

**Local Meanings and Census Categories:
Widow Inheritance and the Position of Luo Widows in Kenya**

Nancy Luke

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11. Local Meanings and Census Categories

Widow Inheritance and the Position of Luo Widows in Kenya

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Feminist researchers have long noted that women are often overlooked. Their social and economic contributions are marginalized and research on their poor positions in health and society is often sidelined in favor of more “mainstream” interest in male authority and welfare. In particular, widows have been a neglected category in studies—including many feminist ones—perhaps because they are deemed to be elderly and celibate, to be cared for by other family members, and to contribute little to household production (Potash 1986a).

A closer look at widows in sub-Saharan Africa paints a very different picture of these women. As male mortality was and remains higher than in many industrialized countries and as age differences between spouses are often large, more women are widowed at younger ages than in the West. Social rules and institutions arose to deal with this frequent occurrence, and in many societies across Africa it is accepted and often even expected that widows initiate a new relationship with a male partner. One widespread institution is widow inheritance, where a widow is ceremoniously connected to another man, often one of her husband’s brothers or another close male relative. Inheritance does not offer the same level of companionship and support as marriage does,

however, and widows often take on an even larger role in their families' welfare after the deaths of their spouses (Potash 1986b). Other arrangements for widows vary, including remarriage to an unrelated man, or remaining unattached. Nevertheless, it is common across societies that widows receive little communal support in their new relationships (Potash 1986a). Older widows typically rely on the assistance of elder sons. Young widows, in contrast, remain active productively and reproductively; many take over as household heads raising their children, work their former husband's land, and continue bearing children.

Appreciation for this expanded view of widowhood has been promoted through ethnographic studies of widows in particular contexts. A comparison of local studies of widowhood with large datasets, such as African censuses, could illuminate a more comprehensive picture of the demographic and socioeconomic position of widows. As noted, widows make up a significant demographic category in sub-Saharan Africa, and their numbers are likely to increase greatly, particularly among younger age groups, as a result of the continuing HIV/AIDS epidemic (Adetunji 2001). Therefore, information on the position of young widows and their families is especially relevant to addressing persistent gender inequalities in development and health.

This study is part of a larger project that focuses on widows among the Luo of Kenya, an ethnic group whose social and medical institutions the author has made a subject of study. Using Kenya census data from 1989, this chapter examines patterns of widow residence and childbearing as well as widows' socioeconomic characteristics such as education and employment. It focuses on young widows—those of reproductive age—who may continue to bear children with their new partners and who are likely to head their own households. At first glance, this analysis of Luo widows appears to be straightforward. Further investigation, however, reveals a discrepancy between the census categories of marital status and their local meaning for Luo women. This discrepancy makes the investigation of widowhood problematic.

The marital status categories in the Kenyan census attempt to draw a simple distinction between those who are currently single, married monogamously, married polygynously, divorced, separated, or widowed. The census question on marital status asks respondents to choose between these six categories and does not include questions about widow inheritance. As the practice is common and maintains a great deal of cultural significance among the Luo, we would like to ascertain how inherited widows are designated in the census. Most observers assume that a widow who has been inherited will be designated as "married," that the relationship with the inheritor will be considered remarriage, and that he is her new social and sexual partner (Adetunji 2001, Potash 1986a). In contrast, inherited widows could be designated as "widowed,"

because the new relationship is not equivalent to a marital union. Without explicit instructions for enumerators to elaborate on the definition of marital status and how inherited widows should be recorded, the interpretation of marital status is left to the respondent—the widow or another household member.

The chapter asks two questions regarding how the position of Luo widows is captured in the Kenyan 1989 national census. First, how are inherited widows designated by marital status in the census? Second, how does the demographic and socioeconomic position of young widows compare with that of currently married women, and how do the positions of inherited and current (i.e., not inherited) widows differ? The first question will be answered by using information on child orphanhood to tease out inherited widows from categories of currently married and widowed women. The second question utilizes data on fertility, education, age, residence, employment, and housing to compare the categories of widowed and currently married women.

Implementation of decennial censuses in Kenya is part of a global movement to enumerate national populations and gather aggregate information on economic and social development. Similar census questionnaires and data collection procedures have been adopted in many countries, supported by foreign technical and financial assistance. Although national census bureaus have modified questions to reflect their indigenous structures and particular interests, some questions nevertheless remain standard despite vast differences in local meanings.

This volume looks for situations where national census data can be leveraged to better understand residence and household structures. It also seeks to uncover cases where local meanings may not be reflected in census data. This chapter hopes to contribute to the literature on the position of widows in sub-Saharan Africa. It also highlights how census categories—which appear straightforward to many observers—may not conform to local interpretations of household relationships and structures and therefore may not precisely illuminate the social reality of specific contexts.

Background

A brief description of the Luo social structure and of the institution of widow inheritance provides a background to understanding the demographic and socioeconomic position of Luo widows. Because we are interested in identifying inherited widows from the categories of marital status in the census, the resemblance of widow inheritance to marriage is particularly significant.

The Luo are of Nilotic origin and migrated south into Kenya from Egypt and Sudan, via Uganda, over a period from approximately AD 1500 to 1800 (Ogot 1967). They are one of the largest ethnic groups in Kenya, numbering

approximately 3 million in 1999 (*Daily Nation* 2000), and they reside primarily in Nyanza Province in southwestern Kenya. Their social structure shows a gendered division of roles and responsibilities. The Luo are patrilineal and patrilocal, so that inheritance and residence are centered on the male lineage and men are the major decision makers and controllers of property and wealth. Upon marriage, husbands and families exchange bridewealth for the reproductive and productive potential of women (Blount 1973; Cohen and Odhiambo 1989; Ndisi 1974; Ocholla-Ayayo 1976; Okeyo Pala 1980). Polygyny is also widely practiced, and according to the census, 32.2 percent of currently married Luo women were in polygynous unions in 1989.

Women are expected to produce many children, and births should follow at regular intervals (Okeyo Pala 1980; Shipton 1989). Women especially need sons, symbolically to carry on the male lineage (and thereby afford women higher status), and practically to support them in old age. Women's productive capacity is also valued in Luo society, and women are expected to produce food for their own children and husband (Hay 1982; Obbo 1986; Shipton 1989). The surplus from women's agricultural activities is also needed to purchase day-to-day commodities such as clothing, soap, and salt. Although men are responsible for larger expenses, such as medical payments and school fees (Shipton 1989), women contribute to these expenses if they are able to do so. Increasingly since colonial times, men have migrated from their rural homes to labor camps and then to cities in search of paid labor (Ndisi 1974; Okeyo Pala 1980; Shipton 1989). Thus, many women are left to oversee a husband's estate while he is away; they are also responsible for the family's welfare, especially if remittances from husbands are infrequent.

Among the Luo, widow inheritance, or more precisely the levirate, was and continues to be widely practiced.¹ Some months after the death of their spouse, widows are ceremoniously connected to one of their husband's brothers or other close male relative (Kirwen 1979; Ndisi 1974). This results in a relationship similar to remarriage, as the inheritor serves as the widow's sole legitimate sexual partner. He functions as a husband in other respects as well; for example, the inheritor stands in for the deceased husband in rituals, including acting as the father figure at the time of the marriage of the widow's children. Luo widows are encouraged not to formally remarry or take other sexual partners in addition to the inheritor (Kirwen 1979; Potash 1986a, 1986b).² Our fieldwork confirmed that widows rarely remarry formally. Traditionally, all widows were inherited, with only a few women rejecting the practice if they were past menopause and unable to bear more children and were likely cared for by their elder sons (Potash 1986b).

The new partnership between the widow and her inheritor is not completely equivalent to marriage, and both parties maintain fewer rights and obligations

than wives and husbands. Luo widows maintain a high degree of autonomy; they have a say in the choice of their inheritor and usually continue to reside in their deceased husbands' homestead instead of relocating to the residence of their inheritors (Ndisi 1974). In addition, they have no domestic responsibilities toward the inheritor (Potash 1986b).

While older Luo widows are usually cared for by their elder sons, younger widows are largely responsible for their family's economic support, and they manage their own households and children. This autonomy does not always coincide with financial security, however. With continued rights to farming their husbands' land, many widows work the fields to meet subsistence needs, although they have lost the husbands' labor inputs with respect to clearing the fields, plowing, and harvesting. The loss of a spouse decreases a widow's access to cash, which is needed for larger expenses and land preparation in his absence (Potash 1986b). In addition, many widows we interviewed said that they had received starting capital or cash needed for small businesses from their husband, and they had to discontinue this work upon his death. Potash concludes that compared to many married women, "widows may have an added problem because they do not have husbands in town who send them cash" (1986b, 62).

The inheritor's primary responsibility is to his own wives and sons, and he does not support the widow economically to the same extent as a wife (Kirwen 1979; Potash 1986b). Inheritors may help the widow with plowing or paying for food or school fees, but this is not a formal duty and appears to depend more on individual relations between the couple (Potash 1986b). One of the only obligations of an inheritor is to build a house for the widow if she does not have her own.

As noted, the inheritor is the designated sexual partner of a widow, and the tradition of the levirate holds that any new children sired by the inheritor take the name of the deceased husband. As women need sons to support them in old age, widows are particularly interested in bearing sons with inheritors if they have not done so with their husbands. In sum, "the levir has few responsibilities to either the widow or her offspring. His role is primarily sexual. He is expected to visit the widow regularly for purposes of sex and procreation" (Potash 1986b, 57-58). The established practice of continued child-bearing with the inheritor provides the basis for our method of locating inherited women in the census, which is described in detail below. In short, widows having children who have a live father (who are the progeny of the inheritor) may be assumed to have been inherited.

This contextual background has shown that Luo widows, like many widows throughout Africa, are not passive agents who are at the mercy of others to care for them (Potash 1986a). Indeed, widows have autonomy with respect

to residence and household management. Choices are constrained, however, by the cultural expectations of production and reproduction that continue throughout widowhood (Obbo 1986). Many younger widows opt for inheritance and form new partnerships in order to continue childbearing. Nevertheless, in Luo society widows are not supported socially and economically to the same extent as married women, including those married women whose husbands are absent due to labor migration. Our findings below show how these cultural aspects of widowhood among the Luo are reflected in the census data.

Data and Methods

Data Sources

This chapter uses data from several sources to examine the situation of widows among the Luo of Kenya. The major portion of the analysis utilizes the 1989 census of Kenya, limited to Luo in Nyanza Province, which is the traditional Luo homeland. We use variables describing marital status, household relationship, and child orphanhood, as well as demographic and socioeconomic indicators, including fertility, education, age, employment, rural/urban residence, and housing materials. We also use data from the 1998 Kenya Demographic and Health Survey (DHS) (National Council for Population and Development et al. 1999) limited to female Luo of reproductive age (ages 15–49) in Nyanza Province, to calculate measures of widowhood.

The author has been involved in several research projects in Nyanza Province, and quantitative and qualitative data collected during field trips there are used for contextual background. The first study is the Kenya Diffusion and Ideational Change Project (KDICP), which was conducted in three waves from 1995 to 2000 in rural South Nyanza District, a former large district in Nyanza Province.³ The third wave, conducted in 2000, included a survey of ever-married women of reproductive age with detailed questions about marital status and widow inheritance. We use these data to calculate measures of widowhood. We also draw on semi-structured interviews conducted during the 2000 fieldwork with rural men, women, and clan leaders regarding the traditional practices of marriage and widow inheritance.

The author served as co-principal investigator of the Study of Urban Life (SUL), conducted July–September 2001 in Kisumu, Kenya, the capital of traditional Luoland. This second project focused on how traditional social institutions among the Luo, particularly marriage and widow inheritance, affect health outcomes, including the risk of HIV/AIDS. A qualitative component of the study focused on young widows and the survival strategies they

adopt in response to the recent decline in traditional community support for widows. We use information gleaned from these interviews in this chapter.

Methods for Locating Inherited Widows in the Census Data

Our major challenge is to determine how inherited widows were designated by marital status in the 1989 census. A comparison of widowhood status between the census data and other surveys and ethnographic inquiries reveals a discrepancy in the definitions of marital status. The KDICP study, which sought detailed information on widowhood and inheritance from ever-married women of reproductive age in a rural Luo population, measures *ever-widowhood*, or the total of inherited and non-inherited widows. An *ever-widow* is a woman who has lost a husband sometime in her lifetime and may be currently widowed or inherited. Qualitative and survey evidence suggests that widows in this study continued to report themselves as widows—as opposed to “(re)married”—even if they were inherited, and consequently the level of widowhood among ever-married women of reproductive age (13.4 percent) is quite high compared to other widowhood levels recorded for Luo and other African populations.⁴ (See Table 11.1 for a comparison of various measures of Luo widowhood across data sources.)

Turning to the DHS, a filter question in the section on marriage asks women if they are currently married or living with a man. Of those who answer in the negative, the respondent is asked about former unions, and if ever formally married, to distinguish between being widowed, divorced, or separated. Women who are not inherited, or inherited widows who do not see their inheritor as a marital partner or a co-resident male, would be designated here as widowed. Considering it is likely that most inherited Luo widows do not live with their inheritor, and that it is unlikely that they would be living with another man, many inherited widows could be captured by this line of questioning. Of those who answer that they are currently married or living with a man (such as her inheritor), there is no possibility in the questionnaire to ascertain if a respondent was ever widowed.⁵ Inherited widows who consider themselves to be remarried would be included here. In sum, the DHS figures on widowhood could include both inherited and non-inherited widows, and we place the figures in the *ever-widowed* panel of Table 11.1. Nevertheless, the figures tend to underestimate the number of inherited widows and therefore ever-widowhood. Table 11.1 also includes measures of ever-widowhood from a local survey undertaken by Potash (1986b, 46).

The census measures in the top panel of Table 11.1 are similar to those in other African populations where *current* widowhood is measured (Adetunji 2001). The KDICP figure for those widows who are non-inherited is also

Table 11.1

Measures of Luo Widowhood, by Data Source

Percent of data source	Widows as percent of women 15+	Widows as percent of women 15-49	Widows as percent of ever-married women 15+	Widows as percent of ever-married women 15-49
Current widowhood				
1989 Kenya census (<i>N</i> = 27,593)	10.1	3.5	11.8	4.2
2000 KDICP ^a (<i>N</i> = 871)				3.3
Ever-widowed				
1989 Kenya census	13.9	5.8	15.3	7.1
1998 Kenya DHS (<i>N</i> = 7881)		9.2		12.0
2000 KDICP ^a				13.4
1975 Potash study ^b (<i>N</i> = 255)			18.0	

^aRural South Nyanza District only.

^bUnnamed rural Luo community, all ever-married women regardless of age (Potash 1986b).

quite low and refers to current widows. We use the term *current* widow to refer to women who were never inherited or who are recently widowed and not yet inherited. (How the ever-widowhood figure is estimated from the census will be discussed below.)

There is some question as to how inherited widows are categorized by marital status in the census and in surveys that do not specifically inquire about inheritance or lifetime unions. As "inherited widow" was not an available response, these women must have been recorded as either widowed or married. In light of the similarities in levels of widowhood between the census and the KDICP measures, we believe the simple census measurement of marital status captures current widowhood, or non-inherited widows only. Inherited widows, therefore, must have been designated as married. This leads to our first hypothesis:

Hypothesis 1a: Inherited widows are recorded as married in the census.

Hypothesis 1b: Non-inherited widows (never inherited and those not yet inherited) are recorded as current widows.

The practice of widow inheritance among the Luo has continued to be widespread, particularly in rural areas (Potash 1986b). The KDICP found that 87

percent of widows were still inherited in the year 2000.⁶ As a result, we would expect a high proportion of widows to be inherited in our analysis. Hence our second hypothesis:

Hypothesis 2: Inherited widows are a substantial majority of ever-widows.

How are we to distinguish inherited widows in the census with no information on inheritance decisions? Based on cultural knowledge of Luo widow residence and childbearing, we can locate inherited widows from information on current marital status, household headship, child residence, and child orphanhood. Following is a description of the analysis undertaken to locate inherited widows in the 1989 census.⁷

A woman must have been married to become a widow. Therefore, in order to locate inherited widows, our analysis concentrates on two groups of women in the census: current widows and currently married women (both of which are age fifteen and older). Currently married women (including separated women) are at risk of widowhood. Divorced women are left out of the analysis, as they are not at risk of being widowed.⁸

Our main method of locating inherited widows is by examining the *orphanhood status of women's own children*. Since information on orphanhood is recorded only for resident children, our method applies only to widows and currently married women to whom we can link *resident children in the household*. For the remainder of the chapter, we use the term "children" to refer to own resident children and "orphan" to refer to a child whose *father* is no longer alive, unless otherwise noted.

In the census data, resident children may be linked to women who are household heads as well as spouses of household heads, and we analyze the orphanhood status of these women in turn. First, *household headship* is an important characteristic of both inherited and non-inherited widows.⁹ According to custom, most Luo widows continue to live in their husband's homestead, and if inherited, a widow does not reside with the inheritor. This is revealed in the data, which show that almost 88 percent of current widows are household heads (see Table 11.2).¹⁰ Analysis of the orphanhood status of all own resident children is carried out for both widows and currently married household heads. Currently married women who have *at least one resident child who is orphaned* are likely to be inherited, as these children were born to the union of the woman and her late husband. If currently married women have additional children who are not orphaned, these are likely to be the progeny of the inheritor. If all children have living fathers, these women are likely to be married household heads whose husbands are absent.

Table 11.2

Relationship of Current Luo Widows to the Household Head (in percent)

Relation to household head	Proportion
Self	87.7
Daughter	1.1
Mother	3.9
Other relative	6.5
Not related	0.8
<i>N</i>	2,709

Source: Micro-data from the 1989 census of Kenya.

Although our hypothesis states that no currently widowed women will be inherited, we nevertheless check the orphanhood status of the children of women designated as widow household heads. Widows who have *at least one resident child who is not orphaned* are likely to be inherited. Any children born from the union with the deceased husband will be recorded as orphaned at the time of the census. Thus, if all children are orphaned, we assume the widow has not been inherited because she has not continued childbearing with the inheritor. If at least one child has a living father, then we assume it is likely to be the progeny of the inheritor.

Our second analysis of own resident children involves *resident spouses of monogamous male household heads* in order to include widows who have moved into the households of their inheritors. Because children are designated as sons or daughters of the household head and not of the household head's spouse in the census, we must limit our analysis to resident spouses; because children cannot be linked to a particular wife in the household, we must also limit the examination to spouses of monogamous male household heads. In this way, we ensure that resident children of the household head are also the children of the resident spouse. This may not be the case, however, if one of a man's wives has died (either a polygamous wife or a former wife) and the present wife/widow is taking care of her children; the present spouse would appear as the mother of the resident children. Therefore, we limit this analysis further to households that have no mother-orphaned resident children. Analysis of the orphanhood status of the children of these female spouses is similar to currently married women: those with *at least one resident child who is orphaned* (i.e., whose father is dead) are likely to be inherited. These women reside with men who have no present spouse other than the widow.

A further check needs to be completed on the categories of women with a combination of orphaned and non-orphaned children. A widow with a living inheritor should have *all orphaned children older than all non-orphaned*

children. Thus, we do not include cases where a woman has a non-orphaned child older than an orphaned child.

Several assumptions accompany our method of using child orphanhood to locate inherited widows in the census data. First, we assume that a widow was married to the deceased father of her children. If she was not married to him, she was never at risk of widowhood, although she could be designated as an inherited widow in our analysis. This assumption leads to a possible small overestimate of the number of inherited widows. Second, we assume that all inherited women have own resident surviving children. This is surely a strong limitation, as older inherited women may no longer have children at home, particularly since many sons migrate in search of wage labor (Potash 1986b). In addition, very young inherited women may not have begun childbearing, or some women may be infertile or have lost all their children. Third, we assume that inherited widows have borne at least one child with the inheritor. Again, this may not always be the case, as older inherited women may be past childbearing age and younger inherited women may not have begun childbearing with the inheritor.¹¹ Fourth, we assume that widows' non-orphaned children have been sired by inheritors and only by inheritors, and these children are alive. Fifth, we assume all inheritor fathers are alive. The last four assumptions could lead to large underestimates of the number of inherited widows in the census.

Our method allows us to determine a new category of inherited widows, whose numbers are drawn from the categories of currently married and widow household heads as well as from monogamous spouses of male household heads. This measure can be added to the women designated as current widows in the census to give a measure of ever-widowhood. Our new measure of current or non-inherited widows includes the census figure for widowhood minus the inherited widows we identify from our methods.

Methods for Comparing Widows and Other Groups of Women

The second part of our study examines the characteristics of current and inherited widows and currently married women. Using our knowledge of Luo social organization, we can formulate several hypotheses regarding the demographic and socioeconomic characteristics of our new categories of ever-, current, and inherited widows. Initially, we are interested in the overall characteristics of ever-widows of all ages.

Hypothesis 3: The population of ever-widows includes many young women who are economically and sexually active, as demonstrated by high levels of economic participation and continued childbearing.

Older widows are likely to remain under the care of their sons, and therefore their socioeconomic status is dependent on the productivity of their sons, not of themselves. We would like to compare the socioeconomic status and child-bearing of widows when they are young and the main caretakers of their families. Therefore, we restrict further comparisons to women ages 15–49. Here, we undertake two different analyses.

First, we compare the demographic and socioeconomic characteristics of ever-widows to those of currently married women using chi-square tests. This comparison allows us to assess the position of women once they have become widowed, regardless of inheritance status. Widows have lost spousal financial support and most likely have no comparable substitute; this should be reflected in inferior socioeconomic status and higher likelihood of economic activity compared to currently married women. In addition, many widows continue childbearing after widowhood and may have fertility levels approaching those of married women.

Most rural Luo live in mud huts with thatched roofs, although a minority with higher incomes have solid roofs (such as metal or tile), and school fees are a major burden for widows to meet on their own. Thus, we use roof material and education of own resident children as measures of household socioeconomic status. We also include figures on number of children ever born as a measure of cumulated fertility and number of resident children under age sixteen as a rough measure of the number of children dependent on the widow.

Hypothesis 4: Ever-widows have higher levels of economic activity, lower socioeconomic status, and lower fertility than currently married women.

A second set of comparisons uses the same characteristics but contrasts our newly constructed category of inherited widows with those designated as current widows using chi-square tests. Inheritors may provide some economic assistance, including housing, and are supposed to produce children with the widow. This leads to our final hypothesis:

Hypothesis 5: Compared to non-inherited widows, inherited widows have higher socioeconomic status and higher fertility.

In several of the comparisons, we control for the effects of age by completing regression analyses, which will be discussed below.

Findings

Identifying Inherited Widows in the Census Data

The results of our attempts to identify inherited widows are found in Table 11.3. Column 1 examines the orphanhood status of resident children in

households headed by currently married women. Of all the currently married female household heads, 13.1 percent have resident children who are all orphaned, and therefore they may be labeled as inherited. This is a situation where the deceased husband probably sired these children, and the present "husband" or inheritor did not. Another 1.4 percent of currently married household heads have a combination of children who are and are not orphaned, where all orphaned children are older than non-orphaned children. This may be a situation where a woman had children before widowhood and continued childbearing with the new "husband" or inheritor. In total, 14.6 percent of currently married household heads (753 women) are inherited widows. This result confirms hypothesis 1a, that inherited widows are recorded as married in the census data.

Column 2 reveals the orphanhood status of resident children of widow household heads. Inherited widows are those with at least one child not orphaned. Of all widows, 6.7 percent have a combination of children who are and are not orphaned, where all orphaned children are older than non-orphaned children. This is a situation where a widow had children before widowhood and also bore children after widowhood, the progeny of the inheritor. Another 8.2 percent have all their children not orphaned. This is likely a situation where a nulliparous woman was widowed and all the resident children are those of the inheritor. In total, 14.9 percent of widow household heads (179 women) are inherited under these conditions. This result fails to support hypothesis 1b where we suggest that current widows are only those non-inherited. Here, we have identified inherited widows among the category of current widows.

Column 3 in Table 11.3 shows the orphanhood status of children of resident spouses of monogamous male household heads. In this case, inherited widows are designated by the same conditions as the currently married women above, where at least one child is orphaned. Of all of these spouses, 0.7 percent have children who are all orphaned, and 0.8 percent have at least one child orphaned, but all orphaned children are older than non-orphaned children. In total, 1.5 percent of these spouses (102 women) may be estimated to be inherited.

In total, our analysis identified 1,034 inherited widows. Adding the number of inherited widows found in column 1 of Table 11.3 (753) and column 3 (102) to the figure of current widows (2,710, which already includes the 1,201 inherited widows designated from column 2), there are 3,565 ever-widows. The 1,034 inherited widows represent 29.0 percent of ever-widows, and current widows 71.0 percent. This proportion of inherited widows is much lower than we expected from our second hypothesis. We expected the proportion of inherited widows would approach 88 percent, a result found in the KDICP data. This finding may well result from the limitations of the method in locating

Table 11.3

Orphanhood Status of Resident Children of Ever-married Luo Women

Orphanhood status	Currently married HH heads (1)	Widow of HH heads (2)	Spouses of HH heads (3)
All children orphaned		1,022 (85.1%)	
At least one child orphaned and one not orphaned, where all orphans are older than non-orphans			
All children not orphaned	4,409 (85.4%)		6,605 (98.5%)
<i>N</i>	5,162 (100%)	1,201 (100%)	6,707 (100%)
Inherited widows* (Total <i>N</i> = 1,034)	753 (14.6%)	179 (14.9%)	102 (1.5%)

Source: Micro-data from the 1989 census of Kenya.

Note: "Orphan" refers to a child whose father is deceased.

*Total of shaded cells in column.

inherited widows. Our method did not include women who are neither household heads nor resident spouses of monogamous men. For example, if an inherited widow resides with a monogamous man and he is therefore designated as polygynous in the census, in our analysis that widow cannot be added to the group of inherited women.¹² We believe these cases are infrequent among the Luo, as widows do not usually live with their inheritors, and therefore we have located most of the potentially inherited widows based on their household headship and resident spouse status. A greater number of inherited widows were not located because they have no living resident children or no additional children with the inheritor.

Together, these findings suggest that there is no systematic labeling of widows according to marital status in the census. In other words, inherited widows are not specified always as "widowed" nor are they specified always as "married" according to the census categories. This finding, combined with the fact that our analysis was limited to the extent that we could not identify all women who are inherited using our method of child orphanhood, suggests that the cultural category of inherited widow is not easily obtained by analyzing the census data.

Our findings also have implications for measuring ever-widowhood. Returning to Table 11.1, the bottom panel shows the new figures for ever-widowhood that we calculate from census data, which are logically higher than the corresponding figures for current widowhood. Surprisingly, the census figure for ever-widows as a percent of ever-married women above age fifteen reveals that approximately one in six women are widows (15.3 percent). This figure is comparable to the figure recorded by Potash (1986b) in 1975. Among ever-married women of reproductive age, 7.1 percent have been widowed.

Comparing the findings on ever-widowhood among ever-married women of reproductive age in the 1989 census, the 1998 DHS, and the 2000 KDICP study, the census figure of 7.1 percent is approximately half of the other measures. There are several reasons for the difference in these levels between the three datasets.¹³ First, the DHS and KDICP data were collected nine and eleven years after the census date, respectively. During this time, the AIDS epidemic intensified significantly, with male infection rates initially higher than female (Adetunji 2001; National AIDS and STD Control Programme 1998). As a result, excess deaths among men, many of whom were married, would lead to higher levels of female widowhood. Second, as we have acknowledged, our census measures are most likely underestimates of ever-widowhood.

Comparisons of Widows' Characteristics

Examination of our sample of ever-widows leads us to accept hypothesis 3, namely that many ever-widowed women are young and remain economically and sexually active. Many ever-widows are of reproductive age, with more than one-third under age fifty, and many remain economically active, with 75.5 percent working. In addition, 15.8 percent have non-orphaned children, suggesting they have continued childbearing after widowhood.

The remainder of our analysis considers women of reproductive age (15–49) only. Table 11.4 shows the demographic and socioeconomic characteristics of ever-widowed women (current and inherited) compared to currently married women. Widows are significantly older than married women, on average 38.2 years against 30.1 years. Widows are significantly less educated and less urban than married women.

With respect to socioeconomic status, the households of widows are significantly less likely to have homes with solid roofs than those of currently married women. All women report high levels of employment, mostly in farm work, but there are significant differences between categories of women. Over 84 percent of widows are working, compared to 77 percent of currently married women. The education of widows' resident children is significantly lower,

Table 11.4

Demographic and Socioeconomic Characteristics of Luo Widows and of Currently Married Women Aged 15–49 (in percent)

Characteristic	Ever-widowed	Currently married	Significance
Age			***
15–19	1.6	9.8	
20–29	15.8	42.6	
30–39	29.6	29.2	
40–49	53.0	18.5	
Education			***
None	70.2	40.4	
Primary	26.7	49.6	
Secondary	3.1	9.	
University	0.0	0.1	
Residence			***
Rural	92.5	89.3	
Urban (Kisumu)	7.5	10.7	
Roof materials			**
Solid	30.3	34.5	
Thatched	69.7	65.5	
Employment			***
Wage work	17.8	15.8	
Farm work	66.4	61.5	
Not working	15.9	22.6	
Number of children ever born			***
0	3.5	7.8	
1–3	15.2	30.9	
4–6	27.4	26.3	
7–9	33.1	19.0	
10+	20.8	16.0	
Number of resident children aged 15+			***
0	10.6	60.3	
1–3	29.5	11.8	
4–6	40.0	17.4	
7–9	15.5	7.5	
10+	4.3	3.0	
Education of own resident children			**
None	24.6	28.2	
Primary	68.2	65.6	
Secondary	6.9	6.1	
University	0.2	0.1	
<i>N</i>	1,185	16,301	

Source: Micro-data from the 1989 census of Kenya.

Note: chi-square test; ** = $p < 0.01$; *** = $p < 0.001$.

perhaps due to lower access to cash for school fees. Thus, the higher socioeconomic status of currently married women suggests that husbands' contributions to household welfare are fairly substantial.

Widows appear to have higher cumulated fertility than currently married women: 6.6 children ever born on average for widows and 4.7 for currently married women. These results are mostly likely due to the fact that widows are generally older and have been exposed to the risk of pregnancy for a longer part of their lives. We would expect *non-inherited* widows to have lower completed fertility than married women, however, because women who were widowed at a young age have interrupted their reproductive life span because of the death of their spouse. *Inherited* widows' completed fertility may approach that of married women, particularly if they were inherited soon after the death of their husbands and immediately commenced further childbearing. In order to control for the effects of age on the number of children ever born, we completed a regression analysis (not shown) and found that among women of reproductive age, there is no significant difference between widows' and currently married women's fertility: widows appear to continue to bear children at a rate similar to that of married women.

Significantly more widows (89.4 percent) have resident dependent children (under age sixteen) in their households than currently married women (39.7 percent). Widows have 2.4 children on average and married women, 1.1. Controlling for age in a regression analysis (not shown), widows have significantly more resident dependent children, 2.1 more on average. Overall, our analysis confirms hypothesis 4 with respect to ever-widows having higher levels of economic activity and lower socioeconomic status than currently married women; however, we also find they have similar levels of fertility, which is contrary to our expectation.

Turning to Table 11.5, we compare the demographic and socioeconomic characteristics of current widows with those of inherited widows. Inherited widows are not very different from current widows; they are of similar ages and have similar educational status, rural residence, economic activity, and socioeconomic status (as measured by roof material and education of children).

Inherited widows appear to have higher fertility than current widows based on the findings for number of children ever born. Inherited widows have 6.9 children ever born on average and current widows have 6.3. Recall, inherited widows in our analysis have children by definition, as they were located from categories of ever-married women with resident children; thus, this difference may be a true effect of inheritance on widow fertility or it may be an artifact of our construction of the category of inherited widows. Controlling for the effects of age on children ever born, we completed a regression analysis (not shown) and found that inherited widows had 0.6 more children than current widows, a statistically significant result. Fewer inherited widows (84.8 percent) have resident dependent children (under

Table 11.5

Demographic and Socioeconomic Characteristics of Current and of Inherited Luo Widows Aged 15–49 (in percent)

Characteristic	Current widows	Inherited widows	Significance
Age			
15–19	1.8	1.4	
20–29	15.4	16.4	
30–39	27.9	31.8	
40–49	54.9	50.5	
Education			
None	71.4	68.6	
Primary	25.9	27.8	
Secondary	2.7	3.6	
University	0.0	0.0	
Residence			
Rural	92.5	92.5	
Urban (Kisumu)	7.5	7.5	
Roof materials			
Solid	29.9	30.9	
Thatched	70.1	69.1	
Rent	5.4	7.4	
Employment			
Wage work	16.6	19.2	
Farm work	67.5	64.9	
Not working	15.9	15.9	
Number of children ever born			**
0	5.3	0.0	
1–3	16.4	13.7	
4–6	27.8	27.2	
7–9	30.4	37.0	
10+	20.1	22.1	
Number of resident children aged < 15			**
0	7.2	15.2	
1–3	36.5	20.3	
4–6	39.0	41.3	
7–9	12.8	19.1	
10+	4.4	4.1	
Education of own resident children			
None	23.8	23.6	
Primary	68.6	67.6	
Secondary	7.3	8.6	
University	0.3	0.2	
N	677	508	

Source: Micro-data from the 1989 census of Kenya.

Note: chi-square test; ** $p < 0.001$.

age sixteen) in their households than current widows (92.8 percent). Nonetheless, inherited widows have more resident children on average: 2.8 compared to 2.1 among current widows.

Overall, our findings reject the notion in hypothesis 5 that inherited widows have higher socioeconomic status. These findings confirm the perception that inheritors do not provide additional economic support to inherited widows, as witnessed by housing materials and child schooling. They do, however, appear to contribute to widow fertility, which is the cultural expectation and is upheld in hypothesis 5.

Conclusions

This chapter has focused on two major inconsistencies in our thinking on the categorization of widows in Kenyan censuses. First, we found that Luo inherited widows are not systematically designated as either married or widowed in the 1989 census. Hence, this form of union status does not fit the standard census definitions of current marital status. The census categories are broad and allow respondents to answer according to their own perceptions about their current status without a complicated analog. In addition, the six census categories allow for ease of comparison across ethnic groups. The categories are nonetheless rigid enough to limit respondents' options in describing their union status. We find that there are important social, cultural, and economic differences in the position of inherited widows, non-inherited widows, and married women that will not be uncovered without asking culturally specific questions. In our study of Luo culture and its relationship to health and well-being, we have found that emic perceptions of disease, the body, and relationships do not always conform to Western medical diagnoses and social designations (Luke 2000; Luke et al. 2001). This chapter also concludes that Luo perceptions of marriage and its various forms are not always captured in the categories of marital status included on the national census questionnaire.

Second, our analysis demonstrated that widows do not always conform to the stereotypical image of elderly dependents who no longer actively participate in production or reproduction. Luo widows are often young, independent family managers with more resident dependent children to care for than married women. This autonomy is coupled with less support from attendant men, however, and this appears to translate into lower economic status for households headed by young widows. With the absence of financial assistance from husbands, many young widows are employed to support their families; nevertheless, the findings suggest that their incomes cannot provide the same socioeconomic status as that of married women. Inherited widows have an attendant male in the person of the inheritor, although he does not appear to offer much assistance, and his main contribution is to fulfill the widow's cultural expectation of continuing childbearing. In 1989, widows headed over 11 percent of female-headed households among women of reproductive age.

Consequently, widows constitute a large proportion of women and households that may be socially and economically neglected.

A few final words are warranted about the present situation for widows in Luoland. The 1989 census data were collected at a time when the HIV/AIDS crisis was in its early stages. By 1997, the HIV prevalence rate reached 26 percent in Kisumu, the capital of Nyanza Province (Glynn et al. 2001). The findings reported here, coupled with our ethnographic work completed in 2000–01, suggest that recent levels of ever-widowhood have increased (Luke 2002). Analysis of the 1999 Kenya decennial census data will shed light on the increasing proportions of widows stemming from the epidemic. The census data cannot easily measure changes in current and ever-widowhood or levels of inheritance; they can uncover general patterns of widow residence and childbearing as well as economic and social indicators of their households' welfare. Much attention is already being paid to AIDS orphans. Further study of the effects of the epidemic on the situation of their caretakers—often widowed mothers—can contribute to a better understanding of the effects of the AIDS crisis on families. Nevertheless, smaller, more in-depth studies on widows, inheritance, and the meaning and usefulness of categories of marital status are needed to gain a sharper picture of the localized impact of the epidemic.

Notes

I thank the African Census Analysis Project for providing access to the Kenyan census.

1. In the levirate, any new children sired by the inheritor are filiated to the deceased husband; in widow inheritance, the genitor is both the biological and social father (Potash 1986a). We use the term "widow inheritance" broadly, however, as it is widely employed by Luo in the press and in conversation.

2. Kirwen (1979) cites the Luo Law Panel to the effect that a widow may also return to her father's home to remarry. This option requires the return of bridewealth to the deceased husband's family and cutting ties to his family, and this is usually not seen as a realistic option.

3. Since the time of fieldwork, South Nyanza District was divided into several districts.

4. In the KDICP survey, one inherited widow reported that she was currently married; the remainder ($N = 128$) reported themselves as currently widowed.

5. There is another question asking a woman currently married or living with a man if she has been married or lived with a man more than once. The type of relationship of this earlier partnership is not asked, so we cannot discern if these former unions were terminated through the death of a spouse (see National Council for Population and Development et al. 1999, 242).

6. Widows are usually inherited shortly after the death of the husband up to several years later. Potash (1986b) found that widows choose an inheritor usually about one year after the husband's death. Analysis of the KDICP data finds that the average time between widowhood and inheritance is 1.7 years.

7. Widows' relations with inheritors vary in duration. Many widows we spoke to explained that their relationships lasted only a few days, others years; afterwards, widows continued to call themselves inherited. Potash (1986b) records similar findings. Our designation of "inherited" widow applies to women who were ever inherited.

8. There are few divorced women among the Luo (Potash 1986b, 1978); they make up only 0.6 percent of ever-married women in the 1989 census.

9. Female household heads may have a spouse resident in the household (1.2 percent of married women heads). It is likely that these spouses are usually residing outside the household (for example, as migrant workers), but were home during the census enumeration period. Of widow household heads, 0.5 percent have spouses. These men are likely to be inheritors. In our analyses of widows and currently married female household heads with resident children, however, none of the respondents had a spouse present in the household.

10. The 1989 census is *de facto*, so that some of the relationships in Table 11.2 may be very temporary, that is, prevailing on census night.

11. It may also be that all older orphaned children no longer reside with the widow.

12. Several monogamous men in the KDICP study appeared to designate themselves as polygynous due to their additional relationship with an inherited widow.

13. The fact that the KDICP took place in rural South Nyanza could also account for the difference in ever-widowhood. Limiting the census data to rural South Nyanza only, the level of ever-widowhood declines to 6.7 percent, which suggests this is not the reason.