

**EFFECTS OF WIDOW INHERITANCE ON CHILDREN'S RIGHT TO EARLY
CHILDHOOD EDUCATION IN UGENYA DISTRICT- SIAYA COUNTY, KENYA.**

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DECLARATION

This study is my own original work and has not been submitted for award of any degree in any other university and where other people’s research work have been used, they have been duly acknowledged

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This study has been submitted for examination with my approval as a university supervisor.

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DEDICATION

I dedicate this project work to the Almighty God, my beloved children Loice, Barbara, John Paul and Beattah Graham for their patience and immense support during the period of the study and when carrying out this research.

You have been a real source of comfort and consolation to my heart especially when the journey got tough.

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ACRONYMS AND ABBREVIATION

| | |
|---------------|---|
| AGM | Annual General Meeting |
| BOG | Board of Governance |
| BEFA | Basic Education for All |
| CBO | Community Based Organizations |
| CDF | Constituency Development Funds |
| CEDAW | Centre for the Elimination of Discrimination against Women |
| CRC | Convention on the Rights of the Child |
| COHR | Centre on Housing Rights and Evictions |
| CBS | Central Bureau of Statistics |
| DEO | District Education Officer |
| EFA | Education for All |
| FPE | Free Primary Education |
| ECE | Early Childhood Education -. |
| FBO | Faith Based Organizations |
| GOK | Government of Kenya |
| ICCPR | International Centre for Civil and Political Rights |
| KEA | Kenya Education Act |
| KESP | Kenya Education Sector Support Programme |
| KNHCR | Kenya National Commission of Human Rights |
| KHRC | Kenya human Rights Commission |
| MDGS | Millennium Development Goals |
| MoE | Ministry of Education |
| SPSS | Statistical Package for Social Science |
| UN | United Nations |
| UNESCO | United Nations Education Scientific and Cultural Organization |
| UNICEF | United Nations Children Emergency and Education Fund |
| UDHR | Universal Declaration of Human Rights |
| UPE | Universal Primary Education |
| UN-CRC | United Nations - Convention on the Rights of the Child |
| UNEP | United Nations Environmental Programme |
| WI | Widow Inheritance |
| WHRP | Women and Housing Rishts Programme |

ABSTRACT

The right to education is an alienable right based on the theory of naturalism and universalism. It is defined as the universal access to free and compulsory primary education, universal availability and accessibility of secondary education and equal access to higher education in Kenya is every human's right. Nonetheless cultural dispensations such as Widow Inheritance (WI), undermines the realization and implementation of this universal concept. WI curtails widow: marital decisions, infringes upon widows' rights and by extension those of their children like nutrition, healthcare, play, property inheritance, parental involvement and particularly the opportunity to learn. This renders children unprepared to take up challenges and demands of the early year's curriculum with the right frame of mind. It is in this context that the study sought to investigate the effects of widow inheritance on children's rights to early childhood education in Ugenya District, Siaya County, Kenya.

The study adopted a descriptive survey design to establish whether the renowned cultural practice of widow inheritance negates or upholds the right of the affected children to preschool education. The study used purposive and random sampling techniques. From a target population of 1349 out of which 200 were sampled of whom 50 were widows, 100 were preschool children, 25 preschool teachers and 14 were from support groups. Structured questionnaires and oral interviews formed major data collection tools however, focus group discussion as well as story telling was utilized as a way of getting the opinions of women leaders and first hand feel of children's home situation respectively. Collected data was coded and analyzed using the analysis of data where frequencies and means was calculated and pulled into percentages.

The study concluded that widow inheritance has got diverse effects on children's rights to ECDE. Therefore the study recommends that further studies should be done in other Districts for comparison and proper generalization of funding.

CHAPTER ONE

1.0 Introduction

This chapter presents the background of the study, highlights the statement of the problem, purpose of the study, research objectives and research questions. Following this is significance of the study, basic assumptions, limitations and delimitations of the study. Finally, the chapter concludes by defining the operational terms and gives an outline of the study organization.

1.1 Background of the Study

In all cultural settings, widowhood is associated with trauma and presents a myriad of problems of varied nature; economic, social and psychological. Apparently, predicaments, disorganization and trauma of widowhood are unlike in men as in women. The challenges that follow the death of a spouse seem to be greater on women than on men, whenever either loses a spouse. Widow inheritance existed in ancient Judaism where it was commonly known as levirate marriage. It was known in India, West Africa, and among the Malawian culture where widow inheritance was embraced for its cleansing and reproduction purposes. In Nigeria, widowhood experiences were generally considered trauma while in some African societies it was considered more of deprivation, subjugation and humiliation (Journal of World Anthropology Occasional papers, Vol.III No. 1). According to Afigbo, A.E. (1989) when a husband dies a woman becomes a primary suspect of the death and was harshly dealt with. The inheritor comes in with the mind that the woman could bewitch him and therefore there was a lot of mistrust that led to violence in the house which was extended to children. This affected children's participation in ECDE because of anxiety and low self esteem.

According to UNESCO Harare, elderly parents encouraged AIDS infected widows to remarry the late husband's brother (levirate marriage) even when they were aware of their status. This was life threatening to the two families (One World Organization, 1998). Widows in Zimbabwe have been found to have experiences like poverty, societal and familiar discrimination and customary laws which cohesively and persuasively led them to the practice of widowhood inheritance (One World Organization, UNESCO, Human Rights, 3rd August 1990)).

In the indigenous African societies, special attention and care was accorded to widows where under normal circumstances, a widow was entitled to either of two types of protection: she could either be remarried to the nearest male relative of her husband, in which case, she enjoyed all the protection and care normally enjoyed by their wives or she could be given collective protection and care by the relatives of her deceased husband if she was not re-married,. In such cases, help in form of financial and labour in nature was rendered to the widow by the relatives of the deceased husband (Luke N, 2001).

Ironically, on losing a husband, the widow becomes the primary suspect as the cause of the husband's death and is thus treated accordingly, a term commonly referred to as 'cleansing' Conversely, on the demise of a wife, the man is almost immediately offered a substitution to comfort him and douse the impact of the grief of bereavement. The cause of this is not farfetched. It has been rightfully observed that the differentiation between men's and women's role in African societies is one of complementary and superior relationship in favour of men. It involves a hierarchy in which men are given greater leverage over decision making and resources than women. The result is a cultural setting that invariably promotes male domination and female subordination. (Ahosi,

2002). This custom relegates women to the background and clearly robs women of their rights and privileges particularly in times of loss. (Luke, N, 2001). This was extended to their children, they became even more vulnerable than their mothers as they had very little capacity to make their own decisions and enforce their rights to education, nutrition, health care, play, parental involvement and responsibility and finally property inheritance. Violation of the above rights manifested themselves negatively on the children's right to ECDE.

Additionally, widow-hood practices are closely tied to cultural and traditional beliefs about death, ghosts, inheritance, feminine roles, family structure and family relationships. There is an overpowering belief in the ability of the ghost of a dead person to come back to dispute and haunt all kinds of things and relatives. This has reinforced and perpetuated the old-age practices of widowhood in the world (Sossou, 2002). The belief that death brings confusion and that the dead still have contact with the living, especially their closest partners in life, is one of the reasons used for subjecting widows to inhuman and humiliating customary practices (Ntozi, 1997). The satisfactory completion of these ceremonies, rituals and practices is believed to help restore the balance and security for the bereaved widows and the children, which death had sought to overthrow (Sossou, 2002).

As such, it entails a woman being given as widow to a brother-in-law upon the death of her husband lest the spirit of the dead man visit the living. This happened in families with girls only or no children at all. Elders seek the services of a sit-in-spouse called a 'hyena'. Widow inheritance is a common phenomenon undertaken in differing fashions among

African communities, for example the Kisa of the Abaluhya, the Luo in Uganda around Lake Victoria and those in Western Kenya, (Ambasa-Shisanya, 2007) .

Lately, Widow Inheritance is condemned by politicians, churches and some members of the civil society, yet a number of people still borrow from superstitious beliefs to rationalize it. It is argued to perform important functions, such as giving the widows and children protection from their powerful deceased husbands, a dream that is never often guaranteed (Sossou, 2002). The practice subjects widows to social and psychological treatment and, denies them the right to make their own decisions (CEDAW, 2003).Embraced as a cultural rite of passage on the demise of a husband , widows of the Luo of Western Kenya undergo various rituals and are encouraged to get a surrogate husband or a ‘suitor’ within the family of the deceased husband through a culturally-sanctioned re-marriage, This is controversially referred to as “Widow Inheritance”(WI) (Ambasa-Shisanya, 2007).The arrangement permits male relative of the deceased to take over the guardianship of the deceased’s family, including the widow so that the deceased’s inherited property stays in the family, (COHRE & WHRP, 2008).A widow however remains the widow of the deceased, and not widow of the guardian or “inheritor” but with limited powers and right to ownership of property, as she is also ‘a property’,(CEDAW, 2003). Denial to inherit property affected children participation in ECDE due to lack of material and financial support.

Widow Inheritance entails cleansing as a pre-requisite for restoring normalcy of the widow into the society, and as a means of neutralizing the assumed cultural impurity and avoiding cultural taboo violation (COHRE & WHRP, 2008). The view that widows are not clean and require cleansing is a major contributor to their denial of their rights to

liberty and decision making. Studies indicate high magnitude of right violation among women, weakening further their economic and social potential and by extension, those of their children especially in areas such as property, food and nutrition, education, play and recreation, health care among others, (UN-CRC, 1990).

The World Summit Declaration and Development of Children, which together with Child Rights Convention (CRC) provided the child rights agenda for the 1990s (African Human Rights Law Journal 2001). “Provide improved protection of children in difficult circumstances and tackle the root causes leading to situation” was a clause among the global goals which participating nations committed themselves to achieve by the year 2000 (African Rights Law Journal, 2000). The Child Care Act, 1983 defines children in especially difficult circumstances as children in circumstances which deny them their basic human needs. Their nutritional status and care are inadequate and they need that care in terms of section 14(4) of the child care Act, 1983. Often the issue of these is mainly one of enabling them to access services and benefits which are intended for all children; that is enrolling them in children’s homes to ensure that their special circumstances are addressed in legislation (African Human Rights Journal 140; 2001). Interventions are necessary to prevent the risk of diseases, malnutrition and education of these children in need of special protection.

“Education on the other hand inherently serves both public and private interests. It addresses public interests by preparing the young to assume adult roles that promote civic responsibility, embrace a common set of economic and political values, and share a common language. Education serves private interests in promoting individual development, understanding, and productivity that contribute to adult productivity and

well being,” Levin (2001). Education is the key to individual and national development, Fabunmi, (2004 & 2006). The education enterprise is a very significant one to any nation, community or people as it is the bedrock for progress and development, Fabunmi (2006). The World Bank (1999) explains that a single most important key to development and poverty alleviation is education. Therefore children’s right to education should not be violated.

1.2 Statement of the Problem

Studies have confirmed that the early years of life are critical for the acquisition of the life concepts, skills and attitudes that lay the foundation for lifelong learning. Once a child fails to acquire sufficient educational stimulation from those responsible for her or him in the vital early years, the lost ground is hard to recover. Extra coaching or tuition is clearly firefighting strategies of addressing fundamental problems that can be traced to poor readiness for formal education. This is usually due to lack of appropriate early childhood development and education (ECDE). The government has developed the Early Childhood Policy Framework for Kenya and proposes to integrate ECDE for the 4-5 year-old children to the country’s formal primary education sub-sector. (IPAR, Policy View, Issue No 4, 2008, *An Occasional publication of the Institute of Policy Analysis and Research (IPAR) Implementing Policies Responsive to Vision 2030*).

Cultural remarriage or Widow Inheritance (WI) has silent economic, social and psychological implications that are normally not pronounced. It amounts to social discrimination, economic deprivation and ‘property grabbing’ driven by the desire for the deceased relative to keep the property of their deceased kin in the family, in the pretext of protecting the bereaved children and wife. In most cases, this has been done in total

disregard of the rights of children of the inherited widow; this could be attributed to economic burden, psychological problems and personal issues. Pertinent schooling decisions like: who to go to preschool, which school a child should go to, are bestowed by culture on the inheritor (UN-CRC, 1990). Even though the Children's Act (Republic of Kenya, 2001) places responsibility of safeguarding the rights of a child on both parents in a union of marriage or on the new parent(s) on subsequent remarriage, this fundamental right is largely unprotected creating major hindrances to the future success of these children (CEDAW, 2003).

Similar studies have done in the Luo Nyanza link this cultural norm to denial of rights to property amongst widows and enhancing HIV/AIDS prevalence. And this in turn has worsened the socio-economic situation of the affected widows and children who already face severe constraints on financial resources and social discrimination. And it is in this context that Widow Inheritance heightens poverty levels and reduces the household's ability to provide for schooling of their children.

Not many studies have been done on this subject and that is why the researcher identified the gap and hence the motivation to conduct this study. However in some few studies already done on the subject world over for example UNICEF (1990), Republic of Kenya (ROK), 2000, aimed at establishing how the well being of the children was being promoted and from the study findings it emerged that a child's psychosocial and humanistic development relied heavily on the care givers who ought to possess specific attributes and promote values that would impact positively on a child; (Boerrce, 2003). Some of which includes being kind, loving, friendly, disciplined, trustworthy, honest, just, humble, courteous and responsible, (Niagara; 2003), (KIE, 1999) report. These

values are important because they enhance the holistic development of children. In many African communities, systematic investigation is still missing (Betty Potash, 1986). This is due to the scanty pieces of information available on widowhood which is till raw and in process and in process.

Nonetheless, the impact of Widow Inheritance on education has not been given prominence by most studies especially, its effect on children's rights to education and, in particular early schooling. Although the cultural practice is gradually disappearing incidences of it in some areas like Ugenya District indicate that children's right to schooling is still in disarray. It is in this regard that the study sought to investigate the effects of widow inheritance on early childhood education with a view of offering intervention measures that could be adopted to discourage it for increased participation of children in early childhood education in Ugenya District, of Siaya County in Kenya.

1.3 Purpose of the Study

The purpose of this study was to determine as to whether widow inheritance as a practice violated or not and the extent to which it infringed on the educational rights of pre school going children. Specifically, the study sought to establish how this cultural practice had over time reduced the household's ability to provide for and participate in their children's early schooling in Ugenya District, Siaya County.

1.4. The Objectives of the Study

The study generally sought to evaluate the effect of widow inheritance on education rights of pre school children in Ugenya District.

This was guided by the following specific objectives:

- i. Establish the impact of Widow Inheritance, nutrition and health care on participation of children in ECDE in Ugenya District.
- ii. Determine the effects of Widow Inheritance, play and participation of children on ECDE.
- iii. Investigate on the effects of Widow Inheritance on property rights and participation of children in ECDE in Ugenya District
- iv. Examine the effects of Widow Inheritance on parental involvement in early childhood education matters in Ugenya District.

1.5 Research Questions

The expected outcomes of this study was realized through endeavors to find out solutions to the following research questions;

- i. What is the impact of widow inheritance, nutrition and health care on the children's right to education in Ugenya District
- ii. How does widow inheritance, play affect participation of children in Early Childhood Development and Education in Ugenya district?
- iii. How does widow inheritance and rights to property ownership influence children's access and participation in early childhood education in Ugenya district?
- iv. To what extent does widow inheritance influence the parental involvement in early childhood education matters in Ugenya district?

1.6 Significance of the study

Widow Inheritance (WI) is a common phenomenon among the Luos of Western Kenya. This cultural practice violates property rights of women and by extension infringes on their children's rights to education:

Therefore, findings and recommendations of this study will be of immense value to various stakeholders for instance Community Based Organizations (CBOs) and Civil Society Organization (CSOs) who may use this right-based approach for community sensitization and awareness in standing up for women and children rights.

On the theoretical value, it will provide greater insight to education policy makers, the government arms especially the Ministry of Gender, Children and Social Services who will be expected to use the findings of the study for advocacy and policy decisions.

On the practical value, findings will serve as reference points to relevant groups and organizations for instance Faith Based Organizations and Non-Governmental Organizations to promote rights of pre-school children through capacity building and mobilization activities.

The major beneficiaries of this research will be people of Ugenya District who will be expected to effect change in respecting and promoting the rights of women and children.

It will be of benefit also to future researchers as it will enrich existing literature, advance knowledge concerning WI and children's education in Kenya, acting as a springboard against which other researches can get reference.

1.7 Basic Assumptions

The study was conducted with the assumption that the practice was prevalent in Ugenya District and that there was no serious dynamics in the composition of the target population, which was fundamental enough to affect the effectiveness of the study sample. It is also assumed that the informants would provide truthful, accurate and reliable information that would be helpful in identifying the consequences of this cultural practice on the rights of children to Early Childhood Education. It is further hoped that the responses from the study in the district would reflect true and honest replication of facts from the ground so as to enable universal application of principles within the wider context for purposes of generalization and rationalization of children's rights to education.

1.8 Limitation of the study

A limitation describes what a test or research instrument is not able to achieve. In most cases studies normally have limitation caused by rules, regulations and logistical problems in reaching sources.

This study focused on a phenomenon that was cultural in nature which some of the respondents considered as taboo or an abomination to discuss and therefore give non-factual answers, limiting the depth of information gathered.

There was also limited time within which the researcher was expected to present findings. As a result of this, the sample was brought to bare economic minimum. This made the study limited in its representativeness as it only focused on a few respondents excluding others who would have added a lot of interesting inputs.

The study may have suffered from personal biases as the respondents would not like to be portrayed in bad light. The type of questions that were asked, the choice of research instruments and any help from the research assistants or other third parties may also have affected the results of the study.

The study was limited to a descriptive survey design which could lead to the limitation of its representativeness. It means that valid generalization could not be made as the findings would be only from one district and would not therefore be applicable to other Districts where widow inheritance was practised.

1.9 Delimitations of the Study

The study focused on the influence of widow inheritance on Educational rights of pre – school children. The study targeted mothers and children who had openly declared their status and were willing to share their experiences of inheritance.

The age of the children was 3-9 years; the teachers involved were only those dealing with children whose mothers were inherited within the age bracket. There were also other factors that affected the Education rights of children but the researcher was only concerned with widow inheritance.

1.10 Definition of Operational Terms

Child - Refers to any person or human being who is below the age of 18 years is regarded as a child by the children’s Act, Cap 586, Laws of Kenya. According to the

Conventions of the Rights of the Child this will also mean every human being below the age of 18 years unless under the law applicable to the child.

Effect – Refers to change in the status for instance health, standard of living of individuals, families or communities as a result of program/ project activities.

Rights of a Child - For this study this will mean entitlements according to the Children's Act, Cap 586 of 2001 of the Laws of Kenya. These rights include right to life, protection by the government and family, non discrimination in any form, parental care, education, religious education, health care, protection from child labour and armed conflict, protection from any form of abuse, right to name and nationality, protection harmful cultural rights, sexual exploitation, drugs, right to recreation, torture and deprivation of liberty, privacy and parental care among others.

Child's Rights to Education -The right to education for every child in this study will be taken to mean the universal access to free and compulsory primary education, universal availability or accessibility of secondary education, in particular by the progressive introduction of free education and equal access to higher education on the basis of capacity.

Suitor -This is taken to mean inheritor or a designated male assumes responsibility for the social and economic support of a widow upon the death of her husband Inheritors can be brothers or cousins to the widow's late husband (brothers are traditionally preferred), or someone who is not related to the husband.

Widow Inheritance - This will also be referred to as bride inheritance. It will be taken to mean a type of marriage in which a widow marries a kinsman of her late husband, often his brother .In particular to this population of the Luo of Western Kenya, it will be referred to as a cultural practice where a widow becomes the widow of a brother or other close relative of the deceased husband and perform certain cultural practices.

1.11 Organization of the study

The study was organized into five chapters. Chapter one, consist of background of the study and also highlight the study gap. It provides problem statement, purpose of the study, objectives of the study, research questions, and significance of the study, basic assumptions, limitations and delimitations of the study, operational definitions and it will conclude by outlining how the study will be organized.

The second chapter deals with review of related literature regarding the topic. It reviews and critically analyzes empirical studies done by previous researchers. It also analyzes theoretical foundations and operationalizes the conceptual framework for the study. Key in this is the discussion of variables of the study .The concept, history and rationale of widow inheritance and its prevalence, the influence of this cultural practice on preschool children's educational rights, the effect of widow inheritance on parental involvement and on the provision of educational resources for early childhood education will be discussed here in detail.

Chapter three details research methodology that will be adopted for the study. It outlines research design, target population, data sources, sample and sampling designs, pre-testing procedures for research instruments, data collection procedures and instruments, data processing and analysis techniques. The fourth chapter presents a detailed analysis of discussions, presentations and interpretations of findings. While chapter five gives a summary discussion of the study findings as per the objectives, conclusion of study findings and recommendations that were drawn from the conclusion of the study.

CHAPTER TWO LITERATURE REVIEW

2.0 Introduction

This section explores theoretical and empirical literature touching on historical beliefs tied to WI and the impact of this practice on children's rights to early childhood education. It reviews past studies on the subject by critically reviewing relevant literature that address issues related to women and children's property rights. It attempts to explore the existing situation of women and that of their preschool children upon the demise of family heads by examining their economic, social status and how status subsequently affect a child's schooling. It further indicates conceptual framework that encompasses major variables of the study suggesting their possibility patterns of influence on each other.

2.1 Evolution and Rationale of Widow Inheritance (WI) and ECE:

The Luo culture prescribes that young widows are inherited by a brother in-law or any other suitor chosen by the village elders. The practice is believed to ensure that a young widow's sexual needs are provided for and her children are taken care of. To the Luo, a curse known as "chira" would strike those who break the tradition, resulting in the death of loved ones. WI is a cultural practice where a designated male assumes responsibility for the social and economic support of a widow upon the death of her husband. WI is categorized in terms of the type of inheritor and the purpose of inheritance. Inheritors can be brothers or cousins to the widow's late husband (brothers are traditionally preferred), or someone who is not related to the husband. Broadly, widows may enter into inheritance contract for companionship (for sexual fulfillment as well as for social, economic and emotional support) or for sexual ritual, performed to cleanse the widow

after the burial of the husband. It is also crucial during rites of passage associated with birth, marriage, and death of close family members, (Ambasa-Shisanya, 2007).

WI for purposes of companionship and support is generally long-term and either monogamous or one in which an inheritor is shared only with his wife/wives. On the other hand, WI for purposes of fulfilling of a sexual ritual is generally short-term and may involve different inheritors on different occasions. Widows also engage in ritual sex during establishment of homes and to mark the beginning of food production seasons: cultivation, planting, and harvesting. Sexual intercourse is performed during these events to “protect” the widow and her family from experiencing adverse consequences (collectively termed ‘*chira*’) that may befall her or her family members, specifically children, grandchildren, sisters, daughters-in-law or co-wives, (Ambasa-Shisanya, 2007).

2.1.1 Widow Inheritance in Relation to Rights of Orphans and Vulnerable Children in Early Childhood Education

The Universal Declaration of Human Rights Article 1 opens with the fundamental statement of their inalienability thus: "All human beings are born free and equal in dignity and rights". The International Convention on Civil and Political Rights (ICCPR, 1990) likewise in article 6(1) reiterates that "All human beings are born free and equal in dignity and rights". The Convention on the Rights of the Child (CRC, 1990) recognizes the rights of children as stated, "Bearing in mind that, as indicated in the Declaration of the Rights of the Child, the child, by reason of his physical and mental immaturity, needs special safeguards and care, including appropriate legal protection, before as well as after birth." This reflects, at most, recognition of a state's duty to promote, through nutrition, health and support directed to the pregnant woman, a child's capacity to survive and

thrive after birth. Article 1 (CRC, 1990) states the definition of "a child" as every human being below the age of 18 years, which is consistent with the Universal Declaration of Human Rights.

According to Article 28 of the Convention of Rights of Children (CRC, 1989), all state parties Kenya inclusive have to recognize the right of the child to education. With a view to achieving this right progressively and on the basis of equal opportunity, states are required, in particular to make primary education compulsory and available free to all, encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need. Additionally, they are required to make educational and vocational information and guidance available and accessible to all children; agree that the education of the child shall be directed to and that the development of the child's personality, talents and mental and physical abilities to their fullest potential.

The right to education for every child relatively defined as the universal access to free and compulsory primary education, universal availability or accessibility of secondary education, is the progressive introduction of free education; equal access to higher education on the basis of capacity, in particular by the progressive introduction of free education, (Action Aid, 2008). These standards are clearer than, for example, the standards regarding the right to health, the right to housing, the right to participate in cultural life, or the right to an adequate standard of living. This doesn't mean, of course, that these standards exhaust the definition of the right to education as the issue of quality remains a big definitional problem, (Action Aid, 2008).

2.2 Widow Inheritance Nutrition, Health Care and Participation in ECE:

The literature review is concerned with how the influence of widow inheritance, nutrition and health care impact on children's education rights.

2.2.1 Situational Analysis

A situational analysis study of orphaned children and institutional care in Zambia demonstrated that 56% of orphaned children were stunted (UNESCO, 2002). This showed a positive association between the stunting of orphans and lack of proper care by care givers. In addition, inadequate food for the orphaned children was also positively associated with stunting (UNESCO, 2002). Other problems included pollution, unbalanced diet, drug abuse, over working and poor sanitation. This therefore creates an increasing concern over their health (KAACR, 2001). Socio-economic consequences has also created more destitute families through HIV/AIDS epidemic increasing mortality rates among parents leaving orphaned children to bear the heavy burden of managing households with overstretched resources or non at all. These entire phenomenon force more children to the streets adding to the increase in the number of children in need of special protection UNICEF/GOK, 1999).

Absolute poverty is the main reason why children enter circumstances which place their entire development at risk and any action which would effectively impact on these would have the effect that would in the first place be less likely to be put at risk of diseases, malnutrition and child care practices would be in place. Secondly such interventions would greatly mitigate the destructive effects of these problematic situations. Research shows that orphan hood, particularly that caused by the loss of a mother often entails a

deterioration in the health of the child, (Barret, K., 1998). This in return could affect their education resulting from frequent absenteeism and poor concentration.

2.2.1 Nutritional Status

Malnutrition impairs components of immune system making them ineffective in combating diseases (Robinson et al, 1990). Malnutrition interferes with the body ability to heal wounds, maintain the function of the vital organs and an immune response. Malnourished children have lowered resistance to infections and are more likely to die from common childhood ailments like diarrhea/diseases, measles, tuberculosis and respiratory infections (Hawes et al, 1993). This is likely to have a negative impact on the concentration of children in ECD. Poor health affects the education of the children because they become weak and unable to participate in class effectively. When a husband dies, the widow is deprived of her economic income and nuclear family is destroyed. Therefore, inherited widows cling to the new husbands for economic gains. At times, she leaves the late husbands children with their grand mother and joins the new husband's family. Children suffer psychological trauma, nutritional deficiency and hence poor health. This violates their rights to health care (UNCRC 1990), which impacts on their ECDE.

In children, malnutrition is most likely to strike those who lack nutritionally adequate diets, are not protected from frequent illnesses and do not receive adequate care (African Journal of Food Agriculture and Nutritional Development – (www.ropkenya.org.2005)). The nutritional status of infants and children under 5 years of age is of particular concern since the early years of life are crucial for optimal growth and development. Their nutritional wellbeing reflects the home where they live. It is reliably estimated that

globally 226 million children below 5 years old are stunted, 67 million are wasted and 183 million weigh less than they should be for their age. Malnourished children do not develop more brain cells and thus less intelligent.

2.2.2 Nutrition and Growth of Children

Child malnutrition is the most widely spread disorder in tropical areas. Malnutrition has been recognized as a consequence of poverty and is known to cause a great deal of both physical and emotional human suffering (www.ropkenya.org, 2010). This poverty is as a result of the death of father who in most cases is the bread winner. The foster fathers in most cases careless. The children concentration in class will therefore be affected due to hunger. Dramatic changes in height and weight that take place during the early years of a child depend on adequate nutrition. Rapid muscular development, as well as continuing brain growth, all requires adequate nutrition. As a consequence, children of ages 3 – 5 years need more energy than adults (Nancy J. 2001). Nutrition as a bench mark for growth need to be taken care of in children's orphanages. One common form of malnutrition during these years is protein deficiency. Adequate supplies of protein are necessary to support rapidly developing muscles and body tissues. Malnutrition when chronic can stunt physical growth and affect brain development, concentration, apathy and generally decrease ability to cope with the demands of the child's environment especially in the school setting, (Pollit et al, 1996) as cited by Nancy J., 2001).

2.3 Widow Inheritance, Play and Participation on Children's ECE.

Early childhood teachers have long recognized the value of play in programs for young children. Through such observations teachers can learn about children's social interactions, cognitive and language abilities, motor skills, and emotional development.

Teachers also facilitate play by working with children to develop rules for safe indoor and outdoor play. Children whose mothers are inherited don't have enough time to play as they are engaged in income generating activities. This affects their right to education because children learn best through play, (Garvey 1990).

Parents are required to provide play materials which in return inherited mothers may not be able to provide due to their poor economic status. Scientists recognized early on that children's play changed as they grew. Jean Piaget was a leader in describing the developmental components of play. Piaget (1962) identified three types of play, each of which was characteristic of a stage in the development of the child. Sensory-motor play occurs in infancy through the second year of life when children are busy acquiring control over their movements and learn to coordinate their gestures and their perception of the gestures' effects. The infant derives pleasure from mastering motor skills and from experimenting with the world of touch, sight, and sound, taking joy in being able to cause events to recur. Symbolic or representational play occurs from ages two to six when children acquire the ability to encode their experiences in symbols, and then begin to play with symbols and their combinations. The third stage in play, games with rules, begins in school when children have begun to understand cooperation and competition.

In fact, each of Piaget's stages can be a factor in play at any stage of development. That certain developmental stages are associated with particular kinds of play doesn't preclude those kinds of play from being expressed in a wide variety of ages and contexts. Sensory-motor play is a component of children's play with food and the natural environment, and it is a vital component of adult sexual play. Symbolic play occurs as a component of all imaginative activity, including creative problem solving. Games form the basis of many

kinds of organized recreational activity, including sports. One of the most stable features of play is the fact that it offers consistently by gender. Nearly every species of animal that plays shows gender-related differences in how play is expressed. In people, despite differences in the values and organizations of diverse communities and cultures, sex differences in play are virtually universal (Garvey 1990). Inherited widow's children do not enjoy these types of play due to time limit as they are so much engaged in child labour.

2.3.1 Play and learning

Play is pleasurable, spontaneous, and voluntary. Does that mean that play serves no function other than pleasure? Just how play and learning relate to each other is the source of both speculation and experimentation. Bruner (1972) views play as a means of acquiring information about and experience with the environment. Once acquired in play, information and experience can be used to maximize the flexibility of the individual. Play can produce the flexibility that makes tool use, invention, and creativity possible. In Bruner's view, play provides opportunities to try combinations of behaviors that would otherwise never be tried. The experiences with these behaviors then can serve as the basis for later learning. For example, in play, children may master the subroutines that make later observational learning possible. Young children take selectively from demonstrations those features of performance that are within the range of their capacity for constructing skilled acts. Without play, children have no experience with the subroutines on which to build skilled activities.

Other components of play may influence the learning process. Bruner (1972) believes that social play, in particular, provides a means of minimizing the consequences of one's

actions and of learning in a less risky situation. It is also possible to view social play as a kind of communication system and the behaviors involved as transmitting messages. Play can thus be viewed as a means of learning proper social communication. Social influences also modulate how one plays with objects in the environment. For example, mastery of complex tool skills among non-human apes depends not only on observational learning but also on whether they take place around trusted individuals (Bruner 1972). In children, the influence of trusted adults may have less to do with outright teaching or providing opportunities for imitative behavior than with calming kids down so they can engage in sustained play. In one study in a museum discovery room, children engaged in a greater diversity of play and exploratory behaviors when they were in the presence of adult caregivers than when they were alone or with peers (Diamond 1988).

Researchers have long suspected that there are cognitive benefits to play. During the 1970s and 1980s there were various attempts to determine whether play in young children transfers immediate benefits to how they solve problems. Dansky and Silverman (1973) tested the notion that play furthers a measure of creativity known as associative fluency. Sylva, Bruner, and Genova (1976) found that prior play experience gave preschoolers an advantage in solving certain kinds of problems, such as retrieving a piece of chalk in a box that is out of reach without getting out of your chair. Pepler and Ross (1981) later showed that, among preschoolers age three to four, experience with play that had no single correct solution led to greater flexibility in problem solving and more imaginative solutions than single solution play or controls. This implies that for children to learn effectively, they need ample time for physical play.

2.3.3 Play promotes creative problem solving

Psychologists distinguish two types of problem, convergent and divergent. A convergent problem has a single correct solution or answer. A divergent problem yields itself to multiple solutions. Some research suggests that the way kids play contributes to their ability to solve divergent problems. For instance, in one experiment, researchers presented preschoolers with two types of play materials (Pepler and Ross 1981). Some kids were given materials for convergent play (i.e., puzzle pieces). Other kids were given materials for divergent play (blocks). Kids were given time to play and then were tested on their ability to solve problems.

The results, kids given divergent play materials performed better on divergent problems. They also showed more creativity in their attempts to solve the problems (Pepler and Ross 1981). Another experimental study reported links between pretend play and divergent problem-solving ability (Wyver and Spence 1999). Kids given training in pretend play showed an increased ability to solve divergent problems. And the converse was true as well: Kids trained to solve divergent problems showed increased rates of pretend play. With regards to this, widow inheritance denies the children rights to play due to lack of playing materials.

2.4 Widow Inheritance Property Rights and Participation on ECE

In this section the literature review is about the influence of widow inheritance and property rights on children's participation in ECDE.

2.4.1 Impact of Women Property Rights on Early Childhood Education

Ongoing adherence to male-dominated traditions of property ownership has generally meant that women cannot take advantage of the wide range of benefits associated with ownership and control of property. Land and other forms of property (e.g., livestock and machinery) not only provide sustenance, but a basis for income generation and social status for instance title to land is a prerequisite for securing loans and credit for other activities, from building a house to starting a business. (USAID, 2006). In case of death of a husband, the man who inherits the widow, will have control over the property of the deceased and may not provide basic needs to the children, impacting on their education rights.

Development experts increasingly link women's lack of land and property rights to lack of education, homelessness, hunger, poverty, and poor health. One of the hidden sources of economic growth and development is Africa's women. According to some studies, providing African women with equal education and access to productive outputs could raise economic growth by as much as one percentage point. As reiterated in the conference of United Nations Centre for Human Settlement that: "Women's rights in, access to, and control over land, housing, and property is a determining factor in women's overall living conditions, particularly in developing countries. It is essential to women's everyday survival, economic security, and physical safety and, some would argue, it is the most critical factor in women's empowerment and their struggle for equality in gender relations."- United Nations Centre for Human Settlement, Nairobi, (1999).

Evidence from around the world indicates that women dedicate most of the earnings they control to fulfill household needs, while men often spend much of their income on personal items. As underscored in the World Food Summit (2002), ensuring women's land and property rights is essential to enabling them to better provide for their children in terms of nutrition and health. This ensures that children are in a better position to attend early childhood education and participate gainfully in the learning opportunities

Furthermore, studies show that the continued disenfranchisement of half of many populations poses a barrier to overall socioeconomic progress. These studies underscore that poverty is inversely correlated with household land ownership. The landless are more vulnerable, especially in famines, have higher infant mortality rates. Women and children suffer disproportionately from shocks when their rights to household resources, including land, are mediated through men. The psychological risks, insecurity situations that these pose to children and women are detrimental to their development in all ways. Studies show that direct access to land minimizes women's risk of impoverishment and improves the physical well-being and prospects for her children including ECE (World Food Summit 2002).

From studies, a woman who is not economically stable is anxious of her children's welfare including shelter, nutritional provision and even education. This also limits their desire to participate in children's schooling activities. Moreover, they lack time and motivation of involvement in child's educational activities. Additionally, women's lack of property and inheritance rights has been increasingly linked to development-related problems faced by countries across the globe, including low levels of education including early childhood education, hunger, and poor health. This particularly has a bearing on the

way they take care of health and nutritional needs of their families basing on the fact that a well nourished and healthy child is the one capable to gainfully participate in preschool adventures (IFAD, 1998).

2.2.4 Widow Inheritance, Resource availability and Provision to Early Schooling

Studies document that poverty interferes with a child's schooling process. Families with more money, higher levels of education, and higher occupational status are likely to purchase an array of goods and services that directly benefit their children in school besides choosing the best schools for their children. Rich families may also use their wealth to live in good houses in safe neighborhoods, thereby affording their children protection from harm. Bradley & Corwyn (1999), reported that economic hardship reduced the likelihood that mothers would set high developmental goals for their children and engage in competency promoting activities. This resulted in poorer self-regulation and less academic and psychosocial but found that if parents remained optimistic, despite being poor, it served as a protective factor against negative parenting.

Among the most cited linkages between economic status and well-being is access to resources. Low income is linked to health, inability to purchase goods and services essential for health and inability to secure appropriate health service, inadequate dietary intake as a key pathway to poor health which results in defective nutrient absorption, defective nutrient utilization, and poor defenses against infection, poor nutritional status, in turn, contributes to an array of morbidities and mortality. Pollitt et al (1996) offer a similar formulation that poor nutritional status affects brain growth both pre- and postnatal. Poor physical and brain development limits a child's opportunity to engage in play, active environmental exploration and development of concepts in the early years.

(Bradley et al.2001), this will negatively impact on the education rights of children due to low IQ and low self-esteem.

Poor nutrition contributes to developmental problems because children who lack access to adequate nutrition also tend to lack access to other resources, like inadequate prenatal care, inadequate preventive care for the child (e.g., failure to obtain all recommended immunizations) failure to obtain necessary medical treatment for acute or chronic medical conditions or increased exposure to infection owing to poor personal hygiene. Many poor families cannot purchase needed health care services. Poor children often have no medical insurance and, thus, are more likely to use emergency rooms for medical care and may be in more advanced stages of illness before being treated. Such reduces children's ability to participate fully in preschool, resulting into irregular attendance and access (Bradley et al.2001).

Bradley et al (2001) also found that there is a connection between economic status to stimulating experiences and access to stimulating materials and experiences mediated the relation between economic status and children's behavior problems and children's cognitive functioning. Such experiences provide both direct and indirect (i.e., learning opportunities for children as well as serving as a motivational base for continued learning. (Bradley et al (2000). Researchers additionally argue that children from poor households lack access to cognitively stimulating materials and experiences, which not only limits their cognitive growth but reduces their chances of benefiting from school .Data from findings of Bradley et al. 2001a, indicate that children from poor families have less access to a wide variety of different recreational and learning materials from infancy through adolescence. They are less likely to go on trips, visit a library or

museum, attend a theatrical performance, or be given lessons directed at enhancing their skills. Access to such material and cultural resources mediates the relation between SES (or family income) and children's intellectual and academic achievement from infancy through adolescence (Bradley et al (2000)).

Inherited mothers are less likely to purchase reading and learning materials for their children, less likely to take their children to educational and cultural events, and less likely to regulate the amount of TV their children watch (Bradley et al.2001a,) As a result, low-SES children more frequently experience school failure (even in the early grades), which moves them on a trajectory of either conduct problems or withdrawal behaviors .Longitudinal research on health indicates that living in poor conditions over a prolonged period of time tends to deplete energy reserve capacity and leads to negative emotional states such as anxiety, depression, and hostility, which in turn, lead to poorer relationships with family members and friends, (Bradley et al.2001a,) .

Separate studies documented similar trends in *Uganda* where widows are only allowed 25% of the estate of the deceased husband when there is no will while all children, even if they are illegitimate, are entitled to 75%. In theory this applies to girls as well as to boys, however, reports indicate that, in practice, female children may often not inherit. When husbands do make a will, the general tendency is to leave their property to their children not the widow, hence the concern of the study of the situation of children from widows in Western Kenya. A study conducted in 2000 under IFAD's on Gender Strengthening Programme in Eastern and Southern Africa found that only 10% of Ugandan husbands with wills leave property to their wives in trust for the children. The remaining 90% left it to the children with the stipulation that the mother should be taken

care of. However, the study reports that, in practice, often widows are dispossessed of their farmland and other assets. Eventually, many are forced to return to the homes of their parents or brothers. Some become subordinate wives of their deceased husband's brothers. This exacerbates the situation of poverty and desperation among widows (IFAD 1998).

A 1998, IFAD study in the Zanzan Region of the *Cote d'Ivoire* noted a similar pattern. Except for Lobi women, others there have access to land through their husbands, and may have their own plots as well as their own crops on the family farm. Women even sometimes plant tree crops. Inheritance among all ethnic groups, except the Mande, is matrilineal and patriarchal. This means that if the husband dies, his assets are inherited by his nephews on his mother's side. The widow either marries the heir or returns to her own family, leaving her children. However, if the widow has older children who can help with the farming, she can continue to work the family farm. The women in the study noted that a widow without children was particularly disadvantaged (Ibid).

A similar study by FAO/IFAD in *Ghana* again found that women's access to land, as in Uganda and the Ivory Coast, was through their husbands. Widows with young sons may be permitted to keep lands that their husbands possessed, farming the land on behalf of their sons until the latter are old enough to take over. If they have no children, or have only daughters, the women are likely to lose all rights to the land. Apparently, even in the case of widows with sons, the land the household previously held may be reduced, if so decided by the head of the extended family. Widow inheritance now means that the inherited widow and her children are deprived of any fertile lands that they previously farmed. Apparently these widows are often not well taken care of. Over 70% of

participants in a 1998 workshop in Ghana identified the practice of widow inheritance as a major obstacle to household food security. The impact of this is felt in early childhood education participation and provisions which by and large lie on the hands of families and communities due to negligible contributions of many governments particularly, Kenya. In such scenarios women are left desperate and children heavily bear the brunt especially young ones (IFAD 1998), hence poor participation in Early Childhood settings.

2.5: Widow Inheritance, Parental Involvement and Responsibility on Participation on ECE

The literature review in this section is concerned with the effects widow inheritance, parental involvement and responsibility have on children's education rights.

2.5.1 Widow inheritance Parental Involvement and Early Childhood Education

Given that most of children's development and socialization occur within two primary contexts, families and schools, it seems intuitive that linking these two spheres of influence so that they are mutually reinforcing and jointly supportive of children's progress would yield many positive results for children. Home settings in particular play a pivotal role in influencing early childhood performance with the mother being the first teacher of his or her child stimulating language and intellectual development. This was noted in a study conducted by Bee and her associates seeking to evaluate the effects of IQ and language development via-a vis family ecology (level of stress, maternal education and social support indicated that the quality of mother- and child interaction in the home setting was one of the best predictors at every age tested, (Epstein 1987). Inherited mothers have low quality social interaction with their children, thus affecting their education due to low self-esteem.

A study by Epstein (1987) revealed that the most effective families and schools share responsibilities for the children in their care, and as a consequence, a portion of their work must be conducted collaboratively. She documents that families are indeed important for student success in school. If parents develop understanding of school programs and policies, they will develop familiarity in interacting with teachers and a greater capacity for monitoring their children's progress and responding to their problems. Teachers are expected to develop diverse mechanisms for communicating with parents and an ability to tap the parent network to elicit family views on children's progress (Epstein, 1995)

In their analysis of middle grades achievement, for example, Esther H and Willms D (1996), identified four basic types of involvement. Two are based at home, two at school: discussing school activities, monitoring out-of-school activities, contacts with school staff and volunteering and attending parent-teacher conferences and other school events. They put an interesting spin on this distinction in her study. She grouped involvement by whether parents were active and “in charge,” or passive and reacting to the school.” It was noted that quality active involvement provided academic growth for both the child and the school in general

Williams D, B,(1998) used an educational productivity model based on Walberg's H, research (1984) and noted that parent effort: contacts with school, expectations of student, and discussions with student, instructional support: how much time student spends learning outside school, environmental support: learning at home, knowing student's friends, and out-of-school activities had far reaching benefits for children. Taken as a whole, these studies found a positive and convincing relationship between

family involvement and benefits for children, including improved academic achievement. This relationship holds across families of all economic, racial/ethnic, and educational backgrounds and for students at all ages. Among the studies reviewed here, the benefits for students include: higher grade point averages and scores on standardized tests or rating scale, enrollment in more challenging academic programs, more classes passed and credits earned, better attendance, improved behavior at home and at school, and better social skills and adaptation to school.

The Gutman and Midgley (2000), study of fifth- and sixth-grade students from 62 families in a Michigan district found that parent involvement as a single variable did not appear to be related to students' grades. It is interesting, however, that their definition of parent involvement (talking to students about school, checking homework, attending events and volunteering) contains factors that Catsambis and others found were not significantly related to achievement but positively related to positive attitudes toward school, behavior and social development. A similar study found that some forms of parent involvement with the school (communications with school, volunteering, attending school events, parent-parent connections) appeared to have positive effect on student achievement, especially in elementary school. This was interpreted to mean that when parents of struggling or children are not doing well provide more help at home by supervising them more and seeking help from the school, gains was realized in reading and psycho-social development(Lee S and Miller J, 2001)

Programs and interventions termed outreach to parents measured how much teachers communicated with parents of low-achieving students through meeting face to face, sending materials on ways to help their child at home and telephoning both routinely and

when their child was having problems. Several researchers found that teacher outreach to parents of low-performing students was related to improved student achievement in both reading and math. In schools where teachers reported high levels of outreach to parents, test scores grew at a rate 40 percent higher than in schools where teachers reported low levels of outreach. Such schools engaged families in supporting their children's learning at home .Either through home visits or classes at a central location; mothers learn ways to stimulate their children's mental, physical, and emotional development at home. The program includes early education, parenting education, health services, and family support services. The more homework students completed, the better their grades in language arts (Epstein, Simon, and Salinas, 1997).In schools where teachers reported high levels of outreach to parents, test scores grew at a rate 40 percent higher than in schools where teachers reported low levels of outreach.

Summing up, early childhood, preschool, and kindergarten programs that train parents to work with their children at home tend to have significant, positive effects. Children's grades and ratings from teachers tend to improve the longer they are in the program, and they make greater gains than children not in the program. The studies that compared levels of involvement found that achievement increased directly with the extent to which parents were engaged in the program (Epstein et al 1987). Children from all family backgrounds and income levels made gains. In some cases the children having the most difficulty in school made the greatest gains (Ibid).

Such simple programs as weekly homework assignments in which students engage their parents are linked to improved grades for elementary and middle grade children (Voorhis 2001). One study shows that if schools fully adopt well-designed practices to engage

families, their children's test scores tend to rise and attendance improves (Epstein et al. 1995). Standards based reform practices are more likely to have a positive effect on children's test scores when teachers communicate regularly with parents.

The responsibilities that women have to bear and raise children affect their right of access to education, employment and other activities related to their personal development. They also impose inequitable burdens of work on women, (CEDAW, 2003). The number and spacing of their children have a similar impact on women's lives and also affect their physical and mental health, as well as that of their children. Children of women inherited are at a greater risk of losing some or all their rights as the adopted fathers may feel less compelled to ensure that their rights are protected. The first casualties of these rights are likely to be education, health, property ownership and play time as they get allocated other duties instead of being left to play and learn (CEDAW, 2003).

2.6 Theoretical Framework

2.6.1 Introduction

The various theories in the study include cultural relativism, (Tomasevski 1993), natural rights and universalism theory, (Pagden, 2003). Widow inheritance is based on the theory of cultural relativism where the culture of a people depends on the circumstances that the community is facing.

The right to early childhood education is based on the theory of natural rights and universalism. Children, whether belonging to one or both parents have a right to enjoy all their fundamental rights. The parents of such a child whether they are the natural parents or otherwise have an obligation to safeguard all the rights of the child. By extension,

universalism theory presupposes that every human being has a right to enjoy all those rights that accrue to him/her by virtue of being a human being.

2.6.2 Cultural Relativism Theory (Tomasevski, 1993)

‘The conventional view that women’s rights are different from and separate from human rights has impeded action to uphold the basic rights and fundamental freedoms of women as human beings, (Tomasevski, 1993). For those who pussyfoot about human rights in the name of ‘cultural sensitivity’, this reluctance is understandable but not justifiable as the international human rights standards, which include the eradication of gender discrimination is binding on all governments’. Are culture and tradition only to be seen as impediments to the realization of women’s natural rights? Culture and tradition appear primarily in their role as obstacles to human rights evidenced by practices such as female genital mutilation, child marriage and female sequestration. These cultures which are chosen to typify these impediments are in Africa, Asia or Latin America rather than in western civilizations, (Jolly, 1996). Various states like China have claimed, in opposing UN and US criticisms of their human rights record and attempted sanctions against human rights abuses through aid and development strategies that these practices are based on deep cultural practices that have been in existence for ages, (Ibid).

Ancestral values and cultural relativism may thus be repressive thereby creating conflict between male and female subjects, whereby tradition comes to stand for female subordination and human rights female liberation. This argument may be extended to the cultural practice of widow inheritance among the Luo. This practice has been associated with the repression of the rights of the widows. In the same vein, widows with children that are inherited are at risk of having their rights violated. Most Pacific women have in

the past successfully negotiated those invidious oppositions which equate tradition with women's oppression and modernity with women's liberation by simultaneously claiming greater powers in both. The particularly powerful sentiments generated by domestic violence threaten such past efforts in so far as they tend to situate men on the side of tradition and cultural relativism and women on the side of the human and universalism, (Jolly, 1996).

Such insidious perceptions can only be challenged by women insisting that human rights are not necessarily inconsistent with culture or tradition. Societies should appropriate and indigenize notions of the 'human' to suit their local context and insist that tradition is not a static burden of the past but something created for the present. Therefore, culture should not be an excuse for the denial of rights to children or any other human being for that matter or otherwise. In essence, culture should be used for the sole purpose of propagating the rights of individuals and society as a whole, (Jolly, 1996).

This implies that the rights of widows to make their own decisions are infringed upon as stated under the natural rights theory if they cannot decide the education of their children once they are inherited. Every human being is supposed to be born free and enjoy universal rights to life, liberty, property acquisition among others. However, due to different cultural dispensations, these rights are adjusted by the different cultures to reflect the reality on the ground and not necessarily follow the universal concept. Where the rights of the widows to make marital decisions are curtailed, there is the likely consequence of violating the various rights of the children especially the young ones. Children who do not fully enjoy their rights are likely to be ill prepared to take up ECE with the right frame of mind, (Jolly, 1996).

2.6.3 Universalism/Natural Rights Theory

Jason & Robert (2003), in a study on the care of foster children are concluded that in order to better understand how a foster child navigates interactions with different situations in his environment in which they reside comprising of the nuclear family, extended family, foster family, foster agency and court among others, human ecology theory can be a useful framework. The theory has been recommended for understanding interactions of persons within multiple environments and has been suggested for use in understanding foster care to uncover gaps in care where the needs of the children are unmet, (George, Wulczyn & Hardin 1999). Often the various members of the environment work in ignorance of or at odds with the other members, which results in less effective involvement with the children (Imber-Black, 1988).

Jason et al. (2003), examining foster children's stories noted that it is analogous to examining the vital signs of fish living within a pond. The health of the fish indicates ecosystem strengths, weaknesses, and what changes are needed. Similarly, the stories of the children can serve as indicators of what is or is not helpful to them during their experience in foster care. This approach is gaining popularity in family research as it has challenged the limitations of traditional scientific inquiry and allowed for alternate ways of knowing about and learning from families (Doherty, 1999).

Jennie et al. (2009) in a study on child labour in South America noted that northern societies tend to separate childhood from adulthood, keeping children dependent while adults assume the economic maintenance of the family. They also noted that in southern societies, family unity, solidarity, care and responsibility for the extended family equip children to play more mature roles at an earlier age (Myers, 2001). What is in the best

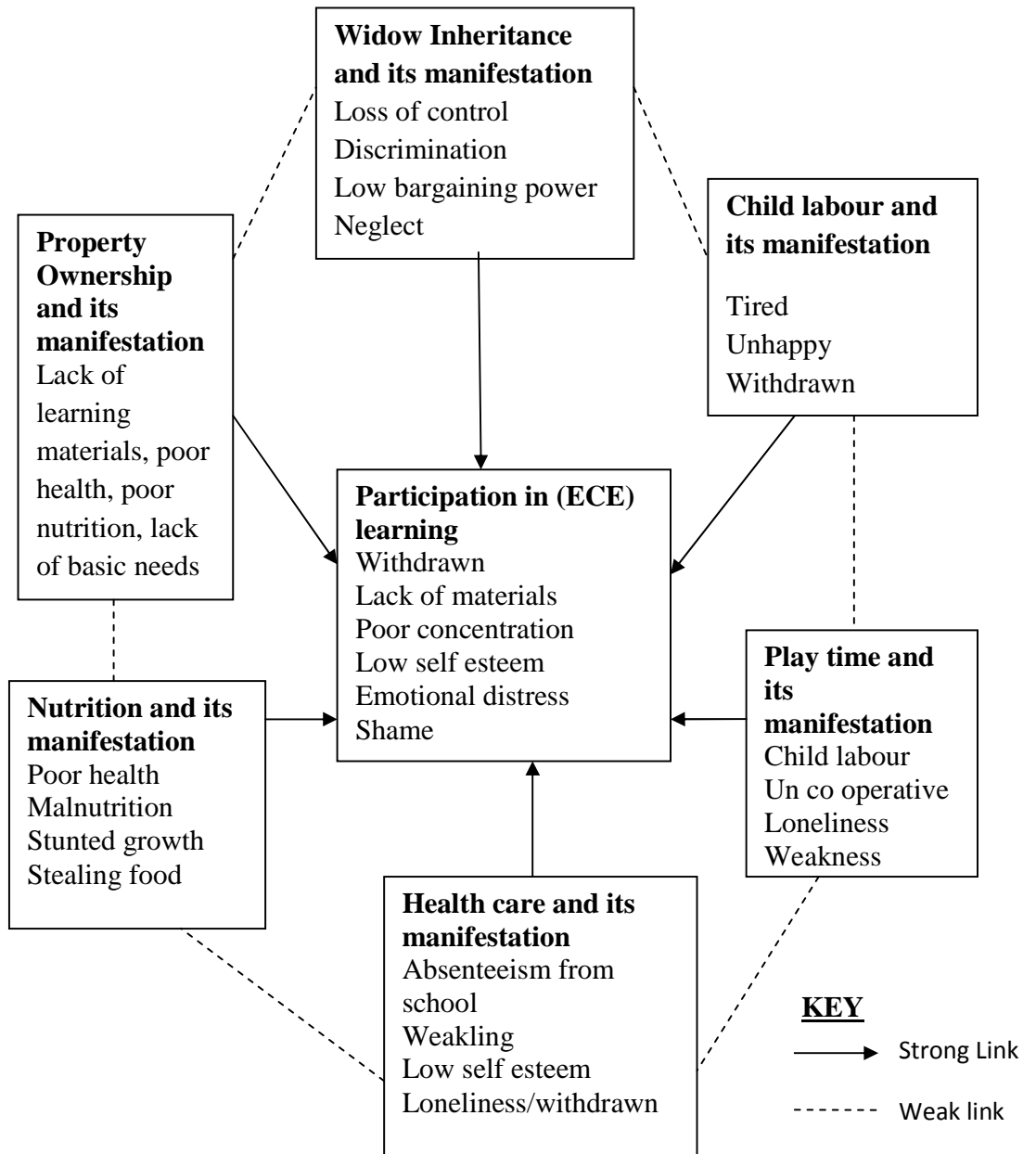
interests of the child may not be in the best interests of the family and may be to the detriment of others by failing to consider the broader needs of a community, the elderly, lone parents, and parents with HIV or child-headed households, Jennie et al. (2009).

2.7 Conceptual Framework

The conceptual framework is a diagrammatical representation of the relationships among the study variables. A study where one variable is expected to influence another variable is deemed to have a predictor or independent variable and a respondent or dependent variable. This study has the variables of widow inheritance (predictor) and rights of children (predictor) aged 3-9 years and their impact on ECE (independent variable) as depicted in figure 2.1.

In determining how widow inheritance has affected the rights of the children, the study focused on the extent to which the rights of the children were affected. The concept of widow inheritance is a cultural phenomenon driven by the perception that a woman requires the protection of the society which implies male protection. Those widows who have children and especially those born in the previous relationship are likely to suffer as the widow focuses on the new marriage. This is likely to affect the ECE of the children of inherited widows such as nutrition, health and play time among others. These variables are expected to reflect the following conceptual framework.

Figure 2.1: Perceived impact of widow inheritance on the educational rights of preschoolers.



(Source: Author 2013)

Widow inheritance as a variable is expected to influence the rights of the children such as nutrition and health care, play and participation, property rights and participation and lastly parental involvement which will have an impact on ECE. The culture of widow inheritance where children are involved has been observed to have an adverse effect on how the children enjoy their rights and by extension affect their ECE. Foster families as discussed earlier have been identified as having both a positive or negative influence on the lives of the children. This study is expected to identify the effects of widow inheritance as a cultural practice on its influence on the quality of life of the children reflected by how their rights are protected or otherwise and how it affects their ECE.

2.8 Summary of Literature Review

The existing literature has indicated that the concept of children's rights has borrowed heavily from the concept of human rights. According to the Universal Declaration of Human Rights, all human beings are born free and equal. This implies that a child, as an individual is expected to inherit naturally, the human rights that accrue to him/her at the moment of birth. Culturally, the society is therefore expected to observe its customs but not interfere with the rights of the child. Any cultural practice that may have an adverse effect on the rights of a child is therefore contrary to the natural laws as well as the civil laws and statutes of the country. Widow inheritance as a cultural practice subjugates the rights of the woman as she may cede the right to make decisions. In instances where the rights of an adult woman may not be upheld, there is every reason to believe that the rights of the child are at greater risk. This risk increases more so for those children who are not in a position to fight for their rights. This study has included those children in the ages of 3-9 years who are at greatest risk of having their rights violated.

CHAPTER THREE RESEARCH METHODOLOGY

3.0 Introduction

The section provides a detailed description of how the requisite data was obtained and analyzed to provide comprehensive report on the study. The sub themes include research design, target population, data sampling, instruments, data collection methods and data analysis procedures.

3.1 Research Design

The study adopted a descriptive survey design. To Kerlinger (1993), survey designs are important in answering research questions by providing detailed reliable reports and statistical information to policy makers and social scientists about current of population (Kothari, 2006). Survey designs are also called correlation or explanatory studies denoting their tendency to reveal connections and relationships between variables without manipulating them. It focuses on what can be observed on the ground noting how widow inheritance has influenced widows' rights to property ownership and how education rights of inherited widows' children have been protected or violated.

3.2 Target population

According to Boug and Gull (1989), target population is about, all members of real or hypothetical set of people or events. The study was conducted in Ugenya District in Siaya County in Nyanza Province. It had a total number of 135 ECE centres and 53 primary schools in number. The District has a population of about 650,000 of whom 65% are women of whom 35% (2,275) are widowed, out of which 18% (449) are inherited (KBS, 2010).

3.3 Study Population

Pre-school children of the inherited widows are the most vulnerable .This is due to their tender age The repercussions of Widow Inheritance jeopardizes their psychological make-up, heightens their vulnerability levels and increases impoverishment as they solely depend on the capacity of the already- poor mothers to provide basic needs of survival who were interviewed . Widows who are or have been inherited in Ugenya District from the large women population were targeted. Women Organization and Social Welfare Groups empowering this population as well as teachers handling preschool children were also be included in the study. This ensured that study participants were information rich and in the best position to provide adequate data that met the purpose of the study and answered the research questions.

3.4 Sampling Procedure and Sample Size

The study focused on widows who had been inherited in Ugenya District as they were the people who were likely to be information rich regarding the consequences of being inherited and how this affected their children's education. To identify the study population, the researcher used snowballing and stratified sampling techniques. Snowball or referral sampling is where the current respondent refers the researcher to other respondents who meets the criteria of the researcher (Kothari 2006). Inherited widows were interviewed after been identified by the Provincial Administration department. Stratified random sampling technique gives a good representation of the population (Santrock , 2005). It involved dividing the population into stratas based on the , 4 Locations in Ugenya district namely East Ugenya, West Ugenya, South Ugenya and

North Ugenya Locations, from which equal number of respondents were chosen (Kothari,2006).

Table 3.1: Target population and Sample Frame

| Categories of respondents | Target Population | Sample Size | Percentage (%) |
|--|--------------------------|--------------------|-----------------------|
| Inherited widows | 449 | 50 | 11 |
| Preschool children of inherited widows | 750 | 75 | 13 |
| Widow Support Group leaders | 25 | 14 | 56 |
| Preschool Teachers | 125 | 25 | 20 |
| Total | 1349 | 200 | 100 |

Source: District Provincial Administration Office Ugenya District (2012).

3.5.1 Sampling Design

Schindler et al (2000) asserts that the basic idea of sampling is that by selecting some of the elements in a population, conclusions may be drawn about the entire population. Sekaran (2000) concurs with this view, stating that by studying the sample and understanding the characteristics of the sample, it would be possible to generalize the characteristics to the population elements.

In the study, stratified random sampling was used as it gave a total representation and generalization of findings to the general population. Sampling has several advantages

including lower costs, greater accuracy of results and faster speed of data collection. The ultimate test of a sample design is how well it represents the characteristics the population it purports to represent. In this respect widows were identified from school administration offices and the widow support groups.

3.6 Data Collection Instruments

This study adopted the use of questionnaires, interview schedules, focus group discussions, story guide and secondary data.

3.6.1 Questionnaires

Questionnaires were designed for teachers handling preschool children. Questionnaires as tools of research are widely used in educational studies to get information about current conditions, practices, attitudes and opinions in a quick and precise manner (Lovell and Lawson, 1970). It allows data collection from large samples of preschool teachers in diverse regions, in a confidential, quick and non bias manner regarding the children's situation, participation and involvement of inherited widows in preschool activities. Open and closed-ended questions were ideal. Closed-ended questions were used to obtain both personal and specific details from respondents while open-ended questions were used where explanations and personal opinion was being sought. The questionnaires were administered by the research assistant who was engaged by the researcher.

3.6.2 Interview Schedule

An interview schedule involves presentation of oral verbal stimuli and reply in terms of oral –verbal responses (Kothari, 2000). It makes it possible to obtain data required to meet specific objectives of the study, allows standardization of questions and collection

of information that cannot be directly observed or is difficult to put down in writing such as historical information. Besides, it enabled researcher to gain control over the line of questioning, provides high reliability of the information gathered, is systematic, time saving and comprehensive. An interview schedule with relevant questions was prepared and administered to individual who were teachers and widows or have once been inherited to obtain information on economic status of families, capacity to provide for preschool education, involvement and participation levels in preschool education, challenges and consequences on child's success in preschool.

3.6.3 Story telling

This was of special concern to this study which sought intricate information from minors (children). The stories were designed to allow interaction, accord children opportunity to tell their experiences to others regarding schooling and home conditions. Oral data was collected from the children in the form of story telling. The researcher told stories of experiences of other children of widows and how they had been affected by their new situations. Children were requested to respond to some leading questions or tell their experiences, views and opinions. Children's story renditions of their individual life experiences, including interaction with their new fathers was collected by recording their stories on tape or CD's. The stories were recorded in the form of voice data using a tape or disc recorder

3.6.4 Focus Group Discussion (FGDs)

According to Wamahiu *et al.* (1995), FGDs are suitable for obtaining data on group attitudes and views towards the general socio-economic and political situation. FGDs are also effective in bringing to the surface intricate cultural issues with educational

implication particularly those considered sensitive and/or controversial by some informants. In this study, any Women Support Group member seconded by the widows or the chief to clarify any issue was accommodated in the discussion. But more importantly, this approach was more ideal in getting Women Support Group Leaders (WSGLs) to talk about the challenges the widows faced in educating their children with regards to school provision, their motivation and involvement levels. The role and priorities of such Women Support Groups (WSGs) and other organizations in promoting children's right to education, the challenges encountered in empowering women and as well possible remedies.

3.7 Data Collection Procedures

3.7.1 Preparation

The researcher sought an introductory letter from the University and this was used to get a permit from National Council for Science and Technology (NCST). This was then presented to the County Director of Education's Office in Siaya County and various District Education Offices in Ugenya to authorize the study. The investigator eventually reported to the preschool head teachers and directors giving them briefs on the intended study, using this chance to create rapport. Dates were scheduled by the investigator to administer questionnaire to teachers and conduct interview sessions with children which ran concurrently.

3.7.2 Pre-testing of Research Instruments

The purpose of pre-testing was to assess clarity of the instruments, validity and reliability of each of the items in the questionnaire and suitability of language used in the instruments (Mulusa, 1988).

3.7.3 Validity of research instruments

Validity is the accuracy and meaningfulness of the inferences made based on the results of the study. It is the accuracy with which the instrument measure that which it is intended to measure. According to Mislevy (2004), validity should be based upon careful analyses by several specialists and not on the subjective judgment of only one specialist. In this study, content validity was used to determine systematic error in the data and the relevance of the content that instruments purports to measure. To ascertain suitability of the content validity of the research instruments of the proposed study, the researcher presented the instruments to the supervisors in the Education Communication and Technology Department for expert judgment. The supervisor appraised the instruments. This was in agreement with (Boug & Gal 1989), who suggest that the research supervisor could be consulted for validation of the content of the research instruments. The supervisor gave his suggestions on the tools and the parts that did not measure were discarded while some were improved. Subsequently, the research instruments were piloted in the field to verify the in depth of the content validity prior to actual study.

In addition, pre testing was done to improve on the instruments; the researcher distributed the questionnaires to teachers and women group leaders for completion. She picked them later to assess, whether the responses answered the research questions. Interviews were also held with inherited widows and children.

3.7.4 Reliability of Research Instruments

Reliability is a measure of the degree to which the research instruments yield consistent results or data after repeated trials. It seeks to provide dependable and unambiguous information (Mugenda and Mugenda 2003). Therefore a reliable instrument is one that

consistently produces the expected results when used more than once to collect data from two samples randomly drawn from the same population. The test- re test approach was used, according to (Mugenda and Mugenda, 1990), this approach involved administering the same instrument twice to the same group of subjects at different times. Nachmias and Nachmias (1996), in addition states that the instrument was administered at different times and then computed the correlation between the two sets of scores.

The questionnaires used in the study were distributed in a population similar to the target population used in the study. The questionnaires for the teachers were issued and the instruments were completed and collected. After two weeks another set of questionnaires were distributed to the same group/population and collected. Then, a correlation and coefficient was calculated to test reliability. Interview schedules were also held at intervals of two weeks and the results to ascertain if the findings were the same.

3.8 Data Collection

Questionnaires were filled as the researcher waits, clearing misconceptions and misunderstandings. Arrangements were later made so that any remaining tools were collected within the week to reduce mishandling and misplacement of questionnaires. Schedule of activities conducted by the investigator and research assistants were drafted, showing activities to review, to uphold successes and to address failures on a daily work plan so as to tackle areas that needed improvement. Deliberations on viable approaches and Challenging issues were included and used for effective planning. After collection of instruments they were examined for completeness, comprehensiveness, consistency and reliability. The researcher used the services of the research assistants to administer the interviews. The research assistants were four in number so that for each strata, each

research assistants was expected to interview five widows. The research assistants then moved to the next strata until all the strata's were exhausted. The filled schedules were then handed over to the researcher at the end of each day. The exercise was expected to cover a maximum of four days for administering the interview schedules by the research assistants.

To corroborate data, research assistants also conducted the interviews with the teachers who dealt with the children of inherited widows and orphaned children whose mothers had been inherited. The research assistants were expected to interview at least two individuals from each category for each stratum making a total of eight interviewees. The investigator also conducted story telling sessions with children. As this category of respondents was highly sensitive, the researcher sought consent from the parents, teachers and guardians of the children before the children participated in the study. Also a focused group discussion with Women Support Group Members and Leaders was conducted.

3.9 Data Analysis Procedures

Editing to assure accuracy and reliability of the information contained in transcripts, was helpful in raising accuracy of information and ensuring that all desired information was conceptualized, coded and verified to reduce possibility of mismatch between available information and what was intended to be captured as per research questions (Kombo and Tromp 2006). After information screening, arrangement of data collected was done, to ensure logical ordering, linking themes and grouping of coherent information.

Quantitative data analysis involved the use of Statistical Package for Social Science (SPSS). SPSS is known for its ability to process large amounts of data given its wide spectrum of statistical procedure which was purposefully designed for social sciences.

This was applied to run descriptive data to produce frequency distributions and percentages. Charts and tables were produced using spreadsheet applications such as Ms-Excel. Scores of respondents in each item was pulled to give overall score and then converted to percentage expressed as fraction of the overall score. This helped reduce massive amount of information that was obtained. Data was then summarized, organized according to research questions, presented in narrative form where possible in tabular forms indicating averages, frequencies and percentages.

3.10 Ethical Considerations

According to Mugenda and Mugenda (1999), ethical considerations are important for any research. In this study, the research ethics was reviewed by an Ethics Board to ascertain ethical guidelines for conducting the research so that ethical values are not violated. Such issues included proper conduct of the researcher during the research process, avoidance of plagiarism and fraud, confidentiality and privacy of the information obtained from the respondents, avoidance of physical and psychological harm to the respondents (especially that the study was dealing with minors), obtaining voluntary and informed consent from the respondents and dissemination of the findings, these values were strictly adhered to.

CHAPTER FOUR

DATA PRESENTATION, ANALYSIS AND DISCUSSION

4.1 Introduction

This chapter presents the results obtained from the analysis of the study, it begins with demographic characteristics of the respondents, followed by variables on influence of widow inheritance on nutrition and health care on participation of children in ECDE, on play and participation of children on ECDE; on property rights and participation of children in ECDE and lastly on parental involvement in early childhood education matters in Ugenya District

4.2 Questionnaire Return Rate

The study sought to determine the questionnaire response return rate among inherited widows and preschool teachers. The study results are presented in table 4.1.

Table 4.1 Questionnaire Return Rate

| Category | Sample size | Response frequency | | Total | Response Rate (%) |
|---------------------|-------------|--------------------|--------|-------|-------------------|
| | | male | female | | |
| Inherited widows | 50 | 0 | 50 | 50 | 66.7 |
| Pre school teachers | 75 | 8 | 17 | 25 | 33.3 |
| Total | 125 | 8 | 67 | 75 | 100 |

The study realized questionnaire rate of 100% (50/50) among inherited widows. All the inherited widows were women by nature. Further analysis indicate that out of 75 teachers 25 (20%) filled the questionnaires and returned. Out of the 25(20%) teachers who filled the questionnaires 8 of them were male while 17 were female. The response

rate of teachers was low due to the fact that some teacher were out on teachers' strike. Some schools also did not have adequate number of children attending ECDE and therefore making it difficult to trace their teachers. Another limitation was the timing for the ECDE centres which close their operations by 1.00 p.m making it hard to find teachers in the afternoon. Widows were easily available due to the fact that most of them are housewives concerned with house chores and care of children; therefore are found at home most of the time.

4.3 Demographic Characteristics of Respondents

The study sought to highlight the demographic characteristics of the target population, who included inherited widows, children of inherited widows and teachers dealing with children of inherited widows. The data helped in explaining certain characteristics that influence children's participation in ECDE, These characteristics included, composition by gender, age, educational and professional qualifications as well as teaching experience. The findings obtained are presented in table 4.2.

4.3.1 Distribution of Respondents Composition by Gender

The study aimed to investigate the respondent composition by gender. Results obtained are presented in table 4.2.

Table 4.2 Gender of Pre school Teachers Respondents

| | Frequency | Percent |
|--------|-----------|---------|
| Male | 32 | 32 |
| Female | 68 | 68 |
| Total | 100 | 100 |

From the study it is confirmed that out of the respondents who participated, 17(68%) were female, while 8(32%) were male, this is an indicator that most of the pre schools teachers are female due to their motherly orientation as confirmed by a study done by UNESCO 2010. While for the inherited widows it was automatic 100% women.

Table 4.3 Age Bracket of the Respondents(Pre-school teachers and Widows)

| Age Bracket | Widows | | Preschool teachers | |
|-------------|-----------|------------|--------------------|---------|
| | Frequency | Percentage | Frequency | Percent |
| 20-29 yrs | | | 13 | 52 |
| 21-30 yrs | 13 | 26 | | |
| 30-39 yrs | | | 9 | 36 |
| 31-40 yrs | 15 | 30 | | |
| 40-49 yrs | | | 3 | 12 |
| 41-60 yrs | 22 | 44 | | |
| Total | 50 | 100 | 25 | 100 |

The study aimed at establishing the age of the respondents (pre-school teachers and widows). The information obtained is presented in table 4.3.

The study findings revealed that 13(52%) of the respondents were in the age bracket of 20-29 years, 9(36%) of the respondents were in the age bracket of 30-39 years, while the remaining 3(12%) of the respondents were in the age bracket of 40-49 years. This is an indicator that there are more young people who have joined preschool teaching due to many training opportunities available as compared to there before.

Amongst the widows who were interviewed, 22(44%) were in the age bracket of 41- 46 years old, 15(30%) were in the age bracket of 31-40 years, while the remaining 13(26%) were in the age bracket of 21-30 years. This could be attributed to the high prevalence

rate of HIV amongst the married couples leading to more deaths of people in their 40's. It is also attributed to the fact that most of the communities still keep to the culture of widow inheritance leading to the spread of HIV.

4.3.2. Highest Level of Education for the Respondents (Pre school teachers and Widows)

The study sought to find out the highest level of education and professional qualification plus teaching experience of the pre-school teachers and widows. The study findings are presented in table 4.4.

Table 4.4 Highest Level of Education for the Respondents (Pre school teachers and Widows)

| Level of education | Preschool teachers | | | Percentage | Widows | |
|----------------------|--------------------|-----------|-----------|------------|-----------|------------|
| | Frequency Male | Female | Total | | Frequency | Percentage |
| Primary | 0 | 0 | 0 | | 25 | 50 |
| Secondary (O'level) | 2 | 6 | 8 | 32 | 25 | 50 |
| Secondary (A'Level) | 0 | 3 | 3 | 12 | 0 | 0 |
| Certificate training | 4 | 7 | 11 | 44 | 0 | 0 |
| Diploma training | 2 | 1 | 3 | 12 | 0 | 0 |
| Total | 8 | 17 | 25 | 100 | 50 | 100 |

The study findings revealed that among the pre school teachers, the highest level of education attained as cited by 11(44%) of the respondents had nursery teaching certificate, 8(32%) of the respondents used form four certificate without any training, while an identical 3(12%) of the respondents had Advanced level certificate with P1 training certificate and ECD Diploma certificate respectively. This implies that most of

the teachers have trained at the certificate level and have acquired the basic skills of handling young children in ECDE centre's without minding their level of education.

Among the widows who participated in this study, the results opinionated that out of 50(100%) have attained primary and secondary certificates respectively, this could be attributed to cultural pressure from the family of the deceased husbands, who still have strong beliefs in the continuity of family lineage and more it is more prevalent amongst widows whose husbands died when they did not have formal employment. This made them to accepted the culture of inheritance for the sake of economic empowerment and protection.

4.7.3 The Number of Years in the Teaching Position (Pre school teachers)

The study sought to find out the teaching experience of the teachers in terms of the number of years they have been in the position since employment. The study findings are presented in figure 4.1.

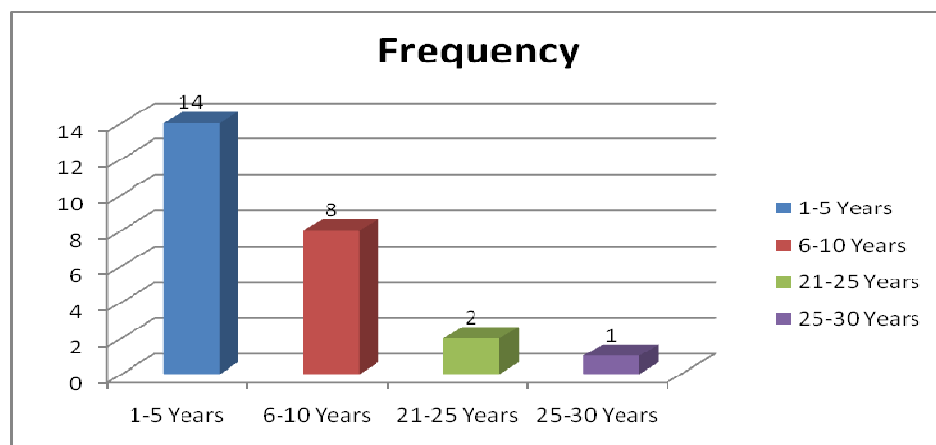


Figure 4.1 The Number of Years in the Teaching Position (Pre school teachers)

This is an indicator that due to many training opportunities that have emerged in the recent past, there are many young people who are graduating and joining the profession, Also, this can be attributed to the many job opportunities that have arisen due to creation many nursery either supported by the public, private, community, faith based organization or NGO's. This is in line the government policy on early childhood education for young children.

4.3.3 Number of Years in the previous marriage (Widows)

The study sought to establish the number of years the widow lived with their late husbands. The study findings are presented in table 4.5.

Table 4.5 Number of Years in the previous marriage (Widows)

| | Frequency | Percent |
|---------|-----------|---------|
| Over 16 | 23 | 46 |
| 10-15 | 20 | 40 |
| 5-9 | 7 | 14 |
| Total | 50 | 100 |

In trying to ascertain the number of years the widows had in their previous marriages, the study findings revealed that 23(46%) of the respondents had been in their previous marriage for over 16 years, 20(40%) of the respondents had been their previous marriage for 10-15 years, while 7(14%) of the respondents had been their previous marriage for 5-9 years. This is an indicator that most of the widows had been in the previous marriage

for over 16 years. This is attributed to the fact that most of them got married an earlier age.

4.4: Impact of Widow Inheritance, nutrition and health care on participation of children in ECDE in Ugenya District.

The study aimed at establishing the impact of widow inheritance, nutrition and health care on participation of children in ECDE in Ugenya District. The study findings are presented in table 4.6.

4.4.1 Nutritional Status of the Children of inherited widows

The study aimed at finding out the nutritional status of children of inherited widows in ECDE centres. The study findings are presented in table 4.6.

Table 4.6 Nutritional Status of Children of inherited widows

| | Frequency | Percent |
|-----------|-----------|---------|
| Good | 9 | 36 |
| Very Good | 6 | 24 |
| Average | 6 | 24 |
| Poor | 4 | 16 |
| Total | 25 | 100 |

The study findings revealed that the nutritional status of children of inherited widows was rated good by 15(60%) of the respondents, was rated as average by 6(24%) of the respondents, while 4(16%) of the respondents rated it as poor. This implies that in general, the nutritional status of the children is good, this could be attributed to the fact

that most of these widows practice subsistence farming and therefore have access to enough and balanced food required by their children. Also the ECDE centre's provide feeding programmes which supplement the food that they consume at home. This has a positive implication on the children's participation in ECDE centre. A well fed child becomes energetic and actively get involved in the learning activities thus improve classroom performance.

4.4.2 Schools with feeding programmes

The study aimed at finding out the numbers of schools in Ugenya district with feeding programmes. The study results are presented in figure 4.2.

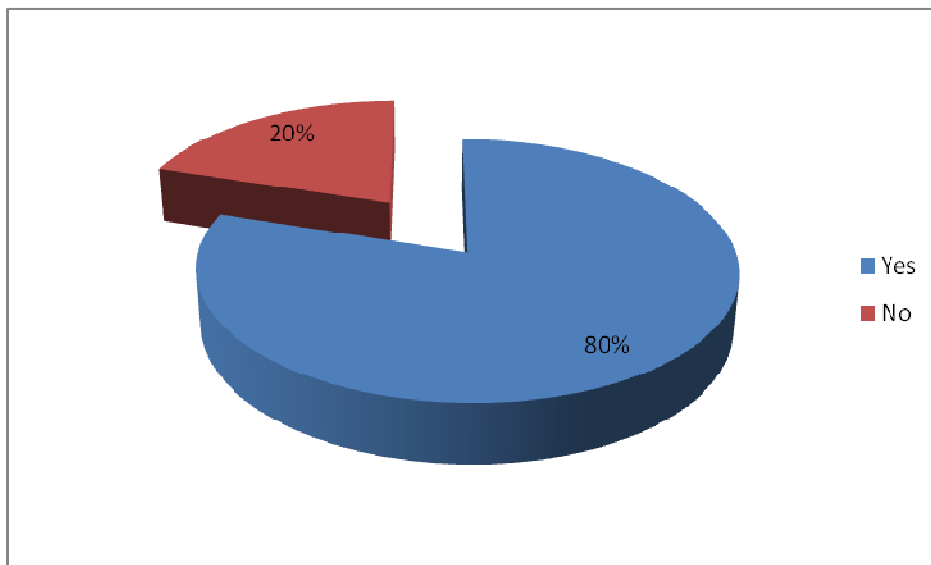


Figure 4.2 Schools with feeding programmes

From the findings it emerged that majority 40(80%) of the schools had school feeding programme, while 10(20%) of the schools did not have. This is an indicator that most of the school administrators consider the value of school feeding programme in enhancing the concentration of children in school. Also the school feeding programme is supported

by the local NGO's to boost the nutritional status of children who come from the poor families for effective learning. The fact that most of the schools have feeding programmes it implies that children's nutritional status is boosted and thus lead to effective participation in the learning activities. A malnourished child becomes weak, infected with childhood diseases leading to poor participation in learning activities and thus poor performance.

4.4.3 The Number of Children who have completed vaccination/immunization whose mothers are inherited.

The study sought to investigate the number of children who have completely received vaccines against early childhood diseases. The study findings are presented in table 4.7.

Table 4.7 The Number of Children who have completed vaccination /immunization whose mothers are inherited.

| No. of children | Frequency | Percent |
|------------------------|------------------|----------------|
| 1-10 | 14 | 28 |
| 11-20 | 20 | 40 |
| 21-30 | 10 | 20 |
| 41-50 | 6 | 12 |
| Total | 50 | 100 |

Immunization coverage is key to the good health of children under the age of 5 years, from the study findings, it was revealed that the number of children who had completed vaccination/immunization amongst the mothers who were inherited were in the range of 11-20 children as cited by 20(40%) of the respondents, in the range of 1-10 children as cited by 14(28%) of the respondents, in the range of 21-30 children as cited by 10(20%) of the respondents and in the range of 41-50 children as cited by 4(12%). This implies

that the rate of vaccination among the children of inherited widows is below average and therefore the teachers should invite the health workers to take vaccines to schools. This would increase the children's rate of participation in ECDE because they would not be weakened by the childhood diseases and thus would participate actively both in indoors and outdoors activities. It would also lessen the number of times they miss school.

4.4.4 The Overall Health Status of the Children of inherited widows

The study aimed at investigating the general outward appearance of children's health status. The findings are presented in table 4.8.

Table 4.8 The Overall Health Status of the Children of inherited widows

| | Frequency | Percent |
|-----------|-----------|---------|
| Average | 11 | 44.0 |
| Good | 10 | 40.0 |
| Poor | 3 | 12.0 |
| Very Good | 1 | 4.0 |
| Total | 25 | 100.0 |

On the overall health status of the children, 11(44%) of the respondents rated it to be average, 10(40%) of the respondents rated it to be good, 3(12%) of the respondents rated it to be poor, while 1(4%) of the respondents rated it to be very good. This is an indicator that the overall health status of most children is average, something that is attributed to the good nutrition both at home and at school. It is also attributed to the fact that some of

them are taken out for immunization that prevent childhood diseases and that impacts positively on their participation in ECDE.

4.4.5 The Concentration Levels of the Children of inherited widows

The study aimed at finding out the concentration levels of children of inherited widows during learning activities. The study findings are presented in table 4.9.

Table 4.9 The Concentration Levels of the Children of inherited widows

| | Frequency | Percent |
|-----------|-----------|---------|
| Moderate | 10 | 40 |
| Good | 9 | 36 |
| Poor | 3 | 12 |
| Very Good | 2 | 8 |
| Very Poor | 1 | 4 |
| Total | 25 | 100 |

From the study findings it emerged that the concentration levels of the children of inherited widows was moderate as cited by 10(40%) of the respondents, 9(36%) of the respondents cited that it was good, 3(12%) of the respondents cited that it was poor, 2(8%) of the respondents cited that it was very good while the remaining 1(4%) of the respondents cited that it was very poor. This is an indicator that most of the children did not have high concentration level. This is an issue attributed to the fact that they are emotionally distressed due to loosing their biological father. Also some of them were infected with childhood diseases that made them withdrawn. A child who has low

concentration level does not grasp the learnt concept easily and thus leading to ineffective learning..

4.4.6 How often the children of inherited widows attend school

The study sought to find out how often the children of inherited widows attend school and how it impacts on their participation on ECDE. The study findings are presented in table 4.10.

Table 4.10 How often the children of inherited widows attend school

| | Frequency | Percent |
|-------------------|-----------|---------|
| Twice a week | 8 | 32.0 |
| Four times a week | 7 | 28.0 |
| Thrice a week | 6 | 24.0 |
| Five times a week | 4 | 16.0 |
| Total | 25 | 100.0 |

The school attendance is one of the indicators that is attributed to good health, and from the study findings it emerged that children of widows often missed going to schools with 8(32%) of the respondents citing that they missed twice a week, 7(28%) of the respondents cited that they missed four times a week, 6(24%) of the respondents cited that they missed school thrice a week and 4(16%) of the respondents cited that they missed school five times a week. This is an indicator that most of the children miss school at least twice a week. This is a factor that might be attributed to by sickness and

refusal by parents so that they can remain at home and in activities aiming at earning some income. This affects their effective participation in ECDE.

4.4.7 Factors attributed to the absenteeism

The study sought to find out factors that attribute to frequent absenteeism of children of inherited widows from school. The study findings are presented in table 4.11.

Table 4.11 Factors attributed to the absenteeism

| | | Responses | |
|--|-----------------------|-----------|---------|
| | | Frequency | Percent |
| Reasons attributed to absenteeism ^a | Refusal by parents | 5 | 20 |
| | Sickness | 7 | 28 |
| | Lack of food | 4 | 16 |
| | Engaged in house work | 5 | 20 |
| | Lack of school Fees | 4 | 16 |
| Total | | 25 | 100 |

The reasons attributed to the absenteeism from school by the children of inherited widows, 7(28%) of the respondents cited due to sickness, 4(16%) of the respondents cited due to lack of food, while a identical 5(20%) cited that it was due to refusal by parents, engagement in house work, 4(16%) cited that it was due to lack of school fees. At one point when interviewing children, one child said:

“When I am sick, am told by my mother not to go to school, but to take panadol and sleep”. Quite a number of children had similar responses, an implication that their parents were not able to give them proper medical care. On the contrary five children said that when they are sick, their parents seek medical attention from a good health

facility. This is an indication that the parents do not take the health of their children seriously, a fact that could be attributed to financial constraints.

From the findings, nutrition and health care will have a slight negative impact on the child's education. A child who has not completed full vaccination will be infected by childhood diseases that will weaken her and thus reduce concentration in class. It can also lead to absenteeism that will interfere with learning. A well fed child is capable of learning well since the immunity level is also boosted therefore less diseases. While the one who is not well fed will be weak and vulnerable and thus will not be able to concentrate well. Therefore widows who are inherited and the inheritors don't support the nutrition and health care of the children affects children's education. Such children are withdrawn and show apathy, (Poliit et al,1996). On one rare occasion when children were being interviewed, one child said, "*mama gives the "new" father good food without vegetables and indeed a lot of it while we eat very little food and it is ugali and vegetable*". Quite a number of children had similar answers an indication that inherited widows take good care of the inheritors nutritionally at the expense of their children. This affected their learning at school because a hungry child cannot concentrate in class well. On the contrary four children said that their new fathers could buy food and that they had a lot of food to eat at home.

This is supported from the voice of a child who said "*Mama buys food, father doesn't buy food*". This is an indicator that it is only the mother who struggle to provide food for the family.

4.5 Widow Inheritance Play and Participation in ECDE

The study sought to find out the effect of widow inheritance, play and participation in ECDE activities. The study findings are presented as in the table 4.12.

4.5.1 Frequency of children engagement in play

The study sought to find out how frequent the children of inherited widows are engaged in play. The results are as presented in table 4.12.

Table 4.12 The frequency of the children being engaged in play

| | Frequency | Percent |
|-------------------|-----------|---------|
| Twice a week | 12 | 48 |
| Thrice a week | 10 | 40 |
| Four times a week | 3 | 12 |
| Total | 25 | 100 |

From the study findings it emerged that among the ECDE schools visited engaged children in play twice a week as cited by 12(48%) of the respondents, others did it thrice a week as cited by 10(40%) of the respondents, while the remaining schools engaged them to play four times a week as cited by 3(12%) of the respondents. This implies that their right to play has not been safeguarded as required and therefore teachers and parents should provide for more play time to enable the children develop their cognitive skills effectively. Children were denied most of the play time due to the fact that the parents engaged them in house hold chores and activities that can earn income. This had negative impact on their educational rights due to the fact that children learn best through play as cited by Jean Piaget (1962). Therefore lack of enough play time meant less exploration and discoveries resulting in less learning.

4.5.2 Children's participation in the outdoor activities

The study aimed at investigating how active the children are during the outdoor activities.

The study findings are presented in figure 4.3.

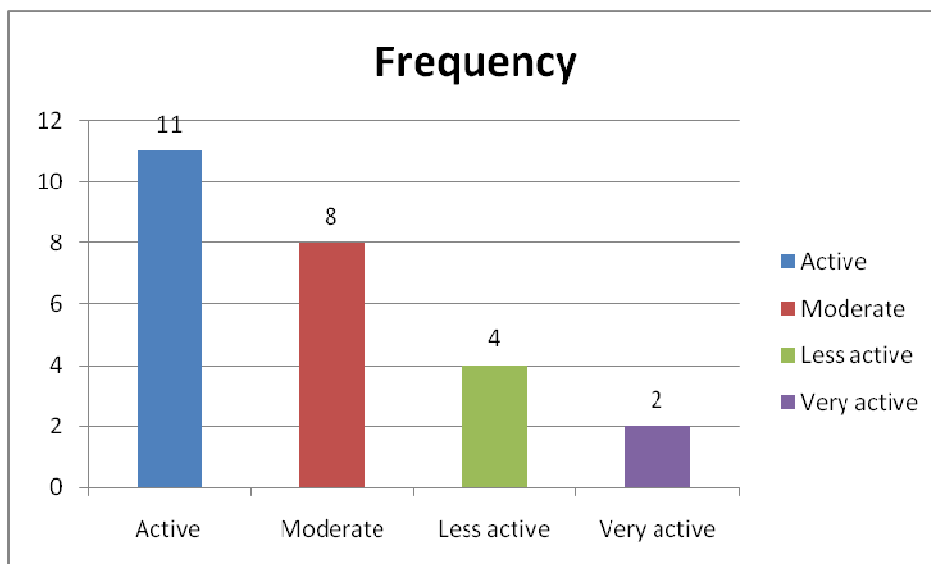


Figure 4.3 The Children's participation in the outdoor activities 67

From the study findings, it emerged that the children's participation in outdoor activities was rated as active by 11(44%) of the respondents, moderate by 8(32%) of the respondents, as less active by 4(16%) of the respondents and as very active by 2(8%) of the respondents. This is an indicator that the participation in outdoor activities was moderate due to lack of adequate play materials. It can also be attributed to the fact that such children are emotionally stressed and withdrawn and therefore did not have the joy to participate in the activities. In this case such children learning would be affected because children learn and discover more when they explore and participate actively. Active participation instills the concept into the child's memory which would be otherwise in this case.

4.5.3 Availability of enough play materials

The study sought to find out whether the children of inherited widows have enough play materials both at home and at school. The study findings are presented in table 4.13.

Table 4.13 Availability of enough play materials

| | Frequency | Percent |
|-------|-----------|---------|
| Yes | 20 | 40.0 |
| No | 30 | 60.0 |
| Total | 50 | 100.0 |

Most 30(60%) of the respondents disagreed that the children had enough materials as opposed to 20(40%) of the respondents who cited that they had. This is attributed to the parent's inability to buy the play materials due to the low economic status. Also, the schools are not able to buy enough play materials due to the large number of children. Lack of enough play materials limited the children's exploration and discovery, thus limiting their learning.

4.5.4 Safeguarding of children's right to play both at home and at school

The study sought to establish whether the children's right to play is upheld or violated both at home and at school. The study findings are presented in table 4.14.

From the study findings, it emerged that the children's right to play both at home and at school was not safeguarded as cited by 18(64%) of the respondents, while 32(36%) of the respondents agreed that it was safeguarded. This is attributed to lack of time for play and lack of adequate playing materials. This impacted negatively on the children's

participation in ECDE as the children have the right to physical play. Furthermore, children learn best through play as they enjoy themselves.

Table 4.14 Safeguarding of children’s right to play both at home and at school

| | Frequency | Percent |
|-------|-----------|---------|
| Yes | 18 | 36.0 |
| No | 32 | 64.0 |
| Total | 50 | 100.0 |

4.5.5 Influence of play on promotion of cognitive skills of children of inherited widows in schools

The study sought to find out the influence of play on promotion of cognitive skills of children of the inherited widows. The study findings are presented in the table 4.15.

Table 4.15 Influence of play on promotion of cognitive skills of such children in schools

| | Frequency | Percent |
|---------------------------------------|-----------|---------|
| Increased sense of belonging | 12 | 48 |
| Improved Socialization | 8 | 32 |
| Improved ability to operate as a team | 3 | 12 |
| Improved self esteem | 2 | 8 |
| Total | 25 | 100 |

From the study findings, it also emerged that 12(48%) of the respondents cited that play increased the sense of belonging for such children, 8(32%) of the respondents cited that

play improved socialization of such children, 3(12%) of the respondents cited that play improved the ability of such children to operate as a team, while the remaining 2(8%) of the respondents cited that play improved the self esteem of such children. During an interview with children a child voiced out:

“Now our foster father comes around and finds us playing, he retorts that we should stop playing about and should go and help with household chores”. Many children had similar responses that most of the time they were involved in household chores and never had time to play. An implication that the right to play was violated and that they were exposed to a lot of child labour. They were not given time to grow as children and learn as children, affecting their participation in education, since children learn best through play.

Lack of enough time to play affects children’s education because children learn best through playing, asserts Garvey, (1990). Also during play, their brain cells develop and the more the brain cells, the more intelligent the child becomes. Therefore, the findings clearly indicate that play has negative impact on the child’s learning. On the other hand, children acquire more information and experience from their environment through play.

4.6 Widow Inheritance, Parental Involvement and Participation in ECDE

The study aimed at establishing the effect of widow inheritance, parental involvement and participation in the ECDE. The study results are presented in table 4.16. From the study findings it emerged that they attended school meetings as cited 17(34%) of the respondents, they paid school fees as cited by 13(26%) of the respondents, they provided learning materials as cited by 10(20%) of the respondents, they disciplined the children as

cited by 3(6%) of the respondents. This implies that the parents are not very reliable when it comes to issues concerning school matters due to lack of time and money to buy the needed materials.

Table 4.16 Reliability of parents of such children when it came to school matters

| | | Responses | |
|---------------------------|------------------------------------|-----------|---------|
| | | Frequency | Percent |
| Assessment of reliability | Provision of learning materials | 10 | 20 |
| | Paying of school fees | 13 | 26 |
| | Attending school meetings | 17 | 34 |
| | Follow up of performance in school | 7 | 14 |
| | Disciplining of the child | 3 | 6 |
| Total | | 50 | 100 |

Lack of learning materials in the classroom makes the child to feel ashamed and thus becomes emotionally distressed leading to ineffective learning. In the focus group discussion, the support group leaders cited that they support schools through provision of learning materials like books, pencils and charts. They also said that they buy school uniforms for those who could not completely afford; this helped to increase children's participation in education.

4.6.2 Involvement of parents in provision of learning materials

The study sought to investigate the involvement of parents in provision of learning materials needed at school. The study findings are as presented in table 4.17.

From the study findings it emerged that the parents provided uniform as cited by 22(44%) of the respondents, the parents provided books as cited by 18(36%) of the respondents, parents provided school bags as cited by 10(20%) of the respondents. This implies that there are other competing priorities that make them not buy the items needed in school. Worse still, the parents did not have enough money to buy the needed materials as they were living economically burdened.

Table 4.17 Involvement of parents in provision of learning materials

| Learning materials | Responses | |
|--------------------|-----------|---------|
| | Frequency | Percent |
| Books | 18 | 36 |
| Uniform | 22 | 44 |
| School bag | 10 | 20 |
| Total | 50 | 100 |

This affected the children’s participation in school negatively due to lack of learning materials. For instance a child with a torn school uniform would not feel free to mix with others and participate in the activities due to shame and thus, lacks the concept leading to poor performance.

4.6.3 Parents as members of school committees

The study aimed at investigating if parents were members of any functioning school committee. The findings are as shown in table 4.18.

From the study findings it emerged that most parents are members of committees as cited by 32(64%) of the respondents as opposed to 18(36%) of the respondents who cited that they were not. This is attributed to the fact that by virtue of being a parent in the school, one becomes a committee member in one way or another unless the parent does not attend school meetings.

Table 4.18 Parents as members of school committees

| | Frequency | Percent |
|-------|-----------|---------|
| Yes | 32 | 64 |
| No | 18 | 36 |
| Total | 50 | 100 |

For the parents who are members, they affect their children’s learning positively due to moral support while those who are not members affect their children’s learning negatively for they do not get the moral support.

4.6.4 Ways in which parents are involved in their children’s learning

The study aimed at finding out ways in which parents were involved in their children’s learning and participation in ECDE. The study findings are as presented in table 4.19.

From the study findings it emerged that the parents were involved in children’s learning by attending school meetings as cited by 20(40%) of the respondents, through follow up of their academic performance as cited by 10(20%) of the respondents, by paying school fees as cited by 8(16%) of the respondents and by providing school uniform as cited by 12(24%) of the respondents. This implies that the level of parental involvement is a bit

low which in return affects their children’s performance. Follow up children’s academic performance can result into fruitful participation in ECDE unlike in this case whereby few parents did so.

Table 4.19 Ways in which parents are involved in their children’s learning

| | Responses | |
|--------------------------------------|-----------|---------|
| | Frequency | Percent |
| By attending school meetings | 20 | 40 |
| Follow up their academic performance | 10 | 20 |
| Providing school uniform | 12 | 24 |
| Paying school fess | 8 | 16 |
| Total | 50 | 100 |

For the parents who did not participate, their children’s participation was affected negatively.

4.6.5 Children’s reaction towards their foster fathers

The study sought to find out how children of inherited widows reacted towards their foster fathers. The results of the findings are presented in table 4.20.

The children’s reaction towards their foster fathers was rated as good by 11(44%) of the respondents, as average by 8(32%) of the respondents and as poor by 6(24%) of the respondents. This is an indication that most of the children were not happy with their foster fathers due to the mistreatment from them and the fact that he was a stranger in the family.

Table 4.20 Children’s reaction towards their foster fathers

| | Frequency | Percent |
|---------|-----------|---------|
| Good | 11 | 44 |
| Average | 8 | 32 |
| Poor | 6 | 24 |
| Total | 25 | 100 |

They also viewed him as someone who had come to grab what their father had left. In one rare instance when interviewing children, a certain child said:

“Now my foster father tells me that I am a nuisance when I tell him that there is a meeting in school”. Other children also reported that their parents attend school meetings but very late. This implied that parents were not fully involved in their children’s education due to lack of commitment, lack of finance, lack of time and also it could be attributed to ignorance from the uneducated parents who view attending school meetings as a waste of time. Lack of involvement in a child’s learning lower her self esteem and thus less concentration, leading to ineffective participation in learning activities.

From the findings, it is clearly indicated that most parents are not fully involved in the children's education and this impacts negatively on the children's learning. Children whose parents are not involved in their learning, do not perform well as supported by (Voorhis 2001). Therefore the children whose mothers are inherited experience negative impact on their education. Also children whose parents are involved in learning attend schools regularly unlike the rest and thus boost their performance, (Epstein et al 1995). Therefore widow inheritance and parental involvement affect their children's education.

4.7 Widow Inheritance Property Rights and Participation on ECDE

The study aimed at finding out the influence of widow inheritance and property rights on participation of children in ECDE.

4.7.1 Number of times the widow has been inherited

The study sought to find out the number of times some widows have been inherited. The study findings are presented in table 4.21.

From the study findings it emerged that majority 43(86%) of the respondents have inherited once, while 7(14%) of the respondents have been inherited twice. An indicator that most of the widows have stuck to the first inheritor for the sake of satisfying the traditional culture.

Table 4.21 Number of times the widow has been inherited

| | Frequency | Percent |
|-------|-----------|---------|
| Once | 43 | 86 |
| Twice | 7 | 14 |
| Total | 50 | 100 |

4.7.2 Reasons why some widows are inherited several times

The study sought to find out reasons as to why some widows chose to be inherited severally. The results are presented in table 4.22.

Table 4.22 Reasons for several inheritances

| | Frequency | Percent |
|---|-----------|---------|
| The foster husband was drunkard and was not responsible | 4 | 57.1 |
| The foster husband thought that I had money, but when he realized I had nothing he decided to leave | 3 | 42.9 |
| Total | 7 | 100 |

From the study findings the reasons attributed to several inheritances were that some of the foster husbands were drunkards and hence not responsible as cited by 4(57.1%) of the respondents, another reason was that the foster husbands thought that the widows had money, but when they realized they had nothing they decided to leave as cited by 3(42.9%) of the respondents. An indication that widow inheritance as a cultural practice has been commercialized and as such there has emerged a clique of professional inheritors who are mainly influenced by money. Therefore, when there is no money they ran away. This affected children participation in ECDE due to their negative emotional development when they realized their mother bringing different men at different times. During focus group discussion, with support group leaders, one woman reported that most widows opted for inheritance in order to get material support and sex satisfaction.

Others did it for cleansing so that their children would not be cursed by the spirits of the dead husband.

4.7.3 Source of income/livelihood for the widows

The study sought to find out the source of income for the widows. The study findings are presented in table 4.23.

Table 4.23 Source of income/livelihood for the widows

| | Frequency | Percent |
|----------|-----------|---------|
| Farming | 28 | 56.0 |
| Business | 22 | 44.0 |
| Total | 50 | 100.0 |

From the study findings it emerged that 28(56%) of the respondent's source of livelihood was farming, while 22(44%) of the respondent's source of livelihood was business. This was an indicator that most of the inherited widows were subsistence crop farmers. The participation of their children in ECDE was affected by the fact that at times they would stop them from going to school in order to help in the farm. On the other hand, it affected them positively in that their parents had enough food from the farm to boost their nutritional status leading to active participation in ECDE. The support group leaders in their focused group discussion said that they gave out small loans to the inherited widows to start small business so as to be independent and support their families.

4.7.4 How death of your husband impacted on your right to family property

The study sought to find out how the death of husbands affected the widows rights to family property. The study findings are as presented in table 4.24.

Table 4.24 How death of your husband impacted on your right to family property

| | Frequency | Percent |
|--|-----------|---------|
| The brothers /family members of my husband denied me access to his property | 30 | 60 |
| Denied information about the husband's property | 7 | 14 |
| There was no property to be inherited and I had to depend on parents and in-laws for support | 7 | 14 |
| Brothers claimed part of the property and this limited my resources | 3 | 6 |
| I have access to my husband's property | 3 | 6 |
| Total | 50 | 100 |

From the study findings most 30(60%) of the respondents cited that the brothers /family members of their late husbands' denied them access to his property, an identical 7(14%) of the respondents cited that they were denied information about the husband's property and that there was no property to be inherited and they had to depend on parents and in-laws for support respectively, while yet another identical 3(6%) of the respondents cited that brother in laws claimed part of the property and this limited the resources and that they have access to their late husband's property respectively. With most respondents citing denial of access to property is an indication that the widows' right to property is highly violated and this creates negative relations between them and their in laws, who in the long run refuse to support the children's education. At the same

time, denial of the right to property ownership left the widows economically weak and therefore could not take their children to better schools, thus compromising quality of education. They could also not be able to provide them with all the learning materials needed, limiting their participation in learning activities.

4.7.5 How inheritance of family property affect the education of children of the inherited widows

The study sought to find out how inheritance of family property affects education of children of the inherited widows. The study findings are presented in table 4.25.

From the study findings it emerged that inheritance of family property affected the education of children due to lack of school fees as cited by 20(40%) of the respondents, inability to provide their children with necessary learning materials because there was no property to be inherited as cited by 15(30%) of the respondents, it was a problem giving their children proper health care whenever they could fall sick due to lack of funds as cited by 10(20%). Further analysis also indicated that 5(10%) of the respondents cited that they were not in a position to feed their children with quality and quantity food. Worse still, from the findings it was clearly indicated that violation of the rights to own family property by the widow strongly impacted on the negative participation in ECDE.

From the study findings it emerged that 4(8%) of the respondents cited that they have coexisted well with their foster husbands, 8(16%) of the respondents cited that their foster husbands were caring and loving, 6(12%) of the respondents cited that their foster husbands were not good, not responsible and not helping the family in any way, 4(8%) of the respondents cited that their foster husbands were assisting in upbringing of the

children, 2(4%) of the respondents cited that their foster husbands were assisting in paying school fees.

Table 4.25 How inheritance of family property affect the education of children of the inherited widows

| | Frequency | Percent |
|---|-----------|------------|
| I am unable to provide the necessary materials needed for learning | 15 | 30 |
| Unable to take my children to a good schools to get quality education because there was no money to pay school fees | 20 | 40 |
| It is a problem giving my children proper health care when they are sick due to lack of funds | 10 | 20 |
| With the little resources I am unable to give my children quality and quantity nutrition | 5 | 10 |
| Total | 50 | 100 |

Another 3(6%) of the respondents cited that their foster husbands were dictators and forces things on them, 5(10%) of the respondents cited that their foster husbands were always drunk and do not give them peace, 1(2%) of the respondents cited that their foster husbands provides clothing for the children, 7(14%) do not give them the freedom that they deserve.

Further analysis indicated 10(20%) of the respondents cited that they always demanded good food and complaining when served with vegetables and strong tea respectively.

4.7.6 Experiences widows have with foster husbands

The study sought to establish the experiences inherited widows have with their foster husbands as compared to their late husbands. The study findings are presented in table 4.26.

Table 4.26 Experiences widows have with foster husbands

| | Responses | |
|---|-----------|---------|
| | Frequency | Percent |
| He is a caring and loving person | 8 | 16 |
| Assists in upbringing of the children | 4 | 8 |
| Assists in paying school fees | 2 | 4 |
| Not good. He is not responsible; not helping the family in any way | 6 | 12 |
| Dictates and forces things on me | 3 | 6 |
| Does not give me the freedom that I deserve | 7 | 14 |
| We have existed well, he provides support in terms of food and finance | 4 | 8 |
| Provides clothing for the children | 1 | 2 |
| Always demands good food and complaining when I present vegetables and strong tea on the table. | 10 | 20 |
| Always drunk and does not give me peace | 5 | 10 |
| Total | 50 | 100 |

In general most of the foster husbands are negligent and therefore not responsible. These experiences affected the children participation in ECDE because they lacked both moral and material support.

4.7.7 Emergence of current husband as part of the family

The study sought to establish if the current husband is accepted by the children of the inherited widow as their 'new' father and as part of the family without hesitation. The study findings are presented in figure 4.4.

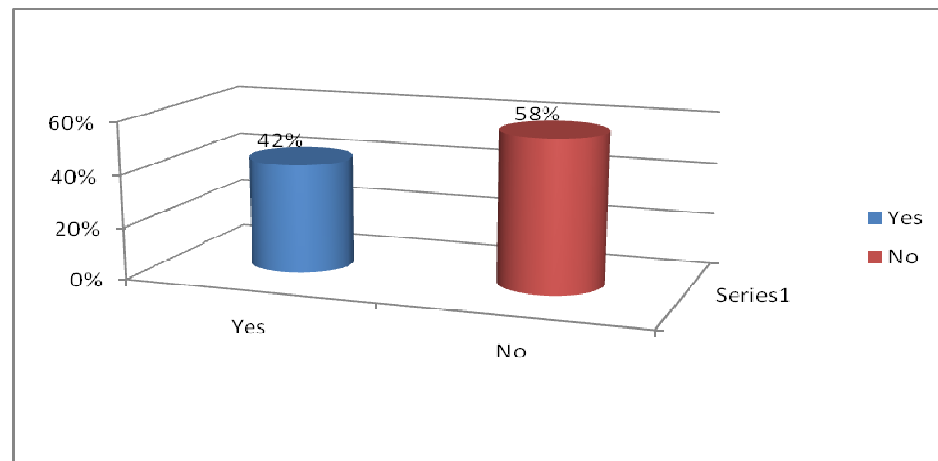


Figure 4.4 Emergence of current husband as part of the family

It emerged from the study findings that close to 21(42%) of the respondents agreed that their families treated their current husbands as part of the family as opposed to 29(58%) of the respondents who disagreed. This an indication that most of the foster fathers were not accepted because of the ways they treated the children and also due to the fact that they were strangers in the family. The children also found it difficult to call a stranger a father yet they knew their father so well and knew that he died. They also felt bitter on seeing the new stranger wearing their late father's clothes. This affected the children emotional feelings leading to limited emotional development which finally impacted strongly on their performance and participation in ECDE.

4.7.8 Reasons for acceptance or denial of the new father

The study sought to investigate the reasons as to why children accept or do not accept the presence of the foster father as part of the family. The study findings are presented in table 4.28.

From the study findings, it is realized that those who agreed that their families treated their current husbands as part of the family and are being like the father to the children and pays attention to their needs was cited by 6(12%) of the respondents, they felt bad when they saw him putting on their late father's clothes was by 9(18%) of the respondents. More still 10(20%) of the respondents cited that the children felt bad and could cry when they saw him beating up their mother. Worse still, 20(40%) viewed him as a stranger in the family, and 5(10%) opinionated the foster father as somebody who could not buy food for the family.

During an interview with children, one child quoted that:

“Our cows were taken by my uncle and we remained with only one”. This an indication that inherited widows were denied the rights to access their late husbands property.

Property inheritance doesn't affect the children directly but their mothers who are the custodians of the property. The findings revealed that large numbers of widows get inherited and the brothers of the deceased deny them the right to property. This affects the children's education in that they will lack of money to support their education. At the same time they will not be able to feed well and attend good hospitals when sick. Deterioration in health status affects children's learning and hence poor performance. This unlike the time when the late husband was alive. The inheritor also at times uses the

wealth for their own benefit and that of their children and not those for the deceased. Economic hardship reduces the likelihood that mothers would set high developmental goals for their children and engage them in competency, promoting activities (Bradley et al 1999). This actually results in low academic and psychosocial factors that impact negatively on children's learning.

Table 4.28 Reasons for acceptance or denial of the new father

| | Frequency | Percent |
|---|-----------|------------|
| He is like the father to the children, he pays attention to their needs | 6 | 12 |
| They feel bad when he puts on their late father's clothes | 9 | 18 |
| My children feel bad when he beats me up | 10 | 20 |
| They feel he is a stranger in the family | 20 | 40 |
| Provides food for the family | 5 | 10 |
| Total | 50 | 100 |

The support group leaders cited in their discussion that they organized workshops and seminars for inherited widows for sensitization and creating awareness about their rights, advantages and challenges for inheritance. They also teach them about parenting and care of children. All these were to help them to make right decisions after the death of their husbands.

CHAPTER FIVE

SUMMARY, CONCLUSION AND RECOMMENDATION

5.1: Introduction

The chapter presents the summaries of the study findings followed by conclusion. It further outlines the recommendations and finally gives suggestions on areas for further studies and the body of knowledge.

5.2: Summary

From the study findings, it emerged that nutritional status of children whose mothers are inherited was average. On the other hand the research findings indicated that the health status of the same children was average and therefore has impacted on their education moderately. Most of the inherited widows were involved in subsistence farming and therefore they had enough food to feed their children. Children who are well fed are energetic and actively involve themselves in the learning process unlike the ones who are not. Furthermore, some schools had organized feeding programmes to supplement the children's nutrition.

The study findings also revealed that children did not have enough play materials and were never given adequate time to play, an issue that impacted negatively on their learning because children learn effectively through play. Therefore, their right to play was not safeguarded both in school and at home. The inherited widows were mostly economically overburdened and therefore did not have money to buy play materials for their children. The children only improvised play materials which were not even enough. Likewise the schools could not afford to provide enough play materials due to the large

number of children. This had influenced their learning negatively because children learn best through play which give them opportunities to explore and discover.

From the study findings it emerged that inherited widows were denied the access to inherit the property of their late husbands. This affects the education as the children in that they are not economically empowered to take their children to good school thus compromising quality. They are also not in a position to buy enough learning materials and school uniform. Therefore the children's' right to property ownership is violated. On the other hand some of the inherited widows never had any property from their late husbands to inherit and therefore were economically weak. This made them not to be in a position to give their children quality education thus affecting their participation in ECDE.

The study findings indicated that parental involvement in children's learning was below average. When it comes to provision of materials, only 18.4% got involved by attending school meetings, while 14.3% follow up on academic performance. This affected their early childhood education due to lack of enough involvement which is aimed at improving their performance in learning activities. When parents of children, especially those with learning difficulties are involved in supporting them both at home and at school, their performance improve tremendously (Lee S. and Miller J., 2001)

5.3 Conclusion

From the study findings it s concluded that widow inheritance affects children's rights to nutrition, health care and participation in ECDE. The children who have received childhood immunization completely are below average and this therefore exposed them

to early childhood diseases that impacts negatively on their education. The nutrition status of children of inherited widows is revealed by the study findings as average. This therefore impacts on their learning moderately as the concentration levels will be moderate and also from the fact that it involves learning activities. Most of the schools have school feeding programmes, which take care of children's nutritional deficiencies as it provides them with energy to participate in learning activities.

Another conclusion that can also be drawn from the study findings is that most children absent from school from Monday to Friday, thereby effectively attending on average 2-3 days in a week, a fact that is attributed to lack of learning material, childhood diseases and direction from parents to participate in household chores. Also the study findings revealed that most children participate in play twice a week which is below average. The children's participation in outdoor activities was rated as active. However, it was observed that most children did not have enough playing materials, this fact contributed to the children's right to play both in school and at home not being safeguarded. It is in this regard therefore clear that play has negative effect on children's participation in ECDE.

The study findings revealed that parental involvement in children's education was below average, as only 49% were reliable when it came to school matters like provision of adequate learning materials, which affect their learning activities and thus their education. Also, most parents are members of school committees and this impacts on the children's education positively.

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

5.4 Recommendations

The study established that widow inheritance has influence on children's nutrition and health care, which impacts heavily on children's early childhood education. Therefore the study recommends that all ECDE centre's should have feeding programmes. Equally, in schools where the immunization coverage is low, the school authorities should make arrangements with the local health centre's to visit their respective schools to immunize the children who are not fully immunized.

The study also revealed that widow inheritance, has effect on children's play and this eventually affects the ECDE. Therefore the study recommends that parents should be sensitive on the importance of play on children education. Parents and teachers should provide enough play materials and make for playing time in order to boost the children's performance. .

The research study findings also indicated that property ownership and widow inheritance has impact on the children's education. The community should be sensitized not to grab property of their deceased relatives but to let their widows inherit for it will help empower them economically so as to be able to take care of their children's

education as they provide learning materials and pay school fees. The widows should be counseled on how to take care of the property to avoid cases of misuse.

The study found that widow inheritance and parental involvement in children's learning had an impact on children's education. Parents should be sensitized on the importance of their involvement of their children's education in order to improve their performance.

Therefore in general, widow inheritance has negative influence on children's rights to education; women should be enlightened on the cons and challenges of widow inheritance in order to make the right decision.

5.5 Suggestions for Further Studies

Since the study explored the influence that widow inheritance has on ECDE and was limited to Ugenya District, the study suggests that similar studies should be carried out in other districts in Kenya for comparison purposes and also to allow generalizations of the findings on influence of widow inheritance on ECDE.

Further studies should be done on challenges facing inherited widows and their children apart from its effect on education. Also other studies should be done on the effects of widow inheritance on other children's rights apart from right to education.

5.6 Contribution to the Body of Knowledge

Analysis from the study revealed that widow inheritance not only has negative influence on children's participation on ECDE, but also affects other rights like, nutrition, health care, play, property inheritance and parental involvement in learning which in turn affects their participation in ECE.

Table 5.1 Summary of contribution to the body of knowledge

| No | Objective | Contribution |
|-----------|--|---|
| 1 | Widow inheritance, nutrition, health care and children's participation in ECDE | Children who are well fed on a balanced diet, develop high I,Q, thus are able to grasp the learning concepts fast enough and their concentration level is also high leading to effective learning unlike the ones who are malnourished. |
| 2 | Widow inheritance, play and children's participation in ECDE | Children who are exposed to physical play, given enough play materials and time, will be able to learn effectively due to exploration and discovery. Play is important to their learning. |
| 3 | Widow inheritance, property inheritance and children's participation in ECDE. | Women who inherit their late husband's property will be economically empowered and will be in a position to take their children to better schools without compromising quality of education. |
| 4 | Widow inheritance, parental involvement and children's participation in ECDE | When parents involve themselves in children's learning, their performance improves. This is attributed to the moral and material support that boost their self esteem |

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APPENDICES

APPENDIX 1: LETTER OF TRANSMITTAL

Seline Keya,
University of Nairobi,
Faculty of Education,
Box 30197,
Nairobi.
January 2013
Selycate@yahoo.com
0720432691

The District Education Officer,
Ugenya District
P.O. Box Ugunja

Dear Sir/Madam,

RE: EFFECTS OF WIDOW INHERITANCE ON THE CHILDREN'S RIGHT TO EARLY CHILDHOOD EDUCATION IN UGENYA DISTRICT SIAYA COUNTY

I am a Masters of Education (ECE) student at the University of Nairobi carrying out research on the above topic. It is my humble request that you assist me by filling in the questionnaire as correctly and honestly as possible. Be assured that your identity will be treated with utmost confidentiality. Do not write your name or institution on the questionnaire.

I take this opportunity to thank you in advance for your willingness to participate in this important exercise.

Yours faithfully,

Seline Keya

APPENDIX II: QUESTIONNAIRE FOR PRE SCHOOL TEACHERS

The questionnaire has been designed to gather data on the effects of widow interests on the effects of widow interests on the children's right to early childhood Education in Ugenya District. Kindly respond to the questions by placing a tick in the appropriate space or giving a brief explanation. We assure you that the information that you will provide will be used for the purpose of this research only and nothing else.

| No | Questions | Responses | Instructions |
|------------------------------------|--|--|---------------------------|
| Demographic Characteristics | | | |
| 1 | Gender | Male [] Female [] | Tick the most appropriate |
| 2 | Indicate your age bracket | 20-29 yrs [] 30- 39 yrs [] 40 – 49 yrs [] Over 50 Yrs [] | |
| 3 | Indicate your highest education level | Form Four Certificate [] Advanced level Certificate [] Diploma Certificate [] University Degree [] Any other _____ | |
| 4 | For how many years have you been in a teaching position or teaching related role | _____ _____ _____ | |
| 5 | What is the total population in your school (ECE Centre) | Boys _____ Girls _____ Total _____ | |
| 6 | What type of ownership is your school | Public _____ Private _____ | |
| 7 | Where is your school located | Urban [] Semi urban [] Rural [] | |

B-Widow Inheritance Health Care, Nutrition and Participation in ECE

| | | | |
|---|--|--|--|
| 1 | Among the children whose mothers, have been inherited, how many have completely received childhood vaccination/immunization? | _____ | |
| 2 | From your observation, what is the overall health status of such children? | Very Good [] Good [] Average [] Poor [] Very Poor [] | |
| 3 | How would evaluate those children with regards to their nutritional health? | Very Good [] Good [] Average [] Poor [] Very Poor [] | |
| 4 | Does your school have school feeding programme? | Yes [] No [] | |
| 5 | How often do they attend school? (No of times absent per week) | Once a week [] Twice a week [] Thrice a week [] Four times a week [] Five times a week [] | |
| 6 | What are the main reasons attributed to absenteeism,? | Refusal by parents [] Sickness [] Lack of food [] Engaged in house work [] Lack of school fees [] | |
| 7 | How would you describe their concentration levels in class activities? | Very Good [] Good [] Moderate [] Poor [] Very Poor [] | |

C: Widow Inheritance Play and Participation in ECE

| | | | |
|---|---|---|--|
| 1 | How often do you engage children in physical play? | Once a week [] Twice a week [] Thrice a week [] Four times a week [] Five times a week [] | |
| 2 | How would you describe these children participation in the outdoor activities? | Very active [] Active [] Moderate [] Less active [] Inactive [] | |
| 3 | Do they have enough play materials? | Yes [] No [] | |
| 4 | In your opinion, is their right to play safeguarded both at home and at school? | Yes [] No [] | |
| 5 | How does play promote the cognitive abilities of such children in your school? | Improved self esteem [] Increased sense of belonging [] Improved Socialization [] Improved ability to operate as a team [] | |

D-Widow Inheritance , Parental Involvement and Participation in ECE

| | | | |
|---|---|--|--|
| 1 | How would assess the reliability of the parents of such children when it comes to school matters? | Provision of learning materials [] Paying of school fees [] Attending school meetings [] Follow up of performance in school [] Disciplining of the child [] | |
| 2 | How are their parents involved in the provision of learning materials? | Books [], Uniform [] Teaching aides, [] Pencils/Colors/Crayons [] School bag [] | |
| 3 | Are the parent's members of any school committee? | Yes [] No [] | |
| 4 | Kindly indicate in what ways are the parents involved in their children's learning? | By attending school meetings [] Follow up their academic performance [] Providing school uniform [] Paying school fees [] | |
| 5 | What are such children's reactions towards their foster fathers? | Very good [], Good [] Average [], Poor [] Very poor [] | |

APPENDIX III: AN ORAL GUIDE FOR THE INHERITED WIDOWS

Demography

1. Name (Optional) _____
2. Name of the Village _____
3. Gender: Male [] Female []
4. Level of Education: Primary [] Secondary []
College []
5. Age of the respondent: _____
6. Number of years in previous marriage? 0-4 [] 5-9 [] 10 -15 []
Above 16 Years []
7. Number of years in the current marriage? 0-4 [] 5-9 [] 10 -15 []
Above 16 Years []
8. Number of children in the previous marriage?

9. Number of children in the current marriage?

10. How many times have you been inherited?

Effect of Widow Inheritance

1. What were the reasons for several inheritance relationships?

2. What is your main source of income/livelihood?

3. How did the death of your husband impact on your right to family property?

4. How does the inheritance of family property affect the education of your children?

5. Briefly state your experience with the foster husband?

6. Briefly explain how the experiences affect your children's right to nutrition and health?

7. Do your children love and accept your current husband as part of family?

Yes [] No []

8. Give reasons for your answer above?

APPENDIX IV: STORY TELLING

Long time ago, there were children who were living with their parents in a small village called Luhano. The children were three girls and two boys. Their mother was a house widow who took care of them and could also work in the 'shamba' to get food. Their father was working in Nairobi, and they could visit him during the holidays once in a while. Whenever they could go to visit their father in Nairobi, he was loving, caring and could buy for them many presents.

One day, their father got involved in a bad road accident and unfortunately he passed on. Due to Luo traditional culture, their mother, was inherited (re-married), by another man. At the beginning, the foster father did love them so much and could buy them presents and food. Later, as time went by the man changed and started hating them. At times he could be the only one to be served with good food while the children went hungry or were served with vegetables. He could cane them without any proper reason and went further to even refuse them from attending school at times so that they could work in the 'shamba'. The act devastated the children and it made them miss their late father so much as they lacked sense of belonging. This in return made them to start hating their mother as she cared for the foster father more than she did for her children. They could at times go to school without taking breakfast unlike the days when their dad was alive as their mother cared less and less.

The property their mother had inherited after the death of their father had been squandered by their step father, resulting to them lacking materials for school, food, decent clothing, parental love and care from the mother. Despite all these, their teachers showed them love and compassion as they helped them to get registered with an NGO that was taking care of orphans by paying for the fees and providing them with school uniforms. This reduced their suffering and their mother was also counseled to show compassion to her children

STORY LEADING QUESTIONS

1. What is the story telling us about?
2. Does any one of you know of someone whose father died and then the mother was inherited (re-married)?
3. If you were the one whose father had passed on and your mother got re married and then you get subjected to such mistreatment, what would you do?
4. If yes, how does the foster father treat you?
5. Who pays school fees, buys food, buys books and school uniform for you?
6. Are you given time to play?
7. When you are sick, who takes care of you?

APPENDIX V: FGD GUIDE FOR WOMEN SUPPORT GROUP

LEADERS:

1 How prevalent is widow inheritance in your area?

2. What are the main causes of this practice?

3. How has widow inheritance impacted on the lives of the inherited women?

4. How has widow inheritance impacted on the education rights of the children of the inherited women?

5. Does your group give support to such children? If yes/No give a brief explanation:

6. Kindly state some of the other ways that widows can be given support to empower them without necessarily being inherited?
