



Widows' Rights International

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***** Newsletter *****

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Message from the Chair

International advocacy for action against cultural practices which bedevil the lives of widows and their children is now receiving increasing support and WRI continues to play its role in attracting attention to this serious human rights issue. We have written to the United Nations Human Rights Commissioner in Geneva about this issue and we have sent a petition to the high level segment meeting of the UN's Department of Social and Economic Affairs (DESA) which will be held in New York in July. The meeting in New York will be assessing the legal and actual status of women against the background of the international instruments which countries have adopted. In particular all countries which have acceded to or ratified the Convention on the Elimination of all forms of Discrimination against Women (CEDAW) are required to report to the Secretary General on the measures they have adopted to give effect to the Convention.

DESA invited civil society organizations to send in written reports or to appear in person to highlight areas where the provisions under CEDAW need to be strengthened. In our submission we have pointed out that there is limited mention of the discrimination suffered by widows, have drawn attention to the relevant articles where the word widows needs to be included and have asked that the guidance given to States should include specific questions about the treatment of widows.

Finally, financial support for our work for widow's rights is continuing and we would like to express our appreciation to the Ernest Ingham Foundation, the McTaggart Third Fund and the Rhododendron Trust for their generous contributions which will enable us to maintain our contacts with local partners and our advocacy for widow's rights at the international level.

Patsy Robertson

We are urgently seeking funds to support our partners in Africa – please support our work!

Go to www.widowsrights.org and press the PayPal button to help us help these disadvantaged women in their struggle for their basic human rights.

WRI featured on Economica Website

WRI was pleased to be informed by the International Museum of Women that our work was recently in their latest exhibition, Economica: Women and the Global Economy. The International Museum of Women (I.M.O.W.) is a groundbreaking social change museum that inspires global action, connects people across borders and transforms hearts and minds. The mission of I.M.O.W. is to value the lives of women around the world. Learn more at www.imow.org

The newest exhibition, Economica: Women and the Global Economy, is a vivid and timely online exploration of women's global economic participation featuring powerful voices, visions, and images that cover a range of topics, from business leadership and philanthropy to microenterprise and grassroots solutions. Visit <http://www.imow.org/exhibitions/index> for details.

WRI is featured in the "Take Action" section of the Economica website and the link to where we are highlighted:

<http://www.imow.org/economica/stories/viewStory?storyid=3685>

Learn more about the museum of women at www.imow.org

There is also an article which deals with the economic vulnerability of women and with the special situation of widows in India and Africa. It is written by Masum Momaya, Curator of the Museum and is reprinted below.

ECONOMICA WOMEN *and the*
GLOBAL ECONOMY



[Masum Momaya, Curator](#)

Money of Her Own

Taking the Price Tag Off Women and Marriage

Around the world, a woman's economic well-being is tied to her marital status--whether she is single, divorced or widowed. The fate of her marriage or of her partner can propel a woman into personal economic crisis. While monetary support and debt relief can undoubtedly help women in the most difficult circumstances--such as India's cotton farmer widows--their situation raises deeper questions about

how transactions related to marriage make women economically vulnerable, and what can be done about it.

Widows Are Uniquely Vulnerable

In many parts of the world, widows are uniquely vulnerable to poverty. Many, regardless of age, are left without a sole or primary breadwinner, and are forced to earn a living while also caring for children and elderly dependents. Some are even vulnerable to sexual abuse and exploitation because they're viewed as being "back on the market" for other men.

Some governments and aid organizations provide financial assistance or skills-based trainings for widows, particularly in times of conflict or disease outbreaks. However, the aid is often given in ways that assume widows are incapable of caring for themselves or making independent decisions. Alternately pitied, isolated and infantilized, widows are treated like children who must be "adopted" and protected by the government, charity organizations, or other men.

For example, in Kenya's Nyanza province, many women in the Luo community have been widowed due to the HIV/AIDS pandemic. There, when a man dies, one of his brothers or other male relatives is required to marry the widow and provide for her financially and socially. Women do not inherit property or assets, and the property and children of the deceased man belongs to a caretaker other than his wife (1). A woman has no say in what happens to her, her children or her belongings.

Similarly, in Nepal, many women's husbands have died because of a decade-long violent conflict and the spread of HIV/AIDS. The Nepali government recently announced a 50,000 Nepali rupee (\$641) incentive for men who marry widows (2). Although women's rights activists were encouraged by the government's attempt to help widows, they vehemently denounced the incentive as "humiliating" and disempowering to widows. Some worry that men will intentionally seek out and exploit widows for the monetary reward (3).

Widows themselves don't want to be turned into commodities or have a "price tag" put on them. Lily Thapa, founder of Nepal's Women for Human Rights-Single Women Group believes that "marriage should be based on love, understanding and commitment" and points out that this incentive "encourages people to marry for money's sake" (4).

Since most of the world's women are financially dependent on men, Thapa's comment raises questions about when, if ever, marriage is *not* for money's sake.

Marriage as an Economic Transaction

Contrary to the contemporary Western ideal of marriage as an agreement based on love, historically and across cultures, marriage has been largely an economic transaction. Philosophers point out that rather than "a relationship of love, friendship, or companionship, marriage [has] functioned primarily as an economic and political unit used to create kinship bonds, control inheritance, and share resources and labor" (5).

People enter into legal commitments to cement relations between families, to keep and protect assets and to fulfill expectations in terms of gender and social roles. It's no surprise, then, that women have often received the short end of the stick in these arrangements, economically and otherwise. Despite the tacit understanding

that women will be "taken care of" as long as they fulfill their social, sexual and care responsibilities as wives, mothers and homemakers, women themselves frequently have no say in the matter and no guarantees.

Historically in the Western world, legal contracts associated with marriage effectively made women economically dependent, even if they weren't already. For example, until the late 19th century, the doctrine of *coverture* in English and U.S. law suspended a wife's legal personality in marriage, "covering" it with that of her husband and removing her rights to own property, make a will, earn her own money, make contracts, or leave her husband, as well as giving her little recourse against physical abuse (6). Unfortunately, single women didn't fare much better: they were often shunned and ostracized.

Similarly, outside of the Western world, staying unmarried was not an option. In most cases, a marriage agreement took place between two (or more) families, not between individuals. These usually began with an exchange of money, turning women into something to be bought and sold. In some cases, a payment was intended to ease the burden of another family "taking in" a woman; in other cases, ironically, it was meant to protect her.

Putting a Price on Women

Many cultures continue to practice dowry and other asset exchanges as part of their marriage rites. Whether these transactions increase or decrease women's "value" is debatable; what is clear, though, is that they turn women into commodities.

For example, in Africa, Central Asia and Southeast Asia, a groom pays a certain amount of money, jewelry, animals or property--the *bride price*--to a bride's family upon their marriage. Some cultures view this as compensation for the family's loss of the woman's labor and fertility. Others see it as proof that the groom has enough resources to support the bride. In the present day, bride price is also sometimes thought of as advance alimony in case the marriage dissolves or the husband dies.

Meanwhile, in South Asian countries like India, Nepal, Pakistan and Sri Lanka, it is the bride's family that pays dowry--money, goods or property--to a new husband and his family. Women's rights activists tend to view dowry unfavorably, arguing that women should not have to provide an economic incentive to be considered marriageable or to bring assets with them to offset the "burden" they represent to their new families.

Historically, dowries in South Asia were a woman's safety net in case her husband died. Also, dowries have helped families make it through difficult economic times and sometimes even insured women against violence: the larger her dowry, the less likely a woman is to be beaten or abused. Dowry has also been used to let parents out of inheritance obligations; for example, if a father has already paid dowry in marriage, he is not required to provide inheritance to his daughter.

Although a dowry can provide a financial starting ground for married couples and protect women against the loss of their husbands, it also implies that women are in need of this help or assistance from their families and have no economic contribution of their own to make.

Equal Footing

Women's ability to survive financially should not be tied up with marriage. A first step is to allow women to choose how, why and if they enter into marriage in the first place.

Once women are married, they need to be on equal footing with their spouses. Married women are more likely than their husbands to work in lower paid, part-time jobs or to give up paid work entirely, especially to meet the demands of child-rearing. Although the structure of legal marriage encourages many wives to become economically dependent on their husbands--for tax benefits, health insurance and income--this ultimately leave women in a weakened position following divorce or a husband's death. As a result, even those who have enjoyed a comfortable life are likely to end up with a lower standard of living or in poverty.

All women, regardless of their marital status, need access to education, good jobs, and support for domestic duties. Both widows and married women deserve freedom from culturally entrenched marital practices that degrade and commodify them as well as legal protection from their husband's debts. Although transforming long-held laws, beliefs and practices may be difficult, it is the only way to keep the "price tags" off women and ensure that they have dignity as well as true economic agency. <http://www.imow.org/economica/stories/viewStory?storyid=3685>

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3. Joanna Jolly, "[Nepal widows dismiss marriage incentive](#)," BBC News, (July 16, 2009).
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6. [Stanford Encyclopedia of Philosophy, Marriage and Domestic Partnership](#), (August 5, 2009).

News from Africa

SWAZILAND: Fight For The Right To Own Property

Activists in Swaziland have contributed to eroding gender-prejudiced legislation, and recently the High Court amended the 1968 Deeds Registry Act by making it possible for a Swazi woman to register immovable property, like a home or business, in her own name.

Justice Qinisile Dlamini, the High Court's sole female judge, ruled that "Section 151 (2) of the Constitution states that the High Court has jurisdiction to enforce fundamental human rights and freedoms guaranteed by (the Constitution). This includes the right to equality, which is guaranteed by section 20 and 28 of the Constitution."

However, the ruling only applies to women married in a civil ceremony, and with a community of property agreement. About 80 percent of Swaziland's one million people live on communal Swazi Nation Land under customary law administered by chiefs.

There is now a call for the marriage law to be changed because it assumes that all Swazi women are married the traditional way, which is really arranged marriages that unite two families. A woman is a minor under her parent's homestead until she

goes to her husband's homestead, where she is also a minor. The law considers the husband the administrator of the marital property.

The question of land ownership was also problematic. "The land belongs to the King, and Swazis reside on a piece of land at the pleasure of their chief. There was no wage-earning or commerce, no material objects beyond blankets and pots, and no need for loans or savings - but that was then."

With increasing numbers of women widowed by HIV/AIDS and in need of family property on which to live and raise their children, AIDS activists object to Swazi Law and Custom that results in the family of the deceased husband inheriting all marital property.

Widows are often left destitute, but custom dictates that a widow must mourn for at least six months, during which she is forbidden to leave the home, preventing her from working to support her children and compounding the vulnerability of the family.

"A new Marriage Act is essential," said Lomcebo Dlamini, director of the Swaziland branch of Women in Law in Southern Africa - one of the legal bodies advising the Mswati-appointed Constitutional Review Commission during the 10 years it took to create the Constitution "Fewer women are entering into traditional marriages, and it is wrong for the law to assume that 21st century Swazi women live as the Colonial-era lawmakers assumed they did long ago."

<http://www.irinnews.org/Report.aspx?ReportId=88230>

KENYA: Protecting Widows from Harmful Customs

In our last issue, we highlighted the statement of the UN Secretary General Mr Ban Ki Moon on the harmful effects of deep-rooted cultural customs which have been most harmful to widows and their children. The practice of wife inheritance has contributed to the spread of HIV/Aids in many communities in Africa. For instance, there are communities where the HIV prevalence is estimated to be as high as 15% and in others as many as one in four are infected.

The story of Peres Atieno, a widow who was ignorant of the cause of death of her husband, was inherited by her dead husband's brother and later was found to be HIV positive, highlights the suffering which widows endure. Another HIV positive widow recalls the reaction of her in-laws when she tested positive soon after the death of her husband. "They behaved angrily and told me I could not stay there as I would only bring them another coffin," she recalled. "One day I went to town and when I returned they had removed the sheet-metal roofing. They beat me and chased me away."

The article published by IRIN, the Global HIV/AIDS news and analysis service also deals with other issues which widows face in Kenya, including dispossession of their houses and property, leaving many to live with their children in squalid conditions.

<http://www.plusnews.org/Report.aspx?ReportId=72821>

RWANDA: Empowering Genocide Widows

Sixteen years after the Rwandan genocide, many women are still gravely affected by the violence they were subjected to.

According to the association of Genocide Widows NGO, Avega Agahozo, sexual violence was often used to humiliate and degrade women between the 6 April- 16 July 1994 killings. In many cases atrocious abuses were carried out during or after the murder of a relative.



The association of genocide widows, Avega Agahozo, says sexual violence was used to humiliate, degrade and abuse women during the genocide (file photo)

Avega also provides legal services for widows who wished to testify against those accused of genocide in the traditional Gacaca courts. "Previously, the widows were unwilling to testify," Sabine Uwase, the head of advocacy, justice and information for Avega explains "We have trained 419 trainers of trainers who go back to the villages to teach others how to testify. In Kigali, we have helped testimony in 150 cases. Now, we are also teaching the widows and orphans about land law."

One study carried out by the organization in Rwanda's 12 provinces found that in a sample of 1,125 widows, about 80 percent showed signs of trauma and 67 percent had HIV. The study was limited by inadequate resources.

Genocide widows form a significant percentage of survivors because the genocidaires targeted mainly men and boys. Data compiled by the genocide survivors fund shows that between 250,000 and 500,000 women were raped during the 100 days of violence in which 800,000 to one million Tutsis and moderate Hutus died. Up to 20,000 children were born from rape. Across the country, there are 10 times more widows than widowers among the 300,000-400,000 survivors.

Avega has built 919 houses for widows and orphans between 2007 and 2008, and tackles gender-based violence. Over the years, it has encouraged the women to engage in income-generating activities, such as basket-weaving. The baskets are sold internationally and help to supplement the US\$60 monthly government grant provided by the Assistance Fund for Genocide Survivors.

<http://www.irinnews.org/report.aspx?ReportId=88069>

News From Asia

NEPAL: Widows Continue to Push Traditional Boundaries



Lily Thapa, the formidable founder of Nepal's Women for Human Rights, who has been a pioneer of the struggle for human rights for widows not only in her own country but in the South Asia region, is featured in a story which highlights the continuing battle for their rights in that country. In an interview below she explains why she made the momentous decision to take up the cause of widows in a society which restricted their lives.

Last year, led by Lily's organisation, Widows in Nepal protested against a Government plan to pay men to marry them; this year they are defying the custom of widows wearing white for life, by wearing red.

Widows are not allowed to wear red clothes and anything in red. In addition, they are considered to be inauspicious, and they are not allowed to participate in religious functions, even in a marriage ceremony of their own children.



(From left) Nisha Swar, Rekha Subedi and Bhagwati Adhikari were widowed young. They are outraged by the government's plan for widow remarriage.

Credit: Mallika Aryal/IPS

Lily's Account

"My story is not very different from the ones you have already heard," says Lily Thapa, founder of Women for Human Rights. She sits surrounded by other widows who work with her at WHR as each tell their story of struggle.

Thapa's husband, a doctor in a peacekeeping mission in Iraq during the Gulf War,

died of a heart attack. Widowed at 32 with small children, Thapa found herself suddenly alone. "I really had no support, no one to even talk," she recalls.

Desperate to talk about the pain inside her, in 1994 she got together with other widows in the neighbourhood and started a support group, which would later become WHR. "We would meet, talk and then cry, sometimes for hours," says Thapa.

A few years later she got the opportunity to go to the U.K. for training, and Thapa says it exposed her to the world of different possibilities. She came back and made WHR more active - she started providing skills training to widows, and started credit and saving schemes for those who wanted to start small businesses. In early 2000, the Red Campaign was launched where widows in Nepal's villages were encouraged to wear red. She says, "Why should a widow wear white for the rest of her life - making her vulnerable to ostracism, violence and sexual advances from men."

The campaign spread from one village to another. "We had a case of an 80-year-old father-in-law coming out in public, in front of the entire village, to give a red shawl to his widowed daughter-in-law." What started out in a small room in Thapa's neighbourhood has expanded to 52 of the 75 districts in Nepal with 225 groups and 44,000 members. WHR is also the secretariat of the South Asian Network for Widows Empowerment in Development, which is a network of organisations working with widows in South Asian countries like Afghanistan, Bangladesh, India, Pakistan and Sri Lanka. WHR has also recently established an international chapter in Australia.

Thapa is looking to establish training centres in all five development regions of Nepal in the next two years so rural widows don't have to come to Kathmandu if they need help. WHR is also in the process of putting up a bigger hospice in Kathmandu and other areas where widows, especially those rejected by their families, can feel safe.

Thapa and other rights activists are also pushing the government to include data on Nepali widows in the 2011 census.

Says Thapa, "What needs relentless work is the one we have to do in our society - break the barriers so that widows can come out and live freely - this will take time to change, but I have nowhere to go, no other battle to fight, I am in this until the end."

<http://ipsnews.net/news.asp?idnews=49708>

News From Our Partners

Women of Purpose based in Pallisa, Uganda has been a partner organisation of WRI for many years and was one of the first groups established in that country to work to eradicate the cultural constraints under which widows lived.

Jane Opolot the founder of WOP has sent us an update of the continuing work undertaken in such areas as widow's rights education and economic empowerment initiatives.

An interesting feature is the Cow Scheme, to support families by giving a heifer to each family and assisting them in its upkeep by providing veterinary services. They teach sustainable food production skills in order to improve food security and raise household incomes. It is during such occasions e.g. handing over of heifers, officiated by the District Officials and attended by the public, that they talk about the rights of widows and the need to support orphans in all aspects of their lives.

Another initiative is a Housing Scheme which rehabilitates and constructs low cost iron roofed houses for widows. There is now assistance from local communities in constructing these houses and the official handing-over of the house is always a joyous occasion for the beneficiaries and the community at large. Again, opportunities are taken to underline the need to respect the fundamental rights of widows and orphans.

There is also a Good Samaritan Project where used clothes, shoes, bed sheets, etc. are collected from friends and well wishers in Uganda, Australia, USA and are distributed to the most needy widows and orphans.

Health issues project Family Planning

There is a constant effort to make communities in the area aware of the need for family unity in order to overcome the challenges of life. This includes working with the Marie Stoppes Mbale clinic to provide family planning services for our members and the community at large. Alongside the doctors' teachings, there is a continual emphasis on widows rights education.

HIV/AIDS Intervention Programme

AIDS continues to ravish many communities in Uganda and through a well established HIV/AIDS programmes, communities are informed about the rights of widows and the need for peer education.

ABOUT WRI

Widows' Rights International supports organisations in South and West Asia and Africa working for social justice and human rights for widows including:

- ❑ **Right to keep their home and property**
- ❑ **Right to inheritance and land ownership and possession**
- ❑ **Right to keep their children**
- ❑ **Right not to be forcibly married to the dead husband's kin**
- ❑ **Right to work outside the home**

WRI works:

- * to promote the recognition of widows' special vulnerability
- * to combat negative social attitudes which lead to their isolation, Exploitation and poverty
- * to bring these practices to an end:

WRI mobilises action by:

- *International organisations
- *National governments
- *Legal and other civil society organisations

Financial assistance may be available for:

- *pioneering activities by and for widows which provide examples of best practice
- *activities designed to establish legal precedents; heighten public awareness; repeal of laws inimical to widows
- *action to influence international agencies to condemn practices which deny widows their rights
- *action to train widows and legal personnel in rights awareness

PLEASE SUPPORT OUR WORK!

Go to www.widowsrights.org and press the Paypal button to help us help these disadvantaged women in their struggle for their basic human rights.



Yes, I want to support WIDOWS RIGHTS INTERNATIONAL's struggle for social justice for widows in South and West Asia and Africa.

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Gift Aid Declaration

Using Gift Aid means that, if you are a UK taxpayer, for every pound you give, we get an extra 28 pence from the Inland Revenue, helping your donation to go further. To qualify for Gift Aid, what you pay in income tax must be at least equal to the amount we will claim in the year.

Tick the box if you are a tax payer and would like us to reclaim tax on this:

Date of Declaration :/...../.....

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WIDOWS RIGHTS INTERNATIONAL, Room 405, Davina House, 137-149 Goswell Road, London EC1V 7ET. Tel: 020.7253.5504

E-mail address: administrator@widowsrights.org

Thank you for supporting Widows Rights International.