

When it comes to violating a woman or a girl child's rights in the cultural violence in the context of this study, researchers on women's rights such as Bond (2010) and White et al. (2002) claim that the African law does not always protect the oppressed woman nor does it convict the perpetrators. They argue that while in Africa the oppressed women and girls who undergo certain customary rites and experience violation are easily identified, the NGOs and activists are doing a lot to help them (ibid). The perpetrators/perpetuators of the cultural practices nonetheless remain invisible. Although the Tanzanian government has ratified the main international and regional women's rights protection instruments (Human Rights Watch 2014; see chapter eight of this study), many of these provisions continue to be violated in both law and practice. As argued in the introductory chapter, human rights researcher Bond (2010) attests that the coalition of human rights campaigns remain particularly concerned about the following violations in Tanzania: (i) the persistence of discriminatory laws; (ii) violence against women; (iii) unequal access to education, (iv) employment and health services; and (v) violations of the right to own property.

Tuyizere (2007), and NGO researchers of 28 TooMany (2012) in Tanzania have also highlighted that domestic violence and sexual violence are highly prevalent. Additionally, these researchers claim that customs and traditional practices condone the harassment and abuses of women, which prevail as the culture of impunity. Networking Program and Macro International (2007) report suggest that some NGOs and activists hold that cases of violence are underreported and those that are reported are often settled out of court. Kisaakye (2002) explains in her study that the Penal Code does not contain a specific provision on domestic violence and does not criminalise marital rape for instance. According to the Tanzania Human Rights Report (2012) in 2001, the Tanzanian government adopted a National Plan of Action to Combat Violence Against Women and Children (2001–2015), but inadequate funding and the lack of a comprehensive legal aid system that can be accessed by

women have hindered the effective implementation of this plan. In 2008, the Tanzanian Government announced its intention to amend laws that perpetuate gender-based violence but no such reforms have been introduced (Human Rights Watch 2014). According to Bourdon (2013), under Tanzanian law, the effect of the legal processes such as human rights remain relatively small. “Discussion of the cross-cultural applicability of human rights still revolve around universalism/relativism debate and the importance of culture” (Wilson 1997: 3), and has since called for an exploration of the social life rights (ibid).

The Tanzanian policy on women, development and gender provides guidelines to promote gender equality and encourages communities to refrain from harmful traditional practices, such as FGC, woman-to-woman marriage and widow cleansing rituals. The policy however, falls short of condemning such practices (Tungaraza 2005). According to the 2003 Tanzania National Policy Guidelines for Reproductive and Child Health, all women and girls have the right to be protected against all forms of discrimination, exploitation and abuse, including practices that adversely affect their reproductive health. In Tanzania, the National Policy on Women Development and Gender, addresses community education and the vital role of the community in combating harmful traditional practices, which have a deleterious effect on women’s reproductive health (ibid).

The legal pluralities have drawn anthropologists to recognise and investigate how sources of law originating in domains outside of the nation state are the source of legitimacy and recourse for many people (Benda-Beckmann et al. 2009). Anthropologists and other scholars have on the other hand, begun studying the ways in which various actors constitute human rights through negotiation, re-appropriation, reformulation and rejection. These actors make use of local understandings of personhood and rights and weave those conceptions into their human rights advocacy (Bourdon 2013). Utilizing a grounded theory approach to the law has revealed the ways and extent, to which people understand and locate themselves amongst existing legal regimes, and in some cases, ‘forum-shop’ for law or laws that will best suit their interests (Helfer et al. 1999). Bourdon (2013) attests that plural and legal orders offer both constraints and opportunities for people who live within them and offer new opportunities for key decision makers such as legal advocates, lawyers and judges to invoke laws with which they are most familiar, and to advance positions with which they are most ideologically aligned. In their discussions, these scholars acknowledged that while they deterred the limitations in the Tanzanian legislation, however, they also observed that there has been some progress made in Tanzania.

Bourdon (2013) and Benda-Beckmann et al. (2009) noted that Tanzania has made some positive responses to the issues of gender equality. They highlighted that the Tanzanian government has signed and ratified the CEDAW. By signing the CEDAW, the Tanzanian government is required to report the steps taken to protect women's rights. In addition, the government has heard the outcries of public and civil society organisations (CSO) regarding the need to review change and repeal some of the outdated and unfavourable laws impeding the rights of women and girls. The progress which Tanzania has made to address violence against women (VAW) includes:

The creation of National Strategy for growth and Reduction of Poverty (MKUKUTA): MKUKUTA contains several goals, targets and strategies which specifically address women's issues. Namely, to improve the quality of life and increase protection of rights for the poorest and most vulnerable groups: and to eradicate domestic violence (DV) and sexual violence (SV). As a strategy of attaining these targets the document indicates, "Government and other key actors will scale up the fight against all forms of abuse, including .... discrimination against women and children and other vulnerable groups (Government of Tanzania, 2005: 52).

In April 2012, when researching in the Kivulini archives, I discovered that in 2000, the Tanzanian government had established the Ministry of Community Development, Gender and Children. The establishment was a replacement of an inappropriate policy with the Women Development and Gender Policy, as well as the discrimination of the Kiswahili version of CEDAW, the Beijing Platform for Action, the SADC Gender, and the Development Declaration goals. Again, the establishment stressed that the development of monitoring indicators for the CEDAW implementation plan, and the affirmative action plan in Parliament supporting women comprising 30.0–33.3% of local government. The document highlights that:

The Law Reform Commission was established in Tanzania in early 1990, which had a mandate of reviewing laws associated with the Constitution and Bills of Rights. Twelve laws were presented to the National Assembly for review or change. However, of these laws, only four have been passed by the national Assembly to date. They are: the Sexual Offences (Special Provisions) Act of 1998; The Village Land Act No. 4 of 1999; The Village Act of 1999; The Marriage Act (Kivulini Archives April 2012).

Scholars such as Bourdon (2013) and Tungaraza (2005) maintain that these responses are the first steps in ending domestic violence (DV). They believe that the state is concerned about the protection of its citizens' rights and that measures to

defend these rights have been made (ibid). However, on its own, legislation is ineffective and perhaps even insignificant (Bond 2005). In reality, there is a huge disparity between having the laws in place and ensuring that they reach the majority of the population in rural and urban areas. As stated earlier, well equipped and qualified social workers are deeply involved in issues with people's rights: rights of access to information, rights and entitlements to services rights to be protected from harm (Johns 2014).

### 3.3.2 Social Work as a Fundamental Human Rights Profession

The profession of social work may be seen as a profession at the core of human rights practice that cuts across the different levels of society. This gives a good grounding for this study to address issues from the individual at grassroots to policy and institutional structures. This makes social work a dynamic profession to play a crucial role in ensuring that gender issues are fully integrated in development and gender equality is achieved (Spitzer & Twikirize 2014). Thus, as a social science discipline, social work remains committed to the promotion of social justice and human rights, focusing specifically on marginalised and disadvantaged people (Mwansa & Kreitzer 2012: 392). The Tanzanian government has signed several international human rights conventions, which provide a strong basis for the characterisation of the three practices in this study as violation of international human rights (28 TooMany 2013; Tanzania Human Rights Report 2012).<sup>11</sup>

However, researchers of 28 TooMany (2012); Chacha (2004) and White et al. (2002) argue that a human rights approach acknowledges that cultural practices like FGC, *Nyumba Ntobhu* marriage and widow cleansing and inheritance is a violation of women's and girls' human rights. According to 28 TooMany (2012) researchers, this approach is sometimes used alongside strategies to eradicate harmful practices based on the social abandonment theory derived from the social change theory. These researchers suggest that components of the social change theory include: (i) a non-judgmental human rights approach; (ii) community awareness raising of the harmfulness of the practice; (iii) a decision to abandon, for example, the studied practices, which would be a collective decision by the entire community; (iv) the requirement of community public affirmation of abandonment; (v) intercommunity diffusion of the decision; and (vi) a supportive change enabling environment,

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<sup>11</sup> The international human rights conventions signed by the Tanzanian government are listed and discussed in detail in Chapter Eight.



including the commitment of government. According to the report, the Christian Council of Tanzania (CCT) is developing pilots in the Mara Region (28 TooMany 2012: 61–62).

The Tanzania Human Rights Report (2012) discusses that cultural background as a primary source of identity of self-definition, expression, and sense of group belonging is diminished within the modern world where people's cultures meet and blend. Mutua (2008) holds that culture in Africa and indeed in Tanzania today, is defined by its distance from traditional cultures and proximity to Western values. Mutua maintains that in many instances African states continue to carry out 'modernisation' campaigns against 'backward people such as the Massai of Kenya and Tanzania (ibid). Those ethnic groups in Africa who still cling to their traditions are not regarded as living in a modern society. The Tanzania Human Rights Report (2012) documented that in a world of high cultural diversity, the concept of the universality of human rights would always tend to undermine the cultural relativism to maintain its status. Yet, at times, and in many countries, universal principles of human rights often collide with the enjoyment of cultural rights (Mutua 2008). Scholars such as Bond (2005) and Kisaakye (2002) discuss in their studies that cultural relativism negates the concept that human rights are absolutely universal and that human rights are culturally relative but not universal. However, according to the Tanzania Human Rights Report (2012: 146), international law emphasises that human rights are "for all without distinction. Human rights are natural-born rights for every human being, universally. They are not privileges."

It is argued by rights activists and scholars in the 2012 Tanzanian human rights report that the rights to enjoy one's culture are human rights as any other rights. According to Kisaakye (2002), African rights researchers attest that unfortunately, Tanzania as a nation does not recognise this factor. The Tanzania (2012) human rights report explains that cultural rights are slightly protected in human rights within the realm of the following two concepts. Firstly, there is the right to practice one's culture; this provides that people have the right to practice and continue shared traditions and activities. Secondly, the protection of culture in international law covers the scientific, literary, and artistic pursuits of society (ibid). When outside my own cultural and religious beliefs, on what authority can I work for change? These kinds of questions are a cause for debate (McGarvey 2007). Adopting Huntington's (1993) attitude of cultural relativism, McGarvey contends: "Rights must represent the particular belief system of the people concerned and therefore are to be defined by each particular culture society." As a result, minority and voiceless groups such as women are often those who suffer different forms of injustice in their societies,

are at the mercy of those in authority, those who define the content of rights and responsibilities (McGarvey 2007: 2).

Given the global recognition and provisions in international human rights instruments, which entrench and guarantee the equality of sexes, the equal and full dignity of the person, and non-discrimination on the basis of freedom from cruel, inhuman and degrading treatment, it could be expected that women should enjoy their human rights (Kisaakye 2002: 268). However, in practice, according to Kisaakye (2002), this is not so, and particularly in Tanzania, where the enjoyment of women's human rights remains elusive for the majority of the Kuria and Kerewe women. The human rights approach focuses attention on state-tolerated and state-sponsored discrimination against women. In many countries, statutory restrictions curtail women's freedom of movement, ability to inherit property, ability to divorce, and access to education, health care, and jobs (Human Rights Watch 1999). In others, such restrictions, while not strictly legal, are still tolerated (ibid). The human rights approach recognises that these discriminatory practices make women more vulnerable to violent victimisation and emotional abuse. Gender-based violence constitutes discrimination against women, which intersects with and impacts on other aspects of women's well-being and their enjoyment of human rights (White et al 2002).

The notion of the rights of humanity in the African tradition establishes the viable core understanding of human rights. Gyekye (1996) builds on this claim and explains that people are entitled to make a reasonable fact that they are human beings. There is a belief in the African context among the Kuria and the Kerewe of Tanzania that the conception of human dignity and the sanctity of human life are explicit. According to Gyekye (1996: 150), the belief among African indigenous communities is that "*All* human beings are children of God; *no one* is a child of the earth." This claim in the intrinsic value is worthy of respect in every sense. Gyekye (1996) and Mbiti (1991) hold that a concept of human dignity can be linked with or derived from the concepts of intrinsic value and respect. Concepts of human dignity, intrinsic value, and equal moral worth generate a notion of moral rights, as deriving ultimately from God or as belonging fundamentally to every human being as a creature of God, could be linked with the notion of innate rights (ibid). These scholars claim such rights belong to every human being by nature.

Therefore, in Tanzanian context, among the Kuria and Kerewe as well as other societies in Africa, the conception of human dignity compels the recognition of rights – some rights – not only in an individualistic but also in a communal context (Gyekye 1996). This is so because the derivation of human (individual) rights from

the supernatural cannot be confined to an individualistic context (Mbiti 1991). According to Gyekye (1996: 151), the respect for human dignity, a natural or fundamental attribute of human beings that cannot be set at nought by the communal structure, should generate regard for personal rights in a communal context. He also explains that the natural membership of the individual human being in a community cannot rob him or her dignity or intrinsic value, a fundamental and inalienable attribute he or she possesses as a human being (ibid). However, despite the African understanding of the communal concepts of human dignity and rights, these scholars do not rule out that many violations exist on the Africa continent.

Discussing human rights in the African concept in his study, Gyekye (1996: 149) gives the example that the reputation of African governments in the postcolonial era in matters of protecting and promoting the human rights of the citizens of their states has been poor. Gyekye claims there have been scandalous and numerous violations of human rights and a lack of respect for lives. The systematic nature of violations has raised questions about whether the value and concept of human rights is appreciated and practiced in the traditional cultures of Africa (ibid). “Gender based violence is a silent crime. It is a violation of human rights that usually goes undetected, behind culture and tradition, unreported and little addressed by legal structures” (Africa Link 1999: 3). It has been discussed in detail in this chapter that in patriarchal societies, the male dominated power structure continues to promote gender violence and gender inequality.

Kisaakye (2002) holds that in Africa, the cultural and traditional practices that violate women’s human rights are many and include early marriage of young girls, forced marriage, female genital cutting, polygamy, bride price, widow inheritance, widowhood rites, the trocusi system (female religious slavery), wife sharing, husband sharing, killing of twins and albinos, food taboos for women, honour killings, land/property acquisition and ownership rules, human sacrifice and witchcraft, male/boy preference, marriage and wife replacement (Kisaakye 2002: 268). I would add the *Nyumba Ntobhu* marriage institution to the list. Sewpaul (2016) argues that one of the complex issues across the globe is the compromising of civil, political, and socio-economic rights on account of specific cultural beliefs and practices. Addressing these complexity, Global Standards for Social Work Education and Training specifically calls for social work students to be schooled in a basic human rights approach (Sewpaul & Jones 2005: 223)<sup>12</sup>. Considering the important role the

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<sup>12</sup> Such an approach might facilitate constructive confrontation and change where certain cultural beliefs, values and traditions violate people’s basic rights. As culture is socially constructed and dynamic, it is subject to deconstruction and change. Such constructive

social worker has to play in her/his work of intervention, it is essential to investigate the standpoint of the professional institution of social work in Tanzania.

### 3.3.3 The Professional Institution of Social Work in Tanzania

Rwomire (2011) contends that social work practice is not well understood in Africa and most especially in Tanzania. This was observed during my fieldwork experience in 2012 in the communities of Mwanza and Mara in the Lake Zone of Tanzania. This is because social work as a profession is still at its initial stages in Tanzania (ibid). Social workers in Tanzania have major problems to deal with if they are to reach the goals surrounding the meaning, objectives, functions, and methods of their profession (Rwomire 2011). The Global Social Work defines the profession as:

Social work is a practice-based profession and academic discipline that facilitates social change and development, social cohesion, and the empowerment and liberation of people. Principles of social; justices, human rights, collective responsibility and respect for diversities are central to social work. Underpinned by theories of social work, social sciences, humanities and indigenous knowledges. Social work engages people and structures to address life challenges and enhance wellbeing (IASSW/IFSW 2014).

The above definition may be amplified at national and/or regional levels, as it acknowledges the diversities of social work practice and its context specific nature. There are claims in research that every society in every given stage of development has devised ways and means of providing services for those in need. The tendency of humans to help one another has been a common feature of all societies. Globally, every person owes certain duties to the family, community, and the nation state. Every person has rights, benefits, and responsibilities, which derive from membership to these social groupings (Rwomire 2011; Farley & Smith 2006).

In traditional African societies, the family (both immediate and extended) deals with social needs and social problems. Researchers such as Farley and Smith (2006) hold that there were no cadres of workers to handle such problems as human rights violations, epidemic disease, or poverty. Traditionally, in most African communities, the family lineage or clan elders dealt with such problems. Help was provided

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confrontation, deconstruction and change may be facilitated through a turning into, and an understanding of particular values, beliefs and traditions and via critical and reflective dialogue with members of that cultural group vis-à-vis broader human rights issues (Sewpaul & Jones 2005: 228).

through the extended family and the intervention of neighbours (ibid). It could therefore be argued that the family laid the foundation for modern social welfare and it could be acknowledged that religious organisations have also made a huge contribution to the development of social welfare (Rwomire 2011). Over time the nation state has gradually assumed a greater role as the principal source of social provision. Although the family and church are still important actors in the welfare field, they are no longer considered adequate to meet the needs of social problems, which have emerged because of rapid social and technological change (ibid). Modern societies have become so complex that state intervention in social welfare has become a universal phenomenon (Farley & Smith 2006).

According to Larsen et al. (2014: 1), discourses on participation must of necessity include other aspects of global discourse, such as human rights, direct democracy, and the power of contexts, social justice, social inclusion and social cohesion. Additionally, related discourses on poverty, exclusion, marginalisation, and oppression highlight the power of dreams, hopes and visions of change. According to Larsen et al. (2014), doing social work among indigenous communities assumes, for example, the kind of practice that portrays changes that must start from the grassroots. Relating this proposed practice in this study to the studied communities of the Kuria and Kerewe in Tanzania implies that the locals be conscientised to address the oppressive practices in their communities. The kind of method that portrays Freire's (1996) theories of emancipation and empowerment based on education with conscientisation. This notion has provoked and stimulated independent thinking based on egalitarian relationships. According to Kreitzer (2012: 3), the idea of critical thinking and participation became global, and has inspired community workers all over the world to focus on the importance of participation and involvement of indigenous people in democracy building and in challenging and changing oppressive structural condition of life. The philosophy of participation, peaceful action and the struggle for democracy, welfare and human rights are closely related to politics, the way countries and communities are organised and the types of welfare systems that exist (Freire 1996).

According to Mabeyo (2014), with the existence of multifaceted problems in the local communities, the social work profession in Tanzania must assume a very important role in addressing such problems. Social work must address the huge challenges as a result of poverty, marginalisation, and they must empower communities and restore people's problem-solving and coping capacities. The realisation of the above problems and challenges led to the training and creating of a social workers that could be deployed at the grassroots level and reach remote and

vulnerable groups. Writing about social work education in Tanzania, Linsk (2010) explained that the social welfare structures and educational resources vary in terms of the existence of social institutions such as ministries of social welfare as well as academic institutions to train competent workers (Linsk et al., 2010 cited in Mabeyo 2010: 125). However, it is observed that in Tanzania, societal recognition of the value of professional training in social work is not wide (Burke & Ngonyani 2004). This is because social work training has a narrow coverage and a relatively short history in Tanzania (Mabeyo 2014: 125). According to Mabeyo 2014:

...the history of the Institution of Social Work (ISW) was established by an Act of Parliament number 3 of 1973 that as subsequently amended under the written Law (Miscellaneous Amendment) Act No 3 of 2002. The Institution can, therefore, be considered the mother and the founder school of social work education and training in the country. From the early 1970s to mid-2000s, ISW was the sole public school that offered courses in the field of social work in the country. The rationale for the establishment of the Institute was to respond to the government demand for trained social welfare officers who would help to address various social problems facing the country at the time. .... So far, the Institute has expanded from having a social work student population of less than 100 in 1974 to above 2,000 in 2012. The growing size of the student's population partly indicates that there is an increased awareness and increasing demand for professional social workers in the country (Mabeyo 2014: 125).

To accomplish this task, Mabeyo related that the Institution of Social Work in Dar es Salaam in partnership with Jane Addams College of Social Work and the Midwest Aids Training and Education Center at the University of Illinois at Chicago have collaborated with the Tanzania Human Resource Capacity Project. Together with these partners, more than 4,026 paraprofessional social workers (PSWs), 642 PSW supervisors, and 103 master trainers across the country in order to produce a cadre of paraprofessional social workers who would be able to bridge the deficit between the actual and the required number of social workers in the country (Mabeyo 2014). According to Nakaka (2013), the American International Health Alliance (AIHA) and the said partners also support the development and standardisation of social work curriculum across 12 universities through the Tanzania Emerging Schools of Social Work Programme (TESWEP). AIHA and partners have also revitalised and are working to strengthen the capacity of the Tanzania Association of Social Workers (TASWO), a national professional association for social workers (Nakaka 2013 cited in Mabeyo 2014: 123).

As an outcome of the above programmes, TASWO organised and facilitated the formation of a Social Work Council and Bill in 2012. The Tanzania government gave full support at the inauguration of the social workers campaign for the Social Work

Bill. In his opening speech at the TASWO Summit on 16<sup>th</sup> October 2012, Dr. Hussein Mwinyi (the Minister of Health for Tanzania) expressed that social work has an essential role to play in creating meaningful change in the lives of people who are vulnerable, helpless and voiceless. The Minister congratulated TASWO for spearheading initiatives for the betterment of the social work profession and the welfare of Tanzanian society (Tanzanian Daily News Paper, 20 October 2012). In response to the Minister's speech, the acting chairperson, Dr. Mabeyo, told the Minister that the lack of a regulatory council and an explicit social welfare policy were major stumbling blocks to the development of the social work profession in Tanzania.

Mabeyo holds that accounts of the history of social work show that there are several distinct patterns of the evolution of the profession. She added that in the African experience, the development of modern social welfare and social work is a result of colonialism (Mabeyo 2012: 121 see also, Mwansa & Kreitzer 2012: 394). Quoting Kreitzer (2012), Mabeyo expressed that teaching the history of social work in Africa has relied on the European perspective with little attention paid to how social supports evolved in Africa. Despite the distinct patterns of evolution, the profession is committed to promoting human rights and social justice, focusing on the marginalised and vulnerable people (Mabeyo 2012, IFSW 2010).

Social work is a profession that is change-oriented and envisioned towards ensuring that meaningful changes in peoples' lives are attained (Mabeyo 2014, IFSW 2010). In their studies, Twikirize et al. (2014) highlighted that tradition and culture are important aspects of social work practice. Social workers have the responsibility to promote social justice, in relation to society in general and in relation to the people with whom they work. However, despite social workers' commitment and contribution to creating positive changes in people's lives, social work as a profession is not adequately known and hence not fully utilised in Tanzania (Mabeyo 2012, IFSW 2010). A good number of factors stand as a stumbling block for the profession to be visible and accessible to the vulnerable in the rural poor among them are those women and girls in Kuria and Ukerewe communities in this study. Mabeyo (2014), attests that not much has been documented in Tanzania regarding the social work profession. She emphasises that with the existence of multifaceted problems, the social work profession in Tanzania must assume very important roles in addressing poverty, empowering communities, and restoring people's problem-solving and coping capacities (Mabeyo 2014:121). There is also an immediate need addressing problems related to the oppressed and oppressor regarding traditional practices, such as the three practices under study in Tanzania and on the African continent.

According to Freire (1996: 26) the oppressed, having internalised the image of the oppressor and adopted his guidelines, are fearful of freedom. Freedom would require them to eject this image and replace it with autonomy and responsibility. The freedom the women folk seek is not to be got overnight, and not through bribing their way out. In this study context, however, that freedom must be pursued constantly and responsibly. Freire contended that freedom is not an idea located outside of people, nor is it an idea that becomes myth. He maintained that freedom of oppression is rather the indispensable condition for the quest for human accomplishment (*ibid*). Research has shown that when we turn to analyse the situation of oppression, people must first critically identify the causes so that through transforming action they can create a new situation. This kind of transforming act that makes it possible for the women folk to realise their fuller humanity.

Freire (1996) suggests that the situation of oppression is a dehumanised and dehumanising totality affecting both the oppressors and those they oppressed. Researchers such as (Tuyizere 2007 and White et al. 2002) predict that it is the latter who must, from their stifled humanity, wage struggle for the fuller humanity; the oppressor, who is himself dehumanised because he dehumanises others, is unable to lead this struggle (*ibid*). Freire (1996: 29) explained that the oppressed, who have adapted to the structure of domination in which they are immersed, and have become resigned to it, are inhibited from waging the struggle for freedom so long as they feel incapable of running the risks required. I have a hunch that, for women in the patriarchal communities like those in the Kuria and Ukerewe areas, the struggle for their freedom from oppressive traditional practices threatens not only their oppressors such as the male oppressors, but also the elderly women who oppressed fellow women.

Trevithick (2012) holds that all assumptions should be questioned in doing this kind of research. She explains this assumption by quoting Lord Laming (2003) who stated that “the concept of ‘respectful uncertainty’ should lie at the heart of the relationship between the social worker and the family – an approach that needs to involve the critical evaluation of information that they are given” (Laming 2003: 205 cited in Trevithick 2012: 26). What this example highlights, according to Trevithick, is the importance of questioning all sources of information – of thinking carefully and critically about the information or data available to support our assumptions and the positions we adopt – whether this originates from our own personal experiences, the professional knowledge that we and others have acquired, the teaching we have been given or the research findings we have read (Trevithick 2012). However, these assumptions may not always portray a clear image because how people interpret and



understand events or information may lead to different conclusions and it is this tension that needs to be grappled with (Trevithick 2012: 26).

## 4 THE RESEARCH TASK AND METHODOLOGY

### 4.1 Research Task

The aim of the study was to explore women-to-women violence perpetuated over time in the patriarchal communities of the Kuria and the Ukerewe ethnic groups of Tanzania. In these communities, the general perception is that cultural practices such as female genital cutting, the widow cleansing ritual, and woman-to-woman marriage (*Nyumba Ntobbu*) are pioneered by men to reinforce their authority over female bodies (Akintunde & Labeodan 2002; White et al. 2002). These practices violate the sexuality and bodily rights of the girls and women who in most instances have to undergo certain rituals, and it is elderly or senior women who play a major role in promoting the cultural practices in question. Hence, this study examined the role that these elderly women play in the entire organisation of the ritual procedure and the experiences of the young women as narrated in the empirical chapters. My choice of the research questions reflects my interest in “obtaining the richness of the research participants’ experiences, their feelings, and understanding” (Denzin & Lincoln 2005: 18) of the three practices in their social and cultural context.

The following questions guided the investigation into finding meaning and understanding of the research phenomena.

- How has the phenomenon of “women-to-women” violence persisted over time?
- What are the mechanisms through which women establish power and domination over other women?
- What is the driving force feeding the continual women-to-women violence?

More concretely, through this study of women-to-women violence, my objective is to understand the mechanisms that have kept the three studied practices alive over the years. Through the narratives of women who claim to be victimised by certain cultural and traditional practices in the Kuria and Ukerewe patriarchal community setting, I wanted to find out how their rights have been violated. I depended on the collaboration of elderly women and clan elders, who perceive these practices as a

‘trademark’ of ethnicity in their societal context. The input of other informants, such as the community actors, NGOs, and community-based organisations (hereafter CBOs) provided insight and understanding of how and why these practices persist in these societies.

In order to reach the study objectives, I listened to the stories of a select group of women who are involved in such violence to get their views of the values, experiences and general meanings of the rituals that they undergo in order to understand their stories of violence in their social and cultural context. I also wanted to describe and analyse the discernible patterns of the practices in question in which some women are both perpetrators and victims of the violence. I chose to collaborate with NGOs involved in women’s rights issues operating in two of the Lake Zone regions of Tanzania in order to have contact with the victims of this customary abuse. Hence, I went through the NGOs to utilise their contacts and have access to interview those women who were receiving counseling.

I am aware that listening to the stories of these women, the clients of the NGOs, who claim their rights have been violated through the cultural practices, and who see themselves as ‘victims’ would only give me a negative view of the practices. However, in this study, my interest is in both the women victims’ stories and the stories of the perpetrators and promoters of the practices, as well as the stories of the community actors and clan elders. The stories of these actors and elders shed light on the broader meaning as well as those of the socio-cultural meanings and understandings of the customary rites in the study. Therefore, I considered the involvement of perpetrators and promoters, and all other informants in the research area vital. As a social work researcher, I viewed the informants as being in positions who could influence change in a strategic way in their society.

Twikirize (2014: 69) notes that social workers have a role to challenge oppressive cultural and traditional beliefs that perpetuate gender inequality. However, she warns that this has to be done cautiously through the adoption of a culturally appropriate practice, which takes into account the unique characteristics including the needs, norms, and values within the given context (*ibid*). Hence, my motivation as a social work researcher is to empower the women, and as pointed out by Freire (1970), help the individuals, groups, and communities to begin to question their realities through a process of conscientisation. Similar to Midgley’s (2010) study explaining that through this process, exploitative and oppressive power structures may be challenged to address concerns about power and control. Twikirize (2014) believes that through sensitisation, social workers can help clear misconceptions about gender and gender equality among community members, including women

themselves, particularly those at the grassroots level. I have always been interested in studying issues of social justice, empowerment, inequality, dominance, repression, supremacy or subjugation/suppression, and victimisation within the African patriarchal settings. Researching issues on power struggles or relations between the powerful and less powerful have been my passion, which I perceive contested among genders within the African patriarchal communities.

## 4.2 Research Methodology

This research was guided by the qualitative approach, where the main strategy of data collection was in-depth interviews. Qualitative interviews have been categorised in a variety of ways (DiCicco-Bloom & Crabtree 2006: 314). The specific interviews used in the study will unfold later in the chapter. According to Patton (2002), qualitative research is characterised by its aims that relate to understanding some aspect of social life and its methods, which in general generate words, rather than numbers, as data for analysis. Snape and Spencer (2003) hold that in doing qualitative research, different methodological approaches are underpinned by particular philosophical assumptions. They suggest that researchers should maintain consistency between the philosophical starting point and the methods they adopt. They propose that the methods used reflect a particular mix of philosophy, research objectives, participants, funders, and audience relevant to applied policy research (ibid). Bernard (2000) points out that the flexible approach of qualitative study ensures the gathering of the phenomena in question of a study as a way of unfolding the advantages and disadvantages.

Creswell (2003: 20) explains that a qualitative research approach strategy is acknowledged as useful for establishing the meanings of the social phenomena from the point of view of informants in the natural settings. This approach “seeks out the ‘why’, not the ‘how’ of its topic through the analysis of unstructured information” (Muhammad et al. 2011: 2082). Creswell’s (2003: 20) explanation reflects this study objective considering that this research project aims at analysing the meanings of power relations that exist among the women in the study concerning the cultural practices in question and the discourses underlying those powers or meanings. Patton (2002) and Bernard (2000) hold that doing this kind of research is normally done through qualitative rather than quantitative research. Moreover, “the qualitative research design cannot be fully spelled out before the data collection process” (Dahlgren et al. 2007: 30).

In their study on epistemology and ontology, Denzin and Lincoln's (2005) conceptualised qualitative methodology as an essential part in a research project. They explain that it serves as a thorough structured and systematic manner to obtain, generate, clarify, and advance knowledge (i.e. epistemology), and help in the understanding of specific unsaturated problem in the context of social being or reality (i.e. theory/ontology). Snape and Spencer (2003: 1) hold that "there is no single, accepted way of doing qualitative research. How researchers carry it out depends upon a range of factors including their beliefs about the nature of the social world and what can be known about it." To summarise a complex debate, epistemology is what counts as knowledge while ontology reflects what we believe is reality. It is therefore important for researchers to be clear about their epistemological and ontological positions.

A qualitative method is chosen for this study because the nature of the research topic requires flexibility in order to be able to learn from every step of the study to focus more on addressing the research questions as insights would be gained in the process (Africanus 2012: 55). Researching cultural meaning is sensitive as it touches the lives of powerful, valuable and vulnerable members of the society (Atkinson et al. 2008). People sharing little in the way of practical experience or worldviews seem to unite in the emotional evaluations of events that lie outside their personal lives and experiences (Jacobsson et al. 2013). In these events, the convergence in emotional experiences becomes a puzzle. The reality is that social and economic heterogeneity, moral fragmentation, and loss of religious or tribal meanings, according to Jacobsson et al. (2013), works against developing more-or-less shared cognitive, emotional, and moral meanings.

Patton (2000), Denzin and Lincoln (2000) hold that a single method can never adequately shed light on study phenomena. They suggest, along with Snape and Spencer (2003) that using multiple methods can help facilitate deeper understanding, and checking out the consistency of findings generated by different data collection methods. In this study, the integration of the qualitative research as the methodological framework for investigating gendered violence issues among the Kuria and Kerewe ethnic groups introduced "many distinct formats of qualitative interviews that greatly expanded the process of data collection and the depth of information being gathered in the study" (DiCicco-Bloom & Crabtree 2006: 314). Ellsberg and Heise (2005: 73) attest that "qualitative research methods are extremely useful to researchers and advocates interested in the study of violence as they are helpful for assessing community needs, designing prevention campaigns, planning and evaluating interventions, and engaging community actors via participatory

research.” A report on the “African Medical and Research Foundation” (AMREF 2008: 18) highlights, that qualitative research must be part of everything that we do. In addition, the AMREF report emphasise that we should not carry out such research for the sake of it. However, the research should prompt action as well as policies so that the interventions that are put in place are based on evidence, and responsive to the needs of the communities (ibid). The idea of a study encouraging action on policies to enhance intervention process is one of the goals of this study.

The study employed multi-methodological approach, a technique known as triangulation. According to Flick (2004) and Ritchie (2003), triangulation refers to the use of more than one qualitative method to look at the same issue. These researchers argue that triangulation can also involve the use of one-method on different study populations. However, the triangulation technique involves using multiple data sources in an investigation to produce understanding (Ritchie 2003). The process of triangulation in the study included sample and data triangulation in that the same phenomena was studied through inclusion of women who had undergone the cultural procedures, key informants in the community and elderly women who undertook the procedures, and data were collected via in-depth interviews and groups discussions. This approach comprised the capturing of unstructured data through audio recording and note taking during the interviews. As suggested by Flick (2004) and Ritchie (2003), the use of triangulation in conducting interviews helped to ensure that the research findings are trustworthy, or convincing to others. According to Denzin (1978), qualitative researchers generally use this technique to ensure that an account is rich, robust, comprehensive, and well developed.

Fox and colleagues (2007) attest that interviews tend to be more formal than friendly conversations because the interviews have a definite purpose and direction. While most research highlight that interviews are used to get to know the interviewees better, DiCicco-Bloom and Crabtree (2006: 314) added that “the purpose of that knowing varies according to the research questions and the disciplinary perspective of the researcher.” Moreover, a better knowledge of interviewees in a research project makes it easier for “the researcher to collect empirical materials bearing on the questions and writes about them and then analysis them” (Denzin & Lincoln 2005: 18). The utilisation of this process of knowledge served as the guideline in conducting the interviews in this research to understand the root causes of women-to-women violence that exist in the three cultural practices under study.

Dingwall and Greatbatch (1991) hold that interviews are extremely effective at garnering data on individuals' perceptions or views and on the reasoning underlying the responses. They also provide an insight into individual's experiences. According to Dingwall and Greatbatch (1994), there are some general rules that apply to the different forms of qualitative interviews. For instance, they stress that qualitative interviews should be either very loosely structured, that is, the researcher may make use of prompts to steer the discussion through a series of issues deemed important by the researcher (*ibid*). Anttila's (2012) study reveals that interviews are narratives that emerge because of social interaction, and they assist to interpret some phenomena that would otherwise remain invisible. Dingwall and Greatbatch (1991) also note that having the interviews observed by a research assistant as a third party helps double check the judgments of interviewees' behaviour by the research participants.

In this study, the use of qualitative interviews was not only to find information by describing the typical situation of the women who claim to be victims. However, as suggested by Atkinson and colleagues (2008), it is to consider the fact that in the analysis of qualitative data, the question always concerns the concept of meaning and sense making. The used of interviews was the main form of data gathering in this study. Even though this study is influenced by ethnographic thinking, the main source of data remains the interviews, which are based on a holistic form of interviewing utilizing respectful, on-going relationships with interviewees that allow for an all-embracing and meaningful understanding of their world (Pink 2009; Spradley 1979). Hence, I consider my study in the lake zone regions of Tanzania as having crucial elements of ethnographic approaches based on my foreknowledge of the Kuria and Kerewe cultures, and the observations made while in the fieldwork.

What Silverman (2001) calls 'interview-as-local-accomplishment' is a form of interaction jointly constructed by the interviewer and interviewees. However, Silverman (2001) argued that interviews do not always provide good data on the interviewee's behaviour, because of the problems of memory and selective recall. From this perception, Holstein and Gubrium (2004) explain that interviews are an interpretative practice, in which what is said is inextricably tied to where it is said, how it is said, and importantly, to whom it is said. Based on this idea, I perceive the relationship between interviewer and interviewee as fundamental in research interview. What I have come to understand about data collection through interviews as explained by Garton and Copland (2010) is that interviews are not merely a methodological tool for gathering empirical data for analysis but a focus of interest in itself.

According to Atkinson and colleagues (2008), when a great deal of qualitative research has become 'thin' in the sense of relying on a single preferred method of inquiry and the kind of data associated with it, such as interviews, ethnographies appeal to holism and capturing complexity both in terms of data and the phenomena studied. Even though relying on cases in a particular social world, ethnographies can capture social processes, arrangements, and doings that are observable and applicable beyond their particular context (Atkinson et al 2008; Cerwonka & Malkki 2007). This is to say; the elements of ethnographic research in this study may produce generic ideas, concepts and theories, which transcend the bounded context of a particular social world (Atkinson et al. 2008: 31–32).

In this study, the qualitative method and the exploratory-descriptive design is used to describe people of the same ethnic group who share a distinctive culture that interprets learned patterns of values, behaviour, beliefs, and language of a culture-sharing group (Atkinson et al. 2008). According to Cerwonka and Malkki (2007), the subjective nature of ethnographic accounts in a study should not hide the fact that ethnographic knowledge production draws on theory to interpret cultural phenomena as they are encountered. These researchers' suggestion is in line with my many years of living in and interaction with the Kuria and Kerewe ethnic groups in a multi-cultural community. The ethnographic elements in the study involved extended observations of the group most often through participant observation in which the researcher is immersed in the day-to-day lives of the people he/she observes (Cerwonka & Malkki 2007). In this study, the aim of ethnography is to understand the entire phenomena under study as much as possible, including the social organisation and cultural procedures as part of the representation of the entire research arena (Atkinson et al. 2008). Fieldwork is conceived as being in the world of discovering, as all ethnographic work implies a degree of participant observation and personal engagement with the field and the data (ibid). While many regard ethnography in many ways as an invaluable form of empiricism, it could be said that it involves both time and intensity that work for its benefit (Ranta-Tyrkkö 2010).

Carspecken and Apple (1992) suggest that critical researchers typically are politically minded individuals who seek, through their research, to speak out against inequality and power domination. Madison (2005) and Thomas (1993) explain further that an ethnographer employs a 'critical' approach by including in the research an advocacy perspective, which could advocate the emancipation of women's groups marginalised in a society sometimes but not necessarily always. Madison (2005) holds that this approach raises concerns in the societal response in current or modern societies where the systems of power, prestige, privilege, and



authority serve to marginalise individuals who are from different classes, races, and genders.

Often ethnographers conduct studies on economically and politically marginalised places, people, and their stories, and may therefore be in a position to articulate criticisms and resistance that would otherwise remain undocumented and without wider recognition (Gupta & Ferguson 1997). This second idea is true of researching cultural practices where every aspect of culture is seen as an accepted norm. As described by Gupta and Ferguson (1997), the ethnographic experience in a study is based on witnessing, testimony or advocacy encompassing a broad agenda of social and political activism (*ibid*). In this way, the advocate tries to improve the situation of a community through close collaboration with powerful members such as the clan elders and community actors, as in the case of this study. However, my research goes beyond advocacy, it also explores the patriarchal structural forms and the gender hierarchy systems that exist among the ethnic groups in the project area that provides privileges to certain women folk of certain status or age.

In the study, the interviewees represent the ethnic groups of their societies where the research was conducted. Even one deviant informant will oblige the researcher to reinterpret the theory that would get support from the interviews of the majority of the informants (Alasuutari 1995). Therefore, the interviews are interpreted as authentic expressions of the interviewees, although they may be impacted by situational factors (*ibid*). As Jacobsson et al. (2013) highlighted in their study, during fieldwork, the researcher begins exploring the individual micro-level experiences, and then working ‘up’ the participants’ experiences to social/cultural macro-level characteristics.

### 4.3 Research Techniques Employed in the Study

According to Ellsberg and Heise (2005: 450), researchers employ a wide range of techniques when collecting data. These researchers suggest the use of techniques that may include personal interviews, focus group discussions (FGDs), observations, open-ended questions, and storytelling (*ibid*), which are appropriate in this study. Interviews used in this qualitative study are unstructured in accordance with the kind of content the study seeks to elicit (Roulson 2006). The interviews explored the meaning of the phenomena under study. This entailed particular approaches to data analysis and their representation (*ibid*). Each interview technique employed was used

for different purposes, which corresponds with different theoretical assumptions about how the researcher learns about the participants' social world.

The use of unstructured interviews in a study as suggested by Silverman (2006) highlights the fact that the researcher has to have the research topic in mind and from time to time steer the conversation towards the research questions. The talks generated from the unstructured interviews resemble conversation, and the interviewees are freer to ask questions from the researcher or the interviewer (Pink 2009; Silverman 2006). As explained by Malinowski (1932), the most widely used unstructured interview originates from the ethnographic tradition of anthropology. This is appropriate because ethnographic elements influenced the gathering of data in the study due to long time community observation. Following the suggestion of DiCicco-Bloom and Crabtree (2006), key informants were selected for their knowledge and role in the community setting. These key informants' ability and willingness to share gave them a role as mentors or commentators in the research project. The introductory questions at the beginning of each interview session were posed in relation to the ongoing ethnographic knowledge through observation (Pink 2009). In line with the recommendations of DiCicco-Bloom and Crabtree (2006), the numerous talks with key informants took place in spontaneous conversations rather than from any pre-specified research questions outlined to guide the interviews. Apart from the individual interviews, the unstructured interview technique was also employed for the group interviews and the focus group discussions as the interviews proceeded with no formal interview guides (Pink 2009; DiCicco-Bloom & Crabtree 2006).

Boyce and Palena (2006) hold that individual in-depth interviews are a qualitative research technique that involves conducting intensive individual interviews with a small number of respondents to explore their perspectives on a particular idea, program, or situation. The individual in-depth interviews were used in the study to generate data to examine participants' lived experiences to generate detailed in-depth descriptions of their human experiences (Pink 2009; Fox et al. 2007). As this study examined the phenomenon of violence and perceptions of the different actors in the community, individual interviews used were similar to what Ellsberg and Heise (2005) proposed as extensively to examine the phenomenon issues at stake. Hence, this study employed the use of individual in-depth interviews, which allowed the interviewer to delve deeply into the social and personal life matters (Denzin's 1978; Mishler 1986).

According to Owen (2001), group interviews often take the form of focus groups, with multiple participants sharing their knowledge or experience about a specific

subject. The group interviews in this study followed the format suggested by Pink (2009) as one of the range of qualitative data collection methods that led to gather both useful data and truly participatory interviewer-interviewee interaction. The formations of groups for interviews in the study are not just a convenient way to accumulate the individual knowledge of their members. Following Pink (2009: 87), “they give rise synergistically to insights and solutions that would not come about without them.” On the other hand, according to DiCicco-Bloom and Crabtree (2006), group interviews allow interviewers to get wider range of experiences but maintain that the public nature of the process prevents delving as deeply into the individual. In conducting this form of group interview, the study also adopted the use of a language sensitive questioning approach. This approach is similar to what Alexander (1992) designed to encourage informants to use terms and phrases common to the cultural scene and remind informants that the researcher has learned their language. This way of questioning is very important for both the informants and interviewer as it demonstrates familiarity with the informant’s culture (ibid). Framing such questions enable the informants to talk about patterns of behaviour in a cultural scene, including aspects that they have not experienced personally (Pink 2009; Fox et al. 2007). The more familiar the informant and researcher are with each other’s cultures, the more important language sensitive questioning is.

Using focus groups in a study is a way of collecting qualitative data by engaging a small number of people in an informal group discussion focused on a particular topic or set of issues (Wilkinson 2003). This method was employed to collect qualitative data because of my interest in understanding the experiences of informants’ feelings and opinions in the communities on the impact of the cultural practices under study. According to Pink (2009), the beliefs, experiences, perceptions, perspectives, meanings and rationales (if any) the informants had to share about their communities is considered to add to the richness of the project. Additionally, the use of a focus group is considered in the study because one of the objectives in this research is to understand cultural patterns and the human behaviour of the Kuria and Kerewe ethnics groups. As such, informants such as the clan elders, community actors’, etc. are thought to have something to share on the subject matter of the study. However, due to the sensitivity of the research topic, I became pessimistic and fearful that the informants would be divided in opinions. Moreover, I equally feared gendered power differentials that exist in the studied communities because both genders made up the groups for the interviews.

My observations over the years living and interacting with the different ethnic groups in a Tanzanian metropolitan area is that in meetings, the young members do

not challenge the opinions of their elders because they believe that the wisdom of the elderly is to be respected. This observation is equally noticeable when the male and female folk are put together in meetings for discussions. In such meetings, most women particularly those in the rural areas become reserved and shy to share and air their opinions on issues at stake. However, those women living in the urban areas are more likely to air their views in group discussions. I have lived and worked for almost a decade in Mwanza, a cosmopolitan city with different ethnic groups from all parts of Tanzania. However, within the city setting, the interviews and discussions focused on the Kuria and the Ukerewe ethnic group members living in Mwanza city communities.

My many years of experience as a missionary made me comfortable among the locals, which made it feel familiar with the community meaning of the culture-sharing groups in question to understand how the culture is to be interpreted. Geertz (1974) holds that if knowing a culture is anything like grasping a proverb, catching an allusion, or understanding a joke, then it is a most ambivalent matter (Geertz 1974: 45 cited in Van 1988: 119). Moreover, a culture is not something that one can know, learn, and understand at once or within a short period. As a researcher, I pursue the understanding of culture and meaning of the study, but as Van (1988: 119) puts it: "...culture and its meaning are elusive, will-o'-the-wisp targets slip in and out of view, appear in many apparitions, may look from different angles, and even sometimes move with surprising speed." Knowing a culture, even our own, is a never-ending story (ibid) I learned this reality as a missionary in Tanzania.

#### 4.4 Going to the Field in Tanzania

The United Republic of Tanzania (URT) located in East Africa is the largest of all five East African countries (Tanzania Human Rights Report 2012). It is bordered by Kenya, Uganda, Zambia, Mozambique, Rwanda, and Burundi (Legal Human Rights Centre 2007: 1). The United Republic of Tanzania was formed out of the union of two sovereign states, namely, Tanganyika and Zanzibar (28 TooMany 2013). Tanganyika became a sovereign state on the 9<sup>th</sup> December 1961 and became a Republic in 1962 (Ministry of National Culture and Youth record in 1964). The ethnics' make-up of Tanzania is vast, with 130 Bantu tribes representing 95% of the overall population. According to the report, 1% consists of Asian, Arabs, and European people (28 TooMany 2013: 23; see also World Factbook 2012).

Below are two maps. [1] Africa Map showing Tanzania. [2] A Map of Tanzania with arrows pointing to research targeted regions around Lake Victoria: Mwanza and Musoma in the Mara Region.



**Map 1.** Africa map showing Tanzania and map of Tanzania showing Mwanza and Musoma

Tanzania is divided into thirty administrative regions since the year 2012 as shown in the map below:



**Map 2.** Administrative Organisational Structure in Tanzania (www.utdcom.com)

An explanation of the administrative organisational structure on the “wards” as the interviews and group discussions were conducted in the ‘wards’ within the districts of the two regions under study before proceeding. With 70% of the Tanzanian population living in rural areas, most people live in villages. For administrative purposes, these areas are grouped together as “wards” with a population of between 8,000–12,000 people. In urban areas, these communities can be contiguous, with the boundary being just a line on a map. Rural communities are more spread out and in places, the different villages that make up a "ward" can be many hours walk from each other. A number of wards, on average four or five, will form a division with a population of between 40,000–60,000 people. Four or five divisions form a district whilst four or five districts make up a region.

#### 4.4.1 Research Location

The research was conducted in three specific targeted areas around the Lake Zone regions, which are located in the northwestern part of Tanzania on the shores of Lake Victoria. These are the Mara and Mwanza regions. In the Mara region, the research was conducted in Musoma rural district. In addition, three districts in the Mwanza region; Ukerewe district (an island), and Nyamagana and Ilemela districts within the Mwanza city. Kivulini Women’s Rights Organisation operates in these locations in collaboration with other rights organisations such as the Action Based Community Foundation (ABC F); Community Based Organisation (CBO) and “*Kikundi Cha Mila na Desturi Ukerewe*” meaning “organisation of customs and traditional norms in Ukerewe”, this NGO is popularly known by its abbreviation as (KIMIDEU, this abbreviation will be used throughout the study). Their aim is – “*Kuboresha, Mienendo na Desturi kwa Ustawi*” meaning “Improving norms and customs for the betterment of the society.

## The Districts and Population of Mwanza and Mara Regions of Tanzania since 2012

Administratively, Mara region is divided into seven districts as indicated below.

### Districts of Mara Region

Map



District	Population (2012)
Bunda	335,061
Butiama	241,732
<u>Musoma Rural</u>	<u>178,356</u>
Musoma Urban	134,327
Rorya	265,241
Serengeti	249,420
Tarime	339,693
<b>Total</b>	<b>1,743,830</b>

The underlined is the research district and population. Administratively, the districts are divided into 27 wards. The study was conducted in two of these wards namely: Bwirege and Kyanyari wards.

**Map 3.** The districts of Mara region (Wikipedia)

Administratively, Mwanza region is divided into seven districts as indicated below.

### Districts of Mwanza Region

Map



District	Population (2012)
<u>Ilemela</u>	<u>343,001</u>
Kwimba	406,509
Magu	299,759
Misungwi	351,607
<u>Nyamagana</u>	<u>363,452</u>
Sengerema	663,034
<u>Ukerewe</u>	<u>345,147</u>
<b>Total</b>	<b>2,772,509</b>

The three underlined districts and population are the research-conducted areas. Nyamagana and Ilemela districts make up the population of Mwanza city, whiles Ukerewe District is an island within the region.

**Map 4.** Districts in Mwanza Region (Wikipedia)

#### 4.4.2 Collaboration with Local NGO, Kivulini

In the previous sections, I had mentioned that my interviewees were selected women – clients of the local NGOs who operate within the research-targeted area. These women felt victimised by the cultural practices under study. Prior to this study, I did voluntary work from 2005 to 2009 with the Legal Aid and Counseling team, at Kivulini Women's Rights Organisation (NGO). During that period, I met with women and girls who received counseling and health advice. Some of these clients shared experiences with fellow women and girls facing the same kind of violation arising from the cultural practices in the communities. Before proceeding, I outline the significance of Kivulini.

Kivulini Women's Rights Organisations is a registered nongovernmental organisation (NGO) established in 1999 to prevent violence against women and girls in the Mwanza region. The word Kivulini, translated from Kiswahili, means 'in the shade'. It implies a place of safety, under a tree or otherwise a shady place, where people meet for discussions and offer support to one another. Currently, the organisation has extensive roots within the communities in Mwanza and other regions in the lake zone areas including a network of over sixty community-based groups and about two hundred community volunteers who conduct community awareness and education sessions on domestic violence. Community volunteers engage their constituents to challenge traditional norms and customs that encourage gender-based violence. They also support and counsel victims of violence, and when necessary give them referrals to hospitals, courts, and ward tribunals.

Before I went to the field, I had on many occasions communicated through e-mail with to the executive director of Kivulini Women's Rights Organisation requesting to do my fieldwork through the Organisation. I also communicated with my home university St. Augustine University of Tanzania (SAUT), asking for an office space during the fieldwork period. Upon arrival, I reported to my home university in Mwanza and discussed my research proposal with the director of postgraduate studies. He then wrote a letter to the regional administration and local government office in Mwanza, requesting for a research permit on my behalf to enable me conduct my fieldwork. This process took almost three weeks.

Having obtained the research permit in December 2011, I visited the Kivulini women's rights centre after the Christmas break to discuss my research aims and objectives as well as methodology with the team involved in legal aid and counseling. After going through the three major research questions, it was realised that apart from conducting interviews and group discussions in the Ilemela and Nyamagana



districts (the two districts that make up the Mwanza city population), similar interviews and group discussions could be conducted in two rural areas within the lake zone region along the shores of Lake Victoria. The initial research area of the project was thus changed from Mwanza city to two Lake Zone regions.

I spent six months in the field from December 2011 to end of May 2012. I had initially asked for two research assistants but due to financial constrain, I was compelled to have only one assistant. Mama Anna Chambo, the programme officer for capacity building is the legal facilitator as well as a counselor at Kivulini. She agreed to be my research assistant. In order to devote her time fully to assist me in the field outside Mwanza, Mama Anna had to take twenty-one working days leave from Kivulini office. I had to write a formal letter to the Executive Director Officer of Kivulini asking permission for Mama Anna to assist me.

Mama Anna had trained the NGO staff on legal matters in previous years in the research-targeted area and so was familiar with people in the area. Mama Anna is a 73-year old (at the time of fieldwork) Tanzanian from the Sukuma ethnic group. She was the first female Minister for Physical Education in Tanzania. As a trained primary school teacher, she had the opportunity to study physical education in Great Britain in the late 1960s. She returned to Tanzania and taught in many teacher training colleges as a tutor trainer before her appointment to work at the Ministry of Education. She retired from the Ministry of Education in 1992 and joined the Kivulini Rights Organisation in 1997. She has a good grasp of Kiswahili the official language of Tanzania, the local dialects of the research areas as well as the English language, which was a great help, as she always explained informants' stories or ideas that I did not fully understand.

I have known Mama Anna and worked with her since 2005 at the legal aid and counseling session at Kivulini. We are friends and colleagues and had cordial relationship even though at the time of the research I no longer worked with Kivulini organisation. To enable her contact with the different NGO leaders within the research area I had to buy her pre-paid cards for the use of her phone. Mama Anna put me in contact with the NGO leaders in both Mosuma and Ukerewe in order to discuss and explain the research project. She also made the necessary arrangements by sending copies of the research permit to the clan elders and the NGO leaders in the districts and wards under study.

#### 4.4.3 Recruitment of Informants

In research including elements of ethnography, the approach of selecting informants is based on their knowledge of the studied phenomena (Spradley & McCurdy 1988). Hence, I had to be clear and provide the NGO leaders with information about the purpose of the study. As suggested by Ritchie and Lewis (2003), I informed the leaders about the funder, who the research team was, and how the data will be used. I felt it was ethically necessary to be clear about my research interest and intentions from the beginning. With this in mind, I told the leaders that I wanted to understand the practice of woman-to-woman marriage (*Nyumba Ntobhu* marriage), female genital cutting, and widow cleansing rituals; customary practices among the Kuria and the Kerewe ethnic groups. Furthermore, I want to find out whether there are any forms of types of violation in their context within their local practices. This approach justified the researcher's presence and the questioning concerning every matter (Starace 2009). This idea enabled me to ask the questions I needed for better understanding during the interviews and group discussions. I told the NGO organisers I was looking to interview females who had experienced the rituals/procedures on them. I asked them to find out whether such clients would be willing to be interviewed. All of this process took place through phone calls.

Within a week, the NGO organisers within the research targeted areas of Musoma and Ukerewe Island sent lists of clients with different forms of abuses to Mama Anna and I by e-mail. As the focus on the research project was on cultural practices, we selected a number of cases from the lists, which were suitable and appropriate for the research project. Money was sent to the NGO coordinators to buy pre-paid cards to enable them to contact the clients in their villages to know those clients who were willing to share their stories.

Once we had the idea of the number of clients to be interviewed and the research permit was accepted in the research area, Mama Anna phoned the leaders to contact those we had selected and asked if they were willing to be interviewed. The leaders said their clients are from different villages and most of them had no cell phones and so they had to send staff members to the villages to contact them. Again, money was sent to the NGO leaders for the purpose of transport and to buy pre-paid cards for their phones in order to contact Anna and I.

A few days later, the leaders phoned to report that the clients were willing to be interviewed. They also suggested the interviews and group discussions take place in the wards more central to the villages of the clients. Mama Anna and I agreed with the NGO leaders that little stipends would be given to the research participants to

compensate their transport and lunch. This was necessary because the participants had to travel early and most of them from a long distance to the central place of the interviews and group discussions.

The recruitment of clients took a different format in the Mwanza city: Mama Anna and I had a meeting with the ward tribunal leaders at Kivulini centre. I then explained my research methods. I told them I would like to have interviews with those who consider themselves victims of cultural violence, whose perpetrators are women. They told me they had a number of violation cases on their counseling list, so they would find out if the clients would be willing to tell their stories. Mama Anna and I selected the cases in line with the study from the list they brought. Again, we agreed on little stipend that would cover transport and lunch for the day for the participants since interviews and discussions were to be conducted in a more central place but far from participants' places of residents.

When all was set, Mama Anna and I travelled from Mwanza to Musoma. We were received by the ABCF NGO staff and were shown the timetable and plans for the next few days. Mama Anna and I booked ourselves in a hotel not too far from the NGO office. The following day Robert Morro, the staff member who had made all the necessary contacts with the clients came to meet us. Together we drove to Ryamisanga village, Bwiregi ward, to meet the clients for the interviews. After the interviews each day, we returned to Musoma town and set off again in the morning.

After spending two weeks in Musoma rural district, Mama Anna and I took the ferry from Mwanza city to Ukerewe Island. The leader of the KIMIDEU NGO, who had completed all the preparations for us, met us. We discussed the programme ahead for the next few days after we had booked ourselves in our hotel. We spent the next two weeks in the different villages and wards conducting interviews and group discussions.

## 4.5 The Data Collection Strategies: Doing the Interviews

Mama Anna and I conducted fourteen in-depth interviews with individuals who claimed to be victims of cultural violence and three perpetrators of the studied cultural practices in the research-targeted area. Apart from the three perpetrators of tradition and culture, the other fourteen interviewees were undergoing counseling at Kivulini and other NGO centres such as KIMIDEU, ABCF, and CBO working within the research area. We also conducted nine group interviews in the entire research area. Two sets of these groups consisted of widows who opted to be

interviewed in groups in order to share their stories and experiences. The other seven groups were comprised of male and female clan and community elders, who are influential and had status and power in their communities. Members of these seven groups were perceived as the keys informants of the cultural practices under study whose input assisted to collect in-depth qualitative information. In addition, Mama Anna and I conducted six focus group discussions, one group of NGO leaders, three groups of community actors and two groups of male and female clan elders.

The interviewees in both the individual and group interviews were aged between 16 – 90 years old. Figure 2 on page 116 illustrates the NGOs and the categories of interviewees in the study. Table 2 on page 117 illustrates the number of interviews conducted and the number of interviewees in each group interview in the different districts of the research area. The participants from the different community wards in the focus group discussions were aged between 21–72 years old. Figure 3 illustrates the actors in the focus group, and Table 3 on page 119 explains the number of focus groups formed researched districts. Figure 4 on page 120 illustrates the techniques and the format of interviews used to collect the empirical data.

#### 4.5.1 Individual In-depth Interviews

At the beginning of each interview, my research assistant and I introduced ourselves first to the interviewees and start to direct our interaction by introducing the research topic. I then asked their permission to use the recording device. In an informal and relaxed way, I ask the interviewees to introduce themselves giving their names, age, and occupation. Using open-ended form of interview approach, the interviewee was asked to tell when she first came across the kind of violence she had experienced. I then encouraged her to recall and retell her story. This process is similar to what Abdi (2012: 117) described in her study as “... ‘life history’ approach, through which interviewees could retell their stories in somewhat linear chronological order from the perspective of memories, experiences, and opinions through to the present day. The use of open-ended questions during the individual interviews provided broad parameters within which the interviewees formulated answers in their own words concerning the specified topics designed to the under studied cultural practices (Legard et al. 2003). As suggested by Ritchie and Lewis (2003), I used this form of storytelling technique to invite the interviewees to tell their stories to generate detailed descriptions in other to achieve the motives of the study. For further descriptions and understanding of the interviewees experiences, I often asked follow up questions, using the participant’s own words to generate the questions.

## 4.5.2 Group Interviews

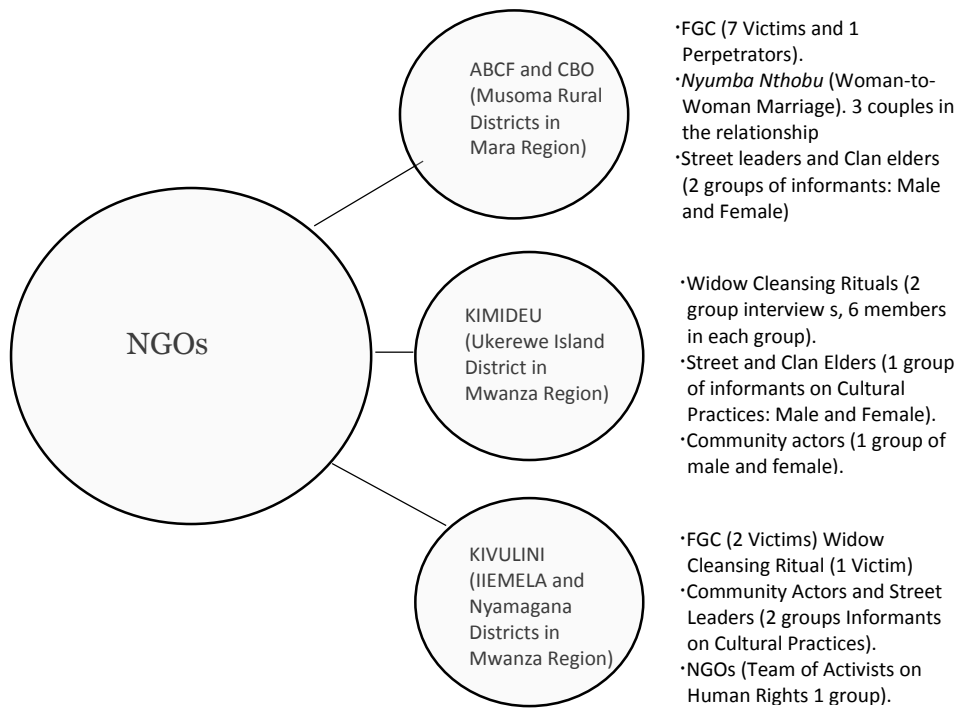
In conducting the group interviews, Mama Anna and I used the same introductory format used for doing the individual interviews. In their small groups, each member introduced himself or herself and the position they hold in the community. All the group interviews were unstructured and audio recorded. The key informants (clan and community elders) were then asked personal questions such as: “Can you describe how FGC ritual is performed?” Alternatively: “Why is FGC ritual important in your society?” “Can you explain why *Nyumba Ntobbu* is practiced in the Kuria communities?” The same kind of questioning format was used to interview the key informants and widows on the cleansing rituals in their groups. Each of these widows was asked the question for example: “Can you describe the cleansing ritual you underwent, and what does it mean to you?” “Can you describe how the widow cleansing ritual is performed in your community?” Framing these kinds of questions enabled the informants to talk about patterns of behaviours in a meaningful cultural setting.

Using the language sensitive approach or questioning, I asked clan leaders how they would describe the cultural practices in question and the role these practices play in their society. I asked the informants for example, how they would refer to ‘Ukeketa’<sup>13</sup>? Alternatively, is that the way most people would say it? This way of questioning was most important for both the informants and I as the questions were designed to encourage the informants to use the terms and phrases common to cultural scene and remind the informants that I have learned their language. It also showed my familiarity with their culture. With this kind of questioning, and the respondents’ answers, Gupta and Ferguson believe respondents in turn address the larger meanings, implications, and symbolic values embedded in their everyday language (Gupta & Ferguson 1997). This approach was by its very nature a social encounter where the interviewees collaborated in producing retrospective feelings (Legard et al. 2003). The data produced in the interviews were naturally occurring as the interviewees narrated their stories from the situation that existed independently of the literature (Ritchie & Lewis 2003) and the fore knowledge of the customary practices Mama Anna and I had.

The diagram below illustrates the NGOs and the categories of interviewees

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<sup>13</sup> Ukeketa, a Kiswahili word meaning the ‘the cutting’ of female genital.



**Figure 2.** Categories of interviewees and key informants

NGOs	Individual interviews	Number of interviewees in the Group interviews			Aged between (years)
		Number of groups formed (3)	Male	Female	
ABCF & CBO Musoma Rural District	(9 victims of customary abuse and 3 perpetrators) 12	(Group 'A' had 3 members. Groups 'B' & 'C' had 4 members each).	6	5	16 – 90
KIMIDEU Ukerewe District	(2 victims of customary abuse). 2	(Group 'A' had 4 members. Groups 'B' & 'C' widows had 6 members in each group).	3	13	35 - 73
KIVULINI Ilemela and Nyamagana Districts	(3 victims of customary abuse). 3	(Groups 'A' & 'B' had 5 members each. Group 'C' had 4 members).	6	8	18 - 60

**Table 2.** Number of interviews conducted with the age of participants

In the entire research area, twenty-six individual and group interviews (women and men) aged between 16–90 years old were conducted. There were seventeen individual interviews, each interview lasted for about 30 to 40 minutes. The group interviews consisted of nine groups with three to six members in each group, among them were two groups of widows who had undergone the cleansing rituals. Each group interview lasted from one hour thirty minutes to about three hours in some group interviews. Participants in both the individual and group interviews and group interviews also discussed the three main research questions and gave their opinion on the social injustice that women undergo in the name of cultural practices. Interviewing clan leaders took longer as they had a lot to say and both Mama Anna

and I interrupted them every now and then for more explanation and better understanding of the cultural practices. In a relaxed and conducive atmosphere, the interviewees had ample of time to tell their stories or share their experiences.

#### 4.5.3 Focus Group Discussions

The NGO leaders in the research areas assisted me with the formation of six focus groups consisting of community actors<sup>14</sup> aged between 23–68 years old. There were eight members in each of the groups formed. As with the individual interviews, before each group discussion Mama Anna and I introduced ourselves first. I then explained my motives in organising the group discussion, and asked their permission to record the discussion. Then each member in the group gave a short introduction of who they were and the post or position they held in their communities. There was a gynecologist in the focus group discussion on the Ukerewe Island, and in Musoma and Mwanza groups, there were two nurse midwives in the focus group discussions. I wanted to hear the opinion of the health personnel, who treat or deal with women who had undergone FGC and widow cleansing ritual practices. I also wished to know their views and cultural understandings of the practices.

Participants sat in a circle during the group discussions to see each other and hear them clearly when sharing. Using unstructured open-ended questioning format, I asked the group participants to describe and explain their understanding of the cultural practices under study. After this, the three research questions were discussed, and each one informant offered ideas about the questions. During the interviews, Mama Anna and I interrupted, questioned, and gave permission to the interviewees to continue. On many occasions, we asked further questions using their own words, questioning for clearer understanding of how they view the cultural practices under study. Each member in the group was encouraged to share and give his or her opinion. However, there were few occasions that I relied on my research assistant's interpretation to fully understand the interviewees' point of views. As in the group interviews, the focus group discussions were also conducted using a language sensitive format in the Kiswahili language (the official language in Tanzania), which is familiar to the informant and I. As illustrated in Figure 3 and Table 3, all of the six

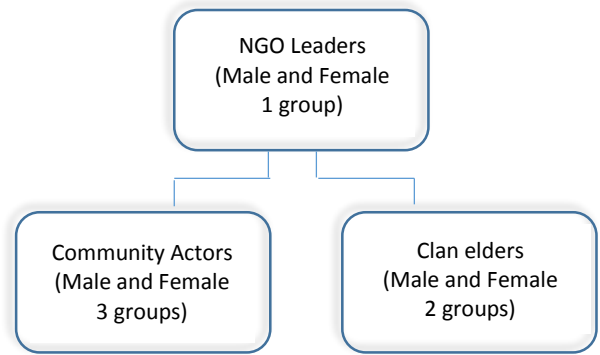
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<sup>14</sup> In this study community actors included health care providers, local government officials and staff, ward tribunal members, community teachers, members of civil society organisations and religious representatives.



focus group discussions took place in safe and comfortable offices of the ward executive officers in the different communities of the research areas.

This diagram illustrates the actors in the focus group discussions



**Figure 3.** Categories of actors who formed the focus group discussions

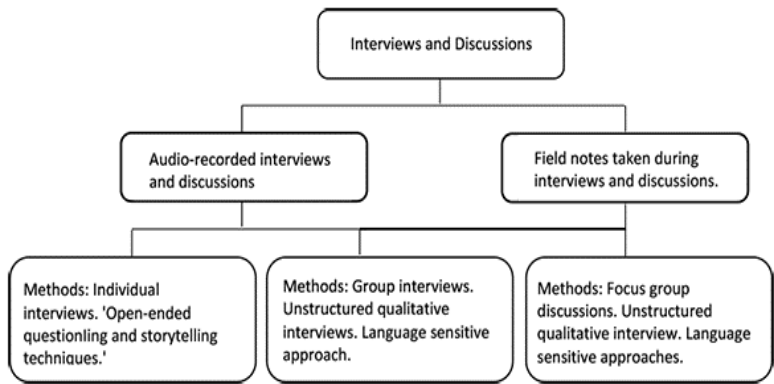
The focus group discussions conducted in the different districts of the research area.

**Table 3.** Number of focus groups formed and the age of participants

Research Area	Number of Focus groups formed.	Male	Female	Aged between (years)
<i>Ukerewe</i> District	2	11	10	23 - 72
<i>Ilemela</i> District	1	8	3	21 - 65
<i>Nyamagana</i> District	1	6	8	25 - 63
<i>Musoma Rural</i> District	2	8	10	32 - 68

In all of the researched districts, Mama Anna and I had multiple group interviews and focus group discussions with the various community actors, clan elders and leaders, and NGO activists, which drew my interest to the narratives about the cultural practices in the study. Their narratives illustrated the meaning that the Kuria and Ukerewe communities make of the cultural practices under study.

The illustration of the format of Interviews and focus groups, and the techniques used to collect the empirical data.



**Figure 4.** The format of interviews and discussions conducted in the study.

It was a difficult task transcribing the audio recordings of the interviews and group discussions. As explained earlier, Kiswahili was the language used to conduct all the interviews and group discussions. Therefore, Mama Anna and I transcribed and translated the tape-recorded information from Kiswahili into English. Even though we recorded the interviews, Mama Anna and I decided we both take field notes as well. She took her notes in Kiswahili and I took notes in English. At the end of each day’s work, we met for three hours and on most days, for several hours, to listen to the recordings and compare notes. I then rewrote the whole text in English. In the case that our notes differed and we could not get a satisfactory explanation on a particular story or narration, we phoned the informant or participant for clarification. We had an attendance sheet prepared for each village and the ‘wards’ we conducted interviews or discussions. Those who had mobile phones wrote their numbers as they signed in. This was a great help as we could phone for further explanation later if need be.

4.5.4 Observations and Emotional Encounters during the Interviews and Group Discussions

Generally, the atmosphere during the interviews was relaxed and conducive because in all the studied communities, the NGO leaders provided a safe and secure place to conduct the interviews, which made the interviewees comfortable and relaxed.

Despite the flexible atmosphere and relaxed mood, during the process of the individual interviews, many of the interviewees got very emotional and tense. When either Mama Anna or I asked interviewees if they would like to tell their stories, we phrased the question in such a way that the respondents would not feel intimidated. In their introduction, each one of the interviewees mentioned the kind of abuse they had experienced or are experiencing. I observed that doing the interviews brought up matters that were extremely sensitive, intimate and emotionally draining and many of the participants required frequent breaks from the interviews. According to Rapport (2001), attention should be given during the interviews to ensure the introductory questions are handled sensitively so that the respondents are not offended or alienated.

However, Mama Anna and I reacted on few occasions to some of the stories of the respondents. On one particular occasion, an interviewee over-narrated her story in an exaggerated manner, while another interviewee too under-narrated her story. Hence, Mama Anna and I used our foresight and experience to predict those interviewees whose experience might prove to be sensitive ensuring that we could get the best response from them. Throughout the individual interviews, it was sometimes very challenging to listen to sensitive stories and to know whether respondents are being truthful or not. On a few occasions, some interviewees were caught between sobs narrating their stories. Some even broke into tears as they recalled and told their stories and experiences. Some of the interviewees too became aggressive in their speech so that one could literally feel their pain or suffering coming through. When this happened, Anna and I immediately asked them if they would like to stop the interview but they never did, and somehow, they always managed to finish telling their stories.

Jacobsson et al. (2013) note that stories that are most likely to be evaluated as believable are those containing the most widely and deeply held symbolic and emotion codes. These codes furnished the “skeletal structures on which social communities build their familiar stories” (Alexander 1992: 294). Alexander’s (1992) idea of codes was used to construct meaningful and emotionally compelling scenes, characters, and morals of the victims in the study. Additionally, I used the interviewees’ understandings of these systems of meaning in a similar way as Jacobsson et al. (2013) study, to evaluate the believability, importance, and emotional content of stories pertain to their own activities and agendas.

Researching gendered violence is highly sensitive. As a researcher, it was difficult to distance myself from the interviewees’ narratives during the interviews, I observed that most of the women who claimed to be victims had difficulties to recall and retell

their experiences. These interviewees' emotions challenged and affected me greatly. I found myself sharing in their emotions. In my interaction with the research participants, particularly those who had undergone FGC, and those widows who underwent the sexual cleansing ritual, I realised that their experiences touched on their sentiments, which made most of them emotionally stressed. I therefore envisioned the emotions of the victims in this study as explained by Geertz (1973) as distinctly social in their origins, meanings, expressions, and consequences. Listening to the informants' opinions on violence that arose from the cultural practices and reflecting on the victims' narratives, it follows that feelings are like other experiences in that they are social products based on beliefs, symbols, and culturally derived (ibid). My understanding here is that shared meaning is possible because of cultural meaning systems, which are socially circulating ways for the Kuria and Kerewe women to think and to feel. Their whole community structure systems are however, ways to think about how the world works, or how the world should work (Jacobsson et al 2013), in terms of rights and responsibilities of people within the community.

My observation when conducting the group interviews and discussions was that on a general level, the informants were more relaxed. They talked and shared more freely. However, some elderly women in the group interviews were very passionate in their sharing. This was observed for example, with the widows and the woman-to-woman marriage groups. Some of the widows sharing were emotional and filled with sentiments. I noticed that most of those interviewed kept picking their noses or playing with their fingers, especially the younger women in the individual interviews and the young widows. I also noticed that the elderly women made a lot of gestures when talking. While the men spoke with authoritative and convincing tone, as if to say, they have the true meaning and understanding of the culture explanation.

Regardless of any 'truth' (however that might be understood), I believe the interviewees' stories are told as their 'truth', which had many social implications and uses. These social circulating narratives describe the types of people and proscribe relationships among people so they are aspect of symbolic universe; they are a foundational characteristic of movements for social change (Davis 2002: 29 cited in Jacobsson et al. 2013). Emotional and physical scars were the standpoint; most of the interviewees had such traumatic experiences (ibid). This was obvious when they were narrating their stories as they tried to find meaning for their social life in their depressed state. In this regard, as explained by Jacobsson and colleagues (2013), emotional culture and feeling rules expression rules are cognitive models about

which emotions are expected, when, where and towards whom or what, as well as how emotions should be inwardly experienced, outwardly expressed, and morally evaluated. Examples of emotion codes in this research include: empathy, sympathy, fear, love, closure to grief and pain (ibid) also the lack of respect and dialogue, depending on how one would like to analyse the narratives. In this research context, the emotional codes were obtained from the narratives of the informants and the interviewees. More of these emotional expressions would be explained further in the empirical chapters.

All the research participants had no problem with the audio recorder when telling their stories with the exception of one young woman interviewee. Her opinion was respected and the recorder was switched off before she gave her interview. Reflecting back, I wonder why most of the participants kept looking at the recording machine and making gestures at me during the interview. Others too did not look in my direction as they told their stories. The question that came to mind was: Were they shy or was it just habitual? On the other hand, was it a sign of respect in their tradition not to look people in the eye when talking to them? I am now beginning to think whether it made them nervous or emotional. In her study on ethnographic interviewing, Pink (2009) asked whether the interviewee was sitting comfortably, in familiar circumstances, near enough to the microphone. According to Pink (2009), when undertaking 'sitting and talking' type interviews, it is useful to first gain some ideas about local cultural conventions regarding habitual expressions practices. For instance, what one does, or not do while sitting and talking/listening (ibid) remains a mystery. Pink holds that there are good reasons why many interviews are done sitting and talking. Her explanations are not simply qualitative interview conventions, but the process applies to researching cultural practices. However, Pink stresses that sometimes, part of everyday routines or storytelling and other oral narratives and traditions require a relaxed and flexible atmosphere (ibid).

The willingness of abused victims, especially the widows, to tell their stories and share their experiences in-group discussions surprised me greatly. Another surprise was how respectful the participants (both male and female) were to each other in the focus group discussion. I observed they listened attentively as the individuals shared and gave their opinions. However, there were a few men and women in the discussion groups in all the nine wards, who were a bit dominant and took more time than others in sharing. As mentioned previously, one of my fears and worries before the fieldwork was whether women would open up, tell their stories, and most importantly, give their opinion in a mixed gender discussion group.

The widows in the study did not only decide to share their stories and experiences in a group, they had taken the initiative to form an association, and named it “The Change Makers.” This was the biggest surprise I had because to me, it is an indication that the widows are ready to fight for social change. Another interesting and powerful lesson I observed from the groups was that the clan elders and community actors pleaded that before economic empowerment projects initiated by the NGOs, they would like their community members to be educated first on human rights and women’s rights. The elders claimed that the knowledge of rights would ensure that the community environment is conducive and supportive of any developmental projects.

In their group discussion, the community actors commented and praised the good work Kivulini and the other NGOs do in their communities. Some activists, and clan elders remarked that before the creation of the Kivulini NGO, even though they were elected as leaders, they got neither training nor education on their roles and responsibilities in the community. They added that since the formation of Kivulini in Mwanza, they have been working in collaborations with the NGO. They emphasised how Kivulini employees have helped them by building their self-confidence, taught them to understand the fundamental codes of human rights and their role as leaders in the community. These leaders claimed the basic training said have given them the necessary tools to work with and for the betterment of society.

Most of the community actors too were looking forward to seeing changes in their communities. Hence, they willingly agreed to share their views so that their voices could be heard. In that way, they hoped their communities would be helped. Other clients of the NGOs gave the impression though that they were looking for financial support from us. This was so because a few of them asked during the interview what we can do to help them financially as they were living in appalling conditions.

## 4.6 Analytical Frames: Thematic Analysis

In this study, thematic analysis is used to analyse the data gathered from the interviews and group discussions. According to Coffey and Atkinson (1996), the thematic method is an approach generally used to analyse a study design whose aim is to describe and find meaning to a phenomenon. Hence, I explored thematic analytic structure; a qualitative analytic method for identifying, analysing and reporting patterns (themes) within the empirical data to analyse the in-depth quality

information from key informants. This process simply organises and describes the data set in rich detail. However, it goes further than this and interprets various aspects of the research topic (Braun & Clarke 2006: 79). The thematic analysis in this study is constructed on the empirical data themes and facts in line with the objectives and question set for the anticipated chapters of the research project (Taylor-Powell & Renner 2003).

Hsieh and Shannon (2005: 12–78) hold that the research method for subjective interpretation of the content of the text data is done through the systematic classification process of coding and identifying themes or patterns. On the other hand, Mayring (2000: 2) suggests that the analytical approach have empirical, and methodological controlled analysis of the text within their context of communication, following the thematic and analytic rules and step-by-step model. According to Patton (2002: 453), “any qualitative data reduction and sense-making effort that takes a volume of qualitative material and attempts to identify core consistencies and meanings.” Hsieh and Shannon (2005) explain further that the success of the thematic analysis depends greatly on the coding process. They emphasise that the basic coding process in the analysis aims to organise large quantities of text into much fewer content categories. “Categories are patterns or themes that are directly expressed in the text or are derived from them through analysis. Then, relationships among categories are identified. In the coding process, researchers using either thematic content analysis create or develop a coding scheme to guide coders to make decisions in the analysis of the content” (Hsieh & Shannon 2005: 1285). Poole and Folger (1981) hold that a coding scheme is a translation device that organises data into categories (cited in Hsieh & Shannon 2005: 1285).

#### 4.6.1 Coding Procedure in the Study

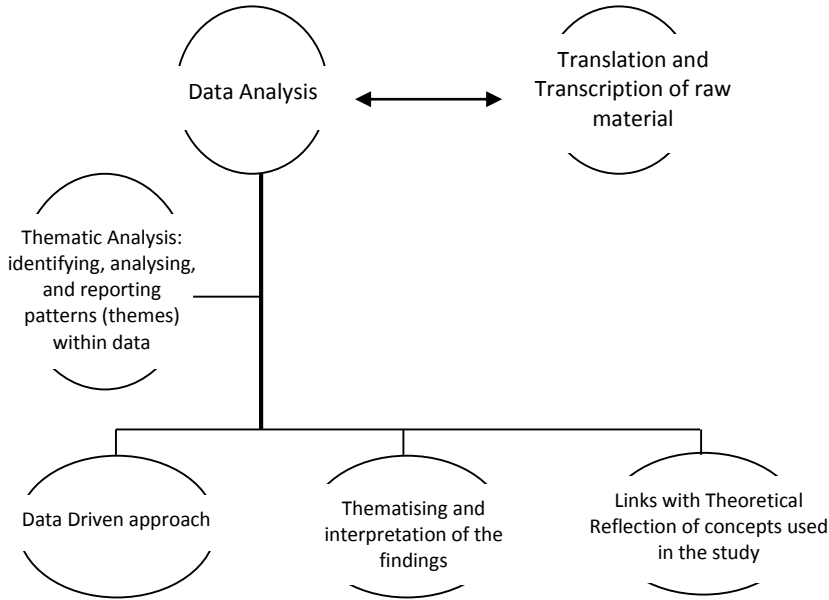
With the use of thematic analysis, I avoided using preconceived categories as suggested by Kondracki and Wellman (2002), instead the categories and names of themes were taken from the data. I immersed myself in the data to allow new insights to emerge and to describe as inductive categories develop. This approach is similar to Mayring’s (2000) way of categorising data. As suggested by Coffey and Atkinson (1996), I read through each of the transcripts from beginning to the end to make a sense of the whole of the collected data. The transcripts were read word by word carefully to derive codes by highlighting first the exact text that appears to describe (ibid), for example, the act of violence, health issues, and the psychological impact shared by the women who claim to be victims of abuse, etc. Following the studies

of researchers such as Braun and Clarke (2006) as well as Coffey and Atkinson (1996), I began writing in the margin of the text a keyword or phrase that captured the expression of the act of violence using the interviewee's words.

Approaching the text by making notes of my first impressions and thoughts of the initial analysis, as these processes continued, I grouped the labels and codes under the emerging categories that reflect more than one key thought or concept. The codes were taken directly from the text and became the initial coding scheme (Coffey & Atkinson 1996). The codes were sorted into categories based on how different codes were related and linked. The emerging codes were used to organise and group codes into meaningful clusters (Coffey & Atkinson, 1996; Patton 2002). I worked through the transcript to limit developing codes as much as possible and coded the remaining transcripts using the original codes and adding new codes when I encountered it in the data that did not fit into an existing code.

The emerging codes and concepts from the data of women-to-women violence based on individual and group interviews on the cultural practices of FGC, woman-to-woman marriage, and widow cleaning ritual conducted in the communities of the Kuria and Ukerewre ethnic group in Tanzania were categorised under six main themes: violation, health issues, social conditions, values of socio-cultural and legal norms and the limitations in the implementations of these values in the society and the state. Linking and combining related codes, some codes were further split into new categories and subcategories. The final codes were examined and organised into hierarchical structures (Braun & Clarke 2006; Hsieh & Shannon 2005) as shown in the Appendix on pages **303 – 308**.





**Figure 5.** An illustration of the analytical process of the study

The use of thematic analysis is seen in this research as a foundational method for qualitative analysis (Braun & Clarke 2006). The theoretical reflections in the study involve relating the facts obtained from the field against the concepts drawn from the models used. Data-driven analysis is required to analyse the empirical data to get the participants' meaning of their narratives (ibid). From the way the stories of interviewees were narrated, I identified variations and similarities in the interviewees' descriptions of their understanding of the cultural practices in the study. These highlighted the interviewees' hopes, expectations, advantages and disadvantages as well as the violations the victims claimed they endured. Sorting out the variations and similarities into themes gave an idea of different concepts such as what the informants consider ancient traditional customs and modern traditional customs. Concerning how the violations in the different cultural practices were narrated, I identified a lot of contradictions from the way the interviewees (who claimed to have been victimised) viewed the violation done to them. I drew these findings from the opinions of key informants on their understanding of what constitutes violation in the cultural practices in question.

These contradictions, similarities, variations, and concepts were noted and coded into categories. I discovered as explained by Merriam (1998) that the coding of transcribed data from interviews and field notes is an initial step in the long process of data analysis. I was engrossed in the raw material and the themes that emerged from that data. The purpose of this approach is to validate or extend a conceptual framework (Merriam 1998). In this study, doing the data analysis was a very messy and complex action. I found myself struggling moving back and forth between data and concepts, between description and interpretation, using both inductive and deductive reasoning (*ibid*).

I have on several occasions gone back to listen to the tapes, I thought I knew the Kuria and Ukerewe cultures and was somehow familiar with the three studied traditional practices. Doing the analysis, I was initially only interested in the harm that has been done to the women through the rituals of the practices. However, during the process of analysis, I discovered that I could not really understand that the women had to undergo the said practices on certain occasions or perform different rituals that are associated with the practices to fulfill societal obligations. I could not justify the women's stories without understanding the clan elders' understanding of the cultural practices. Hence, I revisited the audio recording to listen to the interviews and discussions to get a deeper understanding of traditional practices. By doing that, I began to see the complications in the study. For example, those informants defending the practices and justifying why women and girls must undergo the rituals posed many questions such as: Do the women really reflect on the implications of the practices and do women and girls really have the time and space to address the harmfulness of the aspects of the practices that violates them? These are some of the questions that lingered in my mind after I started doing the analysis and have made me struggle throughout the analysis.

Since I undertook this research project, I have had a lot of struggles trying to make sense in organising the data gathered meaningfully. A lot of emails have been exchanged with my research assistant and some of the key informants since I returned from the field. When I started the analysis I discovered I needed to have more understanding of some of the cultural meaning and implications in the Kuria and Ukerewe context. A series of phone calls too have been made to these key informants when I needed more explanation. These struggles were due to the complexity of the research topic and themes that emerged from the data. In this study, going to the field, doing the interviews, and writing parts of the thesis was not as difficult as doing the analysis. The most challenging aspects of the analysis especially were trying to make meaning of interviewees' stories and make sense of

their understanding of their experiences of the said practices. For some other researchers, it would have been how to go to the field or the fieldwork itself – or how to get the information. In my case, the analysis was more complex than I thought initially. As I was trying to analyse the data, I realise that the study topic was very broad and complex, and somehow connected to various types of life of the Kuria and Ukerewe community setting. The study also captures and touches on so many sensitive avenues of the members of the communities' social life. Hence, I made several revisiting of the data to try and identify the issues. Again, I discovered through the analysis that it was not just about traditional practices and rituals however, the complications of the practices go beyond that.

I also became aware that I did not have enough understanding of the culture to tackle the vast data I had gathered to make sense of the women's plight. During the process of the analysis, I became aware that some intellectuals also promote the use of cultural practices as they claim it is their culture and it gives the ethnic group a sense of identity.

#### 4.7 Ethical Considerations and Challenges

This research project was approved and a license was issued on the 20th of December 2011, for conducting research on violence against women in the entire communities in East Africa by the Regional Commissioner of Mwanza region. According to Kanyamala, obtaining formal consent is of utmost importance as stipulated by the Tanzania National Health Research Forum, which states “under no circumstance should research be conducted without the consent of the prospective research subject or any authorised person on his/her behalf” (Kanyamala 2010: 55). Ellsberg and Heise (2005) emphasised the need to obtain consent from local district or national authorities concerned. Hence, before conducting the research, I examined ethical guidelines, as I was aware that my study is highly sensitive. With more of an empirical focus on finding out what people actually believe and then do (Banks 2004), knowledge of descriptive ethics was explored to understand meanings of the moral norm concepts of the ethnic groups in the study. I knew it involved personal matters, which would discuss the most intimate parts of Kuria and Ukerewe women's lives. Ellsberg and Heise (2005) contented that researching violence against women is a highly sensitive topic with issues of confidentiality, problems of discourse and the need to ensure adequate and informed consent. Based on this understanding, I spent an hour discussing ethical issues with the participants prior

to starting the interviews in all the wards. All the research members were fully aware of the purpose of my study as I explained the aim and significance of the research project. I highlighted what their participation in the research project entailed, and acknowledged the importance of their contributions and how it would enrich the success of the research process. We discussed issues like respecting and listening to each other in group discussions, and allowing each member to share and give their opinions. I also encouraged the participants ask questions if they needed clarification on the study. They were made aware of the risks, if any, involved but assured of total confidentiality of whatever they share during and after the fieldwork.

Though selected victims and clients of the NGOs operating in the communities, those who came to be interviewed came willingly. The leaders of the NGOs explained that while I sent copies of my research permit and the interviewees are their clients, they still went through the village leaders with my research permit for them to be interviewed. On the other hand, the NGO leaders approached the community actors personally with copies of the research permit.

My standpoint was to collaborate with the NGOs in the communities of the research area. These NGOs are a group of agents who have developed their own principles and standards, similar to who have expertise and count themselves as serving the public/clients and pledge themselves to do so (Banks 2004). I was attracted to the NGOs' standards and norms of behaviour, which are accepted and followed by members of their professional group. In order to reach out to counsel victims of cultural practices, the NGO workers' notion of effectiveness is clearly related to the outcome of a reduction in the number of victims visiting their centre for counseling (Banks 2004). Almost all the interviewees (who claimed to be victims) said they visited the NGO centres because their rights have been violated. They knew they would be heard and helped through counseling.

All of the interviewees were from different religious background some were Christians, others were Muslims, and Traditional believers. Hence, I was very careful to approach 'taboo' topics with sensitivity, especially as the practices are culturally oriented in a context where all participants including my research assistant are natives to the cultural practices and I alien. During the interviews both Mama Anna and I tried to ascertain the moral beliefs the interviewees hold and how they act in relation to the tensions and dilemmas that arise from their life experiences. This involved looking at the new issues emerging from their experience and how they are or should be handled (Banks 2004). A few interviewees explained how emotional they become whenever they recall the traumatic experience of FGC, widow cleansing rites, and with the young women in the *Nyumba Ntobhu* others, the servitude experiences they

encounter in their daily lives. In order to avoid causing emotional distress, and not to compel the participants to reveal anything they were uncomfortable with (Abdi 2010), Anna and I took care and explained to the interviewees that they could withdraw from the interview at any time.

There were challenges and concerns during the fieldwork period among the older participants especially the clan leaders and elderly women. They were very critical of the modern interference of societal structures. Studying the community structures of the Lake Zone regions raises a lot of challenges for me and I began to question whether the Kuria and Ukerewe women (especially the young women) are caught in a 'crossways' between cultural meanings and implications. During the interviews, I was often confronted by some interviewees with the question of how these rituals are done in my own country and in my culture. Due to the increased interest of the public in the practice of FGC, widow rites cleansing, and woman-to-woman marriage some of the participants (especially the elderly women, men, and one young woman) responded very defensively when being asked to talk about their understanding of the practices.

In her fieldwork, Abdi (2010) was also confronted with such issues as Mama Anna and I faced. She shared that to counter this, the interviewer makes sure the interviewees know what the researcher's interest is, and listens to their views and does not impose any of her personal ideas on the interviewees. In this way, informants did not feel judged according to the morals of the area (Spronk 2006) and they knew their information would not be shared with other people in the village (Starace 2009). In addition, they were assured that any interview data would be handled with confidentiality and recorded material destroyed after the transcription. I explained to my informants that they would remain anonymous in the study. Most of the participants were relieved to hear this and were more relaxed in their demeanor, and more readily shared their memories and opinions (Spronk 2006). In order, to protect the privacy of my research participants I do not include names in this study.

I entertained some emotional fear before I even set foot into the field, and wondered whether the research participants were going to open up and share their stories. The other anticipation I had was the fear that interviewees might only share a fraction of their stories. It was difficult to know how the research participants viewed me. I introduced myself at the beginning of each session as a researcher who was interested in understanding the meaning of cultural practices and other domestic violence where women have been perpetrators or instrumental abusers. I also told

them I am a Catholic nun who teach at St. Augustine University of Tanzania but studying currently at University of Tampere in Finland.

My research assistant also introduced herself as a staff and legal aid person from Kivulini women's rights organisation. Although the clients were very much aware of my status as a researcher, it came across in the interviews that I was viewed as someone they could trust and so they opened up to tell their stories. However, on few occasions, I felt the clan leaders and especially the elderly women looked me with suspicious eye. One of them in particular took time and even questioned me at length to know my motives of the research before he shared his understanding of the cultural practice. The women's experiences, the clan elders' and community actors' interpretation of the practices in their social and cultural context unfold in the next three empirical chapters.

## 5 EXPERIENCES AND INTERPRETATIONS OF FEMALE GENITAL CUTTING IN KURIA SOCIETY

This empirical chapter is on the practice of female genital cutting (FGC) among the Kuria in Musoma rural district. Four young women aged between 18–35-years old shared their experiences of FGC. Their narratives touched on three major themes: (a) experiences of violence associated with FGC, (b) health risks and related issues encountered as a result of FGC, and (c) socio-cultural values integrated with FGC practice. Having undergone the genital cut ritual, three of the young women consider themselves victims of the practice. The fourth young woman interviewee regards herself as a ‘survivor’ not a ‘victim’ of FGC, even though she had undergone the ritual. The narratives of these young women presented in Section 5.1 give a rich and holistic account of their personal experiences and the interpretations they gave to the FGC rituals they underwent, as well as their perceptions of its cultural meaning.

Section 5.2 presents the interpretations of FGC as understood by the clan elders and other community actors highlighting the cultural meaning from their point of view. Section 5.3 shows the interrelations between the personal experiences and the cultural norms that emerged in the narratives.

### 5.1 Women’s Experiences of Violence

#### 5.1.1 Force, Pain and Humiliation

Through different personal experiences, the four young women related their narratives. These interviewees shared the various societal demands that compelled them to undergo the genital cut ritual. The general perception among the population in the study area is that societal pressure is so considerable there is no option for Kuria girls but to be cut. When the issues of violence were addressed in the interviews, three of the women who claim to be victims of the practice of FGC told how they were compelled to submit to the rituals by force. Two of them shared that the elderly females of the household told them the procedure was going to be

painful, but that they had to be brave to prove their inner strength. Again, the elderly women said to them “genital cutting is so painful and also good, and women who are not cut are hated.” The third young women told the following:

“A few days before the cut, my mother told me it would be very painful but I should be brave and make her happy on that occasion. She also promised me many gifts. I was young and frightened, I did not want it done but could not escape. My mother forced me to undergo the ritual and make her proud” (35-year old young woman).

It was observed that the young women’s views about FGC reflected the social pressure on a girl child as she reaches puberty. Each one of these three young women who felt victimised by the practice said how painful the process had been. One of them explained how she endured and coped with the pain during the cut:

“I felt my intestines grinding when the cutting was going on, but I gathered the courage to remain still and calmed. I fixed my eyes on a tree in the distance to divert my concentration from the pain. It was all over in few minutes, and I could not believe it” (35-year old young woman).

From the above excerpt, the initiate’s mother acknowledges the painfulness of the cutting ceremony. Nevertheless, she convinced her daughter to understand and believe that she would obtain rewards of gifts after the pain. The young women interviewees claimed that they were not prepared psychologically for the pain and trauma involved in the cutting ritual and yet, they developed their coping strategies. It was evident from some comments and sentiments, such as “*fixing the eye on a tree to endure the pain*,” helped the initiate to concentrate and divert her attention from the pain of the cut. These women were nonetheless under duress when making their choices on how to distract themselves from the pain of the cut during the process of the ritual.

Hinting at the anticipated rewards, the three young women told that they would receive gifts such as money, clothes, kitchenware, and other utensils. Livestock such as sheep, goats, and even cows are among the gifts the FGC initiate receives to assist her to begin a happy married life. However, the 18-year old told that she had received only a fraction of the gifts promised to her because she had cried out and screamed when undergoing the cutting. She said:

“I felt sad and have carried a guilt of humiliation because I felt I had failed to live up to societal expectations” (18-year old young woman).

This young female’s experience demonstrates the severe pain under the blade and as a result, she lost half of the reward promised her. Guilt feelings were an example of



the pressures faced by the young women in a situation when a grandmother or a mother encourages her granddaughter or a daughter to be brave during the genital cut and make her proud. The grandmother or mother in this position perceives her parental role as a duty or responsibility because, in their societal context, a responsible and respected grandmother or a mother plays such a role to display her status. Hence, a mother giving instructions to her daughter according to the traditions and norms of Kuria culture is acceptable in these communities. An elderly woman such as a mother who plays her societal role successfully gains the support and love not only of the male folks but the females as well.

There were a lot of statements in the narratives that portrayed the susceptibilities of the young women. One shared an example of such vulnerable and convincing statement:

“My grandmother told me that a cut woman is decent and respectable. She also said to me that it is a blessing to drop blood on the ancestral soil so that the ancestral spirits will, in turn, bless my womb with children when I marry” (35-year old young woman).

The 28-year old young woman in her narrative disclosed a similar statement. Her claim was that in her community, a girl child named after her grandmother could not escape the genital cut under any circumstances. She gave the reason that in Kuria society; a grandmother’s wish is always carried out because of the belief that blessings are associated with a grandparent’s wishes. Such beliefs are deeply rooted in Kuria women’s mindset. However, in recent times, some women in the Kuria community are beginning to feel that they are victims of certain societal norms such as FGC. This fact was very telling in the narratives of the three young women in their commonly expressed sentiments: “...*the cut under the blade is very painful. It violates the mind and the body.*” One of the women declared her vulnerable position at the time she underwent the cut:

“I was only 12-years old, the youngest in a group of five, the other girls ages were between 16 and 17 years. When undergoing the cut, I tried to keep calm, but the pain was so much that I started shaking, crying and screaming. I was cut badly and bled a lot as a result of that” (18-year old young woman).

It is evident that female genital cutting is a very painful process. The young woman did not say whether she fainted from the pain and excessive bleeding, however, in her interview, it emerged that some of the girls passed out after the cut. According to the prevailing cultural belief, the Ngariba who performs the operation is not to blame for any such collateral damage:

“I was positive it was my fault, and I blamed myself for what had happened, so I felt guilty and suffered my pain in silence” (18-year old young woman).

This 18-year old young woman was told that her parents would have to pay a penalty of a sheep if initiates accidentally held the hand of the Ngariba during the operation because of the pain they felt. The interviewees explained that the circumciser performs the ritual in a contemplative mood and she would be distracted if an initiate tries to stop her by holding her hand. There is a societal belief that the ancestral gods guide the ritual procedure thereby protecting the initiate against any ill omen or harm befalling the initiate when the circumciser is not disturbed. Hence, it is required that the initiates remain still and keep calm to enable the Ngariba total concentration at her job. As shared by the young women, beliefs and sanctions attached to the cutting ritual do not only increase anxiety in the initiates but nurture the risks of potential younger girls to undergo the FGC ritual. The sanctions make both girl children, and their mothers become more vulnerable to the FGC practice as they would like to fulfil societal obligations.

Despite their vulnerabilities, these young women said that as initiates, the ritual was presented to them in a way which justified the act of the cut ritual. Hence, they somehow felt attracted to undergoing the ritual to acquire societal status. This familiar phrase shared by the young women: “*it is good as it is something done by all Kuria women, but it is very painful*,” demonstrated the meaning and the perception they attached to FGC practice. While these young women expressed the opinion that genital cutting was, on the whole, a positive thing, there are strong indications that they had few realistic options to go against what was expected of them.

From the previous discussion, it is clear that not only can the genital cutting process be classified as violence, but there is also the prospect of what might happen if one does not comply. For example, the young women said that they were warned that no man would marry an uncut girl. Comments like: “*it is painful, but it is good as it is our culture and must be done*” confirms the physical pain associated with the ritual. However, at the same time, it also affirms their Kuria identity that the women try not to notice the pain. By so doing, these interviewees seem to minimize or reduce the meaning of the pain because of the social conditions and values that they are to comply with to be accepted members of their society.

It is evident that both the young women who told their stories and those elderly women who either encouraged or forced these young women to undergo the cutting ritual acknowledged the pain of the cut by the blade. Throughout their narratives, the three young women continually stated that young girls/women were forced

either by female folks or compelled by societal pressures due to the socio-cultural norms of their community to undergo the cutting ritual.

In addition to their experiences of pain and duress in suffering the genital cut, the three young women also shared the humiliating experiences they endured during the cut ritual. Two of the young women expressed what they did not appreciate in the cutting ritual:

“Many people from the village came to watch us when we were being cut. I was shy and felt humiliated exposing my private parts” (35-year old young woman).

“I was morose and upset, during the cut, I felt humiliated when people of all ages gathered to watch us and see which one of us is the bravest” (28-year old young woman).

This woman perceived the ritual being performed in public as a deprivation of privacy for the one undergoing FGC. While both women said that watching them experiencing the cut was humiliating, they both agreed that it is the norm for the Kuria that FGC is performed publicly, and every community member is welcome to witness the occasion.

I wanted to get more clarification and understanding about why woman’s sexual organs that are held to be so sacred could be exposed during a ritual for public view. For example, in Kuria society and Africa as a whole, sexual organs are hardly mentioned because it is considered taboo to even talk about them openly. In her interview, the Ngariba gave her opinion that performing FGC in public is neither humiliating nor deprivation of a woman’s privacy. She explained that allowing the whole village to come close and watch the initiates endorses the validity of the cutting ritual. She expressing her delight in her profession thus:

“It is a great joy, and it pleases me when people from the village: women, men, boys, girls including children gather to witness the ceremony of FGC. Such an occasion makes me feel my job is essential to the community” (56-year old Ngariba).

The Ngariba stressed that the parents of the initiate advertised their daughter to the men of the society as available and ready for marriage after the cutting ritual. She explained further that traditionally, coming close to watch young girls and women undergoing FGC is permitted and not a taboo in their society. I became concerned and asked the Ngariba whether male circumcision is also open to the public view. She explained that the male circumcision is not open to public view but done in private. She continued that women do not go anywhere near the sacred premises of the male circumcision during their ritual procedure.

I asked the Ngariba how she felt about being observed during the genital cut. She replied:

“Even though I make my living from the practices, I honestly believe exposing the woman’s genitals in public is a violation. Naturally, through FGC practice, women’s rights to privacy have been breached. My right was violated many years ago when I underwent FGC. Men, young and old even children come close to watching the girls, and when the men are undergoing circumcision, women and children are not permitted go near and look at the men” (56-year old Ngariba).

There was a shift in her opinion from the previous comments and sentiments. It is clear that while the Ngariba initially defended the public act of the cut ritual as essential, in the end, she and the young women acknowledged the breaching of the Kuria women’s rights to privacy through the FGC practice.

### 5.1.2 Health Risks and Complications Associated with FGC

The Kuria communities in the study practice FGC type II as indicated in Chapter 2 of this study. The risks and complications associated with FGC types I, II, III, and IV are similar, however, studies by other researchers of FGC highlight that complications are more severe with the practice of type III. This section examines the health risks that female participants reported, and the aftermath complications they claimed they continue to experience because of the FGC ritual. These interviewees spoke about the long and short-term health issues they encounter undergoing the FGC ritual. In the focus group discussion, the senior women also shared their personal health experiences highlighting the health burden they identified, which women suffer from in the society because of the FGC practice. The narratives of two health workers (– a female nurse midwife and a male gynecologist) gave medical explanations for the health problems participants shared. The midwife was not a Kuria and therefore had not undergone FGC.

The young women had earlier talked about the short-term complications they associated with the cut, which includes violent pain, haemorrhage or excessive bleeding from the rupture of the blood vessels of the clitoris. The 18-year old told that the cut ritual is a high health risk and could place the lives of girl children in danger. She narrated that:

“Because I was cut badly and bled a lot, it took a long for me to heal.”

This young woman told that she felt dizzy and was weak for many days after the cut. She recalled how her mother spent weeks nursing and feeding her with a nutritious diet to regain her energy and strength. She also explained how she would not walk properly for days after the cut and believed that the *Ngariba* could not identify the blood vessels before the cut. Another young woman told how she and her colleagues recuperated from the cut. She did not say whether all her companions had infections, neither did she tell the duration spent in the camp nor the number of days to recuperate. However, her experience was that:

“I had infections after undergoing FGC that took a long time to heal. I was too young; this was before I turned 12 years old. I had a lot of complications and had health problems for almost two years. As a result, I dropped out of school. I got married shortly after regaining my health and had my first child before I turned 16” (28-year old young woman).

It was understood in the above narrative that females suffered ill health after the cut. The 28-year old told that she and her initiate companions were kept in a camp under the watchful eye of an elderly woman. The young female explained that the older woman nursed and treated them with some special herbs and botanical oils until they healed and could walk properly. It emerged in her narrative that unsanitary conditions under which the operation is performed prevailed, and at times the herbs and oils applied to their wounds after the cut were not always prepared under hygienic conditions. These combinations contaminated the fresh wound of the cut and added to their infections, which prolonged the recuperation period as in the case of this 28-year old.

The *Ngariba* said in her interview that it takes three to four weeks for an initiate to heal completely from her wounds. She added that some of the initiates took a longer time to recuperate, depending on the gravity of the cut and infections they have. The *Ngariba*’s explanation confirmed the seriousness of their ordeal, but she did not accept the responsibility for poor health outcome. She said:

“I do my job as required; the initiates have to be taught not to resist during the genital cut” (56-year old *Ngariba*).

In their narratives, the young women highlighted the unhygienic conditions, the skill/expertise, and eyesight of the circumciser. They believe that the health risks and complications of FGC depended on the severity of the cut. This issue became a concern for me, and so brought it up during the focus group discussion of the community actors. One of the elderly women explained:

“Most of the circumcisers (Ngariba) are old women, some of them may experience poor eyesight. Coupled with the resistance of the girl child during the operation, it may cause damage to some other organs. This kind of situation prolongs the healing process” (45-year old woman).

Some of the women in the group discussions shared that some girl children faint while others have died during the cut because of the pain and the consequences of excessive bleeding. They claimed that the Ngariba performed the cutting ritual without ever giving the initiate any form of anesthesia. The Ngariba argued her standpoint in her interview that the girl child is supposed to be healthy and well nourished by her parents before the cut ritual. Moreover, if the initiates’ instructors such as their mothers or grandmothers feed their daughters properly, there should be no casualties because the girl child would be robust enough to withstand all odds. This circumciser explained that before the cut, the girls have a stone-cold bath that should help clot the blood and prevent excessive bleeding. She added that in ancient times, the cutting ritual was performed in the early hours of the morning before the scorching sun comes out.

All of the female interviewees in the study had mentioned that after the cut, they had been afraid to pass urine because of the pain of the raw wound. As a result, they had acute urine retention for the first few days after the surgery.

The health workers explained that urinary infections also occur from the application of local dressing of cow dung and ashes. The medical expert further stressed that fever could result because of blood poisoning as the operation might well be performed in unhygienic conditions with unsterilised equipment. Moreover, the health workers said that the application of herbs and ashes to the wounds in addition to the use of instruments that have rarely been sterilised often results in tetanus and septicaemia.

When the issue of long-term risks and complications were addressed in the focus group discussions, some of the elderly women shared that they have seen fellow women in their communities suffering from fistulae. They claimed that some of these women do not even seek medical health because of the stigma attached to the disease, and therefore remain in isolation. I became concerned and inquired from the health workers whether they had seen cases of this nature in their health centres. The nurse midwife passionately stated:

“Female genital cutting poses a threat to a woman’s health it is also a major public health problem that has long and short-term consequences. The magnitude of the health issue includes severe pain, problems with urination, excessive bleeding, menstruation problems, infections and kidney problems, which is on going in this discussion. The FGC practice is also causing complications with pregnancies and

childbirth. It contributes to a high number of maternal and infant deaths in our district” (Nurse Midwife in FGD).

The midwife also told about a frightening delivery she had witnessed as a young trainee a few years ago that:

“A woman in labour was brought to the clinic one night when I was on night duty. Her relatives had told that she had been in labour for almost three days. She bled so much and was weak, but the baby’s head was already coming out, so we encouraged her to push. When she managed to deliver, she had a tear from the vagina to her pelvic bone. I later discovered she had undergone FGC” (Nurse Midwife in FGD).

The strain of pushing too hard could affect the mother and result in fistula according to the midwife’s narratives above. I asked the health workers if they could have done anything to help women in circumstances of such a difficult delivery. The gynecologist explained that when the midwife realised her patient had the clitoris removed she should have used tactical means and then applied her expertise:

“The midwife had to make sure that she gives an episiotomy to open the lumen of the birth canal where the child would pass; this would have avoided the tear that could cause fistula. This is because no matter the kind of FGC ritual performed that removed the clitoris, it damages the elasticity of the vagina. The vagina’s elastic muscular canal is soft, and has a flexible lining that provides lubrication and it can harden and form a scar. Therefore, because the cut area is hardened it cannot expand for the cut woman to have a normal birth easily” (Gynecologist in FGD).

The gynecologist explained further that in such a situation, it is necessary for the midwife to give an episiotomy. He stressed that failure to apply such knowledge could result in a nasty tear that can extend even to the rectum, as was the case witnessed by the nurse midwife in the study. Incident such as this could lead to fistula as a long-term health problem.

A narrative of the 18-year old young woman acknowledged the health workers’ explanations when she shared:

“I had such a difficult and prolonged delivery, and the midwife told me it was because I have undergone FGC, I am afraid to have any more babies.”

The health workers in the study attest that prolonged delivery could happen to any woman in obstructed labour if she is not attended to in time. However, they claim cut women are more likely to experience obstructed labour than uncut women are. The 18-year old woman’s narrative did not say she had a fistula. However, she shared that she was not quite 12 years old when she underwent the cut. She explained that

she never had her menstruation before the ritual. She went back to complete her primary school education that year and was married shortly after. She attests that she became pregnant without experiencing her menses.

Another disturbing health problem disclosed by the young women was the lack of sexuality education and sexual desire. An example of such experience shared was:

“I do not have sexual desire, and this has caused me many problems in my marital life. I went to the hospital looking for medical help, but I was disappointed because I did not get any medical help” (35-year old woman).

The 35-year old disclosed that it was when her husband married another wife that she began questioning herself as to whether there was something wrong with her sexuality. The woman revealed: *“I went to seek medical advice on how to have sexual pleasure. However, I was disappointed the doctor could not help me.”* A few of the female interviewees in the group discussion too shared similar stories of not having sexual pleasure. One of the participants passionately stressed how FGC as a practice is a sexual oppression:

“I have no sexual desire, thus my husband kept teasing me what kind of a woman I am. At times, he beat me up out of desperation when he could not arouse me sexually. There was much tension in my married life that at a stage, I thought my marriage was breaking up. We both tried hard to make it work, but it was not easy. He has since then married four other women after me. I now understand his frustration. If my parents were to be alive, I would ask the government to convict them to life incarceration” (53-year old woman).

Like the 35-year old, this elderly woman also could not get medical help when she went seeking for the medical solution to her problems. In a casual conversation outside of the discussion group, some of the male participants shared how they had to develop a way of having sex with their wives. These elderly male research participants told how they too get frustrated when they cannot arouse their wives. They said they would appreciate medical help for their wives. So many questions run through my thoughts after the conversation with them. For example, “Do the men not see cessation of FGC as a possible solution? Do they even understand female sexuality and the place of the clitoris in sexual arousal? These questions need research for better understanding.

There was a common concern among all of the interviewees that the practice of FGC ritual could transmit blood-borne diseases among the peers undergoing the ritual at the same time. There can also be many long-term implications such as the risk of HIV infection, and non-sterile instruments could transmit hepatitis B,



especially when genital cutting on many girls in one group is done simultaneously. One of the interviewees highlights the dangers of HIV transmission:

“The Ngariba uses one razor blade to circumcise about 10–20 girls. When I underwent FGC almost 17 years ago, each one of us was told to bring our razor blade. Even though we all had our razor blades, the Ngariba did not wash the blood off her hands after each operation but went straight to operate on the next girl. She could easily transfer diseases from one girl to another. My fear shifted from the pain to the fact that I might contract the HIV in case any of my colleagues is infected with the virus” (28-year old young woman).

It was obvious that women in the Kuria community were concerned and worried about their health. They also identified the harm done to their bodies because of FGC practices. The nurse midwife in the group discussion argued that FGC practice damages the sexual organs. Additionally, those cut women who were severely cut could have their vagina vulva almost sealed, could also suffer further damages because they had to be reopened after marriage. Both events increase the chance of infection, which can increase the risk of infection by HIV. In today’s world, most parents are afraid for their daughters contracting HIV/AIDS through FGC.

The women’s testimonies assist in understanding the gravity of the health burden and a clear picture of what female genital cutting entails. Considering the impact of the health risks and complications shared, I questioned the young women whether there were socio-cultural values they attached to the practice of FGC in their point of view.

### 5.1.3 Socio-cultural Values as Motivation Factors

Despite the fact that the three young women felt they were victims of FGC, it emerged in their narratives that to have a traditional Kuria identity was significant to them. These women had told that the initiate is recognised as a respectable Kuria woman and given responsibilities in the community after the cut ceremony.

In her narrative, the 28-year old young woman shared how she had envied and admired her older sister before her initiation rite. She said that she had witnessed part of the ceremony of her elder sister’s ritual, but became scared when she saw blood oozing out of the initiates. She claimed she left the scene running, afraid of what she saw. Hence, she could not wait until the end of her sister’s ritual. However, to her surprise, her parents and other relatives praised her sister and lavished her with gifts. They had also talked for days about how good her sister had been during the cut ceremony. This female had also explained that before her elder sister got

married, her parents no longer restricted her movement and so she could freely visit friends and enjoy herself in their company.

“I had seen how my elder sister was treated with respect in the household and the community after she had undergone FGC and got married” (28-year old young woman).

Apart from the prestige, self-esteem, and respect an initiate enjoys, the idea of receiving gifts enticed the girls or young women to be courageous during the genital cut. All three of the interviewees claimed that the biggest motivation to endure the pain during the operation was the ‘*crown of bravery*’ that they looked forward to achieving.

“The feeling of being brave and courageous makes me proud; it is a lifetime honour” (35-year old young woman).

Being able to tolerate and endure the pain are marks for passing the FGC ritual test. It is evident that the FGC initiate was motivated with the promises of gifts as rewards for fulfilling their traditional norms. This gesture empowered them psychologically to endure the pain. While this explanation may seem to be a barbaric act to outsiders, in the Kuria context, this prestigious and ceremonial act becomes a motivating factor. According to the interviewees, it also encourages the continuity of FGC practice because they claimed young girls who witness their elder sisters undergoing the ritual and receiving a whole lot of gifts attracted them to the act.

Two of the young women claimed they were not prepared psychologically for the trauma of the pain of the cut ritual. However, the third interviewee explained that when she underwent the cutting ritual in a group of 20, she and her colleagues were kept in a camp for a week. There was a respectable woman who spent the days with them and taught them the role of womanhood.

“The senior woman taught us how to keep the home and ourselves clean, be respectful and obey the eldest and our husbands. We learned to be discreet about what we shared of our married life. Most importantly, our instructor taught us to be tolerant and withstand hardships in life in all circumstances” (35-year old young woman).

This account demonstrates the distinct gender roles in the Kuria culture associated with the practice of FGC. The 35-year old woman held that it is an outstanding tradition that helps prepare and shape female adolescent for the future and her entire married life in the society. She appreciated the instructions given to her and her colleagues in a camp before and after the genital cut ceremony confirmed that she

felt to be a Kuria because she went through all it takes to achieve her status in the community.

While these young women linked the socio-cultural values to FGC as a positive aspect of the ritual, they also highlighted as indicated above some humiliating aspects of the ritual procedure, which they did not find beneficial. They explained that the unvalued aspect of the ritual, for example, cutting off the clitoris discriminates against them relative to their male counterparts who only have the foreskin of their penis removed. They also said their men use the weakness in their sexuality against them during sex, which they find humiliating. They said they were aware FGC is an acceptable norm in Kuria culture, however, they dreaded the experiences of the aftermath of the ritual.

Socio-cultural values are reflected in peer pressure, which the interviewees had experienced. Societies that practice FGC and have the ritual done publicly such as the Kuria, acknowledge that the accepted norm for Kuria girl children coming of age need to undergo the cut in public. Every member of the community knows about those who have undergone the ritual. In this context, very often, those girls who refrain from such public rituals are singled out and stigmatised in the communities. One example of such an experience is demonstrated in the fourth young woman's narrative.

In her interview, it was clear that she opted to undergo the ritual through her own free will and against her parents' wishes because her peer group pressured her. This 20-year old young woman was not on my list to be interviewed, nevertheless, I came to know about her from her parents who came to be interviewed. While my primary focus will be on the 20-year old woman, the accounts of her parents are also presented. Even though this couple (parents of the 20-year old) were interviewed separately, they both claimed they were against their daughter undergoing the ritual without their knowledge. They also accused the Ngariba of pressuring their daughter to undergo the cut ritual. This couple claimed they only got to know their daughter had undergone the ritual when she had infection and could not move. I became very curious and wanted to know what motivated her to undergo the ritual, especially after so many women shared how they had been pressured and forced to undergo the ritual against their wishes. I therefore made my way to her home in their village. Upon arrival, I met with her parents and explained my mission to her. She then gave her approval for the interview.

Her first reaction in the interview was: "*Why? Do you want people to make a mockery of me?*" It took a while to pull myself together to assure her that I was neither blaming nor judging her action but wanted to know why she chose to have her genitals cut.

“I chose to undergo FGC against my parents’ wishes and had to be courageous to endure the pain of the ‘cut’ in order not to suffer intimidation and stigmatisation from the songs and poems used to deride and taunt uncut girls. I was tired of the stigma, and could not stand the humiliation of my peers any longer” (20-year old young woman).

From her interview, it emerged that this 20-year old was in a boarding school and was in her final year in a secondary school. She claimed that her friends were mocking and making fun of her by calling her names because she had not undergone the FGC ritual. She explained further that as a Kuria, she has to have the cut to make her a complete Kuria. She told me all about the positive aspects of FGC and felt it was her right and privilege to undergo FGC in order to preserve her Kuria identity. She said she had no regrets, and she sees no adverse effect of the practice in her life.

In their narratives, her parents shared that a few weeks before she went to get herself cut, she had threatened to commit suicide if she did not get their approval.

“I got worried and tried my best to explain to her how the government could convict her mother and me if the procedure went wrong and she would need medical attention. However, she did not take my advice. The worst part for us was that she took money from her mother’s purse without our permission to pay the Ngariba. Moreover, her mother had to nurse her for weeks from the resulting infection before she healed” (Father of the 20-year old young woman).

Parents are put in a dilemma when a girl chooses to undergo the cut ritual without their consent. The mother of this 20-year old expressed that she got frightened when she saw the extent of the wounds. However, she could not take her to the hospital because the medical personnel would not have believed that she did not push her daughter to undergo the ritual. Such types of incidents were common in the society where they lived. The fact that the 20-year old woman went secretly to undergo FGC gives an indication of her innermost wishes and deep-rooted beliefs and that the FGC is essential of her culture. However, her mother had a different opinion she does not perceive her daughter’s act to undergo the cut as a voluntary choice.

“Since the practice of FGC was outlawed in our society, the Ngariba has been visiting schools especially primary schools. She tries to convince the pupils to pressurise their parents to undergo the ritual and have their Kuria identity. Hence, my husband and I accused her of being the brain behind our daughter’s act” (Mother of the 20-year old young woman).

The couple stressed the negative impact of FGC on girl children and pleaded that the government should do more to arrest the promoters such as the Ngariba of the practice of FGC. This couple felt that the operators and some of the clan’s eldest

are those 'fuelling' the continuity of FGC in their community motivated by economic gain to enrich themselves.

During their interview, I learned that the parents of the 20-year old young woman were from different ethnic groups. I became curious and wanted to have a better understanding of the practice of FGC with a mixed married couple in the Kuria community. A Kuria, 42-year old man shared that his parents were poor and could not afford the dowry for him to marry a Kuria woman. For this reason, he got married to a Jita woman. The Jita, also an ethnic group in Tanzania (are located along the lake zone) do not practice FGC. While they too have the dowry system, their parents do not demand so many cows to give their daughters in marriage as the Kuria. This man told that he was against the practice for obvious reasons.

"My wife is not recognised as a proper woman in the Kuria context, and she cannot join other women folk to receive her daughters home if they undergo the ritual with their peers" (Father of the 20-year old young woman).

The belief of the studied community is that only dignified parents who have themselves undergone genital cutting could receive their circumcised children home. It is therefore humiliating for the Kuria man in the mixed marriage relationship that some of his fellow Kuria men make fun of him when discussing clan matters that involve womanhood.

"My wife too told that fellow women in her community mock her. For these reasons, I do not want my daughters to undergo the FGC ritual, unfortunately, my eldest daughter demanded her rights as a Kuria and underwent the ritual" (Father of the 20-year old young woman).

It is revealed that the couple have three daughters, but they did not want them to undergo FGC. Their Kuria father claimed that it is not the wife's culture: she has not received a genital cut as such, he sees no reason her daughters should undergo the FGC ritual. However, his Jita wife was of a different opinion. When I questioned and asked her how she felt about her daughters' choice, she said in a quiet low tone voice:

"Well, it is their culture, what will I say, if my daughters want recognition in their society then I cannot stop them. But I would rather want them to tell me about it and not to undergo it secretly as my eldest daughter did" (mother of the 20-year old).

It is evident that this couple's wish for their daughters was not heeded. Their eldest daughter had undergone the genital cutting when I interviewed them. The other two daughters were still young, seven and nine years old. The couple's fear was that these

other two girls might be influenced by their sister's example. They pleaded with the government and activists to help create not only community awareness but also awareness in schools. The couple requested that the impact of FGC practice on girl's body should be embedded in school curriculum as part of the awareness programme.

## 5.2 Interpretations for the Use of FGC

### 5.2.1 The Origin and Socio-Cultural Values of FGC

In a group interview I inquired about the origin of FGC in the Kuria society from three clan elders aged between 65–73 years old. I also asked when and how the FGC practice became a norm. While these clan elders claim that genital cutting is a cultural norm, all three elders had very different justifications and ideas about the origin of the practice. Two of them gave their versions of the origin of FGC in Kuria society:

“We have no documented record about the origin of FGC in our community; we met the tradition in our society” (68-year old clan elder).

“A long time ago, our ancestors used to go to war and would be away for a long time. The men at that time thought of ways in keeping their wives sexually inactive until they would come back from war. Hence, they came up with female genital cutting” (73-year old clan elder).

These clan elders' responses to my question show that there is no one justification about the origin of female genital cutting among the Kuria. As these clan leaders used different ideas to justify their explanation for the origin of the FGC practice that does not give a convincing reason for the enforcement of the practice. However, it highlights how the actual reason might have been lost with time. The third elder came up with this explanation:

“The different stories we have about the origin is evidence that female genital cutting has been in the Kuria society for as long as members of the community could remember” (65-year old clan elder).

It was apparent in the clan elders' narratives that married men in the Kuria society were very envious and felt other men could exploit the sexuality of their wives. Hence, the idea of the female genital cut was conceived. One of the elders explained that men were hoping that with the introduction of FGC, their wives will remain faithful to them.

“In the ancient times our elders saw wisdom in the female genital cut. At that time, people in the society thought it was a good idea, and so it became a tradition and a norm. This idea was enforced in the society that no Kuria man could marry a woman who has not undergone FGC” (73-year old elderly woman).

This elderly woman’s narrative was understandable and highlighted how the clan elders at the time were very jealous men. She felt they came up with this tradition as a way of keeping women to themselves. She stressed that the male possessiveness over their wives was a necessary tool adopted by them to manipulate the sincerity of married women in Kuria society. The informant’s understanding of why the elders at the time initiated the practice of FGC makes sense because she felt it had something to do with adultery, love, trust and faithfulness. The 73-year old also thought that men have some tendency to believe that if the woman’s sexual desire is tampered with then her virginity will be maintained, and he would have total control over the woman’s body. By so doing, the woman would always remain faithful to him.

The clan elders explained that in Kuria society, husbands (and particularly senior male folk) are understood and looked up to by most married women as having wisdom and knowledge. In the ancient times, societal members perceived these elderly men to be knowledgeable and wise people who could implement the customs. Naturally, this implies a link to knowledge and wisdom; therefore, the assumption of what societal members connected to knowledge and wisdom became a tradition.

The Ngariba clarified how in Kuria society, the circumcision ritual was originally only meant for male children. This Ngariba also said that with time women were implicated in the practice. The Ngariba talk about ceremonial rites of passage and the social construction of gender in the Kuria tradition. She told that the Kuria have two forms of rites of passage. She explained that the naming ceremony marks the first rite of passage in the life cycle of a child, which gives him/her formal recognition and identity. She added that a new-born child could only be considered genderless and would become ‘mtu’, (human being) only after the naming ritual.

“In our tradition, to recognise a child as an adult, s/he has to undergo a second rite of passage – circumcision. Our eldest informed us that formally, circumcision practices were mainly for male children in the Kuria communities as a rite of passage to manhood” (A 56-year old Ngariba).

The Ngariba explained further that with female circumcision, the ceremony goes on for three months – September, October through to November in the different wards of the community. During those three months, over 150–200 girls could undergo the ritual of the genital cutting in a particular year. This explanation gives a clearer

picture about the scale on how the FGC ritual ceremony affects all female children in the Kuria society.

The clan elders' accounts of the importance for female children undergoing the genital cut in the society was that every Kuria girl knows that to be a decent and respectable wife in the society depends on the preservation of her 'virginity'. The elders claimed that this kind of system could be described as female chastity, which is of crucial importance for the male.

"A young woman, who is not a virgin at her marriage, is considered 'loose' both morally and having a poor upbringing, which tarnishes her image and that of her family. Such a girl cannot be in competition and stand up to her peer group in marriage life" (73-year old clan elder).

According to the 65-year elderly woman, in ancient times, FGC in the Kuria community was compulsory for all girls entering puberty or shortly after the age of puberty. For this reason, a girl-child who gets pregnant before undergoing FGC, brings shame and soils the family reputation.

An older women in the FGD notes that teenage pregnancy, for example, was rare in Kuria society. These elderly women shared that in ancient times, the male folk would have been afraid to propose to a young girl or have sex with her before she undergoes the FGC ritual. There were societal fines imposed on any man found to be guilty of taking a girl's virginity, and the clan elders made sure these sanctions were in place for offenders. The older women added that morality and woman's dignity were highly valued in the community.

The elderly women in the study still believe today that the FGC practice prevents their daughters from promiscuity, this value was emphasised by all interviewees and informants.

"The cut girl gains self-esteem after the ritual, she transforms from childhood to womanhood. FGC gives her access to belonging to her peer group. She is seen as responsible, and she is given responsibilities in society" (65-year old elderly woman).

It is obvious that women in the Kuria society are also involved in the practice of FGC. The common phenomenon in patriarchal society is that the males in the household make the decision about their daughters. However, in some cases no matter what the views of the male, the female could arrange with their daughters and extended relatives to have them undergo the ritual.

"Even when my husband is against the fact that our daughter undergoes the cutting, I feel it is my duty to do the right things for her" (62-year old elderly woman).



Elderly women have lived long enough to have seen and witnessed uncut women being mocked and called names in the community because of not undergoing the puberty ritual. Facing such situations, these uncut women blamed their mothers for not doing the right thing for them.

“I cannot leave her uncut, my daughter listens to me. I am not an uncut woman, why should my grandchildren be called the children of an uncut woman?” (62-year old elderly woman).

As related earlier by the young women, the women also disclosed that it was very common in Kuria society that the last wishes of most grandmothers before dying was that the granddaughters named after them undergo FGC. Similarly, the clan elders explained that the dying wish of a dignified person, such as a grandmother was usually respected and her wish is always carried out. The reason is that those who abide by the wishes of a grandmother are blessed with having good children who are protected from the haunting and harm of bad and evil spirits. Most members of society believe these evil spirits may cause great harm to the entire clan if the ancestral spirits are not appeased.

As positive values are attached to the FGC ritual, so too are taboos associated with the cutting ritual. These taboos are believed to help put order in the societal structure to ensure problem-free process of the FGC ritual ceremony. It has been said earlier that in Kuria society if any of the girls are found to have had sexual intercourse beforehand it will be found out in the FGC ceremony. Therefore, during the ritual, the whole cutting process is stopped until the girl in question mentions the name of the man she with whom she had sex. The man, ‘*sex offender*’ pays a fine of goat/sheep as a penalty for having taken an advantage of the girl’s sexuality. In case he disappears or go into hiding, the girl’s parents pay a fine for the immoral act of the girl. A delay in finding the *sex culprit* or the parents of the girl to pay the penalty could endanger the lives of her peers who have undergone the surgery earlier. The reason is that the already cut girls in the group would be waiting with their blood dripping as they had no permission or right to leave the premises until their colleague is purified and cleansed.

The community actors gave additional insight on how the sexuality of a girl was measured by her morality. According to them, it was considered a taboo for an uncut girl to conceive and have a child. One of them gave this explanation:

“In the olden days, a girl child who gets pregnant before undergoing FGC is not only banished from the community but her family are also expected to have her burial ceremony. The girl in question is, therefore, counted among the dead. Moreover, she could never return to her village” (63-year street leader).

As expressed in the young women's narratives, the clan elders also disclosed that it was a taboo for a girl to cry out or try to stop the Ngariba during the procedure. Hence, girls were discouraged to cry, as it does not only make them cowards but it brought shame to their parents. Another serious taboo surrounding FGC held by the Kuria is death. The practice is that before the circumcision ceremony, the girl child is well fed and nourished. It is the duty of her family to make sure she is in good health to withstand all odds of the surgery.

“In the course of the cut and the recuperating period, if a girl bleeds to death, she could not be buried among her deceased family members. Her body is disposed of in a secret location at night in the forest, far from the village for hyenas and other wild animals to devour. Death during the ritual of genital cutting is believed to be a taboo and a bad omen, not accidental. It is presumed the mother or other female instructors in the family failed to make sure the girl child was fit and strong to undergo the severity of the cutting ritual” (A 68-year old elderly woman).

Informants explained that in the Kuria tradition, especially in ancient times, the death of a girl child undergoing genital cutting is not announced to the public. The dead woman or girl simply disappears, and no one ever talks about her. No one mourns her in the village, neither her parents nor relatives are permitted to show any sign of bereavement for her passing. If parents or the family disobey this sanction and mourn, they are levied to pay a cow to appease the gods and the ancestral spirits.

The notion of taboos surrounding the practice of FGC place female folk (i.e. both the elderly and young women) are complex. This mystery is not always easy to understand especially, when trying to find a holistic understanding and meaning as to why the practice continues in these communities.

I identify from the narratives of the informants three ways of keeping a woman in her place in a patriarchal society with these cultural taboos. First, the woman keeps her virginity for the man she marries in the future. Second, the woman reaches a mature ripe age before marriage. The research participants explained that Kuria women used to subject the girl child to FGC at the ages between 16 and 18 years and so they are married shortly after the ritual ceremony. However, in recent years, the ritual is performed on girls at an earlier age between 12 and 13 and even at a younger age in some communities. Very few women have undergone the cut at the age of 18 years in the last decade. The informants blamed this swift change of performing FGC on younger girls on outside interference in Kuria culture. They highlighted that parents who still hold on to the old traditions had their girl children cut at an early age before they can be influenced by modern ideas from the western cultures or Christianity. It transpired in the interviews that some parents still believe

that cut girls will make a high bid of dowry and so subject their daughters to undergo the genital cutting. The third observation was that Kuria men learn to respect girls and not take advantage of their bodies because sexual assault offenders are named, labelled and fined thereby being shamed, and stigmatised in society.

### 5.2.2 Beneficiaries of FGC

Throughout the fieldwork, the notion of the benefits and advantages of FGC was very much stressed by the clan elders, and other participants explained the reasons for why the practice persists in their community. These reasons also reflect why Kuria women and girls undergo the FGC ritual. The question then is who benefits from the practice? I tried to examine and identify the motivating factors encouraging Kuria women to undergo FGC and establish the benefits they secure as well as the violation they suffer from the practice.

The following beneficiaries were identified: First, the parents of the girl wear the '*brighter crown*', the crown of pride and the honour that their daughter brings them. They advertise her for '*a good prize*' if she fulfills all the societal obligations and rules before and during the ritual, namely, if she is found to be good mannered, a virgin, and brave. These characteristics could win her parents, especially her father, a substantial capital of 50–80 cows as a dowry and bride price for her marriage. The young women in the study said that in the last decade or so, the number of cows received as bride wealth has decreased. They hold that most parents receive about 10–20 cows as dowry payment these days because the FGC practice is slowly dying out. The elderly women interviewees also identified clan members as the benefactors of FGC because they also have a share in the glory and honour of the initiate.

Another benefactor of the practice is the Ngariba because she is well paid in cash and in kind especially when she does a '*good job*' on the girl. The parents of the girls feel obliged to reward her above the usual payment. The Ngariba, who is perceived as a specialist in FGC in her community, explained that she was neither a trained medical expert nor a traditional birth attendant. She claimed she learned the trade by watching her grandmother who was a key professional and made much money from the job. Some participants described Ngariba as one who is greedy in the accumulation of wealth.

“The government and rights activists are fighting against FGC in our communities. But the problem is that the Ngariba go to schools to encourage the girl children to demand their identity as Kuria and undergo the ritual in order to acquire more wealth” (Parents of the 20-year old woman).

In both the individual and the group interviews, interviewees concluded that poverty in the community was a contributing factor to the continuing practice of FGC. They felt that there is a link between male circumcision and FGC because both genders undergo the ritual to become adults. However, upon marriage, the girl child brings in a resourceful asset to enrich the family, while the boy child gives away the family asset to his bride's family. These interviewees state that the benefits and wealth acquired by the practice of FGC contributes to the structured, economic stability of all the beneficiaries within the initiate's household.

The clan elders explained that the girl child having observed traditional norms and pass through the initiation rite successfully will only bring honour to the entire clan. However, she will also be married off making her parents proud because they will receive a good number of cattle. She thus becomes economic capital for her family, especially for her parents.

The clan elders clarified that it is considered a taboo and the breaking of Kuria tradition and custom to marry an uncut woman. It was a breaking of cultural norms historically for a Kuria man to marry a woman from an ethnic group that did not practice FGC. Women had no choice but to experience the practice that is the accepted standard for marriage.

Informants in the group discussion sum up the benefits by describing parents as the chief benefactors because they give their girl children away in marriage and receive the dowry paid. The circumcised girl receives many gifts if she demonstrates courage in enduring the pain during the procedure. The family members also benefit because the girl child brings honour to the entire group. Lastly, the whole community benefits because they all partake in the ceremonial festivity through singing, dancing or enjoying excellent meals to mark the occasion.

Some men in the discussion group claimed that after their daughters undergo FGC and during the period of recuperation, the mothers (their wives) spend too much time with nursing the girl child. The male folk said that they find this problematic because they are left to do all the heavy work during that time. It was, however, not clear whether some of the male folk in the study thought of women especially mothers, as benefiting from the practice by taking a break from the manual work from the farms. Alternatively, it may be that these men do not think their daughters deserve care and attention at the crucial time of the rite of passage when they are made vulnerable. The question is: who benefits most from the dowry received when the initiate is married off?

Apart from associating FGC with benefits and beneficiaries, the Ngariba revealed that in her opinion, the cultural meaning or traditional understanding of FGC is

dying away because of the sanctions and the threats of convicting promoters of FGC by the Tanzanian government and human rights activists. She gave her reasons by explaining the serenity surrounding the spirituality of the cut ritual:

“Before the ritual ceremony, the elders of the tribe go to consult the ancestral spirits and gods. An oracle is consulted to find out whether the year for the genital cutting is a good and an acceptable year. In order to appease the gods and ancestors, the clan’s eldest perform the ritual amidst prayers and offerings with sheep and goats. The ritual ceremony is carried out in a sacred place at a crossroads in the middle of the forest, under an unusual tree. An offering of some special herbs is burnt to accomplish the ritual. It is believed that the smoke from the offering should be seen rising into the sky as a sign that the gods have accepted the offering. If, on the other hand, the smoke scatters around, it is believed to be a bad omen. A sign that the year was bad and that ill luck will befall the initiates if the FGC ritual ceremony is not cancelled” (56-year old Ngariba).

In a focus group discussion, the community actor participants also said that this ritual performance is for seeking blessings and protection over the initiates of FGC. They described that the invoking of divine intervention before the cutting ceremony ensures the sacredness of the ritual. The clan elders acknowledged that the girl child’s cut drips blood onto mother earth, and she thus receives blessings of fertility of the womb from the ancestral spirits. However, the young women interviewees claimed that the blessings of the womb and other benefits gain as a result of the ritual come with a price.

### 5.2.3 Interferences and the Weakening of FGC Practices in the Kuria Society

In the different interviews and discussions, almost all the research participants shared that the practice of FGC among the Kuria is beginning to weaken for various reasons. It was observed that the elderly Kuria women and most elderly African women in the ethnic groups who practice FGC encourage the cutting ritual on their children for the best reasons. They do not consider doing so as a malicious act to punish their girl children rather, in their mind-set, they perceive FGC as a traditional ceremony that protects and safeguards their daughters’ future for marriage opportunities. When discussing attitudes related to FGC, specifically in the Kuria context, the community actors held that since 1998, the Tanzanian Special Provision Act prohibits the practice FGC. They claimed that while the practice has been outlawed, it is still considered compulsory in some Kuria communities, but in others it is becoming optional.

It is worth examining the different situations of the environment of those who practice FGC, whether they live in urban or rural areas. Other factors such as educational background, the economic situation, as well as the mindset of individuals might help to shed more light on why they believe in the practice with such tenacity. In their discussion, the community actors concluded that usually, those in the rural areas have a great tendency to think FGC is to ensure the virginity of a girl before marriage. These locals also believe that it is a guarantee that the girl will not be in a position to have sexual intercourse before marriage, which is a credit to the parents, especially the mother for the good upbringing of her daughter. The mystery surrounding the practice of FGC still remains with some Kuria young university students who might have heard about the health hazards associated with the practice yet, participated in the ritual. A clan elder told that these young women wanted to be Kuria, and that they wanted to be blessed by their ancestral spirits. These thoughts are deep rooted in their mind-set.

When the young women who felt victimised by the practice of FGC talked about the lack of protection they experienced from clan elders and the law enforcement bodies in their society, the community actors explained that issues of civil law and customary law are complex and could be confusing to deep-rooted practitioners of customary rites. The human rights activist in the discussion group highlighted that knowledge of the adverse implications of FGC may be shallow and not deep enough to convince community members who still treasure the practice. It emerged in the discussions that the reasons portrayed to the locals of why the FGC practice is a violation of human rights, hence prohibited, are seen as an outside interference with local customs. Furthermore, the pressure of Christianity is perceived in these communities as the waging of war by the Christian culture on the traditional culture. In the group discussion, an elderly man gave his views affirming the ongoing debate on why the FGC practice was dying out:

“Christianity has contributed to the dying of the FGC tradition among the Kuria because most Kuria have been converted to Christianity, and the Christian faith condemns the practice. In the last decade, I noticed a cultural change especially since the government enacted laws to arrest, prosecute and convict parents who put their daughters through FGC. Another big issue is that our men are working in different parts of the country. They meet women from various ethnic groups, fall in love, and marry them. My son married a Sukuma, an ethnic group that does not practice genital cutting. I have accepted her as a daughter-in-law” (67-year old street leader).

A Kuria man marrying a woman from a tribe that does not practice FGC does not always guarantee the weakening of the practice. One such case has already been

discussed in this chapter where a girl child from a mixed marriage opted to undergo FGC because of peer pressure and her claim of her personal identity. In spite of their ingrained sense of culture and tradition, the Kuria have shown a degree of openness to change. The question remains whether it is the traditional practices that are the problems to confront, or the use of power in enforcing the practices that need to be challenged by the society, particularly the women folk.

### 5.3 Interrelations: Personal Experiences and Cultural Norms

The foregoing analysis is very telling about the use of power over the vulnerable in a patriarchal society like the Kuria. It is evident that women folk in these communities could use the power entrusted to them to challenge the traditions that violate women's rights instead of using that power to promote the traditions.

The narratives in this chapter have revealed that elderly women are implicated in performing roles for the male-dominated community. The study data has shown that in order to subjugate women, the male folk enforce rules and use their power over influential women. In the case where the male parent makes the final decision, he passes on the information to the female parent. If a mother succeeds in convincing the girl child, then the male figure becomes invisible. However, if the girl child turns out to prove difficult and resist undergoing the cut, for example, then the male parent uses his power to pressure the girl child. Male pressure often comes in the forms of threats, which puts the girl child in a situation where she feels trapped and would have no option but to undergo the ritual.

The elderly women stated that when the man gives such instructions to his wife, it is considered the final word has been spoken. It is up to the mother of the girl child to do to her daughter what society demands. These demands turn out to please the male, but somehow, the male seems to be invisible when the actual procedure of the act is been performed. The women in the study admitted to this fact, but did not stop to reflect on this realisation and take precautions. Instead, they decided not to notice their own suffering and continue to remain with their ordeal because of the demand of tradition. Moreover, as women in Kuria society are convinced of the positive aspects of cultural norms, they continue to promote the practices in the name of culture.

In this context, elderly women have total control over both the weak and the strong women folk. On the one hand, elderly women believe in their responsibilities as protective measures for the common good of their society. On the other hand,

because they have the power over their young girls and the vulnerable women, and they use it to accomplish what their male folk could not otherwise have achieved. For example, as mentioned earlier, discussions on sex and sexuality in the context of FGC are taboo in the Kuria society. Therefore, the male folk feel the elderly women who have influence on fellow women (both young and vulnerable) would be in the position to discuss the sexuality of their fellow women. Hence, elderly women are entrusted with the tasks of preparing their daughters or granddaughters to undergo the ritual cutting.

It emerged in the narratives that elderly women felt very comfortable telling about the cultural values of FGC practices. They told how the girl child becomes pure and beautiful as well as how she is respected and given responsibilities in society. They also told how after the cutting ritual the woman is freed from promiscuity and remains faithful to her husband. I also noticed how the elderly women felt reluctant to speak about the negative aspects of the practices.

“A good woman is one who endures pain and goes about her duties diligently” (The 68-year old elderly woman)

During the discussion on the disadvantages of the practice, participants concluded that the rate of polygamy is high in the Kuria community because of the practice of FGC. Their conclusion was drawn on the basis of the tension the women in the group shared they experience from their spouse, which are derived from abuse, frustrations having sex, and their claim of the lack of sexual arousal. A good number of the males in the group also shared how they too become frustrated and therefore, they keep on marrying younger women hoping to fulfill their sexual desires. There was a long debate on this issue and I drew my conclusion by asking a question: “Who then benefits from FGC?”

The negative feeling and the psychological implications of the genital cut were never a topic of discussion before or after the procedure. It was a taboo to even imagine that the practice FGC would have any harmful effects and almost a mystery to experience it. The mystery of the pain and all that go with it lives with a woman in short and a long-term memory without her questioning it. Moreover, women do not have either the space to reflect on their pain or the mental strength to address the physical pain. The reality in Kuria society is that most of the women were forced into marriage shortly after the FGC procedure. The elderly women said that the cultural norm of FGC demands that the girl child reaches puberty before she undergoes the cut to be ready for marriage shortly thereafter.



I discovered some justifications from the research participants' narratives that on the one hand, support the FGC practice but on the contrary, also contradict the justification of the practice. For example, informants, particularly clan elders and elderly women in the study claimed that the practice instills and ensures the purity and softness of the woman who undergoes the cut ritual. These clan elders and older women also place emphasis on FGC practice as preventing promiscuity and preserving virginity, the maintenance of cleanliness, enhancing fertility, the maintenance of good health and improving male sexual performance and pleasure, as well as promoting political cohesion. However, in the group discussion the community actors argued against those justifications of the custodians as explained in Table 4 below:

**Table 4.** Arguments in Favour of Female Genital Cutting

Prevent promiscuity	Custodians believed the clitoris, left uncut, promotes promiscuity. They argued therefore that FGC is beneficial to women and society.
Maintenance of cleanliness	Custodians believed genital cut promotes cleanliness. They argued secretions produce by the clitoris glands, labiae minora and majora are foul-smelling and unhygienic and so make the female body unclean.
The enhancement of fertility	Custodians made a case that the cur enhances fertility and the cut girls become pregnant within a short time after marriage. They argued that if left uncut, the secretions produced by the glands of the genitalia kill the spermatozoa deposited in the vagina by the male glans penis. This belief was more so in ancient times.
Maintenance of good health	Custodians believed cut women are always healthy, and never complain of any physical ailments except those brought about by supernatural causes.
Promotion of social and political cohesion	Custodians believed the practice of FGC ritual conferred full social acceptability and integration upon the female. They argued that the practice leads to identifying with ones' culture and grow as acceptable members of their society, with full social rights.
Promotes purity, beauty and softness	Custodians believed FGC practice enhance a change in the character of the girl, making her disciplined, decent, calm, respectful and respected.

In the focus group discussion, health workers and activists argued against most of the justifications put forward. They maintained that almost all the reasons given by the custodians above had no scientific or logical basis. For example, the activists argued that there are some cut women known to be promiscuous, and many more cut women in Kuria society who are not respected and are treated unjustly. The health personnel explained it is surprising that maintenance and cleanliness are used as grounds for the practice of FGC. They argued against these claims and highlighted that the hardened scar usually is seen where the clitoris should be present an appearance that cannot be described as beauty. They further explained that

depending on the severity of the cut, the scar formed might prevent a free flow of urine and the menstrual flow. This could lead to retention of urine and menstrual blood escaping by the normal channel, which could cause body odour. The health workers said they saw no justification associating FGC to the enhancement of fertility and maintenance of good health rather FGC practice comes with health hazards.

## 6 THE KURIA AND THE *NYUMBA NTOBHU* MARRIAGE (WOMAN-TO-WOMAN MARRIAGE)

This second empirical chapter is about the Kuria ethnic group with a focus on the practice of *Nyumba Ntobhu* marriage. As explained in Chapter 2, this kind of marriage institution is unique and unfamiliar in many African countries. In Tanzania, *Nyumba Ntobhu* marriage exists only among the Kuria ethnic group. The complexity of this marriage institution unfolds in the different sections in this chapter. Section 6.1 presents the clan elders' interpretation of *Nyumba Ntobhu* marriage in Kuria society. In this study, three *Nyumba Ntobhu* couples told their stories, the experiences of the young married women unfolds in Section 6.2 while the narratives of the elderly women involved in the marriage are presented in 6.3. The chapter concludes with Section 6.4, which discloses the clan elders and community actors' shared concerns on the practice of *Nyumba Ntobhu* marriage in modern Kuria society. These actors also discussed the limitations in the societal structures and the Tanzania marriage law.

### 6.1 Clan Elders' Interpretation of *Nyumba Ntobhu* Marriage in Kuria Society

Before going into the narratives of the women involved in the *Nyumba Ntobhu* marriage, four Kuria clan elders aged between 68–73 years old explained the meaning of *Nyumba Ntobhu* marriage in the Kuria context in a group interview. According to the clan elders, the Kuria society understands marriage as the union of male and female. However, in the *Nyumba Ntobhu* marriage institution, the male figure is somehow 'invisible.' These elders explain that in this type of marriage, the 'supposed mother' of the 'invisible man' takes the responsibility of paying the bride wealth of the bride. Hence, she plays the role of the 'male figure' in the marriage. Again, the clan elders explained that the literal meaning of *Nyumba Ntobhu* is an 'empty house.' They explained that in Kuria society, a sonless woman who has only daughters is given the name 'Umwiboki wa baseke', which expresses the ideology of *Nyumba Ntobhu* marriage as 'cut down a tree and plant another one'.

The idea implies that the sonless couple having married off their daughters acted as ‘cutting down trees’, making their homestead *empty*, and their domiciliary *poor*. According to the clan elders, the primary aim of the *Nyumba Ntobhu* marriage is to serve a son for the ‘*empty house*’ to which the young woman is socially married. Therefore, to ensure the survival of the family name, ‘*another tree*’ needs to be planted.

“In our Kuria tradition, *Nyumba Ntobhu* marriage is enforced when a particular married woman fails to bear children, particularly a son and has passed a childbearing age. Alternatively, in some circumstances, the married woman may have only girl children in her marriage” (68-year old clan elder).

The idea of a sonless house that was described as ‘*an empty and poor house*’ shows the importance of a son in the Kuria society and highlights preference of sons over daughters. These realities illustrate the vulnerable position of an infertile or sonless woman in this patriarchal community.

An informant, Matambalya (an elder Kuria researcher at the Nordic Africa Institute, Uppsala) felt the significance of *Nyumba Ntobhu* practice goes beyond a mere ‘*empty house*’. Matambalya disclosed in an interview that the Kuria perceive “*Nyumba Ntobhu*” as an arrangement type of marriage between an elderly woman and a younger woman or girl. However, the parents of the young woman or girl initiate the marriage arrangement. The young bride in the relationship, perceived as *mokamööna*” meaning (a daughter-in-law), is not married to the elderly woman. The marital relationship is between the young married woman and the “non-existent” son. Hence, the elderly woman who paid the bride price chooses a man (sexual partner) to impregnate the young woman. In some cases, however, the young woman in the relationship is given the freedom to choose her sexual partner. In both cases, any child born becomes the grandchild of the elderly woman. The child is given the surname of the non-existent son or takes the surname of the family of the woman who paid the bride price.

I asked the clan elders to list those involved in the *Nyumba Ntobhu* household: They noted the elderly woman who paid the bride wealth, the young married woman, the sexual partner (biological father of the children born to the *Nyumba Ntobhu* household), and the social father are all people involved in this marriage institution. For the purpose of clarity, Table 5 below illustrates those in the *Nyumba Ntobhu* household and how they are addressed in the study.

**Table 5.** Names of those involved in the *Nyumba Ntobhu* household

People involved in the <i>Nyumba Ntobhu</i> household.	Traditional names and the English translation of the names.	How these people are addressed in this study.
The childless/sonless woman who paid the dowry.	Mama mkwe i.e.- mother-in-law	<i>Nyumba Ntobhu</i> mother-in-law or Female husband (in parts of the study)
The young woman married in the <i>Nyumba Ntobhu</i> household.	Mokamööna i.e.- daughter-in-law	The young or younger woman
The husband of the childless/sonless woman.	Baba mkwe i.e.- father-in-law	Social father – father-in-law and the grandfather of the <i>Nyumba Ntobhu</i> children.
The man who impregnates the young married woman.	Umutwari i.e.-the sexual partner	<i>Umutwari</i> or biological father (of the <i>Nyumba Ntobhu</i> children)

While outsiders may perceive the *Nyumba Ntobhu* marriage as a marriage contract between two women, nevertheless, there are also two male figures involved in the marriage. The first, the ‘Baba mkwe’ – the father-in-law (the husband of the female husband if he is alive.) These men are the biological and social fathers in the gender and kinship context. The clan elders disclosed that Kuria society is organised in a patriarchal and patrilineal kinship system whereby the family name and property follow the male line and marriages are often patriarchal. Among the Kuria ethnic groups, the one who pays the bride price to marry a woman controls the economic resources of the home, as well as the married woman and her children. The payment of dowry legalises marriage in the societal context. These elders claim that divorce in the Kuria society entails the return of the bride wealth hence divorce remains rare in the society.

In this study, I shall be referring to Umutwari and Babamkwe as the biological father – the ‘*maker*’ and the *social father* – the ‘*given*’. The social father in the *Nyumba Ntobhu* marriage institution, therefore, becomes a ‘*given figure*’ as the alleged father-in-law of the young married woman. He is to offer financial and material help to support his wife (the *Nyumba Ntobhu* mother-in-law) in the upbringing of the children (their grandchildren) from the marriage.

The second male figure is the 'Umutwari'- who is the sexual partner, an agnate from the female husband's family. As revealed earlier, in some case, the young women in the relationship has the freedom to choose boyfriends in the community who may be from a different clan. The clan elders revealed that when the newlywed arrives in the *Nyumba Ntobhu* homestead, the elderly woman chooses an Umutwari (the sexual partner) for her. With some families, the newlywed is given her freedom to befriend a man of her choice. Whatever situation the newlywed finds herself, she becomes the concubine of the Umutwari. A clan elder clarified that traditionally, Kuria custom demands that the preferred Umutwari should be close relative from the lineage of the husband of the *Nyumba Ntobhu* mother-in-law. The reason is to ensure that the children born into the *Nyumba Ntobhu* family have the blood connection with the clan members of the household. Again, the clan elder stressed that all children born in the relationship had legitimate rights to take the clan name and enjoy equal opportunities with other children in the homestead.

While the Umutwari is the one who 'makes,' (the biological father), according to the Kuria tradition, he has neither legitimate rights over the young woman he impregnates nor the children he 'makes'. The reason is that he did not pay the bride wealth to marry the young woman. As such, his role in the relationship is limited only to impregnate the young woman on behalf of the invisible son. Hence, any children born take the surname of the non-existent son, in other words, the children bear the clan name where the *Nyumba Ntobhu* mother-in-law is married. However, the children could be given the maiden name of the woman who paid the bride price if she is not a married woman.

In an interview, Matambalya explained that in an ordinary Kuria married life, an Umutwari's aim in the relationship is to keep friendship with the woman as his mistress or concubine. And if children were born in the relationship, just as the Umutwari in the *Nyumba Ntobhu* household, he too would have no claims over the children because he has not legalised the relationship with dowry payment. The clan elders explain that in the *Nyumba Ntobhu* homestead, tradition demands the Umutwari could only enter the house of the young married woman late in the evening and must leave very early in the morning.

## 6.2 Personal Accounts of Three Young Women Married in the *Nyumba Ntobhu* Household

Three young women aged between 28–38 years old who have been married into the *Nyumba Ntobhu* household are addressed as young women ‘A, B, and C’, in this chapter. These women told how they ended up in the *Nyumba Ntobhu* homestead as wives of the (invisible husbands) yet, they had to have union with real men whom they cannot claim as husbands who fathered their children. The narratives of the women’s life experiences unfold through issues of violent encounters. These issues are discussed in Sections 6.2.1 forced to marry; 6.2.2 the workload experiences; 6.2.3 physical and verbal abuses. (b) humiliating experiences of name-calling and stigmatisation by some societal members and the wives of their sexual partners as well as experiencing sexual harassment, as presented in 6.2.4; and (c) health risks due unprotected sex with multiple sexual partners and the danger of contracting STD and HIV/AIDS, discussed in 6.2.5.

For the purpose of clarity, Table 6 illustrates the status of these three young women, which gives us an idea of when they were married, the number of men they have been involved with, and the children they have had at the time I interviewed them.

**Table 6.** The Martial Status of the *Nyumba Ntobhu* Wives

<b>The <i>Nyumba Ntobhu</i> wives</b>	<b>Age at the time of marriage.</b>	<b>Age at the time of interview.</b>	<b>Number of children at the time of interview.</b>	<b>Number of biological fathers of their children.</b>
Young woman ‘A’s’ parents received dowry from <i>Nyumba Ntobhu</i> mother-in-law ‘A’	15 years old	30 years old	Six children	Two men
Young woman ‘B’s’ parents received dowry from <i>Nyumba Ntobhu</i> mother-in-law ‘B’	18 years old	38 years old	Four children	Four men
Young woman ‘C’s’ parents received dowry from <i>Nyumba Ntobhu</i> mother-in-law ‘C’	19 years old	28 years old	Five children	Three men



There is a link between these three married women in Table 5 and the *Nyumba Ntobhu* mothers-in-law or the female husbands in Table 6 on page 159. The elderly women in Table 6 paid the bride wealth as indicated above in Table 5 to marry for their fictitious sons.

The *Nyumba Ntobhu* wives 'A, B, C' had some issues in common in their narratives. Each one of them told that at a different time in their lives, they had suffered the various forms of violation listed from their parents/family and from their *Nyumba Ntobhu* mothers-in-law, and occasionally from the men of the household. These young women said that they had experienced violation from their sexual partners and at times the wives of their sexual partners. They also expressed the fact that having many other people involved in their married life made the *Nyumba Ntobhu* household status quo difficult to maintain and in many ways complicated their lives especially as newlyweds.

### 6.2.1 Forced to Marry

When narrating how they were forced into the *Nyumba Ntobhu* marriage, the three young women expressed that they associate the arranged marriage practice with fear and anxiety. And often thought that they had no option in negotiating their rights. It emerged in the narratives that every so often, their parents had applied force, intimidation and even physical abuse to marry their daughters off into a *Nyumba Ntobhu* household. Some parents also believed that when a barren woman approaches them and asks for the hand of their daughter in marriage, denying her the gift of their daughter could bring their family bad luck. However, giving their daughter into marriage to fulfill the obligation of childbearing would bring blessings, good luck, and prosperity to their household. Thus, considering how deep-rooted superstition and traditional beliefs are in these communities, some parents might genuinely mean well and arrange what they convinced to be the best marriage of their daughter. In addition, these arranged marriages were presented to the young women in a mysterious way that made them have a binding commitment to remain faithful. Some of their sentiments are expressed in the following phrases:

"Fear gripped me when my mother told me that a bad omen would befall me if I refuse to marry the childless woman. A dowry of six cows and two goats was paid to marry me" (28-year old Young woman C).

"I could not refuse. I would have been beaten and cursed. The childless woman brought 10 cows. My family needed cows" (30-year old Young woman A).

The young women feared being cursed or beaten if they opposed the will of their parents, was strongly felt in their stories. The curse of a parent has a huge psychological impact on a young woman because it puts the fear of a bad omen befalling her in her mind. The impact of the fear of bad omen is so strong that the girl child would obey whatever she is told to avoid the consequences of the curse. In most African societies, children are mindful of the fact that parents' wishes for them in serious matters such as marriage are considered a blessing. One such belief was expressed in this narrative:

“My father gave me his blessings. He told me all would be well with me in my married life. The childless woman paid six cows and two goats. My father assured me of his support. Unfortunately, he died shortly before I had my third child. He is not here to see me suffering and struggling to be the mother, father and the breadwinner for my five children” (28-year old Young woman ‘C’).

Even though the marriage did not work out the way she had envisioned, this young woman acknowledged the violation she suffered in her marital life but held no bitterness against her father who planned the whole marriage process. She believed in her father's blessings and understood her father was poor and needed the cows at that time. She, on the other hand, was 19-years old and was still at home. In their community context, she had passed the usual age of marriage because her peers were all married off. Therefore, there was the possibility that men in her community were not interested in asking for her hand in marriage. In such incidents, the risk of parents losing on receiving their daughter's bride wealth was very high.

In her interview, young woman ‘B’ told that she gave birth to a baby boy at the age of 17 when she was in secondary school. She explained that shortly after giving birth, she was forced to marry into a *Nyumba Ntobhu* household. Her mother-in-law was barren. When her parents married her off, the bride wealth they received extended to the male child. By marrying, she had given the *Nyumba Ntobhu* mother-in-law rights over both her hand her son. The boy became a legitimate member of the *Nyumba Ntobhu* household and was recognised and considered a son and a future heir of the *Nyumba Ntobhu* homestead.

“I resisted, fought back and cried but in vain. My paternal grandmother had it all arranged. The childless woman paid 11 cows to my parents as the bride price to marry me without consulting me” (38-year old Young woman B).

In Kuria society, it is not a breach of custom that the parents of the young woman ‘B’ did not consult her while negotiating her marriage with the barren woman. It is considered normal in the community where she lives. In these Kuria patriarchal

societies, parents involved in these kind of marriage arrangement might mean well in finding the best partner for their girl children. However, young woman B explained that she was forced into the marriage because a fellow student impregnated her, which compelled her to drop out of school.

While she pleaded, resisted and fought back, she soon realised that she had to accept the situation, even if it was against her wish. Young woman B was made to feel inferior when her grandmother cautioned her to spare herself the disgrace of losing on the bride price that the childless woman was offering. She was also made to believe that after having given birth to a child out of wedlock, she was not worthy of receiving bride price from a Kuria man. She had initially hoped and had the assurance of her father that she would go back to school to complete her education. Her father had told her she stood a better chance of a bigger dowry if she completed her secondary education.

“However, after I gave birth, my father said I had wasted his resources and thus, he would not pay for my education any longer. He claimed that he did not have money but he sent my younger brother to live with his brother in the city so that he gets education. I cannot blame him but I feel sad” (38-year old Young woman B).

This woman’s experience could be associated with situations most girl children face in the studied society where girls are often discriminated against when it comes to giving equal opportunity to both genders in education. On the other hand, it was also evident that by getting pregnant, young woman ‘B’ *blew* her chance of formal education – an opportunity many girl children her age and in her community do not often get. In the first place, the statement her father made that even if he runs out of resources, his male son would be sent to a relative in the city to have a higher education is very telling. The statement makes the distinction between male and female and highlights what most adults in the Kuria community would do in the case of a daughter.

The economic reasoning of the father was that his daughter’s marriage will enrich him with more cows when he received the bridewealth. He therefore did not risk wasting more money on a girl child who got pregnant and returned home. Young woman B’s grandmother might have also pressured her into the *Nyumba Ntobhu* marriage because of the same reason – the dowry offered. The grandmother might have saved her from societal stigma by forcing her into the marriage. Going into *Nyumba Ntobhu* marriage was right for her as a single mother giving her a chance to regain her status in the community.

In another interview, the 30-year old young woman ‘A’ was made her to believe by her parents that it is her responsibility to help them fulfill a family obligation. This

put her in an extremely vulnerable position as she could not resist; nor could she question what her parents planned for her. Narrating her story, she explained that she was 15-years old when her parents told her they had arranged a *Nyumba Ntobhu* marriage for her. There was no question of arguing. While she had cried and wished she would not leave home to live with people she did not know, she obeyed her parents because she was their daughter.

“My family needed cows to marry for my brother” (30-year old Young woman A).

This woman was aware that her brother was getting on in life and had to marry as his peer group did in the village. As the parents did not have the adequate number of cows, it would have taken a few more years before her brother could have gotten married if she declined the *Nyumba Ntobhu* marriage offer.

Thus, the ten cows her parents received as dowry helped them to solve her brother’s marriage problem. While she felt forced into the *Nyumba Ntobhu* marriage, she also saw her vulnerable situation a gain and beneficial for her family. It emerged in her narrative that it was her duty at that time to support her parents to finding solution to the family financial problems. She repeated many times; “what could I have done? My parents are poor; they hardly have any property.” This was the core factor in holding her trapped in the *Nyumba Ntobhu* marriage relationship.

In the interview, all the three young women in the relationships felt the *Nyumba Ntobhu* marriage is abusive by nature because their life experiences as married women are often connected with heavy work. They saw themselves doing all the hard work in the homestead and so feel violated in many ways. The section below describes their experiences.

### 6.2.2 Workload Experiences

The three young women felt that the workload of the *Nyumba Ntobhu* household was unfairly shared and that they did the most of the work.

“I am treated badly. I feel very much unloved and my labour exploited. The workload is too much; I start my daily tasks early in the morning and go to bed very late” (28-year old young woman C).

“My *Nyumba Ntobhu* mother-in-law expects me to do all the house chores. I feel tired always” (30-year old young woman A).

“I feel tired and overworked all the time. When I complain, I am verbally abused” (38-year old young woman B).

The above sentiments of these young women are almost identical as can be seen from the excerpts. In their different interviews, each one of these women were asked what their *Nyumba Ntobhu* mother-in-law did. In their responses, two of them said, the *Nyumba Ntobhu* mothers-in-law looked after the livestock a few days during the week. They also assisted on the farms occasionally. The third young woman told that she hardly got any help from the *Nyumba Ntobhu* mother-in-law. She expressed that while there was no livestock in the homestead to take for grazing, in addition to her daily chores, she sold vegetables in the local market. She found this additional task very demanding. She explained that she grew the vegetables in her garden; however, there have been many occasions where she had run short of supply. When this happened, she had to take a daily supply on credit from neighbours. If the vegetables sold, it was good news, however, if they did not sell; she not only lost the profit but was in debt. Most women in her community experienced this typical type of problem.

All the three young women felt that their daily chores were time and energy consuming, which made them tired all the time. In the interviews, I asked each of them the question what they would normally do day-to-day, and the kind of jobs they considered as occasional or periodical jobs. These young women gave the lists below as the chores they are engaged in on daily and occasional basis.

- fetching water – often many miles away
- cooking and feeding the family
- taking care of the their children and at times the sick in the household
- washing the utensils
- sweeping the house
- working on the farm
- looking after the cattle and other animals
- milking the cows
- going to the mill with the maize
- selling in the local market - (shared by one woman)
- Chores done at different times during the week.
- collecting firewood
  - Chores done different times within the year.
- building or repairing the house

The above are mentioned as chores considered to be feminine tasks in Kuria society. Therefore, every girl child is taught her gender roles and responsibilities at a very tender age. However, while these young women expected to work, they had not expected to do such exhausting jobs day after day. For example, walking for long

distances to fetch water and firewood were two very demanding tasks. Depending on the number of people in the household, a woman could take half a day, making several trips, before bringing in enough supply of water for daily use. She would then have to cook for the members of the household, feed her children and tend to other chores such as, sweeping the yard, washing clothes and the cooking utensils, taking the animals out for grazing, etc.

In this community, women mostly do farm work. Therefore, these young women had to cultivate their vegetables and other food crops such as cassava, maize, millets and sweet potatoes to feed their children. They also shared that because their huts are made of mud and thatch, during the rainy seasons, they usually have cracks in the walls and leaking roofs. In Kuria society, typically, the roofing or mending of leaking roofs, as well as repairing cracks in a building are considered a male job. However, these women said they had to do this maintenance by themselves. On the occasion that the repair work was too demanding or when they had to build a new hut, they hired a man and paid him for his services. I asked whether their sexual partners could not help with such services.

One of the young women, C, told that she once asked the biological father of her two children for such help, and he said: "*I do not render my services to develop other peoples' homes.*" Young woman A confirmed a similar metaphor in another interview. She said that when she asked her sexual partner the Umutwari to assist her in the building of a new hut, he replied, "*I do not build a house that will be for other people.*" These metaphoric expressions imply that while the men fathered their children, they are not prepared to help their children's mothers with tasks or count their biological children as part of their family.

Alternatively, these Abatwari (the sexual partners) did not want to use their energy or invest their resources into homes they will never belong to or be part of in reality. Similarly, they are aware that they had no control over the children nor any claims of property in the *Nyumba Ntobhu* household. Thus, these men (the Abatwari) recognised their vulnerable position in getting involved with *Nyumba Ntobhu* homestead. While they might have a point, their attitude towards the young women does not solve the women's problems nor does it lessen the burden of their workload. Rather, the young women said they felt 'used' by these consorts – the Abatwari.

It emerged in the data that both men who refused to provide their services to the young women were not the Umutwari –the sexual partner chosen from the clan. The observation explains why tradition demands that the Umutwari be selected from among the *Nyumba Ntobhu* clan. Presuming that if they were from the clan they would

have fulfilled responsibilities beyond sexual partners. In the interviews, the three young women told that they had spoken to their *Nyumba Ntobhu* mothers-in-law and made occasional complaints to clan members about the workload, but nothing was done to lessen the burden. Instead, they suffered some form of verbal and emotional abuse on a regular basis and physical abuse sometimes. They said these experiences stressed them and made them anxious, which affect them psychologically.

### 6.2.3 Verbal and Physical Abuse

Each of the three young women in the *Nyumba Ntobhu* relationship told that sometimes they live in fear. It may be fear of their *Nyumba Ntobhu* mother-in-law or fear of other men (the men of the house), but most probably fear of both. These young married women were often disciplined if they did not live up to the female husband's expectations. The young women expressed their sentiments to the question: what kind of chastisement do you undergo that intimidates and affects you psychologically?

“I live in fear most often when I do not complete my daily chores. I fear I would be disciplined either verbally or hit physically” (38-year old young women B).

“I have often suffered verbal and occasional physically abuse. I decided to return home. My mother told me a bad omen would befall the family and would not have me back” (28-year old young woman C).

It seemed that complaining and nagging over what was considered as a married woman's contractual obligation in the Kuria patriarchal context could be perceived as a rebellious behaviour needing a correction of attitude. Beating a wife to keep her in her place is commonly considered as a form of discipline to correct a misdemeanour not to be repeated. In other words, it is an accepted norm that a man beats a woman if she ‘deserves’ to be disciplined. According to the three young women, the *Nyumba Ntobhu* mother-in-law not only acknowledged the male presence but also affirmed his position as a mediator of the use of power and authority in the *Nyumba Ntobhu* household. One of the young women shared an example:

“My *Nyumba Ntobhu* mother-in-law accused me of infidelity to the Umutwari, and he came in with the cane to discipline me. He gave me one stroke. I screamed so loud that he let me go....” (38-year old young woman B).

Discipline was also seen as a form of controlling the woman through a violent act by hitting her. In trying to examine an aspect of this control concept as it relates to

physical violence, other dimensions like emotional stress, fear and intimidation were identified in the data. All the three young women shared and confirmed that the constant verbal abuse by the *Nyumba Ntobhu* mother-in-law and the occasional hitting (by the man of the house), threatened their inner peace and left them emotionally stressed.

The 28-year old young woman has shared how in desperation, she had attempted to return home to her parents, but her mother would not have her. Here again, the fear of a bad omen underpins the reason. Her mother threatened and frightened her with a bad omen befalling her. There are some presumptive reasons for her mother's action. Firstly, she was not in the position of refunding the bride wealth received. Secondly, in case the young woman had returned to her birth home with her five children, which could be an option. As per custom children do not belong to her, there would have been the burden on the young woman's family to feed six extra mouths. Whatever the mother's intentions, it cannot be overlooked or underestimated that her statement left a severe psychological impact on her daughter. This fear of a bad omen has kept her tied to the *Nyumba Ntobhu* relationship.

The young women disclosed that their experiences with the clan elders were not always supportive; in fact, some of their encounters had left them more distressed. An example of such an experience is described below:

“When I was in financial need, and I approached the clan elders for help, they told me that they did not marry me. How would I educate my four children?” (38-year old, young woman B).

After years of her marriage, the 38-year old began experiencing financial hardships mostly regarding the education of her children. When she got no help from the clan members, she thought of returning home to her parents. However, she reconsidered this idea saying:

“My lifestyle would not be any different from what I am experiencing here. I would still have to fend for myself and my children at my parents” (38-year old, young woman B).

In her most distressing moment, young woman B learnt to fight the societal challenges, seeking justice for her children and herself. In desperation, she took a bold initiative and broke the tradition, which many, who might find themselves in similar situation, would not dare to do. She took the initiative to send her firstborn son whom she had before being married into the *Nyumba Ntobhu* household to his



biological father. His father accepted him, and as at the time of the interview, the boy was about to complete his secondary education.

By sending her male child out of the *Nyumba Ntobbu* home, young woman 'B' acted in a way that would have been unheard of in the Kuria society in ancient times. The dowry paid to marry her is believed to have paid for the son she had before the marriage hence, her son had the name of the *Nyumba Ntobbu* household. The 38-year old young woman understood her *Nyumba Ntobbu* mother-in-law could no longer support the education of the children since two of them had already reach secondary level.

The two other young women A and C had similar experiences. Their children were often out of school because either they had been sent home to get copybooks, or they had no school uniforms. Once these kids are home, they were made to help on the farm and do other house chores, until such a time that the *Nyumba Ntobbu* mother-in-law or their mother manage to provide them with their educational needs. As a result, these children were left behind in their academic work. Some of them began to play truant and eventually dropped out of school altogether. Some of these children were believed to disappear to the urban towns to seek a better life. Unfortunately, while in the city, they face a lot of challenges, and most of them end up living on the as street.

The young women lamented that most often when their children fell ill, they did not take them to the dispensary for 'proper' treatment due to financial constraints. One shared this in the interview:

"As I talk to you now, my little girl is at home sick. She has not been well since last week, I asked my female husband for financial help to take her for medical treatment, but she said she has no money. Neither the social father nor the biological father gave me any money when I approached them for help" (28-year old young woman C).

The other young women told similar stories. All three women felt their experiences left them in a dilemma. These young women questioned their children's fate during the interviews. They worried about the future of their children. They also felt uneasiness about their future within the *Nyumba Ntobbu* household when the mother-in-law (female husband) dies. Moreover, lacking any support from the clan elders raised their concerns for the future. I sensed their anxieties had a strong psychological impact on them.

#### 6.2.4 Humiliation

Other traumatic experiences shared by all three women were the stigmatisation they suffered from fellow women, which they said humiliated them on various occasions. These women had told that they kept their sexual partners or consorts anonymously. However, in a small village setting like a community where the research was conducted, everyone knows what goes on in her neighbours' compound. One cannot be discreet enough:

“My sexual partners were married men. I suffered humiliation and name calling from their wives. One of them gave me the mark on my chin. I was hurt when the wife of my sexual partner shouted at me that if I wanted a man for a husband, I would not have been married to a female husband” (38-year old young woman B).

“The biological father of two of my children is a married man. His wife calls me names each time our paths cross in the community. I am emotionally stressed and feel stigmatised” (28-year old young woman C).

These two young women claimed that they were not aware of the fact that the men they had chosen as sexual partners had wives. One of them said:

“When I met him, he said, he had no wife. I heard later that he had a wife and two children” (28-year old young woman C).

The other woman lamented her sexual partner told her he had only one wife, but she discovered later that the man had three wives. The claims of these young women could be genuine, considering that they were not locals of the village where they now lived. They might also have had their motives of choosing the men they wanted as secret lovers.

“I was young and naïve; I thought by falling in love with a mature man, he would be in the position of assisting me financially” (28-year old young woman C).

Whatever their motives, all three young women had suffered humiliation and intimidation from their lovers' wives. With all indications from the data gathered, the sexual partners (Abatwari) had been mean and deceitful in many ways both towards their wives and towards the young women in the *Nyumba Ntobhu* household. These men spent more time with their sexual partners, neglecting their family and their obligations in their home. Naturally, their wives had to know about their concubines. While Kuria society is polygamous, these lawful wives do not accept the *Nyumba Ntobhu* young women as their co-wives. Instead, they perceive these *Nyumba Ntobhu* women as loose, interfering to destabilize their home. In answer to my

question, what kind of names they were called. The young women told that they were called names like, '*malaya*' – meaning 'prostitute,' 'man snatcher,' 'homewrecker,' etc.

The young women A, B, and C claimed they felt belittled and put down each time when they ran across the wives of their sexual partners in public places, such as at the market, on the way to the stream to fetch water, or in other locations in the village. This name calling, labelling the young women as loose, tainted their image and dignity in the community. The 38-year old young woman explained that she was traumatised because of the name calling. She decided to fight back the wife of her sexual partner with aggression, unfortunately, in the course of the fight; her Umutwari's wife left her an ugly mark on her chin. It was an experience she said that has left her a scar not only on her face but also in her heart.

There were indications in the narratives of the young women about the sexual harassment they encountered in the *Nyumba Ntobhu* household; they found their experiences both humiliating and to be a societal taboo. The three younger women said that at one time or another, they had faced sexual harassment with some family members. For example, traditionally, it is a taboo in Kuria culture for the husband (if any), of the *Nyumba Ntobhu* mother-in-law, to have any sexual contact with the young woman who is married to the *Nyumba Ntobhu* wife. This is because he is considered the father-in-law to the married woman. Issues such as these are very complicated, and could not be captured wholly through the kind of fragmentary analysis used in this study. However, the complexity could be captured partially through the narrative of young women 'A', which reflects the continual sexual harassment and other violations she endured from her the father-in-law.

The young woman 'A', whom I shall name Ghati, demonstrates the complexity of her experience and shows her vulnerable position in the *Nyumba Ntobhu* marriage institution. (In this narrative, I use pseudonyms: Mzee Peter is the father-in-law and Mama Bhoke the female husband).

Ghati was married into the *Nyumba Ntobhu* homestead at the age of 15 years. Mama Bhoke, her *Nyumba Ntobhu* mother-in-law, told to her that the house was poor because it did not have a male child. Unlike most other *Nyumba Ntobhu* young women, Ghati was given the freedom to choose her own sexual partner in the community with whom she would have children. She soon found her consort – the Umutwari. In less than ten years, she had four children, two girls and two boys with him. There was great joy at the birth of the third child who was her first son. She decided to introduce her sexual partner to the *Nyumba Ntobhu* household. Shortly after, she had the second baby boy, her consort moved to a far-off village. Thereafter,

she got involved with a new Umutwari, and in the following three years, she had two baby girls, bringing the total number of children to six. All was well and happy for her in the *Nyumba Ntobhu* family, until shortly after the birth of her fifth child.

Ghati told that Mzee Peter called her one evening to discuss his plans for her. However, before disclosing the plans, Mzee Peter thanked Ghati for giving the *Nyumba Ntobhu* household two sons and also for being such a hard working woman. He then told Ghati that he wanted to establish a foodstuff and animal rearing (maize, goats and sheep) business for her in Musoma city, the regional capital. Mzee Peter went on to say, he would rent her a house in the city and he would be visiting with the supplies occasionally. Ghati thought the idea was excellent because it would help her financially to care for her children better. She also felt her children would have a good education in the city.

Before Ghati could discuss her good news with Mama Bhoke, (her *Nyumba Ntobhu* mother-in-law), Mzee Peter visited Ghati's hut that night to initiate a secret love relationship. Thinking that he was drunk and might have missed his way, Ghati decided to lead him to his hut, but Mzee Peter began harassing her trying to take advantage of her sexually. Ghati reminded him he is her father-in-law. Moreover, it is a taboo to have a sexual relationship with him because she was not married to the homestead to be his lover. Mzee Peter became annoyed and said he would teach her a lesson for refusing him. What followed next was misery and sadness: life was never the same for Ghati after that night. Her problem became worse when she told Mama Bhoke about this encounter with her husband.

The poorest young women in most communities are the most vulnerable to rape. On this occasion, it is a 'father-in-law' exerting his power. Mzee Peter tried using his power over Ghati to manipulate her and abuse her sexually. When he did not get his way, Ghati not only suffered intimidations and verbal abuse but unbearable economic hardships. The privations were extended to all those connected with her - Mama Bhoke (*Nyumba Ntobhu* mother-in-law) and her children had a share in Ghati's suffering. Mzee Peter evicted them from the homestead, destroying Ghati's hut and depriving her of farming on the land since 2011. Above all, Mzee Peter cursed and forbade both Mama Bhoke and Ghati from eating the crops they had harvested the previous year threatening them that a spell had been put on the foodstuff. The belief in this area is that a bad omen would befall both women if they ate any food product harvested on Mzee Peter's farmland.

Ghati expressed that her experience affected her psychologically. She cried a lot and felt hopeless about how to redeem herself. Besides, she realised that her female husband was in a weak position and could not protect her. She said the following:

*Mama mke wangu hana uwezo wa kupigania baki zangu ndani ya hii ndoa ya Nyumba Ntobhu.* Meaning – “My mother-in-law hasn’t the power to fight for my rights in this *Nyumba Ntobhu* marriage.”

Mama Bhoke admitted that she was powerless in the household when it came to decision making. ‘Her husband rules.’

“When I sought help from the police station, the police on duty told me it was a family matter and that such problems should be resolved within the family” (Mama Boke).

According to Ghati, the clan elders summoned Mzee Peter but he refused to cooperate. He sat in silence without answering any questions. The clan elders took the case to the ‘Baraza la Kijiji’, which is the village council members and later to the ‘Baraza la Kata’, the ward council members. At both council meetings, Mzee Peter refused to cooperate. Ghati went to seek justice for her children from a community based organization (CBO) known as ‘Nguvu Kazi Kyanyari’, which advocates for children and women’s rights. The CBO activists intervened. The case was still pending when I interviewed Ghati in February 2012.

## 6.2.5 Health Risks: Sexuality, Fertility, and Procreation

The three married women A, B, and C, have all shared about their fear of health risks in a long and short term that may affect their sexuality and reproductive health. It is important not to look at the *Nyumba Ntobhu* marriage institution in isolation to other marriage practices. Rather, it should be seen in the context of other issues attached to marriage codes, namely sexuality, procreation, and morality. It is generally understood in Kuria society that a dignified married woman reproduces and remains loyal and faithful to her male partner. On the other hand, a woman who lives a ‘loose’ life is perceived a ‘slut’ and promiscuous in her community. Hence, a sexual partner – an Umutwari is chosen for the newlywed to avoid any promiscuous behaviour, with the hope that children could be born through the relationship and have blood ties with clan members for future inheritance.

The young married women in the *Nyumba Ntobhu* relationship said that this precondition led to forced human reproduction. They shared their experiences of the multiple sexual partners they had to deal with, which they perceived as the misuse of their sexuality. These women claimed the constant use of their bodies made them feel they were abused sexually, which affected their fertility. One of them told that

she was accused of using contraceptive pills because after two years of marriage she did not have children.

“My *Nyumba Ntobhu* mother-in-law complained to my parents that I was not getting pregnant. My mother told me to do whatever it takes to get children for the *Nyumba Ntobhu* homestead” (38-year old young woman B).

The belief in most societies nowadays is that the sexuality of a woman’s body is something she should exert complete control over in private. However, in this studied community, public opinion has always played a large role in the sexual behaviour of the young woman in the *Nyumba Ntobhu* relationship no matter how discreet or secret her sexual behaviour may be. An example of this public interference reflects the excerpt above of young woman B. Her *Nyumba Ntobhu* mother-in-law could not confront the young woman directly when she became suspicious that her daughter-in-law was taking contraceptive pills. Instead, this elderly woman speculated about her doubts, which not only gave rise to false accusations but forced the young woman into taking multiple sexual partners. She questioned her sexual life by this accusation:

“How was I supposed to get pregnant when the Umutwari only visited my hut thrice in two years?” (38-year old young woman B).

The young woman tried to be secretive about the nonappearance of the clan Umutwari. She further explained that she heard later from some clan members that the mother of the Umutwari restricted her son and warned him not to get involved with a *Nyumba Ntobhu* woman because it would be an obstacle for him in the future to marry his own wife. It appears that in recent years, the role of the clan Umutwari in the *Nyumba Ntobhu* household is not functional, respected and looked up to by clan members in Kuria society. This is a distinct change from ancient times when a man was chosen as the ‘breeding bull’, he felt important and was envied and regarded as special particularly by other male clan members.

While the younger woman 38-year old tried to be secretive about the nonappearance of the clan Umutwari, she became tired waiting for him to show up. Meanwhile, she fell in love on two occasions, but her *Nyumba Ntobhu* mother-in-law disapproved of her choice and forbade the men from visiting her hut. The risks of the young woman becoming promiscuous raised a great concern by the *Nyumba Ntobhu* mother-in-law. The presence of these unwanted men caused the young woman to be labelled as promiscuous and loose in the *Nyumba Ntobhu* homestead. Hence, the female husband began questioning and judging her morality. Yet, at the

same time, young woman C was expected to prove her fertility by giving birth to fill the 'empty house'. Regardless of her privacy, and what was going on in her life, the *Nyumba Ntobhu* mother-in-law reported her behaviour to both her parents to reprimand her and to have the clan Umutwari discipline her. The uses of force on the young woman in this context signifies the extent of power and control the *Nyumba Ntobhu* mother-in-law exerts over the young woman's sexuality regarding the birth of *Nyumba Ntobhu* children.

Having children is the most important aspect of the *Nyumba Ntobhu* marriage. While the young woman tried to fulfill her obligation, there was the fear of contracting HIV/AIDS and other sexually transmitted infections. The young woman 'B' explained that she is not in charge of her sexuality. She felt that her sexuality was manipulated in the *Nyumba Ntobhu* household. On the other hand, the other two younger women 'A' and 'C' concluded that the sexuality of a woman and other health issues concerning her body did not matter in the relationship of the *Nyumba Ntobhu* marriage.

In the next section, three elderly women who had paid dowry to marry for their invisible sons similarly shared the socio-cultural factors that motivated them to be involved in the practice of *Nyumba Ntobhu* marriage. This section also addresses the power relations between the women and the challenges these elderly women claimed they face.

### 6.3 Experiences of Three *Nyumba Ntobhu* Mothers-in-law (Female Husbands)

#### 6.3.1 Socio-cultural Factors that Compel Kuria Elderly Women into *Nyumba Ntobhu* Practice

In Kuria communities, infertility can be a stigma and an issue that most community members looked down upon as a social vice. Generally, in the studied community, a married couple's infertility continues to be perceived as the woman's inability to conceive and have children. Therefore, it is very common that a woman who has not conceived within a year or so after her wedding does everything she possibly can to get pregnant. In a casual conversation with one of my informants, I learnt that a woman who feared that she was barren usually took some measures by first visiting a witch doctor in a sacred place. In this context, the witch doctor is supposed to have magical powers. The community believes that the witch doctor will be able to predict

the unforeseen, give diagnoses, and find solutions to the predicaments that befall people. Some infertile women also seek advice from local midwives who prescribe a special diet to increase their fertility.

One of the *Nyumba Ntobhu* mothers-in-law told that if these measures prove unsuccessful and the woman in question feared that her inability to conceive may be her husband’s fault, fellow women in the community would always be there to pressure her in a popular advice: ‘*taichaba wiibore*’ meaning – ‘go aside and have a child.’ Implying that the woman could have a baby outside her marital home. Advising a fellow woman in this context seemed normal in the studied community especially when there was the suspicion that the husband could be infertile. When I questioned another *Nyumba Ntobhu* mother-in-law on this issue, she laughed and said ‘who would ask which bulls had impregnated a cow?’ Her answer implies that in the circumstances of fearing that a house could remain empty, the significance for the married couple is to have children it does not matter who fathers the children.

To comprehend the motives why the three elderly women who participated in the study paid dowry to marry young women, I engaged them in an in-depth interview. These women are addressed as *Nyumba Ntobhu* mothers-in-law or female husbands in places in this study. Their marital status and age at the time of the interview are illustrated in Table 7.

**Table 7.** Marital Status of the Nyumba Ntobhu mothers-in-law (Female Husband)

<i>Nyumba Ntobhu</i> mothers-in-law (Female husbands)	Marital Status		
‘A’ 58-year old	Married Husband alive	Sonless woman Had no male child	Gave birth to two girl children.
‘B’ 90-year old	Married but separated Husband alive	Had no children	Barren
‘C’ 42-year old	Widow	Had no children	Barren

As indicated in Table 7, two of the three elderly women involved in *Nyumba Ntobhu* marriage had no children either these women or their husbands could have been infertile. They shared that their motives of engaging in the *Nyumba Ntobhu* marriage was because barrenness is a taboo in their society; hence, they paid a dowry to marry a young girl. The first woman in Table 7 however, was not infertile; she had given birth to two girl children. For her, the reason why she engaged in the *Nyumba Ntobhu* marriage was to have a daughter-in-law who would give birth to a grandson. While these elderly women had different motives, they had common interests in the



practice. That is, they had paid the bride price to engage younger women to bear children. Through this procreation of the young women in the relationship, the sonless/childless elderly women will have grandchildren to inherit their properties (livestock and land), thus fulfilling the elderly woman's legacy.

During the interviews, I interrupted the *Nyumba Ntobhu* mothers-in-law many times with numerous questions in order to understand their motives of marrying young women. From the data gathered, it was obvious that the female husbands in the study felt they had been compelled to take 'wives' because of the social pressures in their communities. Through their lived experiences, these women had envisaged that going into *Nyumba Ntobhu* marriage would be beneficial. Firstly, to themselves and their clan members; secondly, the young woman they marry; and thirdly, the parents of the girls they marry. The female husbands also held that their motive of marrying females was to 'get help' with their domestic chores.

However, as would be explained later, the clan elders did not agree about the idea of getting 'help' as a motive for marrying a young woman into the *Nyumba Ntobhu* homestead. In the interview, the clan elders claimed, 'help' is not the core objective of the *Nyumba Ntobhu* practice. These clan elders asserted that the objective of the practice is to maintain the lineage by bearing grandchildren to the woman who paid the bride price. 'Help' they said, could only be a 'trickle-down' effect, but not the traditional objective of the practice.

In the interview, a sonless woman 58-years-old told that she got involved in the *Nyumba Ntobhu* relationship to reclaim her survival in her husband's clan.

"When my two daughters were married off I used (with the consent of my husband) the dowry received for our second daughter to marry a 15-year old girl who is now my 'daughter-in-law' and I, her 'mother-in-law'. She has given me grandchildren: among them are two boys who will inherit my wealth. She helps me with the household chores" (58-year old *Nyumba Ntobhu* mother-in-law).

Taking a *Nyumba Ntobhu* wife was nothing extraordinary to the people in this 58-year old woman's community. It was an expected thing to do and considered normal especially after her two daughters were married and left home. Traditionally, in Kuria society, when daughters are married off, the father has the right to receive and keep the dowry paid to marry the first girl child. However, the consequent girls' marriages that follow the first, the mother has the right in receiving the dowry. Therefore, a woman could be very rich in cattle if she has many girl children married off. Nonetheless, even though, it is an ethnically accepted fact as her right she has to obtain authorisation from her husband on how she uses this property. While a woman in the Kuria society becomes rich in cattle from dowry received in return for

her girl children, she could soon be poor if she had sons and had to use the cattle as dowry payment to get them wives.

This 58-year old sonless woman told that she also has a co-wife who has four sons. In addition, she explained that they live as a family on the same homestead. This could endanger her future and cause her to lose her share of inheritance to her co-wife's sons. Therefore, having two grandsons as heirs from her *Nyumba Ntobhu* marriage has placed her in a good position not only in her husband's household but also in the community where she lives. Her status as a grandmother has brought her respect and she has assured the community of her lineage.

In another interview, a 90-year old *Nyumba Ntobhu* mother-in-law told why she married a young woman for her *Nyumba Ntobhu* home. She began her story that while her husband is alive, they were living on separate homesteads but were not divorced traditionally. Implying that while their marriage had been on the verge of breaking, they remained husband and wife because the 90-year old woman had not returned the cattle, the bride wealth her parents received from her husband's family when she was married off. Hence, she remained indebted to her husband, both of the couple were old and at a ripe age at the time of the interview. However, the 90-year old was in good health but her husband was frail and bedridden. The explanation given for their separation unfolds later in this section. When asked what motivated her to be involved in the *Nyumba Ntobhu* practice, she said:

"I am old and almost blind. I cannot do much for myself, and I have no child to look after me. I paid 11 cows as a dowry to marry her. I am happy to have her as my daughter-in-law. She is my confidant and friend. She does all the house chores for me and I love her" (90-year old *Nyumba Ntobhu* mother-in-law).

While old age is generally perceived as a blessing in the Kuria society because the elderly are respected and looked up to as being full of wisdom. However, old age in some communities often comes with its problems, making the aged vulnerable and dependent on relatives and friends. Being a Kuria, gave this 90 -year old barren woman the opportunity of choosing a *Nyumba Ntobhu* marriage as a good way of solving her problems. The married young woman, therefore, plays the role of a care provider, as daughter would usually do for a mother. This female husband in the relationship considers the *Nyumba Ntobhu* marriage a positive and beneficial practice. She highlighted in her story that marrying a young woman solved her problems. This is because the dowry paid made the young woman feel responsible and committed to her duties as a wife. She also believed the married girl would work hard on the land in order to prevent lack of food in the future. She hoped that the food products would be a direct source of food and income for her and her children.

Unlike the 58-year old *Nyumba Ntobhu* mother-in-law who had the full cooperation and support of her husband, this 90-year old had to find the dowry needed for the bride wealth to marry the young woman. She did not tell why her husband and she were living on separate homesteads, even though they were not divorced. It appears that her husband did not contribute to the dowry payment of the *Nyumba Ntobhu* wife. The 90-year old shared that she travelled to a distant village where she worked to acquire her wealth that enabled her to pay the bride wealth to marry for her fictitious son.

The 90-year old disclosed that while she did not have any children, she had managed her affairs and did not consider taking a daughter-in-law for many years. However, as she advanced in age, she felt the need of taking a *Nyumba Ntobhu* wife because she suffered stigmatisation and helplessness in her community. Her husband married a young wife while she was away working to acquire the dowry. On her return, her husband moved to live separately from her, accusing her of infidelity and claiming to fear that she would influence his young bride negatively with her bad behaviour. This 90-year old solved the problem of her barrenness by marrying a young woman, an act that is accepted and respected in her society. However, there were criticisms about the way she accumulated her wealth to resolve her societal problem. The husband she was trying to please, accused her of infidelity and immoral behaviour. The 90-year old claimed she felt stigmatised further, which made her position in her community more vulnerable.

The third *Nyumba Ntobhu* mother-in-law, a 42-year old widow, explained her motive for engaging in *Nyumba Ntobhu* marriage:

“What can I do? I am infertile and not blessed with children. It was lonely when my husband died, I live alone on the farmland, and it was becoming difficult to take the huge herd of cattle for grazing. Hence, I paid dowry to marry a young woman with the hope of getting grandchildren. They could help me with the household chores” (42-year old *Nyumba Ntobhu* mother-in-law).

This 42-year old *Nyumba Ntobhu* mother-in-law understood her infertility as an unfortunate plight beyond her control. She expressed her sentiments in a very passionate way as being lonely and needed not just companions but helpers to care for her possessions and to solve her domestic problems. In desperation to solve her problems, she paid a huge herd of cattle as dowry to marry for the son she did not have. She said the marriage did not last and that she lost the dowry to the family of the first daughter-in-law.

For the engagement of her current daughter-in-law, the 42-year old woman told that she paid 6 cows and 2 goats as a dowry to marry a 17-year -old girl. She explained

that she considered the dowry payment as an investment and appreciates the young girl as a daughter-in-law. Moreover, she perceived her as a friend with whom she can share her world. During the interview, this *Nyumba Ntobhu* mother-in-law told her story recalling on many occasions how lonely her life had been since her husband died about fifteen years ago. As mentioned in the excerpt above, the 42-year old woman explained that as a widow and having no children in the homestead, it had been extremely difficult for her to cultivate the land and tend to the pasture of the cattle all alone. The domestic and social help received from the younger woman contributed to the bond between the two women.

It could be observed that while the connection between these elderly woman and young women are of mother-in-law and daughter-in-law kind of relationship, the women are unequal and in different positions of power. Following this observation, the discussion of power difference between the two women in the *Nyumba Ntobhu* marriage is discussed.

### 6.3.2 Power and Control for Economic Gain

The internal dynamics of control and the use of power by the elderly woman over young women exists in the narratives offered by the two women involved in the *Nyumba Ntobhu* marriage institution. In this study, the relationship between the *Nyumba Ntobhu* mother-in-law and the young woman is highly unequal. Hence, power plays a significant role in the marriage system. Power as a pervasive act reaches the very grain of individuals who are vulnerable in society. It emerged in the data that both the powerful and the vulnerable individuals understood the technology of power as discipline. The dynamics of the *Nyumba Ntobhu* mothers-in-law reflected in their stories that they have used their wealth and position of power to get wives for their invisible sons in order to fulfil their personal needs and fulfil deeds.

In addition, the elderly women have benefited from the spouse of their imaginary son in the *Nyumba Ntobhu* marriage to get labour help and reproductive capital. It is obvious that the use of power to control affairs in the *Nyumba Ntobhu* household is for their economic gain. For example, the young women had to work on the farms and at home for long hours. Additionally, in Kuria society, normally newlyweds in the normal sense of marriage as with the *Nyumba Ntobhu* brides, have their gendered role designed to make them believe that their role in the household chores were for the welfare of the marriage. Moreover, considering the age gap between the two women, the younger women were compelled to obey and do whatever chores were assigned to them, often, without resistance. As shown in their narratives, each one

of the *Nyumba Ntobhu* mothers-in-law expressed that they married the young women to get help with house chores. An ideology the clan elders claimed oppose the objective of the practice.

In Kuria communities, such as the one under study, every household depends on the produce from their farms. Not having enough of one's own labour force, for example, means hiring a worker and paying for his or her labour costs. There is always the fear that paying someone to cultivate and graze the cattle could be expensive. Moreover, unlike the use of power to control a young wife, these female husbands would not have similar control over a paid worker. The hired man or woman might demand more money compared to the actual amount of work done. Therefore, they felt that in order to get more work done in the fields for a good harvest, it was better to marry a woman one could control. In addition, the children (particularly the male children) born into the homestead would add to the labour force. In this context, the relationship between the *Nyumba Ntobhu* mothers-in-law and the young women in the marriage is observed in terms of labour, economic support and social help. These female husbands also stated that they needed grandsons to inherit their wealth. In return, however, these female husbands also expected more services from the male children. These issues are essential in this study because all the three *Nyumba Ntobhu* mothers-in-law mentioned them as their motives, in one way or the other for their involvement in the practice.

Traditionally, through the transaction of bride wealth, the *Nyumba Ntobhu* mother-in-law acquires some rights over the young woman. The dowry payment gives her privileges and the use of power over the young woman she marries for her imaginary son. The younger woman, on the other hand, is to be obedient and to take instructions from the elderly woman without any resistance. Two of the *Nyumba Ntobhu* mothers-in-law shared that on some occasions, married women who had male children also took wives. This is because their male children left home and never came back, and may not have provided the needed support for their mothers. This statement is true of those male children who after securing employment in the cities forget to give financial help to their parents back in the village. In such cases, infertility is not the issue that compels the elderly woman into *Nyumba Ntobhu* practice. Rather, the male children neglecting their responsive role and their lack of responsibility towards their parents interrupt the kin relation.

Each one of the *Nyumba Ntobhu* mothers-in-law told how they obtained wives for the *Nyumba Ntobhu* household and what happened when the newlywed entered their homestead. Their narratives gave a picture of the administration of the *Nyumba Ntobhu* household. It appears that when a barren or sonless woman decides to marry

a young woman, she goes looking for a girl in the village where she lives or in neighbouring villages. The hunt for a bride could take a few weeks, months or even years. When she finds her, an important aspect of the marriage process begins with the courtship. There is a social system that brings the two families together to negotiate the dowry payment and fixing of engagement dates, just as it is in ordinary Kuria marriage system.

One of the *Nyumba Ntobhu* mothers-in-law told that her husband accompanied her each time she visited the young woman's family during the time of courtship. The bride price was negotiated during this period of courtship, and the Umutwari (the sexual partner), if already chosen from the clan, is introduced to the young woman's family. As soon as the two parties reach an agreement on the bride wealth, the dowry is paid. The young woman moves to the *Nyumba Ntobhu* homestead after the marriage ceremony.

The *Nyumba Ntobhu* mothers-in-law explained that when the bride enters the *Nyumba Ntobhu* home, she gets to know her Umutwari. The sexual partner who could be either single or a married man with a wife or wives. If, for whatever reason, the *Nyumba Ntobhu* mother-in-law fails to choose an Umutwari among her kinsmen, as explained already, the newlywed looks for her sexual partner by befriending a man in the village. The young woman lives with the *Nyumba Ntobhu* mother-in-law in the same home and she does the chores assigned to her in the household and looking after the livestock. However, if the *Nyumba Ntobhu* mother-in-law is rich and has the resources, she could build her a hut to live separately from the main house. However, this does not change the duties assigned to the young wife in the homestead.

From the *Nyumba Ntobhu* mothers-in-law narratives, it was evident that while the marriage contract is between the invisible son of the *Nyumba Ntobhu* mother-in-law and the young woman, the man of the house (the husband of the *Nyumba Ntobhu* mother-in-law if alive) dominates decision-making and the economic affairs of the homestead. He acts as the administrator and controls all members of his household including the total subjection of his wives to the male in the clan. An interpretation of the *Nyumba Ntobhu* institution (if seen from the perspective of the expression of power and masculinity) could be a way to increase men's power and control over women in the homestead.

In their interviews, the *Nyumba Ntobhu* mothers-in-law acknowledged the fact that the presence of a man, such as having a husband in the household, instils some fear in the young woman and helps to keep her disciplined and under control. These female husbands affirmed that the Umutwari has the power to chastise the young woman if she does not do her house chores or if she disobeys the *Nyumba Ntobhu*

mother-in-law. When asked whether the Umutwari has the power to discipline the young woman, the 42-year old *Nyumba Ntobhu* mother-in-law said:

“Yes, at times I ask ‘the man of the house’ to beat her if she deserves it. I also discipline and deny her and the children their needs when she misbehaves” (42-year old *Nyumba Ntobhu* mother-in-law).

In answer to the question how the younger woman misbehaves, this *Nyumba Ntobhu* mother-in-law explained that there are set of roles and responsibilities assigned to the younger woman. For example, the young woman is assigned to take the cows out to pasture for grazing and does the house chores. However, she faces punishment and deprivation of her basic needs if she refuses to obey and neglects her duties.

A young married woman in the studied community is appreciated for her hard work and contribution of labour. She is also perceived as additional labour force in the *Nyumba Ntobhu* household. This is essential since the labour force enriched a good harvest and increased the resources of the household. Therefore, to ensure a flow of economic gain through the labour force, the *Nyumba Ntobhu* mothers-in-law developed ways to keep the young women under control. It was obvious that one of the key instruments that the elderly women used to keep the newlywed under control was to assign an exhausting list of household duties to them. Hence, those young women who opposed their duties were disciplined in various ways.

The 58-year old *Nyumba Ntobhu* mother-in-law told that her husband regards the young married woman married in the household as his daughter-in-law. Therefore, he had the right to discipline her with the *finbo* (the cane), the same way he would discipline his biological daughter if she misbehaves.

The 58-year old female husband emphasised that the presence of men in the *Nyumba Ntobhu* household helps to keep the younger woman submissive and under control. These female husbands felt that they do not have the kind of authority men usually have over their women or wives. One of the female husbands told that when it came to discipline or correcting a fellow woman she found the act difficult and improper. However, she stressed that a man’s presence in the household would discourage certain kinds of misbehaviour of the newlywed. This female husband believes that the young woman would fear to be beaten or chastised by the ‘man of the house.’ Therefore, she would be more cautious and willing to be on good behaviour especially in a situation where the young woman continuously stayed out at night and came home late.

The *Nyumba Ntobhu* mothers-in-law who participated in the study think that as women, they could only discipline or correct their daughter-in-law verbally for her misconduct. One of the female husbands explained the seriousness of the immoral behaviour of a young woman hanging out with friends and coming home late at night.

“In Kuria society, it is not culturally acceptable for a married woman to habitually stay out late; this would encourage neighbours to gossip about the young married woman” (90-year old *Nyumba Ntobhu* mother-in-law).

In some African patriarchal communities, such as the Kuria, beating a wife is rather internalised as a solution to solve problems between couples and it is not considered as a violation of human rights. The idea that one’s mistakes deserved a beating is intertwined with other kinds of cultural practices with moral codes of behaviour. In the Kuria societal context, for example, a good and well behaved woman is one who endured pain and did not challenge the authority of the patriarchal dominant power in the married relationship.

### 6.3.3 Reproduction, Care and Wealth

As we have learned, older women take wives when their own fertility had failed them to get a male heir and female children to look after them in their old age. Therefore, having children had been at the center of the *Nyumba Ntobhu* marriage institution. The Kuria tradition makes clear that the woman who pays the bride wealth has ownership of the children born in the relationship. Accordingly, female husband is also responsible for the welfare of the children born for her. On the other hand, in the interviews, there were also some contradictory accounts about who gives financial help in the upbringing of the children. It could be interesting to discuss how the *Nyumba Ntobhu* mothers-in-law in the study perceive their duty to these children.

In the interviews, I asked the three female husbands to explain the kind of help they give to the *Nyumba Ntobhu* children when they reach school age and one of them shared:

“After I paid the bride price, I had no property left; I had used all my resources. It has not been easy to give the necessary financial support. I am old and my husband is old. We cannot really be of much assistance to the young woman in raising the children. I feel sorry for my ‘daughter-in-law’, but the situation is beyond my control. When I was younger, I assisted the young woman to cultivate a vast piece of land. We



always had good yield from the harvest and had plenty to eat. The children are in school but most of the responsibility rests on their mother. I sell whatever livestock I have occasionally to assist the children in their education” (90-year old *Nyumba Ntobhu* mother-in-law).

It was obvious this 90-year old *Nyumba Ntobhu* mother-in-law had not made any future plans for the education of the grandchildren born for her. The children had reached school age but because of financial constraints, they were not always in school. These children were also of the age where the priority of the household was to help to cultivate the land and increased the family resources. However, this female husband did not think the children were not properly provided for. She said she agreed the children were facing many challenges at school but saw their plights as the will of God for them and their mother.

The 42-year old female husband explained that in Kuria society, it was the responsibility of the married woman to provide formal education to children. Also, other domestic roles such as building, and cultivating. She explained that for a husband, most of these household tasks or responsibilities ended when he/she paid the dowry to marry a young woman. The 42-year old said that at her age, she felt tired and because she had no child of her own to help her with the household chores, she decided to get a helper.

I required more understanding of her idea of a ‘helper’ and asked whether the young woman was her servant. She rejected this idea by saying: “*I do not take her for a servant. She is my daughter-in-law.*” She further explained that in Kuria society, ‘that is how things were done.’ She stressed that even in the ordinary heterosexual marriage life; women do most of the domestic tasks in the homes.

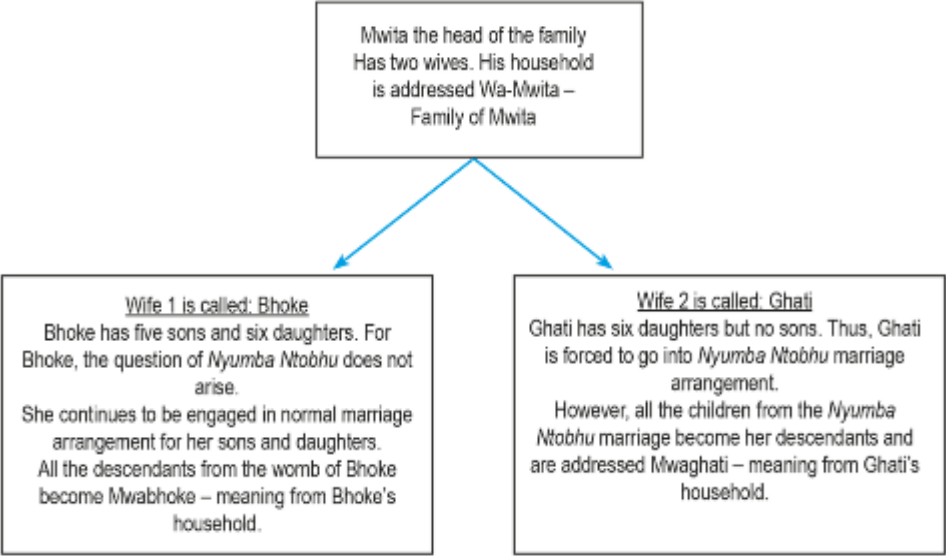
“Most men in our community sit with friends under trees playing ‘bao’ – (the name of a local game played by grown men in the villages). Others too, were often out with friends drinking ‘pumbe’ – (a locally brewed beer)” (90-year old *Nyumba Ntobhu* mother-in-law).

The above explanation gave a picture of the gender roles in the Kuria community. It also explained why married women were compelled to take responsibility over the farms, pasture the livestock, and saw to the maintenance of the household to give a future for their children. Hence, the female husband who resumed the male role in the *Nyumba Ntobhu* household might displayed a similar manly attitude towards the younger woman she married. The fact that the married woman shouldered most responsibilities in her household was said to be normal and accepted norm in the studied communities. Therefore, the *Nyumba Ntobhu* mothers-in-law did not

consider the list of work done by the young women as anything out of place in the household.

I was curious to know what these female husbands did if the women they had married did not give them any grandchildren or gave birth to only girl children. The 58-year old female husband explained that it was simple: she would marry another young woman, hoping she would be fertile and give her grandchildren. She went on to say that some rich households could marry as many as three to four women as *Nyumba Ntobhu* wives. In that context, the rich *Nyumba Ntobhu* mothers-in-law become very proud that they had grandchildren as their descendants for the sustainability of their family and clan.

This 58-year old used her situation and personal experience to explain how *Nyumba Ntobhu* practice functions in a polygamous family. She said that as a mother of two daughters in a polygamous marriage, she found herself in a situation where her co-wife had sons and daughters and felt secure in the homestead. However, she felt insecure when her two daughters got married because she had no claim of children in the homestead. Hence, she was compelled to take *Nyumba Ntobhu* wife. The 58-year old explained first the importance of naming children and grandchildren in Kuria society to show the household they belonged and their future legitimate claims of rights. She gave an example using a name like Mwita a husband who had two wives Bhoke and Ghati as illustrated in the diagram below:



**Figure 6.** Illustration of the Legitimate Position of *Nyumba Ntobhu* Children in the Homestead

The 58-year old *Nyumba Ntobhu* mother-in-law concluded that for the Kuria, the practice of *Nyumba Ntobhu* and the effort women make in trying to have a male child is a question of lineage. As demonstrated in the diagram above, names like ‘Mwabhoke,’ or ‘Mwaghati’ – the descendants of Bhoke or Ghati is very telling of the importance and the fame married women crave for in Kuria society. On the basis that the richer a Kuria woman was in livestock and land, the more ‘daughters-in-law’ she could marry and possess was not always the case in the studied community. In this same society, another belief is that some parents betroth their girl children to infertile women or widows in exchange for cattle they receive as bride wealth. Hence, most non-Kuria conclude that some Kuria parents use their vulnerable girl children to support and promote the *Nyumba Ntobhu* practice. In this study, all the three *Nyumba Ntobhu* mothers-in-law considered *Nyumba Ntobhu* marriage as a good practice. They felt that taken young girls as daughters-in-law was and still is very much part of the cultural practice in their community. However, the female husbands having shared the advantages and disappointments they continue to encounter in the *Nyumba Ntobhu* marriage, made a plea to the Tanzania government.

The young married women involved in the practice who claimed to be victims of the marriage institution of *Nyumba Ntobhu* also made their plea. The young married women A, B, and C had argued that because of the hardships they continually suffer, they could hardly recollect any advantageous experiences as married women in the *Nyumba Ntobhu* practice apart from the honour of having children. All the three young women ‘A, B, and C’ involved in the *Nyumba Ntobhu* marriage had told that they would not encourage any of their family members to be involved in such practice. The young women ‘A’ said, “*Umanti utakaponikuta sitopenda kusikia mwanangu wa kike amehusishwa na ndoa ya Nyumba Ntobhu*” meaning: – On my deathbed I would not like to hear my daughter is involved in *Nyumba Ntobhu* marriage. Two of the three young women make pleas to the clan elders that they should be aware of their plight and give them more protection when they approach them with their problems.

“The clan elders should assist me with medical bills and school fees. I want my children to be in school and have a formal education” (28-year old young woman C).

Lastly, the three young women suggested that the Tanzanian government should enact a law to abolish the cultural practice of *Nyumba Ntobhu* marriage among the Kuria ethnic group. These women’s request reflected their opinions when I asked them to share briefly their positives and negative experiences of the *Nyumba Ntobhu* household.

## 6.4 Shared Concerns: Limitations in the Societal Structure and in the Tanzania Marriage Law

Both the female and the male participants in the study acknowledged that there are limitations in the Tanzania marriage law, which discriminates against the *Nyumba Ntobhu* practice. They also noted limitations in the societal structures of the *Nyumba Ntobhu* practice that was promoting many abuses on the young women involved in the marriage. The participants identified the shortcomings within the *Nyumba Ntobhu* marriage system as negligence on the part of clan elders. In addition to the poor implementation of the traditional sanctions used in ancient times to safeguard and protect the young married women and their children from any form of abuse in the *Nyumba Ntobhu* marriage institution.

The question I asked is: do the Tanzania policy makers understand the Kuria *Nyumba Ntobhu* marriage structure? As admitted in the group, a better knowledge and understanding of the uniqueness of *Nyumba Ntobhu* marriage by policy makers could effect change in the Tanzania marriage law. On the other hand, policy makers could create an atmosphere to aid the tribal leaders to restructure the old Kuria marriage system. From the discussion of the community actors, I could foresee that if the marriage structure works properly as it should there would be less negligence in the *Nyumba Ntobhu* marriage system that violated the basic rights of the young women and their children.

A clan elder explained that the confusion he perceived regarding the Tanzania marriage system was that the Tanzanian government is trying to create a modern state, which is not easy. It meant in many ways, there will be compromised forced on the Kuria community to forget about their tribal laws. The Tanzanian policy makers have to educate the Kuria ethnic group to accept a common Tanzanian marriage law, which embrace all Tanzanians. Another clan elder told that:

“I see the problem we have in our nation is that we do not have a system in place that reconcile with the tribal laws and values of state laws which ensures that conflicts do not arise. Because of that, we have many situations that intersect and cannot solve problems that are woven within customary laws and state laws” (68-year old clan elder).

The narrative above is an example of Ghati's experience in section 6.2.4, which demonstrates young woman 'A's problem with her *Nyumba Ntobhu* father-in-law. It shows the complexity of the Kuria marriage code of conduct and the endless battles fought by the young women in trying to resolve marital problems. Moreover, the state marriage legislation has no alternative law in place for law enforcement to

protect women involved in *Nyumba Ntobhu* practice. Hence, the police could not help Ghati and her children when she turned to seek justice at the police station. An activist in the group highlighted that the abusive situations surrounding the modern practice of *Nyumba Ntobhu* marriage:

“Some clan elders are careless and not protective of the young married women these days. The elders are aware that the state modern law does not recognise *Nyumba Ntobhu* marriage, prosecutes, and convicts offenders. For example, in ancient times, a man was severely punished by clan elders if he neglected his parental role as the provider for his family. This same rule was applicable to the *Nyumba Nyumba* mother-in-law. Some clan elders these days even demand payment or a fee to listen and help the young women facing hardship in their marriage. Moreover, men who take sexual advantage of woman in the village receive higher sanctions” (An activist).

There were sanctions in the traditional system in the ancient time that allowed the clan elders to punish offenders of tradition. The clan elders explained that the community elders had so much power in ancient times that they would flog wrongdoers in public, ostracise, or banish them from Kuria society. Some Kuria became outcasts because of certain misconduct.

“However, in today’s Kuria society, a lawbreaker could decide to move away from the tribal land and live in the city, for example, Mwanza or Dar es Salaam where he or she would not feel an outcast” (68-year old clan elder).

In their narratives, the young women also identified limitations in the cultural practices under study and suggested that there is the need for the government to assist the clan elders and policy makers to reform the *Nyumba Ntobhu* marriage system. However, the elderly women perceived the Kuria societal structures surrounding the cultural practices like FGC good because they claimed it guided them to teach the young to be responsible citizens. They gave the example that in Kuria society before the youth became adults, they were grouped in camps. They underwent training and were taught adult roles and how to be patriotic citizens. The youth were also taught good moral conduct, a teamwork spirit and tolerance of community members. The clan elders said the youth were even taught the secrets of the land and how to be faithful and loyal as Kuria. After the graduation from the circumcision camps, (*yes, circumcision for both boys and girls, because we Kuria do not see the difference*), the youth returned home as adults. Another clan elder connected the values of Kuria cultural practices to the nation building of Tanzania after her independence from colonial rule in the following:

“Being a Kuria, the first president of the Republic of Tanzania, Mwl. Nyerere, inculcated the Kuria idea of nation building in the Tanzania policy. Because a law was enacted that after secondary school education, the youth from all the different ethnic groups in the country were put in camps with no gender differential. These youth live under the same conditions, eat the same food, and dress the same way. At the camp, they were taught how to be patriotic citizens of Tanzania regardless of one’s ethnic background. Unfortunately, this programme too did not last; there was an outside interference. The government of the United States of America stepped in and said the programme was too expensive for the New Republic State of Tanzania to run such camps” (73-year old clan elder).

Other community actors explained that the ancient community structures were interrupted by the colonial masters, followed by the missionary groups and lastly by the Tanzanian government. The clan elders observed that the kids in their society were too young when they started formal education and the educational system was structured in a way that they did not have the opportunity to grow and learn the traditions of their ethnicity. They were also deprived of the chance of belonging to a peer group because after the training the youth took an oath: swearing allegiance to their tribesmen. The elders explained that other ethnic groups in Tanzania also have this youth training according to their cultural beliefs. However, if these traditional training were dying out or no longer exist then there should be a national preparatory programme to integrate the youth into the one Tanzania notion of a society. Hence, Mwl. Nyerere foresaw the importance of the national service training for six months through military training regardless of the ethnicity of the youth. They are all Tanzanians aspiring for one thing – partisanship as part of the nation building was a priority. For this reason, the teaching of patriotic songs, and war songs during the six months training were enforced.

However, after the abandonment of the national service system, the youth were left without any tribal nor national training with the exception of only the modern school system. There were nothing in place to help the youth to integrate into society as they turned adults. The clan elders concluded that there had been lack of moral training in the communities hence, the creation of cultural gaps since the interference of the societal structures. The elders claimed these cultural gaps have caused limitations in the upbringing of children in the Kuria society. Hence, the youth growing up without the proper knowledge of their responsibilities as adults widens the cultural gap and creates gender discrimination. The group concluded that girl children and young married women suffer the brunt of these cultural gaps and discrimination. Their reasons were that without meaning any harm, some older women in the Kuria society put fellow women through the rituals of the practices

under study in trying to maintain and preserve the customs and traditions in a changing Kuria society.

## 7 UKEREWI ISLAND AND THE WIDOW CLEANSING RITUAL

This third empirical chapter presents the practice of widow cleansing ritual amongst the ethnic groups on the Ukerewe Island. The ritual is known in Kiswahili as ‘Kutakasa or Kusomboka’, which means in English “to be cleansed/purified.” Traditionally, both the males and females of the ethnic groups on the island undergo a cleansing ritual after the death of a spouse. I had group interview in one of the wards with 10 widows aged between 31–69 years of age. These widows were from the three ethnic groups known as the Jita, Kara, and Kerewe, who make up the population of the island. The widows’ narratives are presented in Sections 7.1–7.1.5. In Sections 7.2–7.2.3, clan elders and community actors gave their understanding of the widow cleansing ritual as practised on the island and the beliefs attached to the ritual. The Section 7.3 presents the clan elders and community actors discussions on the economic purpose of the practice as well as the advantages and disadvantages of the cleansing ritual.

Before sharing their personal experiences, I asked the widows to explain from their point of view what they understood by the cleansing ritual, namely, the origin of the practice and why it is in their community.

The most commonly shared understanding of the cleansing cultural belief was: “a widow is cleansed to prevent her from ill health after the death of a husband. The cleansing ritual is performed by having sexual relations with a man who is not otherwise your sexual partner.” It is evident from their understanding that the local people on the Ukerewe Island have a common belief about the cleansing ritual. Hence, this tradition is deeply rooted in their cultural beliefs. Apparently, these locals are indoctrinated into the notion that the rite of cleansing is the only way to survive after the death of a spouse. The widows further explained how firmly the belief is instilled in their society. They maintained it is a widely held belief in their community that several people would continue to die in the deceased household if the living spouse did not fulfill the obligation of the cleansing ritual.

Such an ideological situation demands not only a committed spirit but also instills fear within the bereaved and surviving spouse. Thus, the widows have a little freedom to decide and are compelled by the tradition to undergo the cleansing ritual.



Some widows in the group said that they did not know the origin of the practice because no one ever told them about how and when it began in their communities. Others said that the cleansing ritual has always been part of their culture. While their personal experiences varied, they all disclosed that they were exposed to the cleansing ritual during their bereavement after they had lost their spouses.

Their answers reflected, on the one hand, their lived experience as widows; and on the other hand, their culturally bonded understanding of the cleansing ritual. These widows acknowledged that their traditional beliefs taught them *the cleansing ritual purifies and drives away the bad spirit of the deceased spouse*. Hence, the perception of their community is that widow cleansing is a tradition and an accepted norm that widows must undergo. They, however, could not tell me about the origins of the practice in their society.

## 7.1 Personal Accounts and Experiences of Widows

The 10 widows shared their experiences of the ritual they had undergone and gave their opinions and views on what they considered to be sustaining the practice of widow cleansing in their community. When the issue of violence was discussed, the widows relayed their experiences of the cleansing ritual. The issues discussed were very emotional and sensitive, with themes such as force, vulnerability, and humiliation emerging in their narratives as presented in Sections 7.1.1–7.1.3. Other themes such as health risks are unfolded in Section 7.1.4, while Section (7.1.5) highlights matters of concern addressed in the widows' interviews.

### 7.1.1 Forced to undergo the cleansing ritual

In sharing their stories individually, some of the widows told how they had been forcefully pressured to undergo a cleansing ritual. The majority of the widows used the phrase: "I was forced to be cleansed against my wishes." While many of the widows disclosed that they had been forced to undergo the cleansing ritual against their wishes, some of them also shared that they initially stood against the ritual but had to reconsider their decision for various reasons. The statement below reflects a widow's dilemma:

"When I lost my husband, I made two attempts to undergo the cleansing but I did not have the courage to undergo the ritual. I refused to be cleansed because of my Christian faith. My in-laws threatened me that my children would lose the legitimacy

of their inheritance. I stood my ground and remained in my marital home with my children. After two years, I re-considered my decision and I decided to go against my Christian faith for the sake of my children” (A 52-year old widow).

The future position of widows’ children in their legitimate homestead was often a crucial factor when it came to their rights to inheritance. Their mothers’ decisions not to undergo the ritual could cause the loss of their rights to inherit. The 52-year old widow in the above excerpt felt threatened by her in-laws that her failure to undergo the ritual would not only deny her children the right to inherit but she would be buried with all her possessions, including her cooking utensils, when she died. The widows said that such a situation could give widows no option but only pull and push them to undergo the sexual ritual in order to avoid depriving their children of the right to inherit. Another widow gave this testimony saying:

“I refused to undergo the cleansing when my husband died in spite of the pressures and intimidation I underwent. After a year, I reconsidered it and had it done to enable my children a right to claim the clan property” (53-year old widow).

In the studied community, the widows were beginning to reflect on the different forms of violence and exploitation that they endured because of the cleansing ritual. Some of them were exploring avenues such as Christianity and modern culture to resist the sexual form of cleansing. It emerged in the interviews that some widows had used these avenues as ways and means to fight against the cleansing ritual. For example, the Christian members in the group shared that they had undergone the cleansing symbolically. They claimed that three or five days after the mourning period, they went to the church for a blessing.

These Christians believed that an immoral act like indulging in sexual relations outside of marriage was against their Christian faith and it was considered sinful in the Christian tradition. However, some traditionalists in these widows’ communities had not always recognised and accepted the Christian form of cleansing. Some family members, including the women folk of their deceased spouse, did not consider the symbolic form of the Christian cleansing as being capable of chasing away the bad spirit of the deceased spouse. Therefore, widows continued to suffer social isolation and intimidation within their communities.

In fact, some widows stated that because of the experience of social isolation, they had reconsidered their standpoint and had gone to be sexually cleansed in the traditional way against their Christian faith in order to regain their freedom, respect, and dignity in society. The few widows in the group who said they had refused to undergo the sexual cleansing ritual happened to be Christians. They said that while

they had no problems associating with their fellow Christian women, they did not always associate with other women folk in the community during certain customary ceremonies. They said they felt stigmatised by a certain group of women in society because they had not been sexually cleansed, which served as a constant reminder that they were unclean.

A 42-year old widow told she was caught in a similar dilemma between her Christian faith and tradition, and shared that her parents had stood firmly by her and did not allow her to go through the sexual cleansing ritual. She said it had been a long fight between her in-laws and her parents. She now counts herself as lucky because she did not undergo the sexual ritual, yet her in-laws accepted her living in the homestead with her children.

The majority of the widows expressed that to be cleansed sexually requires a lot of courage. One of them said that she was escorted to the cleanser but she refused because she did not have the courage to have sexual intercourse with a man she did not know. After the first escort, her in-laws gave her the freedom to find her own cleanser:

“I made two more attempts on my own but could not go through the ritual. I didn’t have the courage; my spirit just refused” (63-year old widow).

This widow still lives with her in-laws, although it was not clear in the interview whether she eventually underwent the cleansing ritual. Some widows revealed that they had refused initially but reconsidered their decision and underwent the sexual cleansing. Yet, there are still others who shared that they had stood their ground and refused to be cleansed. A 69-year old widow disclosed that when her husband died 11 years ago (from the time of the interview); she refused to undergo the ritual in spite of the intimidation and forceful pressures by her female in-laws.

“I refused to undergo the sexual cleansing ritual. I am still living in my late husband’s homestead and have not encountered any problems. My children are doing well in life and no ill omen has befallen me nor my deceased husband’s clan members” (69-year old widow).

This widow explained further that she did not only stand her ground but also spoke out and told her in-laws that the cleansing custom is an outdated practice because it has no place in today’s society. It was obvious that this 69-year old widow had had the courage to challenge the tradition and her in-laws because of her mature age.

While others told they also had stood up against the practice and refused to undergo the ritual in spite of the family and societal pressures. Nevertheless, some

of the widows interviewed said that they were not forced to undergo the cleansing ritual rather; they themselves had in fact asked to be cleansed.

“I wanted to have it done and be over with. I asked my sister-in-law when the cleansing ritual would take place” (39-year old widow).

Those women who had willingly asked to be cleansed stated that they had witnessed and seen how some widows on Ukerewe Island who have not undergone the cleansing ritual suffered forms of abuse, humiliation and stigma in their community and on their homestead. These widows also said that they knew about the impact of the cultural implications on widows who refused to undergo the cleansing ritual. Because of these cultural implications, some widows, such as this 39-year old, are scared of the consequences they might suffer should they refuse to undergo the ritual. Hence, they asked to be cleansed so as to be free of societal prejudice and maintain their dignity and respect.

The excerpts from the interviews of two other widows below disclosed that some clan members in the Ukerewe communities were beginning to refrain from the cleansing practice. However, it emerged in the interviews that some widows wanted to follow the tradition because of the deep rootedness of the cultural belief. Other widows with similar beliefs perceived the sexual ritual as a necessity because of what they presumed might happened to them if they refused to be purified in the traditional way.

“No one forced me to undergo the cleansing ritual. I went on my own and then informed my in-laws that I have undergone the ritual.” (43-year old woman).

“I was not escorted to be cleansed. I was given the freedom by my in-laws to find my cleanser” (50-year old widow).

I questioned these two widows as to why they chose to undergo the cleansing ritual when they were not compelled to do so. The widows revealed that they opted to endure the fear and anxiety associated with the sexual cleaning in order to secure their wealth and to maintain the position of their children in their deceased husband’s family. Thus, they themselves preferred to undergo the cleansing ritual.

Widows in the studied communities are put in a vulnerable situation due to societal pressures and the fear of depriving their children of their inheritance. Children in these communities are counted as part of their father’s lineage to have claims to his land and property following the death of their mother. As long as the mother is alive and remains in the homestead, she holds the property in trust for the children. Therefore, integration into the patrilineage is an essential strategy for

securing a child's future, and most widows I interviewed tried to stay on the safe side or be in good terms with their deceased husband's family. Some of the widows' stories portrayed how the future of their children's fate were used to get them to undergoing the ritual. The widows also expressed how they felt trapped and could not afford to refuse the cleansing ritual. These widows were beginning to be aware of the fact that their children's position in the family were used to entrap them into a more vulnerable position.

### 7.1.2 Vulnerability: Blaming and Finger Pointing

Even though the widows shared similar experiences and could identify and connect their ordeals with one another, there were nonetheless also differences in their stories. Their different narratives shed light on the complex issues that highlight the vulnerabilities in the types of violence widows' experience in their communities. One of the widow's narrative below gave an example of such complexity.

A widow aged 32 at the time of the interview, said that she had been two months pregnant with her fourth child when her husband died. Despite her pregnancy, she was compelled to undergo the cleansing ritual against her wish.

"I pleaded with my in-laws to delay the cleansing until I had given birth, but they lent a deaf ear to my plea. Instead, my female-in-laws constantly accused me of bewitching and killing my husband. My father also pleaded on my behalf but his plea was not heeded. He became frustrated in the end, and told me that undergoing the ritual was the only way out to prove my innocence of my in-laws' accusations against me. He added that the act of the ritual is performed only once. I took my father's advice and did as custom demands" (32-year old widow).

Both the widow and her father felt the female in-laws would have continually mocked her as the *witch* and the *killer* of their son and brother, if she refused to undergo the ritual. She also feared her reputation would be tarnished in the homestead and community if she did not undergo the ritual. Unfortunately, even though she eventually underwent the ritual, her mother-in-law and sister-in-law (both widows) kept insisting that she had bewitched and killed her husband. She felt trapped and helpless. She could not defend herself because culturally a widow is not supposed to be argumentative or quarrelsome during the mourning period. Tradition demands that she should be humble, quiet, and show signs of bereavement at all times, until the mourning period was over.

The 32-year old widow explained further that she observed tradition and suffered her ordeal in silence: stomaching the verbal abuse and intimidation with each passing

day. Three weeks after the death of her husband and just before his (the deceased) property was shared among his kinsmen, she was sent away from her marital home with her pregnancy. All her possessions, including her three children were taken away from her.

“After my traumatic experience, my understanding of this practice of the cleansing ritual is that it is cultural violence. My in-laws are enjoying what my husband and I worked hard to acquire. I am poor and struggling to start life all over again. The clan elders who were supposed to protect widows from any unjust act such as I faced, as customs demands, did nothing to stop and prevent my in-laws from dispossessing me”(32-year old).

After going through the required ritual, this widow was still evicted from the homestead. As emerged in the narrative, there is no guarantee that widows, who have been subjected to the cleansing ritual, would have freedom from the violence of the ritual or intimidation by their in-laws. Such is the depth of oppression experienced by some widows that they expressed the feelings of self-pity and self-blame in relation to the accusations they faced. Others too felt that the way widows are treated is a pure violation of human rights.

I observed in the interviews that most of the widows were beginning to talk openly about their ordeals. The blaming of widows for the death of a spouse is quite common in many African patriarchal societies for various reasons and the communities on Ukerewe Island are not exceptional. Some of the widows said that they were being blamed and even accused when the family of the deceased knew the cause of death, as stated by this widow:

“My sister-in-law knew the cause of the death of her brother (my husband), but she still blamed me when he died. I have suffered a lot of verbal abuse and intimidation.” (43-year old widow).

In this context, the widows were threatened with the fact that they would not only bring a curse to haunt the whole community, but that they would also lose all of their properties and even their children if they refuse to undergo the ritual.

“If I fail to undergo the ritual, there is the danger that in the near future, I could be chased away from the homestead. Moreover, all the properties, including the livestock, could be taken away from me because I have broken the tradition” (34-year old widow).

This understanding increased the vulnerability of the widow to various forms of cultural abuse that determine how she prevented or responded to the problem of property dispossession. As explained earlier by the 32-year old widow, it is believed

that cultural norms require the widow to behave as a humble or vulnerable mourner. Interviewees highlighted that the widow is expected to remain in a confined room for a few days and could only talk to fellow widows. In addition, the culture demanded that she should remain silent and refrain from asserting her rights. With their experience, some members of the group verified that the family members of the deceased make decisions over the widow and her children during this period of mourning. Widows in the study felt that some of their in-laws deliberately accused them of bewitching and killing their spouses. The intent of the accusations had been to intimidate and dispossess them and their children of their property.

It is evidently clear that the factors that obligated the widows to undergo the cleansing ritual were related to the issue of power and control. The relatives of the deceased developed these tools and used them to manipulate the widows at the time they were in the most weak and vulnerable position in the community- their bereavement period. The concept of power and control intersected when widows were convinced and had deep rooted beliefs in the cleansing ritual as the accepted norm and tradition of their people, which gave them identity and recognition in their society.

### 7.1.3 Humiliation: The Feeling of Guilt and Being Immoral

A few of the widows experienced the ritual as humiliating, embarrassing, and expressed having felt a strong sense of disrespect for their bodies. One of them said she felt not only humiliated but

“...having sex with a strange man I have no feelings for made me so sick, I felt dirty”  
(45-year old widow).

A few of the widows in the group were of the opinion that been compelled to have sex without a consensual agreement was, in fact, equivalent to rape. Others also told that they had been ashamed when asked by their sisters-in-law: “Did you do it?” This question implied that they had had sex with the cleanser, and they had to answer truthfully “yes.” They claimed the shame caused by the ritual was distressful and undignified that had affected them psychologically. In another interview, a 32-year old widow said she felt humiliated while waiting outside the house as people in the neighborhood were looking and staring at her knowing that she had undergone the ritual after she had her hair shaved. She was the only one who said that her hair was shaved after the ritual.

Despite the widows' accounts of their unpleasant feelings about the act of the cleansing, they said that traditionally the sister-in-law played a symbolic and important role in the cleansing ritual. The sister-in-law sings a jubilant tune (known locally as *vigelegele*), when a widow confirms to her that she has undergone the sexual act. Her '*vigelegele*' alarms and invites other women folk in the escort group to celebrate the widow. It is a symbolic gesture, which signifies the fact that the widow is cleansed and could now resume the enjoyment of her social rights.

Some of the widows also expressed that the act of the cleansing had made them feel immoral and guilty, which they considered sinful and tampering with their human dignity. These widows explained that in their culture, good and modest women are not expected to engage in immoral acts. Yet, their tradition also requires them to be purified from uncleanness by an act contrary to what is considered proper. The widows were in a dilemma over these issues. It appeared that some women are beginning to question this contradictory situation.

#### 7.1.4 Health Risks Widows Associated with the Cleansing Ritual

Almost all the interviewees were concerned about their health and they raised issues that could possibly affect them because of the sexual cleansing ritual. Widows shared that the cleansing ritual had affected their bodies and their sexuality. The first concern expressed by the widows was the unhygienic way the ritual was performed. Those widows cleansed by the 'village cleanser' – known as the '*Omwesya*' – told that he was dirty, drunk, and unkept. Others revealed that they were taken to the bush to be cleansed, and these experiences had given them traumatic stress and affected them emotionally and psychologically.

Based on the above experiences of the widows, I asked them how they understood the cleansing ritual and what meaning it held for them. A few of the women explained the meaning of the cleansing ritual as: "... *to be cleansed from the deceased's spirit.*"

Others said: "to be cleansed and be free from any bad omen."

From these kinds of excerpts, I gathered that the cleansing ritual was considered necessary to purify the widow from the spirit of her deceased husband and to free her from the threat of any bad omen as noted by a few of the widows. However, the majority of the widows shared that undergoing the sexual act as part of the cleansing ritual is disadvantageous because they felt the practice promotes sexually transmitted diseases (STDs). The sentiments below reflect some of the widows' fears and anxieties over the impact of the ritual on their health:



“Personally, I feel cleansing by the sexual act is no medicine to purify me, neither will it cure or protect my children or myself from any ill health. Hence, I refused and resisted all forms of pressure from my in-laws” (69-year old widow).

This 69-year old widow did not believe that the sexual cleansing could purify and protect her and her children from a haunted spirit. She explained further that in her opinion, the sexual act involved in the ritual pollutes and infects the body of a woman. Some of the widows also held a similar belief. They said that normally their in-laws pay cleansers that are drunk, dirty, and smelly. One of them said:

“I was infected and suffered for years before I got cured. It puts me in deep thought anytime I reflect what happened to me” (42-year old widow).

When talking about the cleanser infecting them, I asked the interviewees if they could not use protective measures for the cleansing. The widows explained that traditionally, to ensure the validity of the ritual, the cleansing is accomplished through unprotected sex. This issue was debated in a discussion for a while with widows sharing their views and concerns about how unsafe the act was. Here are two excerpts from statements made by widows during the discussion:

“I see no advantage in the cleansing ritual; it only brings us syphilis and gonorrhea” (36-year old widow).

“Widow cleansing increases especially STDs, I see no advantage in the cleansing act” (45-year old widow).

Sexually transmitted diseases were what was commonly shared among the widows. Some of them asserted that they were infected and that it took them years to be cured. The most worrying issue raised during the interviews was the concern for the possibility of contracting HIV/AIDS.

The widows, including those who claimed that the ritual protected them from bad omens, agreed that they stand a high risk of contracting HIV/AIDS or other sexually transmitted diseases through the practice. According to these widows, the whole experience of the cleansing ritual was traumatic for them. Some said that the impact has affected them psychologically, as one widow stated:

“I was depressed when my husband died, and when I was kept in isolation it added to my emotional stress to the extent that I have been battling with high blood pressure ever since” (53-year old widow).

The issue about health was taken as a concern to the focus group discussion a detailed account on the views of health workers and community leaders is addressed

in section 7.15. The socio-cultural understanding and implications of the cleansing ritual became a matter of concern and is addressed in the following subchapter.

### 7.1.5 Matters of Concern Addressed in the Widows' Interviews

On Ukerewe Island, social life is considered an important and integral form of community. The majority of the widows shared their fear that other women in the community would not visit a widow's home or share any meal with her if she had not undergone the cleansing ritual. Widows in the study shared in a detailed way that the fears and anxieties as well as the values attached to the cleansing ritual have left them with little or no option but to undergo the ritual. These kinds of experiences were reasons to compel a widow to undergo the cleansing ritual, which enforced the vulnerable position of widows in the Ukerewe communities.

I became concerned and asked the participants what they thought would have happened to them if they had told their in-laws that they had undergone the ritual without actually going through it. There was a general response from the widows that they would have been too frightened not to tell the truth. For example, the widows explained that to say they had undergone the ritual while they had actually not would have meant deceiving not only the living but also the dead as well as the ancestral spirits of the land. It was obvious that the ritual was seen as sacred and the fact that the fear of a bad omen befalling them would not encourage anyone to underestimate the consequences one is likely to face.

The widows who had been cleansed by a village cleanser disclosed that there were elderly women and even young sisters-in-law that accompany or follow them to make sure that they have been cleansed. One of them explained that as part of her experience of the ritual, a male relative of her deceased husband shaved the hair and a female relative prepare water for her bath after that a special meal was prepared for her and her children. From the moment of her cleansing to the next two days, she could communicate only with fellow widows until the ritual leader considered her as cleansed and therefore was free to communicate with other members in the community.

Another widow shared her experience differently from the general perception of the cleansing ritual in the same community. She highlighted the fact that the cleansing ritual could be performed depending on the in-laws of a widow in a particular family.

“After the cleansing, my female-in-laws told me to go to bed and lie flat on my tummy with my face down. An elderly widow kept watch over me to make sure I remain in the same position in bed. Neither my three little children aged between two and eight nor I had any food to eat. My in-laws restricted us and confined my children indoors until the following day. For the next two days after the cleansing, I was only allowed to communicate with fellow widows” (34-year old widow).

This 34-year old widow felt her in-laws deliberately starved her children and her, and kept them in isolation. However, other widows in the group assured her that it was part of the traditional ritual to be isolated since it is believed to be a taboo to communicate with community members or other outsiders during the cleansing period. Moreover, the widow can only communicate when she is purified from all that is considered pollution associated with her widowhood.

I wanted to know more about the role of the escorts so I asked the interviewees to describe what they do and who they are. A 50-year old widow explained that traditionally, three to five days after the death of a husband, two female in-laws of the widow, or in case the deceased has no female relatives, the widow’s sisters or cousins and a male relative of the deceased come to escort the widow to be cleansed. One of the widows shared the following:

“The selected members of the clan escort the widow looking for a cleanser – very often, the widow is taken to a public place like a drinking bar where men would gather. The female-in-laws will dress her up in a way that is noticeable to the locals of Kara, Jita and Kerewe as a woman whose husband ‘has passed away’ and needs cleansing. In the public gathering, one of the female escorts announces, “there is ‘msimbe’ here”: meaning there is “an unclean woman” here. Upon hearing this, any of the men present could approach the widow and take her for cleansing. The cleanser in this case is not paid, neither is it permissible to pay the widow for having sex with her. If on the other hand, no man approaches the widow, the escorts pay a village cleanser known in the community to do the cleansing. Some families too pay the cleanser and bring him home to the widow for the cleansing ritual” (69-year old widow).

The beliefs surrounding the cleansing ritual among the Jita and the Kara is that neither the widow nor the cleanser should fall in love with each other. The act of the ritual is performed only for that day as explained earlier. This same belief holds for a widower, because the woman he uses for the cleansing ritual could never be his sexual partner nor his lover or wife.

The widows disclosed that the traditional way of cleansing that was prevalent mostly in the ancient times among the Jita and Kara ethnic groups was that a widow or widower undergoes a cleansing ritual performed through sexual relations by a cleanser. One of the widows told that the Kerewe on the other hand, used to practice

a different form of cleansing ritual. She explained that amongst the Kerewe when a spouse dies, selected groups of male and female members of the deceased family escort the widow or widower and their children to an anthill on the outskirts of the village.

As part of the ritual, the widow or widower carries a cloth of the deceased and places it on the anthill. The widow or widower and their children urinate on the same spot on the anthill. Then the deceased's spirit is then invoked, and the widow or widower calls his or her name thrice, saying: "*I have come to be cleansed.*" After this ritual, the living spouse and children immerse themselves in the river and take a bath. The ceremony symbolises the cleansing of the haunted spirit. A medicine man, known popularly in the community as 'mganga wa kienyeji' (a 'witch doctor or traditional healer'), prepares an herbal concoction for the widow or widower and their children to drink. They use the remaining herbal water to wash their hands on the grave of the deceased. This final ritual symbolises "a goodbye to the dead" who now belongs to a different world from the living.

A few days after the ritual has been performed, the clothes of the deceased are shared among his/her relatives. The give-away of his/her clothing symbolises the closure of an era for the dead and begins a new life for the widow or widower and their children. However, according to the widows in this study, this traditional practice by the Kerewe has died out completely. They claimed that this was because of intermarriage amongst the three ethnic groups on the island. Additionally, they said, those Kerewe who marry outside the island into other ethnic groups of Tanzania are inclined to follow the traditions and cleansing rites of their spouse.

It is believed in the Ukerewe community that children born after the death of a spouse may be denied a share of the inheritance after the death of their mother. Therefore, rights to inheritance is only there for these children as long as the mother is alive. I became concerned and asked interviewees whether, as a result of the ritual, the cleanser could impregnate the widow. The participants told that there is the possibility, and they emphasised that there have been such incidents in their communities. These interviewees explained that children born after the cleansing rite and those conceived during the cleansing ritual are called 'Mruswi' –meaning 'the child of that place.' Historically, it is believed that these children have the rights of inheritance in the deceased's family the same as the children before the death of the spouse. However, as explained earlier, when their mother (the widow) dies they lose all rights of inheritance in that family.

Throughout the interviews, these widows made a strong appeal to help the Kivulini women's rights organisation in Mwanza city and a rights activists group on

the Ukerewe island called “Kikundi Cha Mila na Desturi Ukerewe”, which means the “organisation of customs and traditional norms in Ukerewe”, which is known by its abbreviation KUMIDEU. Most of them felt that in their community no one, including the Tanzanian government, is doing enough to protect widows’ rights. Hence, they had formed an autonomous support group for solidarity known as ‘The Change Makers.’ They explained that the aim of their organisation is to fight the stigma attached to widows and to uplift their image in their communities. As change makers, these widows take a critical stand against the cleansing ritual. Accordingly, their sentiments and thoughts might have influenced the data I gathered during the interviews. These widows’ views may be more critical than the views of other widows in their community who are not members of their association.

The widows’ group wanted the cleansing ritual to be stopped. They thought that clan elders in their community perpetuated the practice of the cleansing ritual because the beliefs are deep rooted in traditional practices. The widows also made pleas to their government and rights’ organisations to promote educational activities in communities who practiced sexual rites of cleansing. They added that they hoped to see a society where widows are free from the sexual cleansing ritual.

## 7.2 Clan Elders’ and Community Actors’ Understanding of the Widow Cleansing Ritual

In order to understand the socio-cultural meaning of the cleansing ritual, as well as why the practice persists on the island, I held a group interview of informants aged between 55–73 years old. The group was made up of clan elders, community actors, and two activists. Some of the concerns that emerged in the widows’ group were brought to the clan elders and community actors group for discussion.

The community leaders and activists said that the cleansing ritual has always been part of their culture. They affirmed that they heard of the cultural practice as young children and it is still ongoing in their communities. The cleansing is done within three days to about a month after the death of a spouse. The participants stressed that traditionally, this timeframe depends on the different families, but generally, the cleansing ritual period does not exceed a month after the death and burial of a deceased spouse. One of the community leaders said:

“Kutakaswa – the cleansing ritual has been in our communities for ages. My understanding of the ritual is that once a spouse dies, it is believed in the community that the deceased has inflicted ‘mkosi’ – (filth/dirt), and it would continue to haunt the living spouse. Therefore, the filth and haunted spirit is cleansed in order to avoid

any bad omen or ill-health befalling the deceased's household. The cleansing purifies the widow or widower and enables them to be free, in order to eat and associate with other family members. In our community, the widow is inherited and accepted back into the deceased's family after she has undergone the cleansing ritual" (67-year old female community leader).

In Ukerewe communities, there is the belief that death is the most devastating enemy of society; hence, it is a deep-rooted belief among the Kerewe, Kara and the Jita that the ghost of the deceased will continue to haunt the living spouse. Other members also believe that without the cleansing of the living spouse, the spirit of the deceased spouse will not be able to roam freely in the 'life after death'. For such reasons, the cleansing is an obligatory ritual to wash away what has become unholy, dirty, and haunted. In addition, the community leaders shared that the cleansing ritual is to drive the haunted spirit and all the ill luck that is associated with it to the next world.

"People in our communities believe that the death of a relative is infectious. Therefore, the impurity of the deceased person, if any, affects close relatives and above all, the spouse, who becomes contaminated and thus untouchable and associated with a taboo. It is feared that the living spouse could infect members of the household because of the close relationship s/he had had with the deceased" (73-year old, male clan elder).

My informants also explained that before a widow could resume her sexual and social life, an 'Omwesye' (a cleanser) must ritually cleanse her through a sexual act. The sexual ritual is a precondition for the widow as an indication for her deceased husband's clan members to have control over her fertility and sexuality to restore the continuity of the lineage. I asked the group how the cleanser is chosen. They explained that because of the sexual act attached to the cleansing ritual, it is against their custom to select a cleanser from among the kinsmen of the deceased. One of them gave the following account:

"...It is in accordance with our tradition that the one who does the cleansing should neither fall in love nor marry the widow or widower. Unlike the Luo ethnic group in Tanzania, who choose the cleanser among their close relatives, it is a taboo for us to select the cleanser from the deceased's relatives. We believe that a cleanser cleanses the widow or widower, and secondly, drives away the haunted spirit of the deceased. The widower is free to remarry whomever he chooses from any clan and continue with his sexual life after the ritual. In the case of a widow, she remains in the deceased family after the purification. However, she could either be remarried to a clan member or choose to leave the deceased homestead and remarry elsewhere" (65-year old male clan elder).

The options explained above for the widow to remarry depended so much on the treatment the widow receives from her in-laws. The same informant explained that to keep the family lineage, a close relative of the deceased, for example, his brother or a nephew inherits the widow. This heir is given a definite role in the relationship, which is to protect and provide for the widow and her children to meet their basic needs. Often, this leads to marriage; some widows too choose to remain unmarried. In case children are born out of this relationship, the belief is that the deceased husband fathers the children; and therefore, they are given his name.

Explaining about widower cleansing, the female informants in the group expressed that while both widows and widowers undergo the cleansing ritual, only the widows' form of cleansing is made public. They claim that the widower cleansing is done in a discreet way to protect his privacy. Whereas women shared their life experiences, none of the male interviewees said whether they were widowers. They also did not share their personal experiences of the cleansing ritual; however, they shared their understanding and opinions on how the widower cleansing ritual was done in their communities.

The informants have shared in the previous section that among the ethnic groups on Ukerewe Island, both genders undergo the cleansing rituals. They explained that men undergo the cleansing ritual within a period of three days to about two weeks after the death and burial of their wife. They also highlighted some of the taboos that are associated with the rituals in this section below.

"The widower's relatives (clan's members) give him money to pay for the cleansing ritual. He then goes off on his own to a far off town or village with the intention of seducing a woman and using her for the ritual. For example, if he finds it difficult to get a woman in an open market, he could find a woman in a bar and buy her an alcoholic drink into get her drunk. This makes it easy for the widower to have the woman agree to his sexual act" (61-year old female community leader).

I became curious and asked the informants whether the cleansing would be valid if the woman was under the influence of alcohol. One of the informants said:

"The widower needs a woman for the cleansing, and that is all that matters for the ritual to be valid" (65-year old male clan elder).

It was obvious that there are no taboos attached to the widower's act of getting the female drunk, and then using her for purification. It was further explained that the woman used for the ritual did not have to be aware of the fact that the man proposing to her was a widower nor did she have to know that she had been used as the cleanser. When the widower goes home after the sexual act an elderly man shaves

his hair. His female relatives, who are widows, prepare a special meal for him. A clan elder explained that as part of the ritual:

“... nothing luxurious is encouraged; hence, the food is served on banana leaves. Some families serve the food on plastic plates. The widower dines with his young male children and the bachelors in his clan” (73-year old, clan elder).

Thus, the widower has more agency in selecting his cleanser, which reinforce how patriarchy works in this studied community. At dawn the next day, the widower’s male relatives escort him to the lake for a ritual bath. When they return home, a male relative who is also a widower strangles a rooster and either boils or roasts the meat. The widower and his children eat the plainly served meat without any sauce, as part of the ritual. Later, some special herbs are prepared for the widower and his children to have a bath. After the bath, the widower and his children use the remaining herbal bath water to wash their hands on the grave of the deceased. Informants attest that this whole ritual is a symbolic way of saying their goodbyes to the spirit of their beloved. Through the ritual, they tell that they have nothing to do with her any longer from that moment forward they belong to two different worlds.

### 7.2.1 Widow Cleansing Ritual Practice as Perceived by Activists

“Widow cleansing is a traditional custom that continues on Ukerewe Island”, says a 61-year old male rights activist. He explained that in Tanzania, most cultural practices has the status of customary laws. Therefore, widow cleansing, known as *‘kutakaswa* or *Kusomboka*’ in the local dialect meaning ‘to be cleansed/purified’ is part of customary law. However, even though the law recognised widow cleansing as a tradition and custom of the people; the government and advocates (non-governmental activists) in this study, held that the cultural practices that are repugnant to natural justice, equity and good conscience are not acceptable by the Tanzanian law. One of the activists explained further that:

“... any aspect of customary laws that are barbaric and dehumanizing, such as physical assault, psychological torture and the like are not accepted by our law” (61-year old male activist).

These activists attested that the Penal Justice System, namely, the Criminal Offences Act of Tanzania and also the Domestic Violence and Offence Act of the country, had provided various punishments including any form violation arising from cultural practices that violate human rights. According to a female activist in the group:



“...what used to be a cultural demand for both widows and widowers in our community could be seen today as a crime in our legal system” (65-year old female activist).

After the above explanation, I asked the clan elders, activists, and community actors in the discussion group to share the origin and their understandings of the cleansing ritual in their communities on Ukerewe Island.

## 7.2.2 Beliefs Attached to the Cleansing Ritual

The elders stated that while most community members no longer subscribe to superstitious beliefs attached to the cleansing rituals, they could not rule them out. Traditional beliefs and superstitions are very strong among the ethnic groups on the Island. For example, when things go wrong, leading to many deaths in the communities, many questions are asked and oracles are consulted in the attempt to discover the reasons. Often, there is a prevailing idea that somebody caused the death. The informants stated that the eldest of the community investigate for clues of who might have caused the harm. There are always solutions after such examinations and they find a way to put things right. According to the activists in this study, beliefs in witchcraft and black magic or juju are strong among the indigenous communities in Tanzania. They explained that from the villagers' perspective, there are no distinction between the two. The community members are terribly afraid of witchcraft and juju, and therefore, any death associated with it must be cleansed through rituals. Most people in the community on Ukerewe Island, for example, still believe that ill health will befall them if they do not undergo the cleansing ritual when a spouse dies.

They believe that if a household was not purified first after the death of a husband or wife, any form of calamity may occur in that household. This implied that people in the community shared equally in the sorrow inflicted on a particular house. Clan elders confirmed that generally, when death occurs, no single human or spirit agent is blamed as being the mystical cause. They stated that in some communities, people believe that God was punishing them for the wrong they had done. While these superstitious beliefs were still very strong in the communities on the Island, it was very difficult for outsiders and researchers to verify the authenticity of such claims empirically.

Superstitious beliefs surrounding death were a great concern in the focus group discussion. The community actors said in their discussions that the cleansing ritual

of both widows and widowers is a custom that is still widespread in their communities for a number of reasons. They identified three major concerns as the driving force for continuing rituals: a strong belief in superstition and uchawi or witchcraft, the lack of Christian faith and formal education, and economic reasons due to poverty and health issue.

The Christian leader in the group was initially very reticent in talking about witchcraft but as the conversation advanced, he entered into the discussion and gave relaxed, informative and philosophical ideas to the team that were very helpful in the study. According to him, witchcraft beliefs are still present on Ukerewe Island, though mostly in the villages and among the uneducated. He believed that community members with formal education did not believe in witchcraft because they have two sources of knowledge: traditional knowledge that believes in witchcraft and the knowledge of formal education. This religious leader said that superstition reflects an imprisoned mind, stating:

“Through my interaction in the village community, I have become aware that superstitious people accept things as they are. They say, ...*this is my lot and I can do nothing about it*. I have also learnt that the building block of superstition is fear. This fear compels one to surrender to a power out of fear and this power takes over him/her. Hence, when something goes wrong, people with such mindset begin looking for something or someone to blame. Finally, I have come to understand that mistrust in the community and in households is one of the causes of witchcraft accusations” (57-year old Christian leader).

The respondents in the group discussion were most concerned about the deep-rooted superstitious beliefs attached to the cleansing ritual. They explained further that people in the community believe that witchcraft is a mixture of traditional medicine, certain spells, paraphernalia and some rituals. They held that these beliefs controlled people in their communities. Although, the majority of widows and widowers did not willingly undergo the cleansing ritual, they were compelled to be cleansed (like ‘slaves’) because of the social conditioning in their community. These community actors were of the opinion that the widowers undergo the cleansing ritual to free themselves from a haunted spirit. Through the purification rite, they also sought protection against any evil person who might want to bewitch or cast a spell on them. The widows were often accused of bewitching their husbands and causing their death, and therefore became more vulnerable. This compelled them to have no choice but to undergo the ritual.

Building on the above justification, a female elder in the group discussion highlighted that people in her community remain in a dilemma and are often caught between the Christian faith and traditional beliefs. She explained that:

“...there is an anomaly between traditional beliefs and religions like Christianity. This religion has been unable to address and explain extraordinary events. From my point of view, Christianity wants people to leave behind their traditional beliefs. For most villagers in the Ukerewe area, this is impossible because in the community, those who have embraced modernity and the Christian faith still have fears of witchcraft and taboos associated with the traditional beliefs” (55-year old ward leader).

Members of the group agreed that people who were envious and jealous of one another misused the power of witchcraft. These community actors also believed that ignorance, isolation and traditional beliefs were key contributory factors to the pertinence and continuing power of the witchcraft ideology. According to a ward executive in the group:

“...community members claimed that it is always a neighbor or a relative – someone who knows a lot about you who can use or apply the power of witchcraft to harm you” (39-year old ward leader).

In this study, her idea explained why in-laws often accused or blamed the wives for the death of their male relatives. People in the studied community associated witchcraft to women folk and tend to identify women as witches more than they did with the male folk. Therefore, should the community suspect a wife of possessing the power of witchcraft; they also believe that she could bewitch the closest relative, namely a husband. Examples of such cases are vividly presented in Section 7.1 where the widows share their experiences. There are various reasons for the continuing practices of the cleansing ritual despite the blaming and accusations in Ukerewe communities, which will be discussed in the next section.

Other matters that emerged in the discussions were the economic factors of the practice that touch on poverty and its implications for health risks. The respondents in the focus group expressed grave concerns about poverty as a contributing factor to the continuing cleansing ritual. First, some mentioned that because of economic hardship, namely a need of cash, the ritual cleansers were always ready to do the ‘dirty job.’ As one of the respondents said:

“The culture of the cleansing ritual has changed so much in our society. In the past, cleansers were secretly pre-selected. The chosen man considered himself a hired man who does his job for an unknown benefit to the public. As time went on, men in the community began refusing to do the job, they were afraid of contracting sexual transmitted diseases, especially HIV/AIDS. The community elders went public

during that time, looking for men who were willing to do the job for a fixed fee. The money paid to the cleanser was between Tsh. 1,000 and 2,000 (Tanzanian Shillings) (€1-2) at the time. The men who opted to do the cleansing job were people known in community. These men held no post but became the Omwesye – the village cleansers, and considered the cleansing job as their profession” (53-year old clan elder).

Had I have the privilege to meet and interview one of the Omwesye, I would have asked him why he does the ‘dirty job.’ Unfortunately, it was not possible because my informants felt they might not be willing to be interviewed. It was obvious though that they are financially motivated; the low fees show that they are men desperately looking for money. The 44-year old gynecologist in the group commented that:

“...most of the Wamwesye (plural) are strange, dirty, and ‘good for nothing’ community members who behave as if they are mentally disturbed. They are alcoholics and drunks who spend any money they earn on alcohol” (44-year old health worker).

The widows who had been cleansed by the Omwesye raised similar concerns during their interview. The widows expressed their distress over the Omwesye as deprived men who are disregarded in the communities because they have many problems. The widows also thought that the Omwesye are not mentally sound and their behaviour could be influenced by the excessive use of alcohol.

While these Wamwesye (cleansers) are not regarded as normal people in the community because of the way they behave, they are always willing to do the cleansing. However, in recent years, it appears that those of them who are somehow normal try to protect themselves before performing the act of cleansing:

“They secretly insert some local herbs – medicine, into the vagina of the widow before the cleansing ritual. Some of the cleaners are beginning to be aware of the risk of contracting HIV/AIDS but because of poverty, they continue to do the job for the money. I have seen such cases brought to our hospital where widows were badly infected because the herbs used as preventative by the cleanser” (53-year old health worker).

Many people in the Ukerewe community who long embraced the tradition of the cleansing ritual are beginning to frown on the cleansing ritual because they are educated about the health consequences. It was obvious that the cleansers were also beginning to take precautions.

Some respondents mentioned that the Omwesye are lower class citizens who have no wives or secure jobs. According to these participants, due to the unhygienic nature of the Omwesye in the community, some widows who were not pressured by their in-laws were beginning to look for their Omwesye privately to cleanse them.

The elder women in the group discussion held that some widows in their communities preferred to pay for their cleansing to avoid the curse of widowhood. Moreover, widows are now conscious of the health hazards associated with the cleansing ritual. The men who do the private cleansing secretly could charge the widow up to Tsh. 40,000 (€ 40) depending on the financial capability of the widow.

The community leaders also told that while widowers pay the women they use as cleanser, the women involved did not consider themselves as professional cleansers because almost all the women used as cleansers were unaware they were been used as cleansers unless the widower disclosed their intention to them.

I asked the respondents whether any aspect of the cleansing ritual is considered a crime. In addition, I wanted to know whether the policies in the Tanzanian constitution protect widows.

“It is against human rights to force anyone to have sex against his/her will – culture or no culture. It is also wrong to pay any man to have sex with a woman against her wish. This is a form of a bribe; it is a crime because it involves a sexual relationship without the consent of the woman. It must be noted that in Tanzanian criminal law (the Constitution), it is only when such violations take place and are brought to the attention of the law enforcement institutions that remedies may be provided” (51-year old police inspector).

The police officer in the group explained that if violence is meted out on a person under the pretext of cultural beliefs or custom and a complaint is not made then it will go unpunished and an impression might be created that there are no laws to prevent such violations:

“Unfortunately, offenses such as cultural practice crimes are not reported to the police and so far as I know, we have not convicted perpetrators for such crimes on the Island” (51-year old police inspector).

The above explanation spurred argument and serious discussion among the focus group participants. In the end, the group members concluded that the community is not educated enough to identify what constitutes a crime in connection to traditional beliefs. The executive officer in the group added that:

“...I am the secretary of the ward tribunal, which is a local court where matters from the community or villages are referred to and resolved. Since I took office in December 2007, officials from Kivulini NGO have given training to our members of the tribunal on marriage laws, human rights, domestic violence, sexual offenses and skills on the provisions of Legal Aid and social counseling, etc. We have collaborated with local leaders to mobilise the communities and given workshops on many occasions to raise consciousness in the community on human rights and the

harmfulness of some cultural practices like the cleansing ritual” (39-year old ward leader).

The community had been educated on human rights and aspects of traditional practices including the sexual cleansing ritual that violates the rights of widows. The community actors claim that the violation that widows endure from traditional practices are still on the rise in spite of the community education given by human rights activists. Yet, the 39-year old executive officer noted that since her election in 2009, she has not come across any case of widow cleansing ritual. No such incident has been reported to her office.

A female 55-year old street leader, stated that ever since she was elected five years ago, she had neither encountered any such incident nor had she heard of the cleansing ritual in her community. The second male street leader from the island district capital, a 51-year old, also confirmed that he had not heard or seen any cleansing ritual done since he became a leader. He thought that the tradition of cleansing was dying out in this modern time because of the multiethnic group that made the island population. However, the majority of members of the group believe that the cleansing ritual secretly persists in the community. They also believed that the bereaved families were keeping a low profile about the cleansing ceremony to avoid community gossip.

### **7.3 Advantages and Disadvantages of the Practice as Perceived by Clan Elders and Community Actors**

The community actors in the group discussion were asked whether they saw any advantage to the sexual cleansing ritual. According to some of the clan elders in the group interview, there are advantages in the custom of ritual cleansing. They claimed that in the olden days, their ancestors saw no disadvantage to this ritual because the widows/widowers underwent cleansing to be marriageable. Thus, the cleansing makes them pure and holy, freeing them from evil torments and making them acceptable in the communities. These claims are believed to keep the lineage intact and to expand the clan because the widow is inherited and might be given a husband in the same clan if she chooses to remain in that family. As has already been explained by the widows, the children born from this new relationship bear the name of the deceased husband. The continuity of the deceased family could not be possible without having first been cleansed. Again, the clan elders attest that the cleansing rites that the widows observe and undergo give their children the rights of

inheritance from their late father's property. The inheritance process is known as *kubungula* in Kerewe dialect and is a tradition that is still held in the communities of the island.

While the community actors and clan elders spoke about the advantages and values attached to the cleansing ritual, they were also very clear about the disadvantages of the practice. The pastor said in his opinion there are no advantages and he sees the practice as a violation of the widows' human rights. Even though he said he understands that the widowers make their choices of the woman they use as cleansers, he feels widowers' rights are also violated. The pastor feels that the widowers are also compelled to have sex with women who are not their sexual partners. He explained further that as a pastor, he had witnessed the plight of some widows among his Christian community who were chased away from the homestead by their in-laws because they had refused to undergo the cleansing ritual.

Most of the informants' views in the focus group nonetheless were that widowers do not suffer the same fate as widows. They gave their reasons that widowers are not bothered by the relatives of their deceased wives about the sharing of property. These widowers do not suffer any form of stigmatisation before the cleansing, even though, the relatives of the deceased believe they are also unclean. On the other hand, some of the leaders think that widows suffer a lot of humiliating situations before and after the death of their spouses. The widows themselves have explained the extent of the widow's humiliation in detailed in section 1 of this chapter.

It was the general feeling of the discussion group members that the creation of awareness in the community by cultural advocates must be intensified. The majority of the participants in the group discussion see this cleansing ritual as the "doorway" of contacting sexually transmitted diseases (STD) and HIV/AIDS. Both the community actors and the clan elders identified the health hazards associated with the cleansing ritual.

The informants in the discussion group held that the act of cleansing ritual 'soils' the images of the Kerewe people. One of them said that:

"... it is a humiliation for the widow – it brings her shame! The whole village gets to know she has to have sex with an Omwesye after the death of her husband. It tarnishes the widow's image and those ethnic groups who do not practice sexual cleansing make fun of the culture of us natives of Ukerewe Island" (A 42-year old community actor).

There were many contradictory comments in both the group interviews and the focus group discussion. For example, comments and statements, such as widow cleansing, tarnishes the image of the widow in the society because of the immoral

act of having sex with the Omwesye. In contradiction, the same societal members consider the cleansing ritual as a good practice because it purifies and makes the widow holy. These kinds of contradictory comments leave the researcher with many questions about the conviction and standpoint of the respondents.

The clan elders and community actors made their plea at the end of their interviews and discussions. They argued that education on the advantages and disadvantages of cultural practices should be intensified in communities and schools. They suggested that awareness creation network should be formed especially regarding the society that practices the cleansing ritual. For example, they proposed that a local network be created – not only with NGOs but also with educators, health workers and community leaders – to raise consciousness in the community. These entities should work in collaboration with the Tanzanian government to fight against the perceived harmfulness of the cleansing ritual. These informants and community actors thought that since the cleansing ritual is a cultural practice deeply rooted in the traditions of the Jita, Kara and the Kerewe on the island, members of these ethnic groups are the rightful people to join in the fight in the eradication of the practice.



## 8 SIMILARITIES AND DIFFERENCES OF THE THREE PRACTICES IN THEIR SOCIAL AND LEGAL CONTEXT

Following the analysis of the three empirical chapters, the similarities, and differences of the key elements that emerged in the women's personal experiences from the socio-cultural point of view and some legal implications are addressed and discussed in this chapter. The personal experiences of being violated by the three practices are presented in Sections 8.1–8.1.3, which addressed the common kinds of violations, health risks and fears associated with the practices. Detailed discussions on the socio-cultural norms and legal norms regarding the three practices unfold in Sections 8.2–8.2.3. The Sections 8.3–8.3.5 presented Tanzanian legal norms and the practices in the study. It gave an overview of the legislation in Tanzania on the three practices, the international human rights conventions, and African treaties. A critical investigation of the reproduction of the clash of socio-cultural norms and legal norms is also analysed. The chapter concludes with the traditional views on the socio-cultural norms that challenged the human rights norms of the practices. Also, the chapter highlighted the contradictions that exist in the socio-cultural values and the legal norms of the three practices.

### 8.1 Personal Experiences of Being Violated by the Practices

On a personal level, the young women and widows who claimed to be victims of the traditional practices had similar experiences of violation in spite of the different purposes of the rituals they had undergone. There are so many similarities that they need to be explored in greater detail, as I do later in this chapter. However, the women's personal experiences did not show outstanding differences. On the contrary, my observation of the differences was that there were some conspicuous nuances in the purposes of the practices expressed below by the women.

FGC among the Kuria marks the transition of girl children into womanhood. In the studied communities, once girls have been cut they were matched with partners for marriage. In many Kuria communities, it is only through “being cut” that girls

are considered eligible for marriage (28 TooMany 2013; Africanus 2012; see also Children's Dignity Forum/FORWARD 2009). The FGC practice in the Kuria context is intended to establish the cut girls socially and empower them politically in their communities for the stability of the clan and the maintenance of the lineage.

The *Nyumba Ntobhu* marriage practice allows elderly women to marry younger women to have grandchildren of their 'own' and to receive assistance with household chores (Majani 2014). The purpose of woman-to-woman marriage is "an improvisation to sustain patriarchy, and simply an instrument for the preservation and extension of patriarchy and its traditions" (Nwoko 2012: 69). Among the Kuria, the idea is to get a male child – an heir for the empty house, particularly to carry on the family legacy and continue with the lineage of the clan (Tanzania Human Rights Report 2012; Starace 2009; Chacha 2004). Among the Kuria of Tanzania, the practice is perceived as a way to maintain and continue the lineage for the political stability of the clan.

The aim of the sexual cleansing ritual is to purify the widow from the haunted spirit of the deceased husband to re-establish lost purity (Mwanga et al. 2011; Akintunde 2002; White et al. 2002). Hence, among the Kerewe ethnic groups the spouse of a deceased person must be ritually cleansed before s/he can resume her sexual and social life (Mwanga et al. 2011; Dilger 2006) through the ritual of unprotected sexual intercourse with a village cleanser. Only in this way is control over the fertility and sexuality of the lineage restored (Dilger 2006). Hence, a male guardian (*misimamizi wa mirathi*) is appointed to inherit and thus take the responsibility to provide security and financial help for the widow and her children (Mwanga et al. 2011; Dilger 2006; White et al. 2002; Atere 2002). Consequently, the ritual is intended to free the living spouse mentally and psychologically from the haunted ghost of the deceased spouse (Mwanga et al. 2011).

While the objectives of these three practices are different and have distinct functions in the Kuria and Kerewe societies, nevertheless, they end up serving the same purpose in promoting the continuity of lineage.

From the point view of the similarities shared by women experiencing these three cultural practices, it should be highlighted that regardless of the cultural practices the young women in the study felt they had been abused. The experiences of these young women and widows were that the practices disabled and violated their social and political freedom and mental wellbeing. An illustration in Table 8 below highlights the three key elements identified as similarities in the women's narratives. The common experiences of these young women and widows are conceptualised in three

categories as the experiences of violations, health risks, and the experiences of fears as shown below:

**Table 8.** The Key Elements in the Three Cultural Practices the Women Experienced

<u><b>Experiences</b></u>	Female Genital Cutting ( <i>Kuria</i> )	<i>Nyumba Ntobhu</i> Marriage ( <i>Kuria</i> )	Widow Cleansing Ritual ( <i>Ukerewe</i> )
Violations: physical, social, mental and political	<ul style="list-style-type: none"> <li>• The violation of sexual integrity</li> <li>• The violation of physical pain</li> <li>• The public humiliation</li> <li>• The deprivation of protective rights</li> <li>• The psychological and emotional stress and</li> <li>• The deprivation of voice in decision-making regarding customary laws</li> </ul>		
Health Risks: effect on the body and mental well being	<ul style="list-style-type: none"> <li>• The short and long term health implications</li> <li>• The risk of contracting infections from unhygienic instruments and environments</li> <li>• The danger of contracting sexually transmitted diseases</li> <li>• The danger of contracting blood related diseases especially HIV/AIDS</li> <li>• The risks of damaging the women's reproductive health system.</li> </ul>		
Fears: social, political and mental torture	<ul style="list-style-type: none"> <li>• The fear of stigma and name-calling</li> <li>• The fear of losing social rights</li> <li>• The fear of societal isolation</li> <li>• The fear of being cursed by community elders</li> <li>• The fear of being cursed by the ancestral spirits</li> <li>• The fear of bad omen befalling them</li> </ul>		

In the table above, the experiences of young women and widows demonstrate certain patterns. From all indications in the women's narratives, their experiences of fear exhibited the causes that sustain the studied traditional practices in the Kuria and Ukerewe communities. The three categories of the young women's experiences are discussed below.

### 8.1.1 Violations

Violation of sexual integrity was an experience felt by all the women who had undergone the different practices. The young women in the Kuria and Ukerewe

communities shared their experiences of the ‘cut’, the ‘sexual cleansing’ they underwent and the ‘maltreatment’ experiences encountered in the *Nyumba Ntobhu* relationship as abusive. These women perceived their experiences as violation of their sexual integrity by elderly female folks who demand from them to be prudent in the use of their bodies and strong in moral uprightness of their sexuality. In their narratives, the young women and widows have expressed a breach of trust by the elderly and influential women in their community whom they look up to for affection and protection. They have instead experienced violation, which has inflicted pain and damage on their bodies from their mentors (White et. al 2002; Atere 2001).

For example, in the case of FGC, the young women shared that it is not the Kuria man who prepares the girl child for the ritual nor does he perform the actual ritual of cutting the genital of the girl child. However, in the Kuria tradition, the elderly female in the home could arrange with their daughters and external female relatives for their girl children to undergo the ‘cut’ (Africanus 2012: 129). Moreover, the FGC procedure is performed by a woman, the Ngariba, a role she either inherited or learned from a female relative (Africanus 2012; Kisaakye 2002). The Ngariba is highly respected and believed to possess supernatural powers from the ancestral spirits (Kisaakye 2002; Talle 1993).

Likewise, the narratives of the *Nyumba Ntobhu* mothers-in-law indicated that it is the women rather than the men who provided the bride wealth to marry a young girl or woman to produce a male child for the *Nyumba Ntobhu* household. However, the young women in the *Nyumba Ntobhu* relationship feel abused of their bodies and sexually because they are pressured by their female husbands to have multiple sexual partners in order to have children. They also felt their *Nyumba Ntobhu* mothers-in-law exploited their labour by forcing them to overwork with household chores as well as with the cultivation of the land (Starace 2009), which cause them physical pain as highlighted in their narratives in Chapter 6.

The widows shared that it is fellow women, not the male folks, who put them through appalling conditions during the mourning period. These widows explained that those elderly women who had watched over them had perpetuated inhumane treatment on them. Evidently, these older women were widows themselves yet, they made the widows believe that the dreadful treatments are the accepted norms and values of the cleansing ritual. Akintunde et al. (2002) and Atere (2001) report in their research findings that those women who are usually found to perpetrate the harsh rites of widowhood to new widows are widows themselves. While a male cleanser performs the ritual to purify the widow on Ukerewe Island, it is a group of female folk who are considered to be ‘experts’ who dress the widow, accompany her and

make sure she undergoes the cleansing ritual in the required and appropriate traditional way (White et. al 2002). For such reason, Atere holds that “women often pose obstacles to their own ability to claim rights instead of using their advantage as caregivers and custodians of cultural values to effect change” (Atere 2001: 68).

Public humiliation was the experience of violation felt by the young women in the study regardless of the tradition and the ritual they underwent. For example, the young women who had undergone the FGC ritual told how humiliating it had felt being watched in public while undergoing the ritual. Some of the widows too felt embarrassed when they had to declare publicly to their female in-laws that they had undergone the sexual cleansing with the cleanser. Those young women involved in the *Nyumba Ntobhu* relationship too had told about the humiliation they felt when confronted and made a mockery of in public by the wives of their sexual partners.

Due to these experiences, the widows and those women who felt victimized and deprived of their protective rights in their communities felt let down by fellow women. Their reasons are that some elderly and influential women in the community, who often confront the young women’s interpretations of the values of customs and traditions as alien phenomenon, pose as custodians of culture (Atere 2001). These vulnerable women explained that they had thus sought help and protection from NGO and CBO activists, religious leaders in their local churches, and medical experts who operate in their districts when they felt deprived of their protective rights. Some informants in the focus group discussions explained that in the community, young women were not free to air their opinions and could hardly express their experiences of cultural violence. Nevertheless, the young women in the study perceived their experiences of the ritual they underwent as cultural violence. This structural violence they claimed to have endured in their society means that the endeavours were justified as the accepted socio-cultural norms of their communities. Hence, they had taken to seeking justice outside their communities. According to Galtung (1990), cultural violence makes direct and structural violence look like, even feel like, right – or at the least not wrong (Galtung 1990: 291).

My understanding of the elderly women’s narratives in the empirical chapters was that they did not question the underlying patterns of the rituals but kept promoting the practices. Otiso (2013) in his book “Culture and Customs of Tanzania” came up with a similar observation. Feminist rights researchers such as Bond (2010) and White et al. (2002) contend that those African women who are beginning to question the harmful cultural practices too are not questioning enough. According to Atere (2001: 60), “women are used to reduce the dignity and the sexuality of fellow women.” However, I observed in this study that the perpetrators of these cultural

practices are both the male folk, the elderly and influential women in the Ukerewe and Kuria communities. Sexism in these patriarchal communities is used against the young women who have undergone the rituals, to reduce them to be less than complete human beings (ibid). There is evidence in my data that undergoing, for example, the FGC ritual violated the rights of so many women (including the elderly women) when they were young. The Ngariba in Chapter 5 attested to this fact and said that the elderly women in Kuria communities had also undergone physical pain and their bodies too had been violated.

In addition, there are possibilities that young women and girls in these communities are still exposed to the cultural violence that promotes gendered discrimination. For example, adult life can only begin for a young woman in the Kuria communities in question after undergoing FGC – a license for marriage. As an adult with children, Ukerewe woman could be facing the cleansing ritual. The death of a spouse could occur at any time and for the widow to be inherited and continue with clan lineage she must be purified (Dilger 2006; White et. al 2002). Those Kuria women who might be infertile or have only girl children have to bear with an extra burden and the ordeal of cultural violence imposed on them.

I noted in the study that the male folk's involvement in cultural violence appears to be invisible or perceived as a marginal problem. An "issue for very few men and women" (Eldén 2011:10 citing Lundgren 2004) in the Kuria and Ukerewe context, but considered as part of the driving force for gender violence in the studied society. The unnoticeable male involvement in cultural violence against the woman creates an atmosphere for the male folks that these issues are "women's" problem, not "men's" (Eldén 2011: 10). Moreover, the deviant-based explanations by cultural agents (the elderly women in the Kuria and the Ukerewe communities), using culturally accepted explanations, remove men's responsibility by covering their involvement in the acts of cultural violence (Eldén 2011).

The impact of the psychological and emotional stress of these three practices on women are great because the women's experiences are often traumatic, which could leave a lifelong emotional scar (Boyle 2002). For example, the traumatic experiences of these young women during the cut and the health burden they now live with were clear in their narratives. The silence surrounding the practices of FGC and sexual cleansing rituals may also compound widows and girl children's sense of loneliness and inner isolation (Emma 2014). The culture and tradition demand that the taboos associated with these rituals are not discussed openly. Hence, the women learn to be silent about their ordeal.

In the focus group discussion, some of these women reported that they now think FGC is a crime. They expressed hatred towards their parents for allowing such a thing to be done to them. They sanctioned the government's law of a fine and conviction to imprisonment for perpetrators of FGC. Some widows in chapter seven shared a similar emotional and traumatic experience. For example, forcing and subjecting widows to undergo the sexual cleansing ritual by female in-laws to prove their innocence of not bewitching and killing their husband, increases their pain and emotional depression at a time when they are coping with the loss of a spouse (Dilger 2006; White et al 2002). Related traumatic experiences were encountered in the *Nyumba Ntobhu* marriage that has made the young women aggressive towards their *Nyumba Ntobhu* mothers-in-law. These young women have also developed hatred towards their parents for pushing them into a relationship that tramples on their liberty in married life. Other distressing examples in the study are from those young women who underwent the cleansing ritual and the FGC. They too felt that the practices that are believed to purify and make the women pure and beautiful to promote fertility in marriage life leave women in a traumatic state (28 TooMany 2013; Bond 2005; Boyle 2002; see also UNICEF 2005).

Apart from the strain and the psychological impact, the traumatic experiences of these women were perceived as discriminatory. In addition, I observed that while the male folks also undergo the cleansing ritual, informants in the study revealed that widowers had the option to choose their cleansers. Moreover, the widowers do not have to deal with the family of their deceased wives to share property. They also do not have the emotional stress and the hassles of the leviratic marriage or widower inheritance (Bond 2005; White et al. 2002). It appears in the study that traditionally, the Kerewe widowers have the support and are in solidarity with their fellow male folk. Some male folks in the study pointed out that they too undergo circumcision and similar rites of passage such as FGC (Dorkenoo 1995). However, clitoridectomy, the common form of the woman's genital cut in the studied community is analogous to penisectomy rather than circumcision (Atere 2001; Dorkenoo 1995), as maintained by the young women in the study. According to Dorkenoo (1995), clitoridectomy damages or destroys the organ for sexual pleasure in the female (see also Africanus 2012; Atere 2001; and Boyle 2001 for detailed explanation). The male circumcision on the other hand, involves cutting the tip of the foreskin that covers the penis but does not damage the penis, the organ for sexual pleasure (Dorkenoo 1995: 52). Even though both genders experience the pain of the cut, the sensitivity of the male genital are intact, unless by accidental mistake the practitioner operates on the penis wrongly (Atere 2001; Dorkenoo 1995; Koso-Thomas 1987). Hence, the

male folk unlike the female folk in the Kuria communities do not have to live with the lifetime trauma of their circumcision.

The husband of a sonless house does not have the hassle of going into *Nyumba Ntobhu* marriage to provide a male son and heir for the empty house. Even though the children born from the *Nyumba Ntobhu* marriage belong to the grandparents of the sonless house that paid the bride wealth. The mother-in-law of the empty house is responsible for choosing the suitor – the Umutwari for the young married woman. She usually chooses someone in the lineage of her husband and overpowers the daughter-in-law as a surrogate mother to procure a son (Rwezaura 1985 cited in Tungaraza 2005: 303). For this reason, I observed the problem of gendered inequity among the women in the household of the empty house, which leads to gender discrimination.

The rituals of sexual cleansing and the genital cut also discriminate against women because the ordeal and traumatic experiences the women who undergo the respective rituals lingers on a long-term basis while the men's end on a short-term basis. Apart from the discriminatory experience, the young women felt in many instances that they have been deliberately silenced in decision-making regarding customary laws in the Kuria and Ukerewe society as discussed below.

The Tanzanian customary law completely bars widows from inheriting land from their deceased husbands, even when the land is marital property, and subjects the widows to being "inherited" by men in her husband's family (Bond 2005: 256). Dispossession that disregards the widow's efforts further leads to spiritual injury (White et al. 2002). This is because their ordeal demoralises and kills or injures their spirits, as they are rendered helpless in the face of the society, family and the justice system (ibid). In this regard, the widows lamented that they are like slaves who have only assisted in the amassing of property for others (ibid) and are deprived of their voices in the matters that concern them and their children.

Many of these vulnerable women in the study expressed in various ways that the Kuria and Kerewe traditional laws do not protect them fully in their homes and communities. For example, traditionally, the widow is expected to remain in mourning and a sombre mood to express her grief while her husband's property is shared (Dilger 2006). The widow in such a situation is not expected to take part in important discussions such as regarding the property she assisted her dead spouse to acquire (White et. al 2002; Atere 2001). Yet, there were those widows who were aware that they have the national jurisdiction on their side and can assert their rights in court to sole hereditary title (Dilger 2006; Bond 2005). However, they explained that due to the corrupt legal system in their region, they refrained from seeking



justice in court. Hence, these widows told that there are limitations in the Tanzania legislation system against widows because they do not always feel supported by legislative officials. Again, other widows in the study were not even aware that the state laws have any protective measures for widows.

Similarly, the daughters-in-law in the *Nyumba Ntobhu* relationship expressed being forced against their will into *Nyumba Ntobhu* marriage. Addressing themselves now as victims of circumstances that had compelled them into the *Nyumba Ntobhu* relationship, they felt they had been and continue to be deprived of their voices in the decision-making regarding their sexuality and family planning. Again, in Kuria society, even when a girl child believes that the practice of FGC gives her identity she does not have the power to decide when to undergo the cut ritual, nor is she consulted when her family is taking the decision for her to undergo the cut (Africanus 2012; Bond 2005).

Consequently, the research finding highlighted that these young women are deprived of their voices in the decision concerning their social and sexual rights. The findings also showed a limitation in the definition of Tanzanian marriage laws, which does not acknowledge *Nyumba Ntobhu* marriage in the constitution of the State. Hence, the young women in the *Nyumba Ntobhu* relationship felt they and their children are denied and deprived the full legal protection, as Tanzanian citizens if they should encounter a serious form of injustice. Ghati's experience in Chapter 6 reflects such unjust encounter in the *Nyumba Ntobhu* practice.

In this study, the limitations in the Tanzanian legislation are traced in the narratives of the young women. From the research findings, those young women who had undergone FGC, the widows and the young women in the *Nyumba Ntobhu* relationship feel that the poor implementation of the customary law impacts them and their children's lives negatively and increases their vulnerability in the society. The lamentations of these women have raised concerns beyond the voice deprivation as a violation of their rights in decision-making. The long and short-term health hazards, and the physical and psychological impact of the three practices contribute to the emotional stresses they live, which again affect their health. These health issues are discussed in the following section.

## 8.1.2 Health Risks

Numerous short and long-term health risks are associated with the practices of FGC, the widow cleansing ritual, and the *Nyumba Ntobhu* marriage (28 TooMany 2013; Akintude et al. 2002; Bond 2005). Some of the young women's narratives in Chapter

5 reflect that the FGC procedure has no known health benefits for girls and women. Those who undergo the procedure are at serious risk of death due to blood loss and haemorrhaging, and immediate complications include excruciating pain, shock and ulceration of the genitals (28 TooMany 2013; Boyle 2009; UNICEF 2005; Talle 1993). Long-term consequences including recurrent urinary tract and bladder infections, cysts, infertility, and increased risk of childbirth complications and newborn deaths (UNICEF 2005). Hence, scholars and human rights researchers on the practice draw their conclusions that FGC constitutes a major violation of the human rights of girls and women. It is deeply rooted in gender inequality, ideas about purity, modesty and aesthetics, and attempts to control women's sexuality (28 TooMany 2013; Tanzania Human Rights Report 2012; UNICEF 2005).

In Tanzania, the use of common blade or knife to perform the cut ritual is abolished due to the health risk of transferring blood related diseases from one person to the other. However, the research findings have shown that the traditional belief of passing on the blood from one to the other to ensure solidarity is still been enforced even though the Ngariba (practitioner) justified the current way of operating as free from transferring blood related diseases. In their narratives, the young women who had undergone FGC explained how they had watched the Ngariba in anxiety as she performs the 'cut' ritual on them without wearing gloves or washing off the blood when shifting from one initiate to the other. Moreover, these young women shared that the environment where the operation took place was polluted, and the instruments used by the Ngariba were not sterile. Research has shown that operating under these unhygienic conditions posed the risk of bacterial infection to FGC initiates (28 TooMany 2013; Human Rights Report 2012).

The widows also perceived the sexual cleansing ritual as a problematic to widows' health on the Ukerewe Island. As mentioned by interviewees in Chapter 7, while some of the village cleansers are beginning to refrain from the practice due to the fear of contracting HIV/AIDS, other cleansers are still giving their services for economic purposes as a way of making a living. The young women in the *Nyumba Ntobhu* marriage also shared their anxieties about the health dangers they face having to deal with the multiple sexual partners in their search to conceive and give birth to a male child for the empty house.

Earlier on in this chapter, I mentioned that the impacts of all three practices affect the psychological and mental well-being of the women who undergo the rituals. While in the Kuria and Ukerewe communities, these three practices are intended to free those women who could fulfill the practices as societal obligation from anxiety and promote their mental well-being, the young women said they encountered health

hazards instead. According to Rebouché (2009: 103), “research posits that the spread of HIV to women is in large part due to women’s lack of power in negotiating when and how sex occurs, including practicing safe sex.” The widows in Ukerewe who underwent the sexual cleansing and those young women in the *Nyumba Ntobhu* relationship expressed similar experiences as Rebouché’s research findings. Through the rituals, these vulnerable widows and the young women in the *Nyumba Ntobhu* marriage lacked the power to choose and negotiate free sex they stand a high risk of acquiring sexually transmitted diseases and the possibility of contracting HIV/AIDS. Widows who are forced to undergo the cleansing ritual are denied the right to exercise safe sex.

Both Mabeyo (2014) and Dilger (2006) made similar discoveries and observed that one of the most severe problems facing communities in the Mara region and most Tanzania communities is the HIV/AIDS epidemic. The young and most energetic population group in these communities are the most affected. The pandemic has contributed to trauma, grief, growing death tolls, and a higher number of vulnerable children and orphans the country has ever experienced (Mabeyo 2014). The three cultural practices studied are by no means practices fueling the persistence of HIV/AIDS pandemic, which according to Mabeyo is estimated to be next to malaria (22%), with up to 17% of the total death cases (ibid).

Sexuality and morality are held to a very high standard in the Kuria and Ukerewe societies – hence the claim of enforcing, for example, FGC to prevent married women from promiscuity. However, the same ethnic group also has the *Nyumba Ntobhu* practice where the younger woman is pushed and encouraged to having multiple sexual partners in order to produce children, especially male children. Similar expressions of outrage and disappointment are common in autobiographies and ethnographic accounts (Boyle 2002: 36), which raises questions surrounding the morality and faithfulness associated with the practice of FGC and the two other practices in the study. The widows in the study described the procedure of sexual cleansing as rape and sexual violence. According to Mbeba and colleagues, sexual violence is a serious public health problem and has a profound short or long-term impact on physical and mental health, such as an increased risk of sexual and reproductive health problems (Mbeba et al. 2012). This touches on the violation of the women’s reproductive rights as discussed in the study.

I observed that young women involved in the *Nyumba Ntobhu* marriage, widows who undergo the cleaning ritual and young girls who are subjected to FGC have been denied the autonomy of their reproductive rights. For example, the *Nyumba Ntobhu* mother-in-law chooses the sexual partner and plans the family for the young

married woman in the relationship. With the FGC practices, the girl child is denied her rights to womanhood, as she does not exercise her rights to negotiate her genital cut. She does not take the initiative to plan the use of her sexuality, for instance, on when to be married and start a family life. This is because at the time the girl child undergoes the ritual she is too young to understand the responsibilities and the implications associated with the cutting ritual.

The forgoing discussions highlights that all the three practices interrupt the reproductive health of women who undergo the respective rituals on a long-term. According to Human Rights Watch (2014), the report on FGC Tanzania has high rates of obstetric fistula as a long term health hazard, and it is estimated that 3,700 new fistula cases occur annually in Tanzania. Kisaakye (2002) also noted in her research that the cultural and traditional practices that violate women's reproductive rights are many which include female genital cutting and the widow-cleansing ritual as in this study. She notes that there is glaring absence of national legislation outlawing these cultural practices and the political commitment to outlaw these practices has been lukewarm (Kisaakye 2002: 268).

According to Adjetey's findings on reproductive health, people have the right to reproduce, to regulate their fertility, and to practice and enjoy sexual relationships when women can go safely through pregnancy and childbirth, and fertility regulation can be achieved without health hazards, and people are safe in having sex (Adjetey 1995: 1). However, my study findings contradict Adjetey's claims. For example, the method use to cleanse widows and the marriage and sexual life of the young women in the *Nyumba Ntobbu* relationship indicate that they have neither rights in negotiating their sexual partner nor the right to give their consent to having sex. To safeguard the reproductive rights specified legislation must be passed banning traditional practices that affect the health of women to achieve reproductive autonomy for women (Bond 2005). Hence, with the three practices in this study, women's health interests often cross the boundaries that separate one legally described right from another. Thus, the infringement of women's health and reproductive rights involves the breach of legal rights (Adjetey 1995: 1).

Researchers such as Boyle (2002); and Atere (2001) have argued that traditional practices are promoted and transmitted by the women themselves. Their arguments correspond and are in line with my research findings. This study has shown that in the Kuria communities, it is the female folks, such as mothers and grandmothers for instance, who put their girl children through the offensive or harmful ritual act. While, as also discovered by Boyle (2002) and Atere (2001) these mothers and grandmothers claimed they love their daughters and wanted the best for them.

However, the results of the study highlighted that the underpinning force in perpetuating the three cultural practices are the different categories of fears, which are discussed in the next section.

### 8.1.3 Fears

Throughout the study, the research participants in all the three cultural practices mentioned their fears of stigma, name calling, societal isolation, the curse of the ancestral spirits, or that a bad omen may befall them if the societal obligation is not fulfilled. In my interpretation, these fears gave women in the studied communities little choice and made them vulnerable, and unable to “turn their backs” on traditional practices. According to Mathias (2011) citing Thomas (2009: 9), “vulnerability is a state of high exposure to certain risks, combined with a reduced ability to protect or defend oneself against those risks and cope with negative consequences.” The young women in the study were vulnerable and pressured by the social conditions. They were not able to defend themselves against the rituals they had to undergo in order to gain the respect of the community and avoid stigmatisation (Waritay & Wilson 2012; Bond 2005; White at le 2002).

These young women involved in the practices under study expressed their fears of stigma and name-calling. For example, those girl children and women who had not undergone FGC were looked down on, and called names like ‘dirty, unclean, and untouchable for marriage’ (Akintude 2002; Talle 1998). With the practice of FGC, there is also the issue of giving identity to the individual (Africanus 2012), and there are also the issues of attaining the benefits of “belongingness”, one’s morality and material gains. Yet, if one fails to undergo the cut the psychological fear of losing all these benefits was the strongest among the practicing communities (Kisaakye 2002). In the Kuria rural context, for example, where there is a high illiteracy level among the women folk and strong cultural ties and rules, the fear of ostracisation and the limited choices available to women make women more susceptible to FCC (ibid). The informants in the study explained that girl children in the Kuria tradition suffered such a fate in the olden days especially if they conceived before undergoing FGC ceremony. Koko (1974) had a similar research finding and added, “the girl is not only ostracised but is liable to be banished from home and disowned by her parents” (Koko 1974 cited in Bond 2005: 279).

Women who are infertile in this society are labeled and called names like “dry womb,” those women who do not have a male child are equally labeled as not having an heir (Majani 2014; Starace 2009; Chacha 2004). Hence, the informants in the study

explained that to avoid such name-calling these women enter into the *Nyumba Ntobhu* relationship. Again, women who do not undergo the required procedure of the cleansing ritual are called with names like “untouchable,” “unclean,” or “a witch” implying that they have bewitched and killed their husband (While et. al 2002; Akintude 2002; Atere 2001). These name-callings intimidate women and compel them to undergo the rituals in order to preserve their dignity in society.

The women in the study explained that they fear to be isolated and not be able to associate with their fellow women. They clarified that in case a woman does not undergo FGC she cannot associate with other women folk in singing and dancing the day her daughter is cut (Africanus 2012; Atere 2001; Dorkenoo 1995). In the case of widow cleansing, the widow, who is not cleansed is socially isolated she cannot mingle with other women freely because she is considered unclean (Atere 2001; White et al. 2002), and could infect ‘clean’ women, for example, if they dine with her. A woman, who has no male child is also not considered a proper woman because she lacks an heir. Women in such category are socially isolated and cannot compare themselves with women who have a male child to carry on the lineage of their husband’s clan.

The fear of not being able to fulfil societal obligation leads to societal isolation in the Kuria and Ukerewe communities. Very often, the community members anticipate that their failure to fulfill societal obligations will cause a curse or bad omen to befall them as a punishment by the ancestral spirits of the land. Locals in the studied community believe that if a girl child, for example, does not drop blood on the ancestral land through the ritual of the genital cut, her womb will not be blessed with children (especially a male child) in her marriage (Africanus 2012). Therefore, should a woman refuse to undergo the cut, the belief is that a bad omen may befall her as a married woman.

My understanding of why the three practices persist in the studied communities is that women harbor the fear of being cursed by the ancestral spirits. Therefore, to avoid the bad omen befalling them, they do all in their power to appease the spirits of the land even at the expense of their health. Thus, some widows who initially refused to undergo the cleansing ritual reconsidered their idea and were cleansed; fearing and believing that refusal to undergo the cleansing ritual could cause a calamity in their clan (White et al. 2002). In both the group interviews and group discussions, the fear of the curse became an issue of concern.

The clan elders explained how a societal lawbreaker could be cursed if s/he proves stubborn and does not, for example, pay a fine levied on him/her, or own up to an offense. The clan eldest told that in such an instance, the elders could stamp

their feet thrice pronouncing: "I curse you." The elders of these studied communities held that the fear of the curse make people upright and accountable for their wrong deeds. In a similar context, Kelsall (2003) argues that the fear of a spell compels a community member to be responsible for his/her action. Therefore, the curse could be interpreted as a form of social control (ibid). One of the clan elders explained how the curse affects the offenders psychologically to the extent that the one cursed could go mad or remain a useless person in the society. It is through the giving and monitoring of the accounts that others and we provide others and us our actions, that the fabric of normal human exchange is sustained (Power 1997:1 cited in Kelsall 2003). Douglas (1978; 2002) holds that accountability and account giving are part of what it is to be a rational individual. The elders explained explicitly that because of the fear of bad omen and the curse, community members of both genders were more responsible and accountable for their deeds in the olden days than they are today.

According to Kelsall (2003), anyone can deliver a curse, although certain categories of persons, for example, certain deceased historical figures, clan elders, infertile women or people with disabilities are believed to be possessed by special cursing power. This example, in my understanding, explains why the young women chose to remain in the abusive relationship with their *Nyumba Ntobhu* mothers-in-law. They fear the curse the female husband may pronounce on them and hence, to avoid any ill omen befalling them they accepted their situation as a normal way of living. It is a belief in these communities that while curses are normally uttered without any accompanying rituals they are however, thought to be extensions of one's personality and contain a person's power, strength, force vitality, virility, or ability (Harjula 1989: 127–8 cited in Kelsall 2003: 177). The Kuria and Ukerewe ethnic groups hold that the power of the curse is based on the idea of power-at-a-distance. This indication explains how the curses harm and even kill those who believe it. The eldest in this study explained that a curse is not spoken out often. However, the use of curses makes members of the society accountable and responsible citizens. The Kuria and Kerewe clan elders gave examples that the fear instilled in the community members made them refrain from committing crimes like rape to avoid any form of bad omen befalling them and their families. In spite of these positive aspects of the curse, the fear inculcated in community members has a negative impact on societal members and make women vulnerable.

The impact of the fears on women has contributed to the fact that women in the Kuria and Ukerewe communities have become doers and promoters of traditional practices without questioning. While these practices are believed to give cultural identity and dignity as well as promote political stability however, the effect or impact

of the socio-cultural implications that discriminate and promote social injustices among the genders in the society cannot be glossed over. In the next sub-chapters, the focus of discussion will highlight the socio-cultural and legal norms embedded in the practices and underline the complexity and contradictions of the practices in the communities under study.

## 8.2 The Socio-Cultural and Legal Norms Regarding the Three Practices

For decades, the principles, beliefs, and values of these socio-cultural norms are believed to have guided the practices of female genital cutting, the cleansing ritual, and *Nyumba Ntobhu* marriage. In this study, the traditional Kuria and Kerewe individual citizens are primarily seen as being similar to the research findings of Frémont (2009), namely, as links of a community chain. For example, the elderly women and clan elders repeatedly expressed that traditional practices in our societies are to be preserved. The practices appease our ancestral spirits. Our traditional practices give us identity and a sense of belonging. The practices are our customs, our norms.

Frémont explains that “even today, all over Africa, the people essentially form a community-based culture: the full respect of social order and the necessity to achieve group harmony are crucial values which must be maintained” (Frémont 2009: 150). Accordingly, the informants believed that the traditional practices of FGC, *Nyumba Ntobhu* marriages and the widow cleansing rituals were initiated in their societies to serve a purpose. Hence, the informants continually expressed that “these practices are embedded in our traditional beliefs.” There was a strong sense of collective and possessive ideas on the explanations given by the clan elders, the elderly women, and even the young women who claimed to be victims of the practices. For example, repeated phrases such as ‘it is *our* traditional beliefs’ ‘it is *our* culture’ could be traced in all of the empirical chapters in this study.

In this regard, the clan elders in the study revealed that social harmony, solidarity, and community values are to be preserved at all costs to safeguard the societal norms. Anthropologists such as Frémont (2009) and Ndulo (2011), who have researched traditional practices among African indigenous communities, also maintain that the duty of solidarity has played and continues to play a major role in the establishment of social norms, which are usually very constraining. These researchers explain that the socio-cultural norms organise the life of the family, the clan, and the village or




the entire community as a whole (Ndulo 2011; Frémont 2009). However, the experiences of the young women and widows in the study have exposed that despite the communal beliefs that the social norms of the practices promote cohesion among societal members, there are also limitations. They equally stressed that the implementation of these societal norms are poor.

Based on the experiences of the interviewees, I agree with Frémont (2009) that social harmony and the community values that are intended to promote such solidarities, ideally, are either mistranslated or misinterpreted in the legal norms. The legal values and legal norms are principally part of the same perception (*ibid*) in this study. Moreover, in the Tanzanian legislation, legal principles are understood as the basic norms, which very often may derive from the cultural norms to form the state legal system (Daci 2010). Therefore, in this section, the legal norms to be discussed will signify Tanzanian legal principles. These define the contents and forms of all other legal agreements that the Tanzanian government has signed and ratified, such as international laws, the African Charter and the customary laws, designed to promote and protect women's rights in Tanzania (Human Right Report 2013; Bond 2010; Daci 2010).

Following this, the discussion highlights the socio-cultural and legal norms embedded in the three practices studied. It would also show the values of the cultural practices in the study, which underscores their function in the communities. In addition, the legal norms of the state are listed and analysed to capture the implementation of the state laws that are either affirming or opposing aspects of the socio-cultural norms of the practices under study. An illustration of the socio-cultural norms and the Tanzania legal norms tied to the practices in the study are in four classifications below:

**Table 9.** The Key Cultural Norms and the Legal Implications of the Three Practices

	<b>FGC Traditional practice in the Kuria society</b>	<b><i>Nyumba Ntobhu</i> Traditional practice in the Kuria society</b>	<b>Widow Cleansing Traditional practice in the <i>Kerewe</i> society</b>
<b>Socio-cultural Norms</b>	Social acceptance A social bonding A sign of adulthood A requisite for marriage A start of a lineage A prerequisite license for social duties	Social acceptance A requisite for sonless house and a barren woman A continuity of lineage A guarantee of old age security	Social acceptance A purification of polluted body A requisite for inheritance A continuity of clan lineage
<b>Tanzania legal Norms</b>	Respect for the law FGC A crime – Illegal in Tanzania Legal sanctions from citations to fines and conviction of imprisonment.	Respect for the law <i>Nyumba Ntobhu</i> marriage -invisible in the Tanzania Law of Marriage Act 1971.	Respect for the law Widow cleansing and inheritance - A customary law in Tanzania The State law protects widows' rights of inheritance.
Reproduction of the socio-cultural norms.  A clash with legislation	Locals insensitive to state laws. Practice on-going secretly in communities.	Practice on-going in the Kuria communities. Practice not outlawed by state law.	Practice involves witchcraft accusation and inhumane acts against women's rights. Property dispossession of widows' on-going.
<b>Reproduction of State legislation frame</b>	Implementation of state law is poor. Few convictions of the perpetrators of practice.	<i>Nyumba Ntobhu</i> marriage non-existent in the legal sense.	Poor implementation of state laws to protect widows. Seldom convictions of perpetrators of widow dispossession.

What constitutes the socio-cultural norms and the legal norms are conceptualised into four categories in the table above. First, the societal norms perceived as the community internalised norms of the studied practices are meant to promote and

protect women and girls from societal stigma among the Kuria and the Kerewe ethnic groups as has been demonstrated in Chapters 5, 6 and 7. The second category of the table summarises existing legal norms of the state that protect women and girls from human rights abuses. The third category of the table has the concepts of the reproduction of the perceived socio-cultural norms of the ethnic groups as highlighted in the empirical chapters, which exhibits those norms held by the community that are in contrast with the legal norms of the state. The fourth category of the table demonstrates the reproduction of the legal norms, which underscores aspects of the socio-cultural norms reproduction as a clash with the state legislation. The research participants' narratives reflect counter attacks on parts of the state laws. These socio-cultural and legal norms that intersect or clashes are discussed together in the next sections.

## 8.2.1 The Kuria Socio-Cultural Norms of Female Genital Cutting

Informants have shared how FGC is a necessity in the Kuria society, the idea being that its values are beneficial to women as indicated in Table 9 above. As observed by researchers of (28 TooMany 2012), the practice of FGC amongst the Kuria in the Ryamisanga ward was also found to have multiple social and cultural functions: such as being an important determinant of a social bond among community members. Africanus made a similar discovery in his research and added that FGC as a means of establishing a social bond among not only living members, but also departed Kuria ancestors (Africanus 2012: 159). Informants in the study understand the practice as a sign of adulthood and consider the ritual as a valuable means for generational ordering and symbolising a person's maturity (ibid), making FGC a commonly accepted norm from the point of view of the community a vital requisite for marriage.

In a similar way, the findings from a WHO multi-country study on FGC reported that in the traditional societies, adulthood is not only determined by biological age but by the rites of passage from childhood to adulthood, which from a community perspective automatically translate into marriage, irrespective of the biological age of the girl child (Equality Now 2011:10). According to the Human Rights Watch (2014: 56) report on Tanzania, FGC is closely related to child marriage. Hence, it is done primarily as a rite of passage to prepare girls for marriage.

In comparable research findings, Rahma Abdi and Aud Talle found that FGC is an essential procedure that must be undergone in anticipation of marriage and what is culturally understood as a complete life (Abid 2010: 126; Talle 2008: 66). Through

the practice, individuals were accorded social respect and identity (Africanus 2012: 159). It is a belief in Kuria communities that FGC can be considered a social norm if it meets certain conditions. First, that the individuals in the studied society are aware of the rule of behaviour regarding the cutting of girls and know that it applies to them (UNICEF report 2013; 28 Too Many Report 2012). Secondly, those societal members prefer to conform to the rules surrounding FGC because the individual cut women expect that the ritual will enable them to start the lineage for the continuity of a clan in their society. For example, elderly women in the studied community expect that a good number of their social group will cut their daughters for the stability of their Kuria identity (UNICEF report 2013; Africanus 2012). These senior women believe that a sufficiently large segment of their social group think that they ought to cut their daughters and may sanction them if they do not (UNICEF report 2013: 15). For example, in Chapter 5, the informants expressed that those family members especially parents, felt dignified and honoured when their girl children went through the cutting ritual gracefully to avoid any societal sanctions.

My research finding underscores that the FGC practice among the Kuria is considered a prerequisite license for social duties and there are sanctions for non-conforming societal members. Africanus (2012) and Talle (1995) came up with similar findings that there is a social obligation to conform to FGC practice. These researchers stressed that individual families practice FGC because there is a widespread belief that if they do not, their girl children are likely to pay a price that could include social exclusion, criticism, ridicule, stigma or the inability to find suitable marriage partners for them (see also 28 TooMany report 2012 and UNICEF report 2013). For example, informants had revealed that in ancient times among the Kuria, a woman who has not undergone FGC is segregated from the wider community and cannot participate in certain domestic tasks, such as fetching water from the community wells. "There is a belief that the wells are sacred places and will dry up if an uncut woman goes there. An uncut woman cannot collect firewood or open the gates of a homestead" (Waritay et al. 2014: 17).

A related situation of such stigmatisation and intimidation reflected in Chapter 5 in the dilemma of the uncut Jita wife who narrated she could not participate in cooking food for community celebrations with other women folk. In his research findings, Waritay et al. (2014) highlighted that community members believe that the husband of an uncut woman cannot eat certain parts of meat at the circumcision celebration and cannot perform some community rites. It is evident in the study that as an uncut woman suffers isolation from community duties; her husband too undergoes a similar fate because he is "looked upon as a child" (ibid). While some

of the informants claimed this stigma is becoming history in the Kuria society, the Kuria and Jita couple maintained he suffers such fate in his community occasionally.

### 8.2.2 The Kuria Socio-Cultural Norms on the Practice of *Nyumba Ntobhu* Marriage

In Tanzania, marriage is often the most socially inclusive and festive of all ceremonies (Otiso 2013). In the empirical data discussed in Chapter 6, the research participants explained how *Nyumba Ntobhu* marriage is peculiar to the Kuria ethnic group in addition to other kinds of marriages known and practiced by other ethnic groups elsewhere in the country. This *Nyumba Ntobhu* type of marriage in the Kuria tradition is a custom and a requisite for a sonless house and for barren women. Mokamona or *Nyumba Ntobhu* is a practice of marriage between a married woman, called the mother-in-law, of a sonless house and a woman, usually a girl, called the daughter-in-law, who is used as a surrogate mother to procure a son (Bond 2005: 303). Being in *Nyumba Ntobhu* relationship is very much part and parcel of the Kuria culture and not an abnormal practice (Kjerland 1995). The clan elders had shared that there are three classifications of marriage ceremonies in Tanzania: traditional marriage – this usually occurs soon after the initiation ceremony as mentioned earlier in the study. It also includes the *Nyumba Ntobhu* marriage in Kuria society. In his research, Otiso (2013) underlined the additional second and third official marriages in Tanzania. He explains that the second marriage is the civil marriage, which is conducted by government official. The third type is the religious marriage that consists of the Christian and Islamic marriages following the tenets of their religions. Many “come-we-stay” marriages start with no specific civil or religious ceremony (Otiso 2013: 168).

In this study, the socio-cultural implication of *Nyumba Ntobhu* marriage is an alternative family structure for older women who do not have sons to inherit their property. In line with the Kuria patriarchal traditions, a man’s genealogy and lineage were preserved in the personalities of his sons (Nkowo 2012: 75). Otherwise, those married couples whose daughters have moved away to their husbands’ villages (Majani 2014) practice *Nyumba Ntobhu*. The *Nyumba Ntobhu* mothers-in-law in the study hold that traditionally, the elderly woman in the relationship gives the bride wealth to the family of the young woman or girl. They also revealed that it is the female husband’s duty to take care of the newlywed and bring money to the home, as every heterosexual husband does. In her findings, Starch added that the whole preparation of the *Nyumba Ntobhu* wedding bears many similarities to a female-male

marriage (Starace 2009: 64). The research participants' presentation of the relationship between the two women involved in the *Nyumba Ntobhu* practice shows the senior woman's role as a husband, a mother-in-law, and a mother. The representation of these different concepts reflects the complexity in the marriage and reveals the power and control of the elderly woman in the relationship (Starace 2009; Chacha 2004).

The study participants spelled out that the core significance of the *Nyumba Ntobhu* practice among the Kuria ethnic group is the continuity of lineage. Traditionally, woman-to-woman marriage serves as an avenue through which women exercise social influence and patronage in societies where inheritance and succession pass through the male line (Nyanugo 2013: 62). For example, in the study, the female husbands in the relationship do comprehend *Nyumba Ntobhu* marriage as a guarantee for them to have grandchildren who would be their custodians or caretakers in their old age. In addition to this fact, Majani's research findings highlights that the practice offers a form of security for elderly women in the relationship so they do not live on their own (Majani 2014) in their old age.

Based on the data I gathered from interviewees and clan elders, I agree with the observation made by the anthropologists Cory and Ruel in the 1940s and 1950s about the important role of the children in the *Nyumba Ntobhu* homestead (Kjerland 1997). While their findings in the 1940s and 1950s are correct and in line with my 2012 research outcome, they nonetheless did not fully understand the marriage institution. For example, they failed to see that children were not recognised as the offspring of the young wife and the fictitious son of the female husband (See the illustration of this in Chapter 6 page 196). Accordingly, they did not realise that the children became the female husband's grandchildren. Some researchers too believe like Kjerland (1995), as did Cory (1940s) that the young woman was married to the widow's dead husband and that she was the older woman's co-wife. Moreover, Cory also assumed that the young wife could leave the house after the birth of the longed-for son, hence, regarding such marriage as "normal" (Cory 1940; cited in Kjerland 1995: 10). In the Kuria socio-cultural context, according to the female husbands in the study, the children born from the *Nyumba Ntobhu* marriage become a guarantee for the "empty house" to provide resources for the up keep of the homestead. This is to ensure the continuity of the clan lineage of the female husband and make it possible for the *Nyumba Ntobhu* mothers-in-law to gain social status (Nyanugo 2013) in their community.

### 8.2.3 The Socio-cultural Norms of Widow Cleansing Among the Ethnic Groups on the Ukerewe Island

The testimonial account of widows on the Ukerewe Island highlights that sexual cleansing practice in their community is a socio-cultural norm believed to be the purification of polluted body of a living spouse after the death of a wife or a husband. Mwanga and his colleague had a similar finding and added that in the case of impure or polluted death, rituals are performed to re-establish lost purity (Mwanga et al. 2011). For example, “the custom of widow cleaning requires that a recently widowed woman undergo certain rituals to purify her” (Bond 2005: 270). The reason for the sexual purification is that death is contagious and so the impurity of close relatives and above all spouses of the deceased person can be carried over to others through the sexual act (Dilger 2006). White and her colleagues’ research findings underlined that in most African communities where widow cleansing is performed, the ritual includes sexual intercourse with one partner or several (White et al. 2002), depending on the specific practices of the tribe concerned (Bond 2010; see also Bond 2005: 304).

In Chapter 7, the clan elders justified widows’ sexual cleansing ritual as a required purification to enable the widows to resume their societal duties. The ethnic groups on Ukerewe island have clearly defined regulations and prescriptions based on concepts of purity and danger that are a reflection of their social order (Dilger 2006; see also Douglas 1966). Dilger’s finding affirms the accounts of the widows’ experiences in the study stressing the importance of the sexual cleansing, when they explained that without undergoing the ritual, they would be segregated in the community and accused of bewitching and killing their spouse by their in-laws at the homestead. Their children would also be deprived of their rights to inheritance. Hence, the community actors and the widows contended that the sexual cleansing for a widow upon the death of a husband is a ritual requisite for inheritance. A woman whose husband dies is to get married to another man from the family of the deceased husband with the aim of providing security for the widow as well as preserving the deceased clan lineage (Mwanga et al. 2011; Dilger 2006; see also White et al. 2002). As explained by the community actors and the clan elders in Chapter 7, it is the belief of the studied community that the widows’ sexual cleansing ritual paves the way to the inheritance of the widows into the deceased family for the continuity of clan lineage. The ethnic groups on the Ukerewe Island believe that the death of a husband must not be the end of his life and legacy. Furthermore, the entrenched dowry system, which is patriarchal in nature in the Ukerewe communities, influences

the in-laws to view a widow as property who should be inherited (White et al. 2002) for the continuity of the lineage.

### 8.3 Tanzania Legal Norms and the Practices in the Study

#### 8.3.1 Overview of Legislation in Tanzania

The ongoing discussion has been based on the evolution of the socio-cultural norms of the three practices practiced as the customary laws of the Kuria and Ukerewe ethnic groups. Before going into discussing the legal norms of these three practices, it would be appropriate to comprehend fully how the legislation was formed and what constitutes Tanzanian legislation, which now serves as the nation's civil law. Therefore, the focal discussion in this section is on the Tanzanian legal norms that address the practices in the study. The relationship between the legal norms and the customary laws that support or oppose the traditional practices are also examined.

According to Shadrack (2011), there are two sources of law in Tanzania, namely formal or primary and non-formal or secondary. Formal/primary sources of law include: (i) The Constitution (as the basic law); (ii) Statutory laws, i.e. principal legislation (Ordinances or Acts of Parliament); (iii) Subsidiary legislations, i.e. by-laws, regulations, rules, directives, orders, etc.; (iv) Court Decisions in Tanzania: (especially, the Courts of Records, i.e. The High Court and Court of Appeal); (v) Received laws: i.e. the Common Law, Doctrine of Equity, and Statutes of General Applications; (vi) International and Regional law: i.e. treaties, conventions, bi-lateral or multi-lateral agreements, declarations etc., e.g. that refer laws of the Africa Charter (AC), the East African Community Treaty (EAC), Africa Union (AU) and other laws such as CEDAW, etc. made under the auspices of the United Nations (UN). Non-formal/Secondary sources of law are: (i) customary laws (customs and norms of each ethnic group), e.g. Kuria inheritance on succession law. (ii) Religious laws, e.g. Islamic law. (iii) Trade usage, customs and lawful agreements contracts or arrangements between private individuals (Shadrack 2011).

Legal researchers such as Salwan and Narang (2008) define the term law as: (a) legislative pronouncements of the rules, which should guide one's actions in society; (b) the body of principles recognised and applied by the state in the administration of justice; (c) a rule of action to which human being's conduct must conform. These researchers explained further that the state law must be a body or system of obligatory rules or norms (not optional) obeyed or adhered to by every member of



society. This is the normative nature of the laws, which are obligatory to human conduct (ibid). With regard to these facts, the Tanzanian legal norms in this study means a set of rules, norms or a standard of pattern of behaviour to which every individual in the society has to conform. In the state legislation therefore, “rules ought to be obeyed, otherwise, the violator of such rules or standards behaviour can be taken to court, tribunal or other formal/informal institution or person and get punished/sanctioned” (Salwan & Narang 2008: 201). Ndulo contended that the colonial administrations recognised customary law and its institutions, although its application was generally restricted to Africans (Ndulo 2011).

In Tanzania, as in almost all-African countries, state laws are interconnected with customary laws. Muna Ndulo explains that in a typical African country, the law of the country is composed of customary law, the common, or civil law and the legislation enacted by both the colonial masters (the British in the Tanzanian context) and post-colonial parliaments (Ndulo 2012). In an earlier study, Ndulo (2011) held that African customary law is the indigenous law of the various ethnic groups of Africa. He states that:

It should be appreciated that the use of the term ‘African customary law’ does not indicate that there is a single uniform set of customs prevailing in any given country. Rather, it is used as a blanket description covering many different legal systems. These systems are largely ethnic in origin, and they usually operate only within the area occupied by the ethnic group and cover disputes in which at least one of the parties to the dispute is a member of ethnic group (Ndulo 2011: 88).

Again, Ndulo (2011) and Bond (2010) highlight that pre-colonial laws in most African states were essentially customary law in character, having their source in the practices, traditions, and customs of the people. “The normative force and legitimacy of customary law is derived from the idea that it is ancient, unchanging and passed on from generation to generation, and that it is part and parcel of people’s identity and culture” (Ndulo 2011: 94).

The Tanzanian legal system includes customary law, which is a combination of indigenous and imported institutions (Bond 2005). At independence in 1961, Tanzania inherited a dual legal system thus bringing ‘native’ law at par with the general law, which was predictable since it is written. Even where the states recognised customary law as valid, there were concerted efforts at bringing all laws together with the general law (Chacha 2004). It has been stated earlier that the customary law is a blend of traditions and customs, which is a mixture of civil law notions, the religious concepts from Christianity, Islam, the colonial common ideology, and the traditional African religion (Bourdon 2013; Bond 2010; Adjetei

2009). Being non-formal, the sources of customary law to be enforced must be constitutional and consistent with primary sources of law (Shadrack 2011). In Tanzania, customary law continues to have significant impact on the individual citizens in regard to matters such as marriage, rights within the family, inheritance and traditional authority (Ndulo 2012).

Historically, the Kuria and the ethnic groups on Ukerewe Island had full recognition of the customary laws that require the practices studied. However, in its present form, customary laws are distorted and have been influenced by encounters with colonial and post-colonial rules. Ndulo (2012) holds that in its application, customary law is often discriminatory, especially in relation to capacity of women in these areas. It tends to treat women as adjuncts to the group they belong to such as a clan, family or ethnic rather than as equal with men (Ndulo 2012: 4). This makes the state principal legislation and constitution as well as the signed international and regional laws under the auspices of the UN appear to be in conflict with the customary laws.

Describing how the use of international law would be impossible in a state without first translating the international or regional law into national law, Cassese (1992) stipulates that “international law does not determine which point of view is to be preferred, monism or dualism. Every state decides for itself, according to its legal traditions. International law only requires that its rules are respected, and states are free to decide on the manner in which they want to respect these rules and make them binding on its citizens and agencies” (Cassese 1992). Moreover, the transformation of either international or regional norms into domestic law are not necessary from the point of view of international law...the necessity of transformation is a question of national, not of international law (ibid). Following this explanation, the discussion below focuses on what constitutes Tanzanian legal norms binding the practices of FGC, Nyumba Ntobhu marriage and widow cleansing as indicated in Table 8.

### 8.3.2 The State Legal Norms Embedded in the Three Practices

In Tanzania, the practice of FGC as a socio-cultural norm is illegal under the state law of “the Sexual Offences Special Provisions Act No.4 of 1998.” As amended by the Penal Code, specifically Section 169A (1) of the Act provides that anyone having custody charge or care of a girl under 18 years of age and who causes her to undergo the procedure, commits the offence of cruelty to girl children (Tanzania National Bureau of Statistics 1998 cited in Africanus 2012:157). The individual citizens are

expected to respect the state laws hence; there are sanctions for non-conformity. The statutory penalties for performing FGC on girls under the age of 18 include the maximum sentence of fifteen years and no less than five years imprisonment, a fine not exceeding 300,000 Tanzanian shillings (116 Euro) or both for the promoters and perpetrators of such criminal act. For example, the prime suspects for such crime liable for conviction are the girl child's parents and the traditional practitioner – the Ngariba (UNICEF Report 2013; 28 Too Many 2013; Tanzania Human Rights Report 2012; Tanzania Constitution (Cap. (15) 2002).

While *Nyumba Ntobhu* (woman-to-woman) marriage is socially accepted among the Kuria ethnic group, the practice had not been considered morally accepted by colonial authorities and national leaders, who continue to consider it illegal and forbade the practice (Starace 2009). The Tanzania Law of Marriage Act 1971 was written as “an act to regulate the law relating to marriage, personal and property rights as between husband and wife, separation, divorce and other matrimonial reliefs and related matters” (cap. 29 R.E<sup>15</sup>.2002:1). In the Constitution, the nature of marriage is explicitly stated that:

Article 9 (1) Marriage means the voluntary union of man and a woman, intended to last for their joint lives. (2) A monogamous marriage is a union between one man and one woman to the exclusion of all others. (3) A polygamous marriage is a union in which the husband may, during the subsistence of the marriage, be married or marry another woman or women.

The objective of the Law of Marriage Act is to create a family legislation, which passed in 1971, to harmonise the several marriage systems of law present in Tanzania up to then, making a uniform legislation, which could be applied as the legal marriage norm of the state (Starace 2009; Chacha 2004; Tanzanian Constitution (Cap. 29) 2002). Following this analytical description of marriage in the Tanzanian legislative norms, it is observed that *Nyumba Ntobhu* marriage is invisible in the legislation of the Marriage Act because the description of what constitutes legal marriage in Tanzania does not reflect the meaning of the *Nyumba Ntobhu* marriage nor its concepts in the Kurian context.

In the Tanzanian legal framework, the practice of widow sexual cleansing ritual is invisible, as it is not mentioned in the state law. However, Magoke-Mhoja holds that “customary law provides for widow inheritance. Pursuant to this custom, a widow is required to marry a male relative of her dead husband” (Magoke-Mhoja 2005: 258). Accordingly, Rule 62 of the Customary Rules provides that the

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<sup>15</sup> Revised Edition (R.E.).

deceased's relatives may ask a widow whether she wishes to be inherited (ibid). While, the widow inheritance and cleansing are recognised as customary law of the Kerewe people however, the state legislation frowns on the repugnancy and discriminatory aspects of the practice. African human rights researchers such as Ndulo and Bond have highlighted that the violation aspects of the cleansing ritual are practices that are repugnant to equity, good conscience, and natural justice, which oppose the legal norms of the State (Ndulo 2011; Bond 2010). These researchers contended that customary law is the common law for the members of the community. They however, cautioned that for the customary law to be lifted to the position of the state laws, the traditional practices should promote fairness, equality among sexes, and promote natural justice for community members (ibid).

According to Tanzanian human rights researchers, there are repugnant laws in Tanzania which include provisions in the following laws: *The Citizenship Act (cap. 356), section 11(1), the Law of Marriage Act, (cap.29) Section 114(2), the local Customary Law (Declaration) Orders (cap364), The Penal Code Section 169A, (cap 365), The Probate and Administration of Estates Act, Section 92(1).*

The researchers identified these repugnant laws as infringing on constitutional rights of equality between men and women. These laws also create a power relationship between men and women in the community and propagate gender violence towards women (Tanzania Human Rights Reports 2012; Ndulo 2011; Bond 2010). Tamar Ezer (2006) holds that the Tanzanian government identifies the main legal problems facing women as including 'property adjustment after the death of the male spouse. The government also notes that under the Local Customary Law, widows had to contend with the widespread property grabbing, eviction from their homes due to witchcraft accusations, and sometimes even the loss of their children (Equality Now Report 2011; Ezer 2006).

Under the Tanzanian statutory law, the penal legislation of the Witchcraft Ordinance 1928 (cap. 18) R/L 1974 is visible and enforced. The final report on the designated legislation in the Nyalali Commission Report explained that the Witchcraft Ordinance enacted in 1928 was reformed in 1979, to provide for the punishment of witchcraft and of certain acts connected to it. The law was enacted to curb activities of people engaged in sorcery, bewitching, the use of instruments of witchcraft, the purported exercise of any occult power, and the purported possession of any occult knowledge (see definition of witchcraft in section 2 of cap. 8). The section under which person shall be punished is section 5, which is imprisonment of either description for a period not exceeding seven years or to fine not exceeding 4000/- Tanzanian Shillings (3 euro) or to both such fine and imprisonment. Section

8 of the Witchcraft Ordinance declares: *The District Commissioners may order persons practising witchcraft to reside in certain places after due inquiry* (The United Republic of Tanzania Law Reform Commission 1996: 37–49).

The legal norms of the state are to aid the guidelines for good governance, which recognises and respects women and girls' rights as human rights. For this reason, the Tanzanian government expects citizens of the state to respect the laws and comply with them. Even though those ethnic groups who promote the three practices under study have their minds set on their worldview, which formally recognises these traditional practices and interprets them as norms that bind them to their culture. However, with the establishment of the state common law, the functioning and implementation of the practices have become legally complicated. For example, the law does not sanction the practice of FGC while *Nyumba Ntobhu* marriage and widow cleansing are invisible in the state laws. These socio-cultural norms and the legal norms, which are very often in conflict with each other, could be treated as human rights issues embodied in several international human rights conventions and regional treaties as discussed together below.

### 8.3.3 International Human Rights Conventions and the African Treaties

In 1948, the United Nations adopted the Universal Declaration of Human Rights with a profusion of norms, processes, and institutions to define, promote, and protect human rights (28 TooMany 2013; Bond 2010). It has now been acknowledged globally by the world leaders that women's rights are human rights. This was recognized in 1993 and has since then been reaffirmed by the world community in subsequent conferences held in Cairo, Copenhagen, and Beijing (Kisaakye 2002). Today, virtually every cause seeks to wrap itself in the language of rights (Mutua 2008). Even so, this universal reliance on the rights idiom has not succeeded in creating common ground and deep agreement as to the scope, content, and philosophical bases for human rights (ibid). I have mentioned earlier in the study that the Tanzanian government has signed several international human rights conventions, some of which are listed below. These provide a strong basis for the characterisation of the practices under study as a violation of international human rights (28 TooMany 2013; Ndulo 2011; Bond 2010; Mutua 2008).

- The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) 1979
- The Convention on the Rights of the Child (CRC), 1989.

- International Covenant on Economic, Social and Cultural Rights (ICESR), 1976.
- African Charter on the Rights and Welfare of the Child, 1990.
- Maputo Protocol to African Charter on Human and Peoples' Rights on the Rights of Women in Africa (the Maputo Protocol), 2003.
- African Charter on Human and People's Rights (the Banjul Charter) 2007.
- The African Union declared the years from 2010 to 2020 to be the Decade for African Women.

The international human rights of CEDAW and the CRC clearly prohibit traditional practices that discriminate against women and harm children (Bond 2010). Article 2 of CEDAW directly states that State parties should take all appropriate measures to stop customs and practices, which constitute discrimination against women. Additionally, Article 5 declares that State parties shall take all appropriate measures to modify the social and cultural patterns of conduct between men and women, with a view to achieving the elimination of prejudices and customary and all other practices, which are based on the idea of the inferiority or the superiority of either of the sexes. The right to health is enshrined in numerous international treaties. The ICESCR specifies that everyone has a right 'to the enjoyment of the highest attainable standard of physical and mental health,' and obligates governments to implement the right without discrimination based on sex, age, or other prohibited grounds (Human Rights Watch 2014). Rebouché (2009: 93) explains that the advocates of the Maputo Protocol looked to the international human rights documents as a way to allow African governments to fulfill the international commitments to which they have subscribed. Requiring more than present international standards, the protocol requires legislative measures backed by sanctions (Rebouché 2009: 102). Accordingly, "other provisions of the protocol also criminalise certain practices and invoke the power of the law (or the state) to protect women, a strategy often aligned with dominant feminism because it casts men as perpetrators and the state as entity responsible for holding them accountable (Rebouché 2009: 103).

Although the African Charter offers robust protection of cultural rights, it lacks effective women's rights guarantees (Bond 2010). Quoting Ndashe (2005), Bond (2010) explains that the absence of cases pertaining to women's human rights before the African Commission have, for a long time, been a cause for concern and it had been speculated that the unclear and potentially ambiguous provisions of the charter relating to women's rights were deterrent (Bond 2010: 535). For example, Article 14(1) (d) of the protocol set out the 'right to self-protection and to be protected against sexually transmitted infections.' This right is strengthened by Article 14(1)(e)

which specifies that the ‘right to be informed on health status of one’s partner, particularly if affected with sexually transmitted infections, including HIV/AIDS’ (cited in Rebouché 2009: 103). Suffering is especially severe in the light of the AIDS pandemic, which has increased the number and vulnerability of widows and orphans (Ezer 2006: 601).

In the same way, the CRC recognises children’s rights to health, and to access their health and the right to be protected (Human Rights Watch 2014). For example, Article 24(3) of the CRC states that state parties shall take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children (28 TooMany 2013; Bond 2010; White et al. 2002). The Law of the Child Act, 2009, establishes a legal framework for child protection. In addition, the Tanzanian government developed the National Plan of Action (NAP) to guide the provision of high quality services dedicated to preventing and responding to violence as part of the national child protection system through multi-sectoral collaboration (Human Right Watch 2014: 68). Following these discussions and analysis, the reproduction of the socio-cultural norms by Kuria and Kerewe community members and the reactions of the Tanzania legislative body is examined below.

#### 8.3.4 Reproduction of the Socio-Cultural Norms as a Clash with Legal Norms

##### *Reaction of the Legislation on the Reproduction of FGC*

The Tanzanian government and other law enforcement bodies in the country, such as the rights activists and NGOs, have long recognized that the Kuria ethnic group among other groups in Tanzania who practice FGC have been insensitive to the state legal norms binding the practice. Among the Kuria people, there is the realisation that the government’s ban on the practice is to safeguard the rights of women and girls, however, the communities in the study still hold on to their beliefs on the socio-cultural norms of FGC. According to the UNICEF report on FGC practice in Tanzania, the mechanisms used to regulate behaviour of the community people include legal norms, which may prohibit the practice, and moral norms, such as doing what is best for one’s daughter (UNICEF 2013). Hence, the attempted crackdowns by the government and law enforcement agencies following the Arusha declaration in early 1970s led to the change in the ways FGC was practised. In the Mara region for example, the Kuria began to carry out FGC in secret to evade prosecution (28 TooMany 2013: 61; see also Africanus 2012).

As explored earlier, on the one hand, the studied community members have deep beliefs of the values of FGC in their society. On the other hand, they are equally informed and have knowledge about the negative aspects of the FGC practice, as well as the government's stance on the issue at stake. For instance, the research participants such as the clan elders, the elderly women and the parents are aware that the outcome of the practice causes harm, which could lead to death. They are also mindful of the fact that by subjecting girl children to undergoing FGC, they risk the danger of not being able to seek medical help should the girl child encounter any health problems. Moreover, they know that both perpetrators and perpetrators of FGC practice would be arrested and that could lead to the payment of fine or imprisonment or both (28 TooMany 2013; Tanzania Human Rights Report 2012; Boyle et al. 2001). Despite this knowledge, the practice is ongoing secretly in the Kuria communities. Equality Now (2013) reported that by criminalizing the practice of FGC, the Tanzanian government certifies the fact that the practice tramples on or clashes with the integrity, and the dignity of the women and girl children who undergo the ritual.

The legal norms, which prohibit the FGC practice, could be viewed with the lens of moral norms. However, the studied community members may argue about knowing and doing what they think best for their girl children (UNICEF 2013). According to Tanzania Human Rights (2012) and the Equality Now (2011) reports, the socio-cultural norms draw attention to the fact that the beliefs of individuals about others in the community also condition their communal behaviour of the practice. Additionally, the moral norms, which are evoked by internalised values of right and wrong interplays with self-gratification and the use of good conscience (Equality Now Report 2013). Hence, to access how these norms interact in harmony, reinforce each other or are in conflict with each other will require examination of the interrelationship of the socio-cultural and legal norms in addition to moral norms. Namely, an intersectional analysis must consider the relationship between moral and socio-cultural norms, between socio-cultural and legal norms, and between socio-cultural norms and human rights (UNICEF 2013). The relationships of these three norms could best be leveraged to improve the lives of women and children, and the entire communities (ibid).

Africanus (2012) and the Tanzania Human Rights Report (2012) had analogous research findings as highlighted above in this study. Africanus added that there is the lack of cooperation in the fight against FGC of certain politicians in the Mara region. Worse still, members of the community are not ready to provide evidence and support when needed (Tanzania Human Rights Report 2012; Africanus 2012).



Waritay and Wilson on the other hand, held that while denunciations of FGC by politicians had caused Kuria communities to cut girls in secret for a brief period, the lack of law enforcement or ramifications upon practitioners has led to the return of FGC being practised openly (Waritay & Wilson 2012 cited in 28 TooMany 2013: 37). This finding is unlike many other reports in other regions in Tanzania where the practice has gone underground (28 TooMany 2013). Unfortunately, the cut ritual is performed secretly making the situation difficult for law enforcement to arrest the perpetrators.

As indicated earlier, subjecting a girl below the age of 18 years to FGC constitutes a criminal offence under the Sexual Offences Special Provisions Panel Laws. However, this does not include women over the age of 18 years (28 TooMany 2013). This creates limitations in the Sexual Offences Special Provisions Act, 1998 and prosecution is rare, even though, the SOSP Act clearly criminalises the practices of FGC (Tanzania Human Rights Report 2012). In 2012, a survey conducted by the Children Dignity Forum's (CDF) in the Mara region including Ryamisanga ward where this research was conducted on the practice of FGC. The report indicated that more than four thousand schoolgirls were to undergo the cut during the long school holidays in December 2012. According to the report, some of these girls were able to escape to different rescue camps set up by religious organisations and other NGOs. However, a good number of them underwent the cut ritual. There was no mention of any arrest made by the research participants during my fieldwork. However, according to a published article in a Swahili daily newspaper 'the Mwananchi Newspaper,' on the 15th of November 2012 by Mayunga, a 49-year old Ngariba in the Mara region was arrested and charged for operating on two girls in the locality where this research was conducted. According to the report in the newspaper, one of the girls reported their ordeal to the police.

In spite of the poor implementation of the state law on the change of attitude towards the eradication of FGC, ample efforts on community awareness by religious organisations, NGOs and activists are ongoing in the studied community. However, the elderly women in this study have demonstrated that the socio-cultural norms are strongly in place as indicated in Table 7 in this chapter. These women have also revealed that the fear of social exclusion for not conforming to these social norms may be stronger than the fear of fines and imprisonment (see also UNICEF 2013). For such reasons, the custodians in the studied community appear lukewarm or unenthusiastic about the legislation prohibiting FGC as forms of mechanisms to discourage the practice.

## ***Reaction of the Legislation on the Reproduction of Nyumba Ntobhu Marriage***

The Tanzanian Law of Marriage Act is family legislation enacted and passed in 1971 is still in effect in Tanzania today (Starace 2009). While the studied participants informed that *Nyumba Ntobhu* marriage is customary and has values in the Kuria society as shown in Table 9, for obvious reasons discussed in this section, it is not recognised in the state Customary Law of the Marriage Act (Tanzania Human Rights Report 2012). According to Chacha (2004), in 1963, the Customary Law Declaration Order in Tanzania did not consider the woman-to-woman marriage as one form of customary marriages. It was doubtful that its exclusion from the declaration order was accidental or based on the belief that the custom had become obsolete (Chacha 2004: 141).

The Human Rights Report on Marriage Law informed that the legislation gives certain autonomy to the communities to marry in accordance to the customary laws or the rites of their religions (Tanzania Human Rights Report 2012). Starace quoting Rwezaura (1998: 190) explains that this fusion was made in order to move with the changing times without totally losing touch with the prevailing community practices (Starace 2009: 85). She explains further that the fusion has made some court cases extremely complex because the validity of some customary laws had to be interpreted in relation to the national legislation the Law of Marriage Act (Starace 2009: 86). In his research findings on the Simbiti (a subtribe of the Kuria) in the Tarime district, Chacha (2004) observed that although the practice of a woman marrying another might have been recognised among the members of the Simbiti ethnic group, the Customary Law Declaration Order abolished the practice in 1963. Chacha argued that “the practice therefore ceased to be binding among the members of the ethnic group as of the date the Declaration came into force in Tarime district and as such cannot be adjusted by courts” (Chacah 2004: 144). An example of such complexity in trying to resolve marital disputes in the *Nyumba Ntobhu* homestead is illustrated in Chapter 6 with the case of Ghati and her *Nyumba Ntobhu* mother-in-law (Mama Bhoke) and their ordeal with Mzee Peter in the *Nyumba Ntobhu* homestead.

Although the narratives of the clan elders and community actors in the Chapter 6 explained that Mwl. Nyerere’s reign as the first president of the Republic of Tanzania, saw the birth of a secular state. On the other hand, the Tanzania Human Rights Report in (2012) emphasised that in practice Nyerere maintained close cooperation with the marital values of the Catholic Church, and with a profound respect for the Muslims marital values. These religious values were also a reflection

in the Law of Marriage Act, which stresses the possibility of Muslim, Christian or Customary marriage (see Tanzania LMA Act 25). As shown already in the study, Article 9 of the LMA considers two types of marriages in Tanzania – (polygamous and monogamous) respectively by these ‘two religions’. These marriages, also officially authorised by customary laws, are based on heterosexuality and consequently, they exclude the possibility of legalising other kinds of marriages like *Nyumba Ntobhu* marriage (Starace 2009; Chacha 2004). It was argued by the then ruling class that the ethics of the *Nyumba Ntobhu* marriage did not match the morals and the integrities of civilised marriages living according to the colonial masters’ principles and the Christian values of marriage of the time (Ndulo 2011; Bond 2010). Based on the foregoing discussion, Starace in this field of study observed that when the legislation Law of Marriage Act passed in 1971, the discrimination against *Nyumba Ntobhu* practice was even clearer (Starace 2009: 89).

While the national ruling classes claim to guide the State away from backward and ‘primitive’ traditional practices (Ndulo 2011; Chacha 2004), anthropologists such as Starace (2009) and Bond (2010) held that the national ruling class considered some pre-colonial practices like the woman-to-woman marriage as ‘backward’ hence, the efforts to legally abolish them. Boshe (2008) also came up with similar research findings. Tanzania Human Rights Reports in (2010; 2011 and 2012) highlighted that the interpretation of the state legal norms on the law of marriage act does not replicate the socio-cultural norms of the Kuria woman-to-woman marriage. In addition, the Legal and Human Rights Centre (LHRC) in Tanzania considers this form of marriage as a high denial of women’s rights by their counterparts (Tanzania Human Rights Report 2012: 157). For this reason, the clan elders and the female husbands stressed in the study that the Kuria woman-to-woman marriage has been and continue to be condemned and looked down upon as immoral and illegal particularly by missionaries, colonial and post-colonial governments, NGOs and rights activists in Tanzania. For decades now, the legal situation of the Tanzania law of marriage act has not changed (Ndulo 2011; Starace 2009), nonetheless, the *Nyumba Ntobhu* marriage practice is ongoing in the Kuria society.

Researching woman-to-woman marriages among the Simbiti in the Mara region of Tanzania, Starace came up with a similar research finding and added that the colonial messages were guided by Christian values, which consider a same sex marriage not naturally possible and amoral (Starace 2009: 89). According to Boshe (2008), the Tanzanian Law of Marriage Act, being the law regulating spousal relationship excluded same sex couples from the pool of those who can legally contract a marriage by defining marriage as being a voluntary union between *man*

and *woman* intending to last forever (Boshe 2008: 2). Consequently, on the one hand, for a marriage to be honoured and be recognised by the law in Tanzania, it must be between two persons of different sexes. Boshe (2008) emphasised that this phenomenon was not only the view of citizens of the state but also by “the courts and lawmakers in prescribing punishment through the panel laws of acts related to homosexuality and by limiting the definition of marriage to mean union between a man and a woman” (Boshe 2008: 2). On the other hand, the Tanzanian Human Rights Reports identify loopholes in the Law of Marriage Act and explains that the Tanzania Penal Code, Cap 16, section 154 –157 which criminalises sexual activity between men, stipulating a maximum sentence of 14 years imprisonment. However, sexual acts between women are not mentioned in the Penal Code (Tanzania Human Rights Report 2012; Tanzania Penal Code Chapter 16).

Informants in this study hold that based on the socio-cultural values enshrined in the *Nyumba Ntobhu* practice, the Tanzanian Law of Marriage Act restricts the same sex marriage but is not applicable to the Kuria woman-to-woman marriage. Related research findings of woman-to-woman marriage in some African societies by Nyanungo (2013) and Nwoko (2012) highlighted that custodians of the practice argue that the marriage is legal and social but does not involve a sexual relationship between the couple (see also Ugbabe 2013). Instead, it is “a traditional way of legalising what ordinarily would have amounted to the birth of illegitimate children, who, traditionally, would have been denied inheritance (Nwoko 2012: 78). Moreover, in the Kuria communities, the *Nyumba Ntobhu* practice is not contracted in response to sexual emotions or attractions of the female couples (ibid). The basic argument being that in the studied society, the male child is of utmost importance and it was in this need to have a male child to continue the lineage that the practice was born (Ugbabe 2013).

According to the female husbands in the study, NGOs and activists have continuously raised concerns about *Nyumba Ntobhu* marriage. These rights activists claimed that this type of marriage is immoral because the young women in the relationship are sometime encouraged or forced to have sexual intercourse multiple times with the chosen and favourite men of their female husbands. Judging by the narratives of the young women in the *Nyumba Ntobhu* relationship, the activists again argued that the experiences of the vulnerable young women were portrayed in a position of servitude in the homestead. Based on these grounds, the activists and NGOs in the study expressed that the power relation that exist between the female husbands and the treatment of the young women in the marriage is discriminatory and exploitative in nature, which breaches the human rights of the young women.

While these NGOs, activists, religious organisations and the government perceive the *Nyumba Ntobhu* marriage as non-existent in the legislation, they also consider woman-to-woman marriage as either illegal or unlawful. Despite these observations by the various entities, the Tanzanian Law of Marriage Act (1971) has not been reformed to outlaw the practice and *Nyumba Ntobhu* marriage is ongoing among the Kuria.

While the practice of the woman-to-woman marriage persists in the Kuria communities and custodians are adamant to retain the socio-cultural values of the practice, there are a lot of legal and human rights concerns in the municipality in recent years in Tanzania. For example, the young women engaged in the *Nyumba Ntobhu* marriage expressed in many ways how their female husbands (*Nyumba Ntobhu* mothers-in-law) had discriminated against them and their children. In addition, they had either been turned away when they made their complaints at the police station, or when they turned to seek legal help and protection from the clan elders. The opinions of these vulnerable women are that both the local and national legal structures neither respond to their pleas nor give them the needed support. An article entitled “Tanzania: Marriage of Convenience” written in the Tanzanian Mail and the Guardian News Paper in November 2014 by Florence Majani explained the reason why in the Kuria society women are marrying each other to escape domestic violence. However, the article argued that while *Nyumba Ntobhu* marriage is on the increase in the Mara region, woman-to-woman marriage does not always save women from domestic violence. In that article, the narrative of the young woman in the relationship told she was simply a slave for her female husband. In another context, articles written in the Mwanachi News Paper and quoted by the Tanzania Human Rights report (2012) highlighted a great concern about the increasing number of street children from the *Nyumba Ntobhu* homestead in Musoma and Mwanza cities. Rights organisations, researchers and various NGOs working in these municipalities have raised concerns about the lack of parental care that most of these *Nyumba Ntobhu* children face.

According to researchers on *Nyumba Ntobhu* marriage, the issue of formal education had always been a concern. For example, issues over the rights of the children borne of the woman-to-woman family and their rights to education was particularly challenged at the time Tanzania gained her independence from colonial rule. The then newly formed government held the views that the female-husbands were unable or unwilling to educate their children, hence, continued to discourage the practice (Chacha 2004: 140). According to informants in the study, the government thought that the *Nyumba Ntobhu* relationship lacked a family head

responsible for the education of children in the modern law system. This issue was a matter of concern raised in the narratives by the young women in the *Nyumba Ntobhu* relationship in Chapter 6. Allegedly, it unfolded that the male consorts or abatwari were not obliged to take any parental responsibility in the upbringing of children born of the relationship (Nkowo 2012; Starace 2009). Chacha (2004) came up with research findings that the male consorts were not keen, and as a matter of principle, and not bound by law to assume such roles; their duties were limited to biological reproduction (Chacha 2004: 139).

### ***Reaction of the Legislation on the Reproduction of Widow Cleansing Ritual***

The narratives of the Kerewe widows indicate that they continue to undergo sexual cleansing and are discriminated against under the customary law of inheritance for various reasons, which is discussed in this section. Using Douglas's concept (1966) of cleansing to purify what is perceived as dirt or pollution, this study views widow sexual cleansing ritual as a treasured norm of maintaining purity. Dilger (2006) explains that the concept of purity and danger for widows and widowers is a reflection of maintaining social order. The sexual cleansing ritual involves strict rules on how, and in which periods of time sexual intercourse is allowed or prescribed (Heald 1995 cited in Dilger 2006: 114) in the context of freeing the living spouse. In most parts of East Africa these rules refer to a few clearly limited periods such as relating to agricultural work, house building, and in a more critical periods of life like following the death of relative (Parkin 1978 cited in Dilger 2006: 114). I noticed in the study that the ethnic groups on the Ukerewe Island extend their rule of the cleansing ritual to the area of reproductive life. Some researchers in this field observed that such rules are of fundamental significance since they consider that non-observance of the prescribed rites will bring illness, which could be fatal and could cause more deaths in the deceased family (Dilger 2009; White et al. 2002; Akintunde 2002). However, with the advent of HIV/AIDS there has been a lack of interest in the practice for those members of the ethnic groups living in the urban areas. While there is the reluctant disappearance in most communities in the rural areas (Dilger 2009). Several members of the community actors on the Ukerewe Island called for the abandonment of the ritual.

Despite the fact that the 1977 Constitution of the United Republic of Tanzania guarantees the equality of all citizens, there are several pieces of legislations which infringe on the constitutional requirement (Tanzania Human Rights Report 2012: 152). Ezer (2006) explains that under the local customary law Tanzania Constitution

(Declaration) (No. 4) Order, Government Notice (GN) 436/1963, Second Schedule, Laws on Inheritance (*Sheria za Urithi*) in Judicature and the Application of Laws Act, Tanzania Law Subsidiary Legislation (cap 358 E.R. 2002), there are limitations of women's inheritance on the basis of their gender. The constitution says specifically that her share is to be cared for by her children, just as she cared for them (Tanzania Human Rights Report 2012; Ndulo 2011). In his research, Ezer (2006: 603) point out that a report of the Ministry of Community Development, Women Affairs and Children, Community Development Policy 41(June 1996) states that: *the Tanzanian government itself has called for the elimination of customs and traditions, which negatively affect development, such as discriminative gender practices in inheritance*. It has also acknowledged the need to *revisit, review, and abandon outdated laws* was equally reported in Child Development Policy 32 (October 1996).

Bond (2010) explains that the Tanzania's inheritance laws thus impoverish women and leave their survival at the mercy of men. Hence, the effect of the former discriminatory laws in the customary rite, such as sexual cleansing, further magnifies procedures of inequalities, exploitative practices, and the spread of HIV/AIDS (Ezer 2006). This reality has been indicated in the widows' narratives in the study, where most of the widows have lamented that the procedural laws favour the selection of male administrators, even if they are distant relatives of their deceased husbands (see also Bond 2005; White et al. 2002; and Atere 2002). Furthermore, the widows' experiences of their female in-laws contributed to excluding them from the management of their estates. Such observation was also noted by Ndulo (2011); Tuyizere (2007); White et al. (2002) in their studies. They argued that widows who suffered harassment, emotional torture, and accusations by her female-in-laws for using witchcraft to bewitch and kill their husbands perceived their ordeal as a way to dismiss them in order to grab the late husband's property just as the Kerewe widows had expressed.

Thus, the customary law in Tanzania treats widows as dependents who require care, rather than as mature adults who can inherit and manage property (Ezer 2006: 609). Bond (2005) and Kisaakye (2002), researchers on women's rights in Tanzania, hold that under the Tanzania's inheritance laws the local customary law (Declaration) (no.4) Order, Government Notice 436/1963, second schedule, laws of inheritance are in urgent need of reform. In his findings, Ezer also noted that the Tanzania customary law generally denies widows inheritance altogether (Ezer 2006) as already expressed by the widows in their narratives in Chapter 7. Yet, the Protocol to the African Charter on Rights of Women in Africa, which has been in force in Tanzania since November 2005, and speaks directly on widows' issues of inheritance as: *A*

*widow shall have the right to an equitable share in the inheritance of the property of husband. A widow shall have the right to continue to live in the matrimonial house. Women and men shall have the right to inherit, in equitable shares, their parents' properties* (Protocol to the African Charter on Human and Peoples' Rights 2005). This Protocol has yet to be experienced by the widows in the studied communities due to the poor implementation and supervision of the African Charter in Tanzanian Legislation.

According to Ezer (2006), Tanzania's inheritance regime violates women's fundamental rights to equality, an adequate standard of living, family, and dignity under Tanzanian Constitution and binding international conventions (ibid). According to Ndulo and Bond research findings, the Tanzanian government amended its constitution in 2000 to prohibit discrimination based on gender requiring modification of Tanzania's inheritance laws (Ndulo 2011 and Bond 2010). Ezer hold that the CEDAW committee responsible for implementing the specifically instructed that the allocation of unequal inheritance shares to widows and daughters contravene the Convention and should be abolished (Ezer 2006).

It has been stated earlier that the Witchcraft Ordinance 1928 (cap. 18) was renewed in 1974 and is still enforced in the Tanzania legislation. This explains why those widows accused by their female-in-laws in Chapter 7 of bewitching and killing their spouses had no choice but to prove their innocence by undergoing the rituals. These widows had expressed fear of the consequences they would face, such as being asked to relocate far away from their villages so as not to bewitch and kill more community members. However, the Nyalali Commission was of the view that the Ordinance violates Article 17 (1) of the State Constitution because it restricts freedom of movement of individuals. It also curtails freedom of residence even though it was recommended that the ordinance be repealed. However, after a long debate in a workshop held in Dar es Salaam, on 12<sup>th</sup> of April 1996, participants of the workshop including members of parliament recommended the retention of the law on witchcraft ordinance (See also Mesaki 2009 for a detailed explanation).

According to the Nyalali Commission report, the committee was instead advised to look into the definition section, and to remove the power of consent of the Director of Public Prosecution as well as to review the provisions relating to sentencing. Several adjustments and recommendations were made which are not appropriate in this study. However, sections 4; (6) and section 5; (3) of the Constitution is explored to examine its impact on widows accused of possessing witchcraft magic and using it to bewitch and killing their spouses. Section 4; (6) explains:



... the considered opinion of the law Reform Commission is that there is validity of the Witchcraft Ordinance and the said validity is justified. It is justified because there are still fears arising from beliefs in witchcraft among the people.” Section 5; (3) reads, “the following amendments are recommended 1. Section 5 on sentencing should be reviewed i.e. life imprisonment and increased fines of 10,000/- 15,000/- and 40,000/- Tanzania Shillings respectively. 2. The Reform ended with a recommended that the District Commissioners should continue to have the powers under section 8 of the Ordinance. 3. The Director of Public Prosecution should dispense with power of consent for purpose of speeding up trials of witchcraft offences.

Mesaki (2009) explains that the Tanzanian legislation against the practice of witchcraft raises the problem of evidence that is intriguing in legal parlance. On the other hand, legislation against accusing others (such as those widows in this study) of witchcraft provokes criticism that the state protects witches, rather than the victims of witchcraft (Mesaki 2009: 137). Accordingly, the Tanzanian Human Rights Reports (2010; 2011; 2012 and 2013) highlight that these laws have seldom led to convictions of perpetrators of widow dispossession in Tanzania. This is because of the weak and poor implementation of state laws to protect widows who might be implicated through the accusation of witchcraft. As a result, most widows and their children’s rights continue to be violated.

### 8.3.5 Traditional Views Challenged by Human Rights

According to African human rights researchers such as Bond (2012), there is a major debate between human rights activists and traditionalists. The debate is centered on whether customary norms are compatible with human rights norms contained in international conventions and national bills of rights in national constitutions (Bond 2012). It was obvious in this study just as Mutua’s (2011: 89) research findings highlighted that while traditionalists argue that by promoting traditional values, customary law makes a positive contribution to the promotion of human rights. Though activists argue that the norms of certain customary laws undermine the dignity of women and are used to justify treating women as second class citizens.

Ndulo (2011) and Mukasa (2008) made similar arguments that most African constitutions contain provisions guaranteeing equality, human dignity and prohibiting discrimination based on gender. However, Ndulo (2012) noted limitations in many African constitutions, which are applicable in the context of the Tanzanian constitution. In an earlier research, Ndulo (2008: 89) explains that the same state constitutions that address women’s protective measures recognise “the application of customary law and do this without providing a mechanism for

resolving the conflict between some customary law norms and human rights norms where these arise.” This, according to Ndulo (2012: 4), “results in clashes between human rights and the customary law norms.” He raises a fundamental question on how to reform customary law so that the norms that discriminate against women could be eradicated. In addition, he suggested that a strategy is needed because opposition to reform the discriminative customs by those who benefit most from maintaining the customary system should not be underestimated (ibid).

African human rights researcher Mutua (2008: 119) has a different opinion, he holds the view that the constitutional and legal norms adopted on the eve of independence, as well as subsequent laws and policies, continue to suppress African cultures and religions. In this study, custodians of the studied cultural practices such as the clan elders and the elderly women have a similar view as Mutua (2008) about the role the international human rights advocates play to promote the legal norms. These custodians perceive human rights activists who lobby against the practices as interference and attackers on their socio-cultural norms. However, those young women in the study felt aspects of the studied cultural practices that are perceived as the socio-cultural norms have violated their human rights.

The chapter began with the analysis of the similarities and the differences of the three cultural practices as experienced by the young women in the study. Having thoroughly analysed the socio-cultural norms of the three practices studied against the legal norms in the study, there is evidence of contradictions in what is termed the socio-cultural norms of the communities and the human rights norms of the three practices. As pointed out by Africanus (2012: 164), emphasising the need to understand the socio-cultural meanings of traditions, the values and beliefs regarding the practices do not mean downgrading the importance of the human rights and legal approaches in addressing the violation that the young women claimed to have endured.

## 9 CONCLUSIONS

One of the primary objectives of this study has been to investigate women-to-women violence perpetuated over time in the patriarchal communities among the Kuria and Kerewe ethnic groups of Tanzania. I have wanted to understand the mechanisms or driving forces that have continued to preserve the three cultural practices in the studied communities. The general belief in Tanzania is that all the three cultural practices are dying out in the studied communities, but my research shows that they are still alive and well. There were many complexities encountered in analysing the three practices, which suggest the use of the skills and knowledge in social work practice in addressing the obstacles of the challenges unearthed.

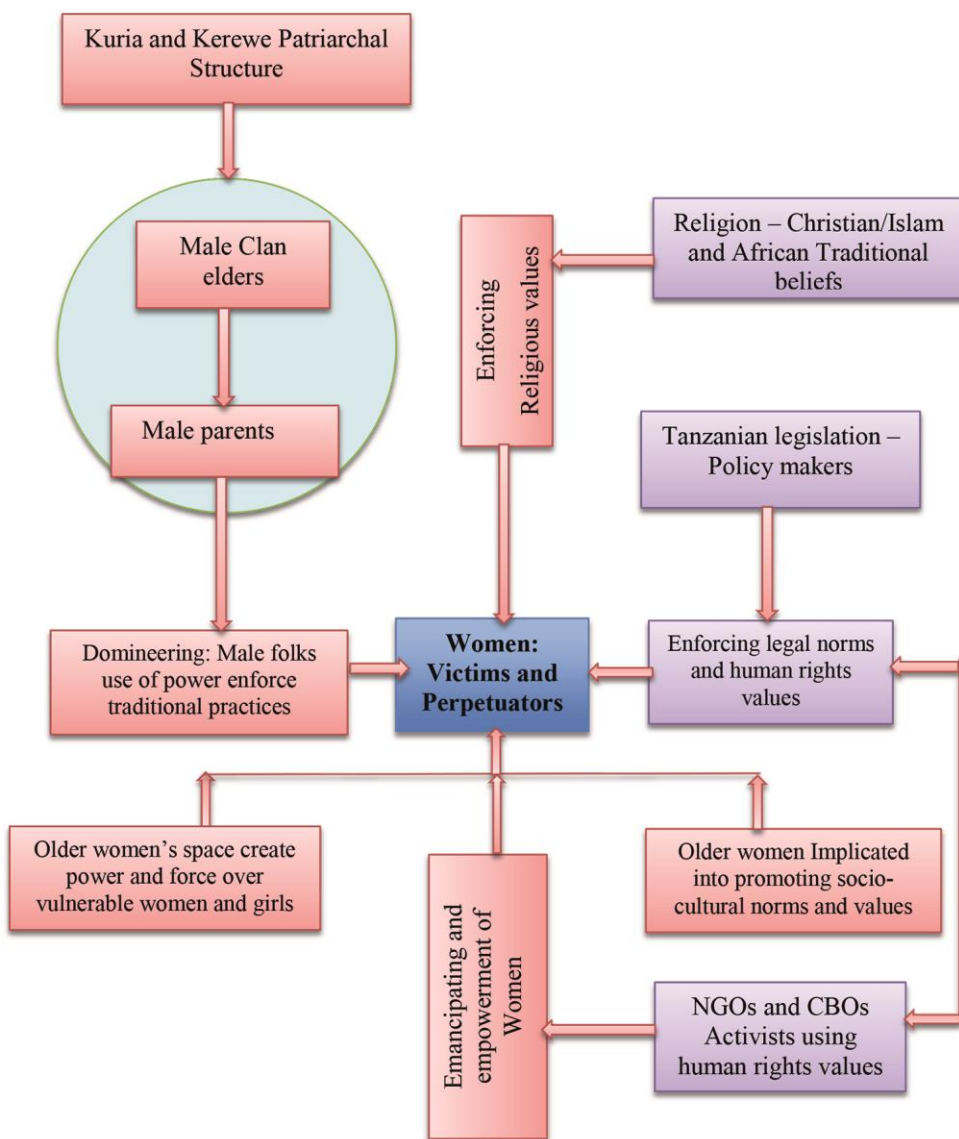
I have discussed the customary rites of FGC, *Nyumba Ntobhu* marriage, and widow cleansing ritual as traditional cultural practices. The customary practices intended to promote the social wellbeing of community members exposed specific indications that some older and influential African women in the Kuria and Ukerewe communities use power over young and vulnerable women to preserve the rituals that support the patriarchal structures. Crentsil (2007: 193) noted in her study that “customary practices about rights, duties and roles are the backbone of social organisation in traditional societies, a threat to these structures threatens the society itself.” However, it is observed that maintaining the patriarchal structures in traditional societies that are mostly determined by various socio-cultural and economic factors have promoted women-to-women violence in the studied communities.

More importantly, I have presented how the Kuria women and Kerewe widows undergoing FGC and sexual cleansing ritual have used their body as a space in which the thoughts of their culture are physically imprinted. In establishing themselves, these women have “symbolically carved their identity” (Abdi 2012, Talle 1993) as Kuria and Kerewe women into the flesh of their own bodies. They have further carved the studied practices into the flesh and lives of their kinsfolk. I have also presented the contradictions between the socio-cultural values and the legal values embedded in the three traditional practices. My concern has been to investigate why the three practices persist in the Lake Zone regions of Tanzania despite the education on the impact of health hazards women and girls continue to endure.

The study reveals that the reality of the evolving world is far more complex, and people like those in the Kuria and Ukerewe communities know about the challenges of these complexities. While it was evident in the previous chapters as also Kisaakye (2002: 282) pointed that “culture may have its negative side, it also does have a positive aspect as a way of life and practices of a given group and represents identity, beliefs, norms and values, and acceptable behaviour”. Most of the research participants, however, agreed that some aspects of the cultural values associated with the practices no longer serve the community needs in transforming Kuria and Ukerewe societies.

Similar to Nwoko’s (2012: 70) study, my finding is that “the patriarch zone of function and authority includes the physical protection of the homestead and its territory, the male economic sphere, the spiritual sphere, and the social sphere. The matriarch zone of function on the other hand restricted the woman to the kitchen, cradle, and the female economic sphere, mostly perceived as demanding for men to venture or intrude”. This ideology strengthens the socialisation for women in the patriarchal community context. However, the mechanisms and driving forces produce gendered violence and discrimination among those young women who undergo the rituals to gain social recognition and those older women (custodians) who perpetuate the practices. For example, there are unequal power dynamics between husbands and wives in marriage arrangements in strictly patriarchal societies and these dynamics are mirrored in the woman-to-woman marriages (Nyaungo 2013).

To a large extent, it was evident that there is a use of power over young women and girls by dominant males and the older and influential females. Religious organisations also use mechanisms such as socio-cultural norms and religious values that continue to play a significant role in perpetuating the three practices studied. Other driving force include the stances and drastic measures taken by government officials and policy makers to intervene and eradicate the three practices. Additionally, particular standpoints and activities designed by NGO and CBO activists in their work towards the emancipation and empowerment of women and girls through promoting legal norms and human rights values. Very often, the various mechanisms explained earlier, and the activities of these NGOs and CBOs reproduce the patriarchal structures in the Kuria and Ukerewe communities. Figure 7 below shows a conceptual summary of the empirical findings.



**Figure 7.** Mechanisms and Driving Forces in Kuria and Ukerewe Patriarchal Structured Communities

It is noteworthy in Figure 7 that the use of power focuses on ‘the women’ in the Kuria and Ukerewe communities. This study highlights that the set of traditional values that give identity and promote a sense of belongingness also enforces the

subordination of girls and women as well as determine who a dignified Kuria or Kerewe woman is in the studied societies. While the male folks dominate the society with their use of power, in practice, the older and influential females are the ones who mould girl children and vulnerable women to fulfil the societal demands. A related study by Africanus (2012: 160) for instance, highlights that FGC practice among the Kuria has been used as means for maintaining male dominance in an unequal gendered power relationship. By using concepts, such as patriarchal violence, culture, and gender violence, in their socio-cultural context, my aim has been to emphasise explicit forms of gendered violence intertwine with their social relations to patriarchy. These concepts recognise the contribution each perspective makes in the understanding of FGC, woman-to-woman marriage, and widow cleansing ritual practices in the studied communities.

I have found that the *Nyumba Ntobhu* mother-in-law (female husband) stands for the position of empowerment for sonless women in the Kuria society, however, this ideology contradicts the concept of feminism. Nyaungo (2013) from South Africa noted a similar contradiction that the patriarchal arrangement is maintained in woman-to-woman marriage institution. She pointed out that “the female husband gets to enjoy legal and social privileges over her wife, the same privileges enjoyed by any male husband over his wife” (Nyaungo 2013: 66). For instance, the rights over children are not shared between the senior female husband and her wife (ibid). In this way, the woman marriage institution is perceived by outsiders as “women’s institution and space” but in fact maintains patriarchy in Kuria society (Starace 2009; Bond 2005).

Another phenomenon of women-to-women violence observed, which Nyaungo (2013: 66) also highlighted in her study is that the system of patriarchy is maintained to the extent that the female husbands only marry female wives, and not male wives. It was also noted that the sonless woman who marries a wife in the hope that she will give birth to a male heir is creatively keeping and securing her own family’s interests. Accordingly, this notion affirms the cultural preference for male heirs over female heirs. Nyaungo (2013) holds that many African countries have made a notable inroad into making it possible for daughters to inherit property. However, the cultural battle has yet to catch up to/with the legal battle in many contexts (ibid).

As illustrated in Figure 7, the study discovered that the continual influence of foreign religions, such as Islam and Christianity, brought a set of religious values in addition to the values of the existing traditional religion to the communities researched. The fear of ancestral spirits could be seen as a deep-rooted belief in the life after death in the African traditional religion. Judging from the empirical data,

both the Kerewe and Kuria research participants did not share that Islamic religious beliefs influenced their lives. In addition, while the representatives of Islam formed part of the community actors group, they neither contributed nor commented on the importance of the traditional practices of women in their community. For this reason, the Muslim religion is silent in this study.

Christian institutions, such as the Roman Catholic Church in the Musoma rural district and the Pentecostal Church on Ukerewe Island, gave their viewpoints on the harmfulness and some immoral aspects of the practices studied. In many ways, the values of these religions oppose the values, norms, and beliefs of the Kuria and Kerewe social constructions. For example, these religious organisations indicated that the rituals inflict immoral acts and physical harm on the bodies of those women who undergo the rituals and rob them of their human dignity. However, I observed that some aspects of these religious values and beliefs also promote and reinforce the subordinate position of women in communities of the Lake Zone regions.

Boyle (2002) had a similar argument and pointed out that in Tanzania, where 20 of the 120 ethnic groups practice FGC, the regions that are predominantly Christian have the highest percentages of practicing female genital cutting. Although, Boyle (2002) also noted that being Christian in some African communities was a reliable predictor of women rejecting, for example, the practice of FGC both in attitudes and in behaviour. Many controversies are surrounding the practising of FGC, widow cleansing ritual and the beliefs that enshrine the *Nyumba Ntobhu* practices in connection with the Christian beliefs and values. The misinterpretation of Christian beliefs and values contribute to the continual woman-to-woman violence.

One such controversy on religious beliefs and values can be observed in the study of Tuyizere (2007) regarding the Islamic, Jewish, and Christian beliefs and the myth that Adam was God's initial creation and Eve was made from Adam's rib. This idea is rooted in the creation story of Genesis 2:18–24. For some, this belief serves as a justification of the subordinate position of women in relation to men. Moreover, because the mythological justifications are words from the holy books, no woman dares to have authority to debate it. Hence, it is considered the final word (ibid). In fact, as observed by numerous researchers, this 'rib belief' has often been used to place women as second-class citizens.

Lastly, in the illustration of Figure 7, the government policy makers, NGO and CBO activists are positioned as the national and local institutions in the districts of the research areas. These NGO and CBO activists play crucial roles in the emergence and operation of social protection programmes in the local communities (Walakira et al. 2014). The study highlights that based on the state legal norms composed on

national and international human rights values, these activists had often addressed and raised awareness about the harmful aspects of the practices studied. The NGOs and CBOs explained how their motives for interventions were to enhance human rights values and to empower Kuria and Kerewe women.

It was nonetheless noted that instead of achieving their objectives of empowering women through emancipatory programmes, very often, Kuria and Kerewe women were caught between the new and different institutional values and their traditional values. It was also noted that at times, the empowerment programmes designed by the NGO or the CBO advocates to eradicate the practices posed obstacles or stumbling blocks as interference from the outside world. This put Kuria and Kerewe women in a more vulnerable position in their societies when they try to find their space. For example, the Kuria and Kerewe senior women feel the need to be in solidarity with fellow women in the society by keeping the culture going, and preserving their ethnic identity.

My understanding of the Kuria and Kerewe cultures through information acquired from the interviewees and other informants helped me to identify two significant ways, which Abdi (2012) also pointed out in her studies, of how an individual woman can be an agent of perpetuating tradition in society. The first is that in the African context the individual mind and the social minds are deeply interlinked, making it impossible to separate the two. The second is in building an identity for instance, as Kuria or Kerewe woman, the individual woman has shown how social views are embedded in the individual's thoughts, and therefore embodied within the person. Through conducting in-depth research, I was able to establish that the rituals associated to the three practices are not simply a physical process, rather, they allowed the individual woman who underwent the said ritual to "embody the cultural beliefs" (Abdi 2012: 148) as Kuria and Kerewe people. Going back to Mbiti's (1994) statement: "I am because we are, and since we are, therefore I am" as explained in Chapter 3. Researchers such as Mbiti (1994) and Gyekye (1993) conceptualised the African understanding of individuality the '*I*' and the communal '*we*' as reason for the existence of the individual identity in the community.

The obvious causes of the women-to-women violence detected is that women must meet the cultural demands of loyalty to male folk in an honour and cultural context where the gender equality intended to be an ideal becomes discriminatory. The consistent patterns of women-to-women violence is a cause aimed at women to be responsible for showing loyalty to the male collective and for hiding men's responsibility for the collective violent acts (Eldén 2011: 138–139). And when men's responsibility is hidden, it gives them leeway to continue using violence against



women (ibid). It was noted that disloyalty to collective beliefs on certain offensive societal norms could help women and girls to escape some kinds of cultural violence. Eldén pointed out that more fruitful than blaming women for men's violence would be to understand women's responsibility in terms of loyalty to the cultural demand (ibid). Considering the deep rootedness of the older women's beliefs in the cultural values, it is not going to be easy, but a necessary initiative. It was evident that most women participants crave for change in the patriarchal structures. The women's passion for change was noticed during the fieldwork as they repeatedly stated that *time has changed and we have to change with time*.

Interacting with women who underwent these rituals gave the impression as if they might have suffered a contradiction, which has established itself in their innermost being. In a related study of oppression, Freire (1996) highlighted that without freedom the oppressed cannot exist authentically. Although these women desire authentic existence, they fear it. It appeared women in the Lake Zone regions are at one and the same time themselves and the oppressor whose consciousness they have internalised (ibid: 48). It has been explained earlier that some young women claimed to be victims of the cultural practices studied. However, there were possible indications that when these same women become senior citizens or elderly women, they may forget the pain and violation of the practices they had endured.

As pointed out by Freire (1996: 48), the women in question “may forget the pedagogy that has to be forged *with*, not *for* as individuals or as collectives in the struggle to regain their dignity and rights.” My understanding of the older women's standpoint is that they did not question the underlying patterns of the rituals but kept promoting the practices. Otiso (2013) in his book ‘Culture and Customs of Tanzania’ came up with a similar observation. As highlighted in the conceptual chapter, feminist rights researchers such as Bond (2010) also White and colleagues (2002) contend that those African women who are beginning to question the harmful cultural practices are not questioning enough.

I perceived the problem of women undergoing these rituals as the choice between being wholly themselves or being divided, between ejecting the oppressor within and not ejecting them (Freire 1996). They are between human solidarity or alienation, between following prescriptions or having choices, between speaking out or being silent, castrated in their power to create and re-create, in their power to transform their world (ibid). These factors are observed as part of the driving forces feeding the continual women-to-women violence. There are clear indications in the study that some of the predicament the oppressed young women face put them in a complete dilemma.

The psychological impact of the harmful aspects of the rituals of FGC, widow cleansing, and *Nyumba Ntubho* marriage reflect what Cohen (2001: 14–15) describes as an atrocity triangle: First, victims, to whom atrocities are done. They suffer from something terrible that ‘happens’ to them or is deliberately done to them. Second, perpetrators, those who promote these atrocities, however, during or after the event, find ways to deny the meaning of what they are doing? And third, bystanders, those who see and know what is happening. They are the onlookers, witnesses, observers who come to know, see or hear, either at the time or later. Cohen holds that these roles are not fixed. He highlights that observers may become either perpetrators or victims; and perpetrators and observers may belong to the same culture of denial (ibid). As emerged in the narratives, there is evidence of the cultural issues that keep the practice of the community alive. I identify in the study that those community members who continue to witness the ongoing cultural practices or pose as the bystanders have important roles to play.

For instance, traditionally, the ceremonial rites of all the practices used to be performed publicly in view of the whole community. Therefore, with the practice of FGC, the witnessing symbolises an important role: *Yes, I was there, I witnessed her cut and she was brave. She even endured the pain of the cut, and received many gifts as a result.* These kinds of phrases echoed in the participants’ narratives. Again, the practice of *Nyumba Ntobhu* marriage among the Kuria is also a public event and involves a symbolic community witnessing. Hence, those clan elders and community members who witness the violation and helplessness of the young married women in the *Nyumba Ntobhu* homestead are perceived as bystanders. Among the ethnic groups on Ukerewe Island, traditionally, accompanying the widow for cleansing was considered very important. The research participants highlighted that accompanying the widow is part of the cleansing ritual, symbolising: *Yes, I was in the group that escorted her, and I witnessed her cleansing, she is purified to interact with fellow women.*

The positions of these bystanders are, however, somewhat controversial and caught between the legal regulations and exercising their rights of reporting what they witness to legal services such as the crime offices or health centres. These kinds of issues still remain unsolved and are debatable. The situation of bystanders and those who witness the rituals of the practices, for example, are very ambiguous in the sense that society members now understand and even know the harm these traditional practices bring. However, because of the socio-cultural values the Kuria and Kerewe attach to the practices, members of these communities are pushed into denying the reality of the harm. For instance, I observed that undergoing the rituals was more the individual way of getting recognition and identity in society. On the

other hand, young women who would refuse the FGC ritual would be detached from community and outside of the marriage market. The widows would be considered unclean, and accused of using witchcraft to cause their husband's death. Young girls and women involved in the *Nyumba Ntobhu* marriage would be cursed and accused of depriving the family of bride wealth. In each of these situations, the older and influential women ensured the performance of traditional rituals.

Freire (1996: 48) stresses that in the struggle the pedagogy will be made and remade. Freire's ideology reaffirms the question I asked in the introduction chapter: "How come the oppressed becomes the oppressor". It is only when the women discover themselves to be 'host' of the oppressor can they contribute to the 'midwifery' of their liberating pedagogy (ibid). However, as long as women live in contradiction duality in which *to be* is *to be like*, and *to be like* is *to be like the oppressor*, this contribution is impossible (ibid: 48). While dominated by fear of freedom they refuse to appeal to others or to listen to the appeals of others, even to the appeals of their conscience (ibid).

According to Cohen (2001: 5), "the psychology of 'turning a blind eye' or 'looking the other way' is a tricky matter. This implies that we have access to reality, but choose to ignore it because it is convenient to do so. We know, but at the same time we don't know." In the Kuria and Ukerewe socio-cultural context, all the rituals of the practices are portrayed to societal members in a mysterious way that reflects what Cohen (2001) describes in the implicative denial. Writing about state denial, Cohen suggests that cultural denials are neither wholly private nor officially organised by society. He explains further that whole societies may slip into a collective mode of denial without being told what to think about (or what not to think about) and without being punished for 'knowing' the wrong things, societies arrive at unwritten agreements about what can be publicly remembered and acknowledged (ibid).

My observation is that the customary laws on FGC, *Nyumba Ntobhu* marriage, and widows' sexual cleansing lack specification on the aspect of the ritual that is repugnant and discriminatory. It thus even discriminates further on the women's rights. The discrimination against for example, widows and daughters, violate their human rights because the harm inflicted by gender-biased inheritance laws result to poverty, harassment, ostracism, ill-health, and psychological damage (Magoke-Mhoja 2005: 256). The question then is: What are the responsibilities of those society members who are witnessing the practices take place? What are the responsibilities of the bystanders? Do these bystanders have to report the perpetrators of the rituals within the family, the clan or community to government officials? Who should be

reported and who gets convicted? I have come to understand that issues like these have to do with one's conscience.

It is evident in the study that the limitations in the legislation against the socio-cultural norms of the practices under study are age specific. It has been said earlier about the studied communities that society members who witnessed or posed as bystanders might have a problematic position. Cohen (2001: 7-11) categorised this tricky reality into three possibilities as regards what exactly is being 'denied' in his studies as literal, interpretive, and implicatory. Cohen explains that each mode of denial has its own psychological status. He argues that in literal, factual or blatant denial, the fact or knowledge of the fact is denied. However, a literal denial may be a genuine and non-culpable ignorance, a cultural not noticing because the reality is part of your taken-for-granted view of the world, or one of a variety of calculated forms of lying, deception or disinformation (*ibid*).

With the interpretive denial, Cohen (2001: 7-11) clarifies that the raw facts of what happens are not being denied rather, they are given a different meaning from what seems apparent to others. Accordingly, interpretive denial ranges from a genuine inability to grasp what the facts mean to others to deeply cynical renaming to avoid moral censure or legal accountability. The implicatory denial attempt to deny either the facts or their conventional interpretation. What is being denied or minimised are the psychological, political or moral implications (*ibid*), which reflect the state of denial of women custodians in the three practices. When women themselves turn to justify the practices as their rights, it explains how mixed they are in their thoughts and how deeply rooted their beliefs.

The study has demonstrated that there are limitations and poor implementations of both the socio-cultural and the legal norms in Tanzania. Hence, women in the studied communities continue to be discriminated against and their rights violated. This study finds that the state laws recognise the application of the studied customary laws as already discussed in Chapter 8. However, where the customary rites violates the rights of the women, the state legal norms do not provide the mechanism for the resolution of the conflicts that arise between these customary laws and human rights norms. This results in clashes with the norms of human rights and the norms of the customary laws (Ndulo 2012). The study found that the fear of offending the ancestral spirits of the land and the fear of bad omen befalling those who do not abide tradition. Similarly, the rejection in society and the lack of courage to act contrary to what is known as communal rights are contributing factors in the continuity of the three traditional practices in the Lake Zone regions.

This study has presented a complex debate on women-to-women violence in a socio-cultural context in the Lake Zone regions of Tanzania. The complexities uncovered are issues on a communal level, which are much bigger than an individual powerlessness. The gendered violence complications unearthed are not clear cut as right or wrong, or as black and white power structured nor are they only limited to the victims and perpetrators as perceived at the start of the study. However, the gendered violence exposed are intersectionality mixed and not only gender. The study revealed that it is culture, it is generation, it is community, and it touches on religious beliefs and human rights values that shape one's identity. The challenges unearthed indicated that gendered violence in a socio-cultural context is a social problem originating from the patriarchal structures that reproduce that order. Therefore, to change cultural demands of upholding the strength of the (family honour or clan honour) male collective (Eldén 2011: 139), a crucial belief for the maintenance of the identity and family and individual honour.

The regulations and sanctions surrounding the practices have 'trapped' the women in the studied communities in such a way that they suffer in silence. Hence, there is a culture of silence in most patriarchal societies about the types of violence that are intertwined with traditional practices. The question is: "Does a woman recognise her role in violence against women?" The summary of the findings attempts to answer the research questions: this study claims that while elderly women acknowledge the harm done to a woman's body through the traditional practices, they perceive their role in promoting the rituals as a duty. In addition, they do not recognise their involvement as perpetuating violence due to the demand of tradition. Therefore, to eradicate violence against women in this socio-cultural context, it is important to challenge the Kuria and Kerewe women folk to reflect their involvements in preserving and promoting the practices studied.

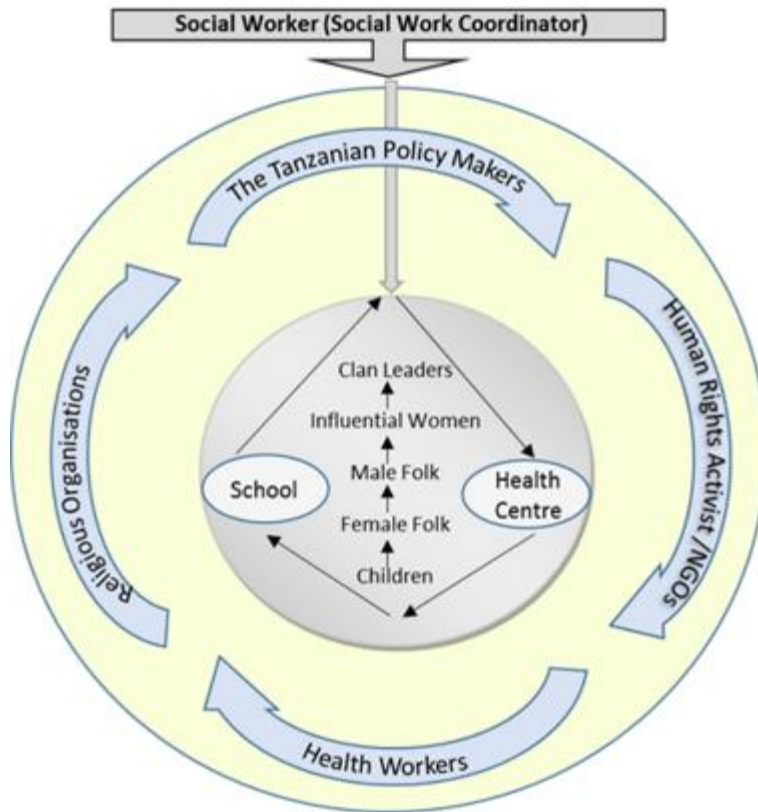
## 10 RECOMMENDATIONS

When I began this research project, as a social work researcher, I was optimistic to fight against social injustice, gender discrimination, and any form of violation inflicted on women due to the practice of FGC, *Nyumba Ntobhu* marriage, and the sexual cleansing that widows undergo. However, having listened to the stories of the women involved in these customs and interpretations of the socio-cultural implications by clan elders, my perception changed. I realised that to tackle the forms of beliefs associated with the three practices would require a proper understanding of the practices through indigenous knowledge (adhering these practices to context) as proposed by Freire (1996). This is a method Freire used in creating social awareness among the oppressed peasants' group in Brazil. This kind of knowledge creation would prevent non-locals from being judgmental of traditions. I have concluded that to seek social justice for the oppressed and marginalised women in this socio-cultural context, I must use of the bottom-up system as proposed by Larsen et al. (2014) and indigenous knowledge (Freire 1996). These approaches are appropriate to make change more sustainable for solving the socio-cultural challenges women face in the lake zone regions of Tanzania.

Larsen et al. (2014: 9) point out that "...change from below is based on the principles of participation and citizen's involvement." My observation is that numerous efforts made over the years to eradicate the studied practices by religious organisations, Tanzanian policy makers, NGOs, and human rights activists as indicated in Figure 7 in the conclusion have often been ineffective. Their attempts somehow "have overruled local communities and destroyed the original foundation for locality-based living, which are numerous, and this has been going on through colonisation and contemporary forms of globalisation and exploitation of indigenous people," which according to Larsen et al. (2014: 9) is the common way these organisations have functioned over the years. Why fully endorsing participatory grassroots approaches to community engagement, and a community's sense of collective agency, with the assertion that participation is power, Sewpaul and Larsen (2014), drawing on the theses of Freire and Gramsci, call for social workers to play the role of the organic intellectual. They argue that, "all too often development cannot take place without a skilled facilitator on account of

internalisation and normalisation of oppression and of privilege, and of common sense, taken for granted assumption. Sewpaul (2013) asserted that as ideology is socially, culturally and politically constructed, social workers can provide people with formal and/or informal learning opportunities to disrupt dominant thinking through the use of consciousness raising techniques. Hence, the profession of social work, which obligates social workers to conduct themselves ethically and to engage in ethical decision-making, including through the partnership with people who use their service (Foote et al. 2013: 2) should be employed. Social work and training equip the social worker with the academic and personal qualities to solve complex human problems where the solutions to the problem may differ every time (ibid: 3).

Several recommendations have emerged from the findings of this study. Some of the recommendations may be rather radical considering the severe nature of the violation, health risks and the psychological impact on the women who undergo the rituals of FGC, widow sexual cleansing and those engaged in Nymba Ntobhu marriage. The proposals require holistic thinking and planning a network with the various organisations who have been working for awareness creation in communities on the harmfulness of the studied practices. The design programmes intend to curb the menace would necessitate radical approaches to tackle two typical scenarios identified within and outside the communities in the Lake Zone regions. First, the scenario within the family, which involves the pressure from custodians of the customary rites and norms. The second scenario is outside the family (the community) where a particular family could suffer community isolation should her members not fulfil the prescribed societal norms. Foote et al. (2013) suggested that social workers are knowledgeable about the value base of their profession, its ethical standards, and the use of relevant law. She argues that the knowledge of social work could help the social worker demonstrate an initial understanding of legal and policy frameworks and guidance that inform and mandate social work practice, recognising the scope for professional judgment (ibid: 3). Therefore, I recommend a short and long-term networking of the social worker as the coordinator with all the entities involved in community building in the Lake Zone regions as illustrated in Figure 8 below:



**Figure 8.** Social Worker Networking with all Entities Involved in Community Building

Figure 8 demonstrates the style of networking that a social worker could use as a coordinator to facilitate and instil a teamwork spirit among service partners and community members from the grassroots to the top level. Networking tries to connect interpersonal work developing people's relationships within community work or micro practice (Payne 2014: 202–203). Payne argues that it may be a basis for practice in developing partnerships with service users of a community with a multiprofessional teamwork. He perceives social workers as potential community brokers, able to link users with a variety of community resources; this has links with empowerment practice (ibid), which could be used in networking as a recommended skill for the social workers in the studied communities.

1. In previous years, social workers have not been seen as community brokers in the lake zone regions due to the lack of personnel in the profession in Tanzania as discussed in Chapter 3. I recommend the training and recruitment of many social workers not as bureaucrats but as workers to be in the field and to be involved in the emancipation of women programmes to promote the needed



changes in customary practices. A proper understanding of the cultural practices would assist the social worker to coordinate well.

2. There is the need to especially involve clan elders and other male folks in women empowerment programmes. As proposed elsewhere (Opoku 2005: 81-82), women will not do it alone, they have to join hands with the male folks in the fight against gender inequality. For instance, the practices under study are deeply rooted and interwoven with fear and taboos that affect both genders in the patriarchal communities. Involving the male folks in various educational workshops will open the opportunity for them to listen to women's ordeals, and how aspects of the rituals violate female health rights.
3. The community or family needs to reform itself as a socialising unit in evolving Tanzania about attitudes towards the traditional practices studied. Girls must have equal access to formal education as their brothers. I respect the position of senior and influential women in the communities and their role to educate girl children on traditional values of the three practices studied. However, I recommend that the senior women should also inform young women and girls about the negative impact of the rituals associated with the practices.
4. Traditional practices such as FGC, widow sexual cleansing, and *Nyumba Ntobhu* marriage should be addressed and discussed as part of school curriculum at all educational levels in Tanzania. For instance, pupils and students should be taught to understand their traditions including the values, implications as well as the pros and cons of those practices. The knowledge gained could enable girls and young women to be courageous and take a personal stance when faced with pressures from custodians and peers.
5. Religious organisations have used their places of worship to preach Christian values and inform about advocate the harmful aspects of the traditional practices studied. I support the programmes of the religious campaigns creating awareness on offensive traditions and promoting women's rights as human rights. I believe such programmes sensitize vulnerable women and girls to reflect on the pros and cons of the studied practices. However, I do not support that the religious organisations propose alternate rituals to replace the offensive or harmful ritual. I suggest that community members replace harmful practices with symbolic ritual meaningful to the practising communities.
6. All the three practices have health implications. Tanzanian government, rights activists, and the ministry of health policy makers in collaboration with social work professionals should develop health care strategy and conduct intensive education on health rights. Health education programmes concerning the practices must be run to prevent blood related diseases for example, HIV/AIDS and other sexual transmitted diseases (STD). Health workers must educate mothers who attend maternal and child health (MCH) clinics on the impact of the practices on their bodies.
7. There is the need to develop strategies to deal with false or bogus NGOs. It was observed in the studied communities that numerous NGOs had funding to advocate women's rights but they had little impact on the women's lives. These activists blamed their poor performance on lack of funding. As pointed out by Brayne and Carr (2013:18): the "...lack of finance, for instance, is not an acceptable reason for not carrying out the duty. Where a statute gives a person or a body a power to do something, the person or the body may exercise that

power” to perform. I suggest that the Tanzanian government should fund two or three NGOs in the two lake zone regions for the benefit of community members.

8. Vulnerable women maintain that they are not protected in communities as they should be. They also claim that there are no follow-ups of the government policy makers and their delegations to check on the law enforcement in their communities. Tanzanian policy makers should have the ability and rights to foresee government funded NGO activities and challenge ineffective implementation of law enforcement in Tanzania.

I have learned to respect all three cultural practices under study and propose the following to the local communities:

- a) FGC as puberty rites among the Kuria has the same ideological meaning for practicing communities as a rite of passage “to usher young people into adulthood in most societies” (Boakye 2010: iii). However, Boakye points out that puberty rites among the Krobos in Ghana do not involve a genital cut. A rite of the passage is supposed to be a joyful ceremony. Instead, the Kuria women described aspect of the rituals as painful and traumatic. In my opinion, the transition from childhood to adulthood as a rite of passage is beautiful and symbolic, which should be maintained, however, without the pain of the genital cut. Given this, I propose that the practicing communities could perform a symbolic ritual as the rite of passage that is meaningful in their cultural context and could replace the pain of the cut.
- b) It is understandable from the psychological point of view that a living spouse would feel haunted by the ghost or spirit of a deceased spouse. For the widow or widower to cope with the bereavement of his or her loss, I suggest that the sexual cleansing be replaced by a symbolic ritual as described by the Kerewe widows in Chapter 7. Thus, a widow or widower may undergo a symbolic cleansing by urinating on an anthill have a holy bath in a river, and a final blessing of herbs from a witch doctor to rid her of evil spirits without being sexually cleansed and exposed to sexually transmitted disease such as (STD) and HIV/AIDS. I also propose whatever ritual the community can establish as meaningful and need to challenge the whole idea of the wife being somehow guilty of the death of the spouse. Christian blessings during worship should be encouraged for those believers. Tungaraza (2005: 313) points out that “scientific counselling or counselling by traditional healers, who are respected by the community” would ease the fear and anxiety of the widows and has no health hazards.
- c) I have come to understand the *Nyumba Ntobhu* marriage institution as a positive and symbolic form of adoption in a traditional way. However, the Tanzania Law of Marriage Act neither recognises nor protects women and children involved in this marriage institution. I recommend that the *Nyumba Ntobhu* marriage may be replaced by the Tanzania law of adoption, (Adoption of Children Act, Revised Edition 2002), and establishing the required procedures so that the best interest of the children involved are also secured. In this context, sonless women may adopt orphans “without endangering women’s lives” (Tungaraza 2005: 313). For example, adopting orphans would not involve the payment of dowry,

which may trap young women in unhappy and abusive marriages because of failure to refund the bride price.

There are signs of hope in the eradication of the tradition of refunding bride price in case of divorce in marriages and could apply to the *Nyumba Ntubhu* marriage. For instance, in August 2015, the Supreme Court in Uganda banned the refund of bride price in Uganda in the event of divorce as unconstitutional. This initiative taken by the Ugandan government would no doubt spread to parts of Africa especially Tanzania as the two countries border each other.

### ***Limitation in Study and the Way Forward***

There are limitations of the study, largely due to the fact that I did not have first-hand information from a particular group of people involved in the three practices. Their narratives in the study were told by other research participants. Therefore, as a follow-up of this study, I would like to design a research project, which would include an Ntuwauari who is involved with *Nyumba Ntobhu* young woman. The young women who opt by themselves to engage in *Nyumba Ntobhu* marriage would also be interviewed. The children born into the *Nyumba Ntobhu* household especially those who escape from their homestead and live on the streets in Musoma and Mwanza cities would form part of the research project. Concerning the cleansing ritual, I would interrogate a village cleanser regarding his opinion on his role and interests as a widow cleanser. Lastly, the project would involve the social workers in the Lake Zone regions.

It is my plan to design and publish a simple booklet on the values of the socio-cultural norms and measure these values with the legal norms of the three practice studied. The booklet will highlight where the social norms are clashing with the legal norms and show its impact on the health risks on women and girls in the Lake Zone regions. For continued learning, I shall distribute the booklet to schools, colleges, and universities in Tanzania.

## 11 THE EPILOGUE

My journey with the selected group of Kuria and Kerewe women involved in the practices of FGC, *Nyumba Ntobhu* marriage, and widow cleansing has been a journey of compassion, love, and hope. I reflected each day on the narratives of the women in the study trying to make sense of their passion, their fears, and their pride. What echoes back to me reflects best in the words of this beautiful hymn to Isis below, written by Coelho (2014) in Portuguese and translated by Margaret Jull Costa. It reads:

For I am the first and the last  
I am the venerated and the despised  
I am the prostitute and the saint  
I am the wife and the virgin  
I am the mother and the daughter  
I am the arm of my mother  
I am barren and my children are many  
I am the married woman and the spinster  
I am the woman who gives birth and she  
    who never procreated  
I am the consolation for the pain of birth  
I am the wife and the husband  
And it was my man who created me  
I am the mother of my father  
I am the sister of my husband  
And he is my rejected son  
    Always respect me  
For I am the shameful and the magnificent one.

According to Coelho (2014), the hymn was discovered in *Nag Hammadi* around the third or fourth century BC. However, in this twenty-first century, the words of this song lives on. These same words are heard from many women in Tanzania, Africa and all over the world each day. As the women in the hymn, the experiences of the Kuria and Kerewe women very often make them to feel “the shameful” ones. However, to me, they have also proved to be “the magnificent” ones, strong and well equipped with the means to fight for their rights in a patriarchal society.

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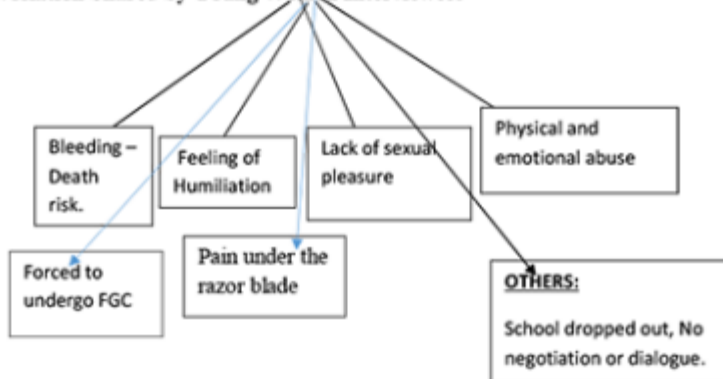
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Accessed 23/05/2014



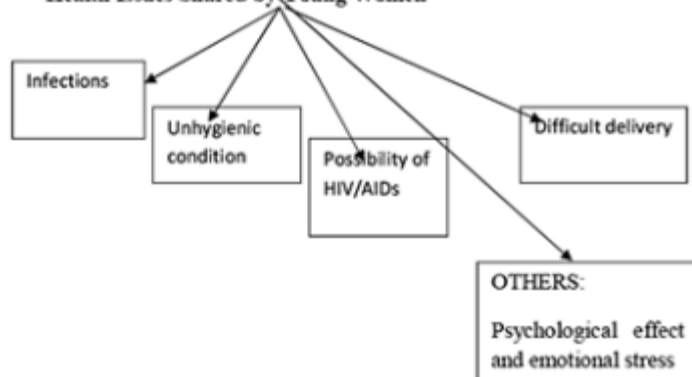
# 13 APPENDICES: DIAGRAMS OF THE ORGANISATION OF THE FINAL CODES INTO CATEGORIES

## Appendix 1. Female Genital Cutting Themes and Coding

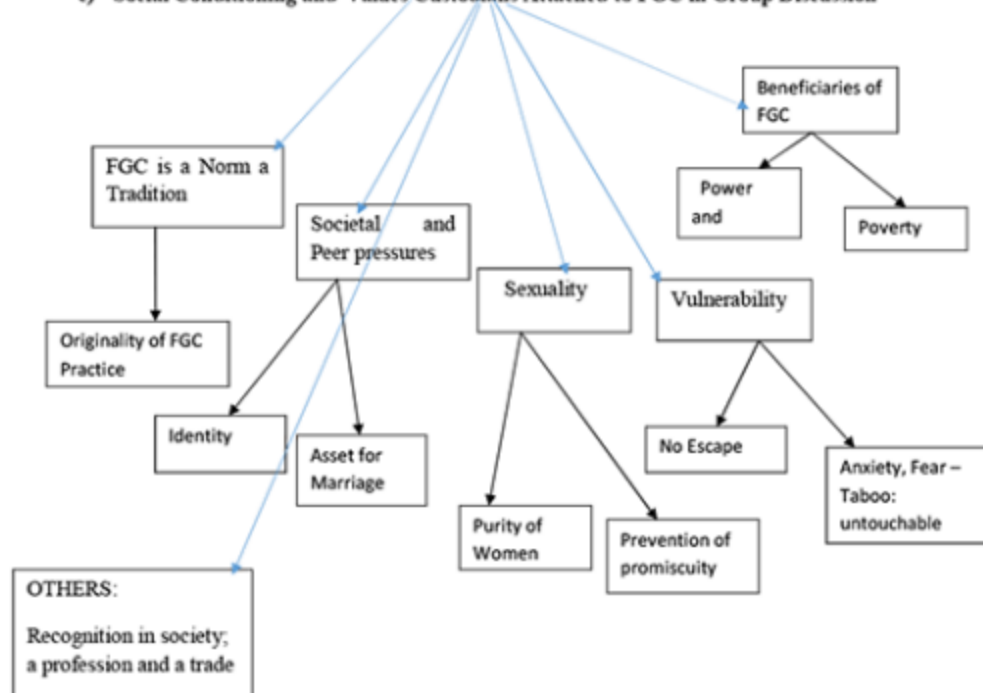
### a) Violation Shared by Young Women Interviewees



### b) Health Issues Shared by Young Women



c) Social Conditioning and Values Custodians Attached to FGC in Group Discussion



d) The Legislation and FGC Practice Shared by NGO Activists and Community Actors

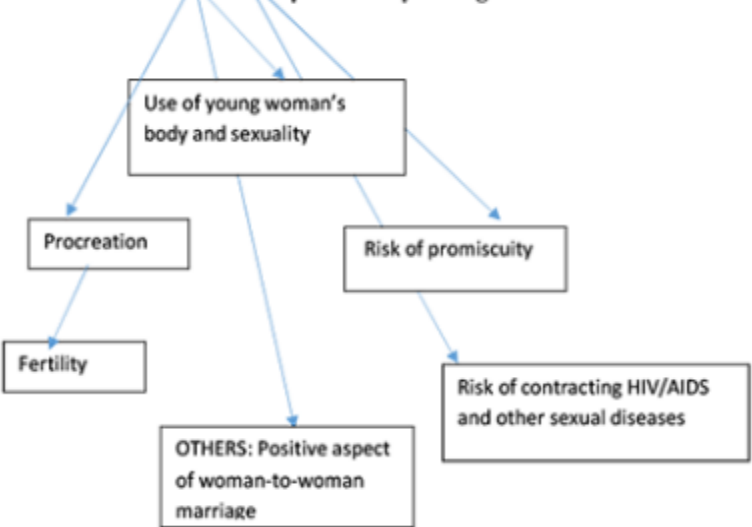


Appendix 2. Woman-to-Woman (*Nyumba Ntohbu*) Marriage Themes and Coding

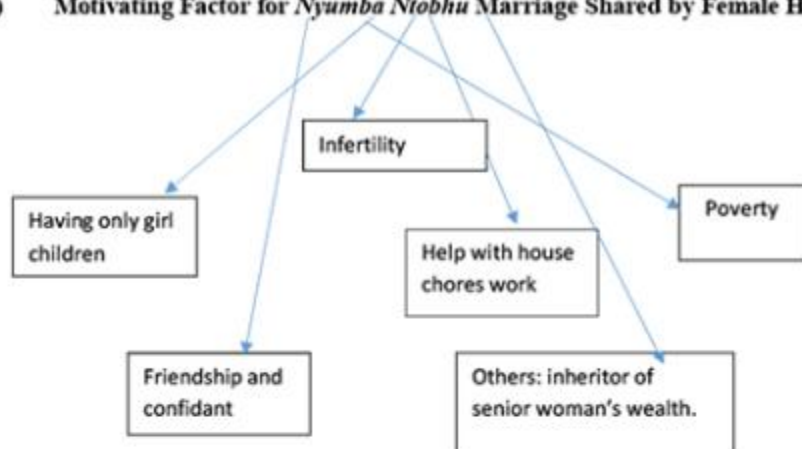
a) Violation of Woman-to-Woman (*Nyumba Ntohbu*) Marriage Shared by Young Women



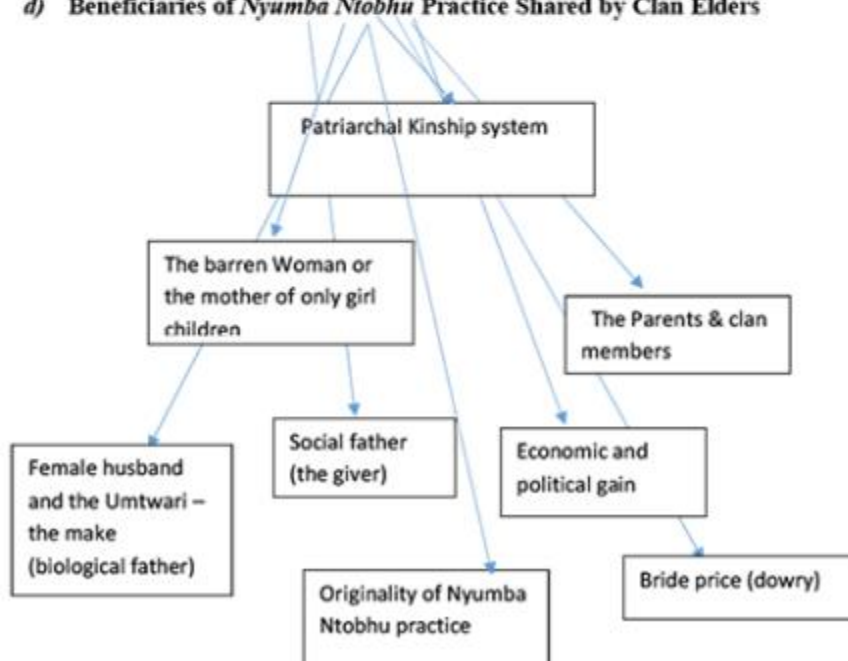
b) Health Risks and Issues of Sexuality Shared by Young Women



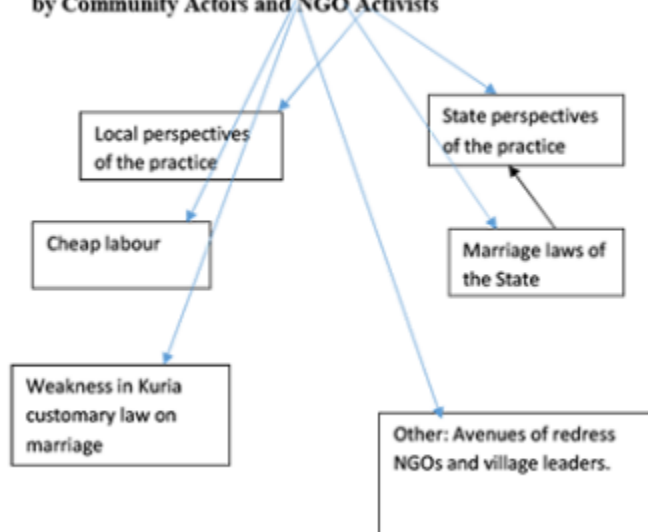
c) Motivating Factor for *Nyumba Ntobhu* Marriage Shared by Female Husbands



d) Beneficiaries of *Nyumba Ntobhu* Practice Shared by Clan Elders



e) **Conflicting Statements and Misconceptions around *Nyumba Ntobhu* Marriage Shared by Community Actors and NGO Activists**

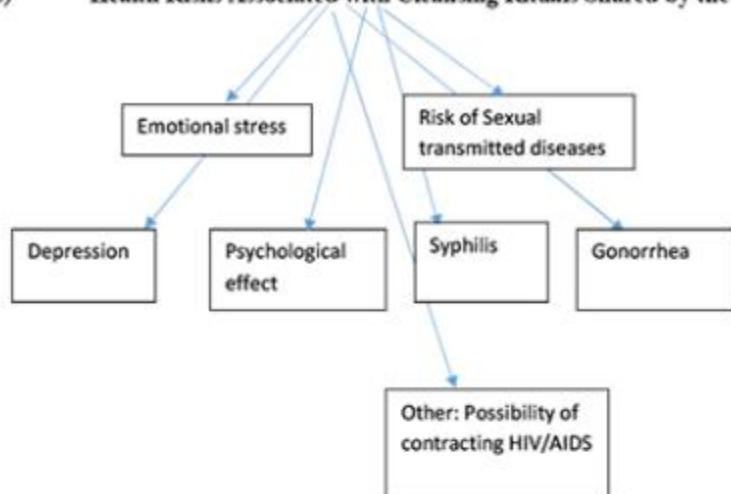


Appendix 3. Widow Cleansing Ritual Themes and Coding

a) **Violation Shared by Widows in Group Interview**



b) **Health Risks Associated with Cleansing Rituals Shared by the Widows**



c) **Social Conditioning and Implications of Cleansing Ritual Shared by Clan Elders, Community Actors and NGO Activists**

