

Addressing Widowhood issues into Global Context

Situational Analysis of widows in South Asia:

The traditional word for widow is a symbolic identity for women whose husband is dead. The term Vidhava or widow is very old and can be traced beyond the Vedic language to Indo European origin. There are many young widows in developing countries across South Asia, Middle East and Africa, because of armed conflict, HIV/ AIDS and due to natural disasters. But in conflict affected countries it is estimated that nearly half of all adult women may be widows or wives of the disappeared, many of them young mothers of dependent children, who are forced to spend their lives in poverty and vulnerable to abuse. According to a study by Women for Human Rights (WHR) in Nepal, 67% of Nepalese widows are under 35 years of age. 40% of all adult females in Eastern Congo are widows. There are around 3 million widows in Iraq and 76% of them are unable to obtain pensions from the government. In Sri Lanka, 30 000 Tamil widows detained in the camps are under 30 years old. India is estimated to be home for 40 million widowed women. A study conducted by Dr. Chen in India revealed that 67% of the widows were still living in their marital village, facing all forms of violence. In 2010 Yana Mohammad reported to UNCSW that in rural Iraq prostitution and trafficking rings are targeting widows' daughters. In both Afghanistan and in Iraq, young girls, including young widows who have offended the culture by fleeing forced re-marriages, can find themselves in prison, without charge.

According to a book World of Widows written by Margaret Owen, in Iraq, a former minister of women's affairs offered her resignation on the grounds that she had no resources to address the needs of an army of widows. We still do not know the exact numbers of Iraqi widows and wives of the missing. In Afghanistan, at least 70,000 widows beg on the streets of Kabul, but the actual numbers across the whole country are unknown. In Sri Lanka there are at least 90,000 Tamil widows (Agence France Presse 2010), of which 31,000 are under the age of 30. Many Tamil widows, like widows in the Democratic Republic of Congo, have been victims of rape, and many are wives of men who are suspected of having been disappeared. According to the Loomba Foundation of UK, there are 245 million widows, who account for one-tenth of the world's population. 115 million of these women, and their 500 million children, live in conditions of dire poverty. The number of young widows with families is on the increase due to war and violence. As the former UN High Commissioner for Human Rights, Dr. Mary Robinson stated in 2001; Widows belong to all ages, they may be elderly women, but many are young mothers and there are also child widows, the stigma of widowhood can affect not only widows but also their children. Children may be deprived of shelter, food, health, education. (Sources: Widowhood and 1325, Owen Margaret)

The widows, of all ages, are to be found among the poorest of the poor, often invisible, their voices unheard and their needs, both immediate and long-term unmet. Despite governments ratifying and signing international human rights conventions and agreements, the status and situation of widows continue to be ignored. In many countries, even where the domestic law prohibits it, male relatives of the husband chase-off the widow from her home, widows thus become landless and in poverty, making them vulnerable to other forms of exploitation. Their coping and survival strategies often include withdrawing their children from school, dependence on child labor, begging and prostitution. The plight

of widows is worsened in conflict and post-conflict scenarios where they often predominate among internally displaced camps and as refugees. In a number of countries of South Asia, widowhood is looked on with contempt and has consequences of violence, both emotional and physical for the woman.

In many countries of South Asia, even the social security schemes designed specifically for widows, in a way that keep a large number of widows do not have access because of age bar and quotas instituted by the governments. The widows are made invisible in the name of culture, religion and practices that mean a very large productive age group is kept out from contributing to and benefitting from development resources. Although social rules differ widely across cultures, most cultures in South Asia have rules which govern a woman's life. We still have an early marriage practice in South Asia, most of the girls get married before the age of 20 without having proper education and skill. Nepal has one of the highest levels of child marriage and according to Nepal's Demographic Health Survey, 63% of the girls marry before 18 and 7% marry before reaching 10 years of age. So if there are early marriages there will be young widows. The demographic data for India reveals that 36% of all widows are young widows who are not entitled to the widows' pension which is given to those between 40-64 years of age.

Women who have been widowed are expected to not remarry. Consequently, widowhood is marked by social ostracism and denial of economic rights leading to the loss of a woman's status, forcing to follow inhumane cultural practices such as; throwing all the jewelries, colorful dresses and are not allowed to be present during auspicious occasions. Widows are always looked upon with suspicion and are considered as ill omen. There are superstitions that consider them to be creator of ill fortune. A study conducted by the Guild of Services in India and WHR in Nepal, has found that 90 percent of those interviewed for the study cannot dream of remarriage even if they are young and have no children.

The widows are unable to access the benefits because of the social ostracism that they face in house and in communities. In certain communities poor widows are proclaimed as witches for example. A large number of widows interviewed in Sri Lanka were unaware of any schemes that their governments had designed for their welfare. Selvy Thiruchandran in her book entitled, the other victims of war, states that, most of the widows were indeed ignorant of the type and form of state benefits and even in cases where compensation was paid the amounts were not consistent as the women did not know their rights. Sri Lankan government statistics states that among 270,000 internal displaced people (IDP), there are as many as 7800 women who are widows, of which 60% are below the age of 18 and there are about 1000 orphaned children.

Widow centred programmes on social security have remained extremely welfare oriented and have not served to empower these women and make them into an agency for change. It is therefore critical to enable widows to access their rights and entitlements in keeping with the provisions of CEDAW. In Nepal, the government has not been able to respond to the needs of immediate services and economic needs for widows. However due to the advocacy and continuous effort from Women for Human Rights, an NGO working for the rights of widows in Nepal, the government has responded with legislative changes as follows; widows no longer have to return all property that belonged to their first husband if they remarry, nor must they have male consent to get a passport or the consent of their adult children if they

want to pass on property; the widows do not need to be on the chastity of their deceased husband to inherit property.

For the first time South Asian Network for widows' Empowerment in Development (SANWED) has declared the draft widows' charter, which was revised and endorsed by the Ministry of Women, Ministry of Laws and Deputy Attorney General of Nepal. The first Widows' Rights Charter consisted of ten articles, each of them dealing with a distinct aspect of widows' discrimination. They claim equality of widows and widowers, the rights of widows to inherit, the prohibition of harmful traditional practices concerning widows, restrictions of any kind regarding the widows mobility, discrimination in the employment field and violence against widows in general. The charter also claims measures in favour of dependent children of widows and measures to protect widow's rights in times of conflict and post-conflict, when they are especially endangered. SANWED is a new initiative in the South Asian region to uphold widow's human rights in all aspects of their lives. They work with the mission to enable widows to become collective agents of Change in the South Asian region by bringing together the National Chapters of SANWED under one umbrella. WHR, Nepal is the secretariat of SANWED since 2008.

Widows' Movement in Nepal:

Nepal has undergone a violent armed conflict for 11 years. Over the past decade, poverty, discrimination, and marginalization of various groups of people in economic, social, political resources and opportunities have led to a severe political and economic instability in Nepal. The insurgency cost over 13,000 lives, many of whom are innocent civilians, caught in the war between the security forces and Maoist. However, the conflict also surfaced hidden issues especially discrimination and violence against women. Nepal is a patriarchal society; women are discriminated against from birth, in the family, and all the way up to the state level. The safety and economic status of women deteriorated rapidly during the conflict situation. One of the striking consequences of the conflict is the rise in the number of widows. In the given context of Nepal, widows have one of the most difficult lives to pursue in the post conflict situation. Nonetheless, widows even before the conflict situation had challenging lives as the majority of them are poverty stricken and have had the responsibility of taking care of themselves as well as their family especially financially. Violence against widows is unique and they are entrapped into violence socially, culturally, legally, economically and politically.

Women for Human Rights (WHR), has been working exclusively with and for widows in Nepal since 1994. WHR currently has 1025 widows' groups in 73 districts with a membership base of over 1,00,000 , who are trained and mobilized as change makers for the peace process, mediators and pressure groups and advocating for widow's rights in their respective communities. WHR is working with widows from all backgrounds, and from many situations, including conflicts widows and victims of the insurgency, from both sides of the previously conflicting parties. WHR works to incorporate gender perspective into peace building process (re-conciliation, re-integration & re-settlement) through involving conflict affected widows. This initiative prioritizes involvement of single women as peace makers referring UNCSR-1325 which emphasizes involvement of women in every step of peace building process. WHR has an unique contribution to re-conciliation at grassroots level by promoting involvement of all categories of widows

together no matter they are families of security personnel or Maoist or of any political background or caste, class, ethnicity, keeping in mind only that they all have the similar kinds of needs and interests in the same communities. This allows them to be involved in many activities for empowerment as well as to make them agents of peace makers in the community. Widows are primary beneficiaries as well as vital change agents of these initiatives.

Widows' Movement in South Asia:

There is some progress going on in some other countries for the empowerment of widows by the government. After the much initiations done by the South Asian Network for Widow's Empowerment in Development (SANWED), the widow's issues has been incorporated into the Colombo Declaration during the 15th SAARC Summit 2008, which has directed to work for a regional cooperation for the elimination of all forms of discrimination and abuse against women in general and widows in particular and guarantee their rights to live in the society in a dignified manner. Rights based approaches to empower widows has begun recently as opposed to the welfare approach adopted by NGOs and government for a number of years.

The entitlement approach to transform these excluded women into an agency of change has been undertaken by the National Forum for Single Women's Rights in India, Women for Human Rights (WHR) in Nepal and the War Widows Association and Small Fishers Federation in Sri Lanka, Aurat Foundation in Pakistan. In India, the Guild of Services, has been trying to integrate widows into the mainstream. They have launched its comprehensive program at Vrindavan with holistic effort towards capacity building. The National Forum for Single Women's rights in India has successfully organised single women including widows into a strong advocacy and lobbying network over 13 states of India. This network has been empowered through intensive inputs and has resulted in the issuance of strong memorandums demanding rights for widows from duty bearers in keeping with national and international commitments. The Association of War Affected Women (AWAW) in Sri Lanka over the past eight years has formed of group of more than two thousand women from across Sri Lanka directly affected by the war; their sons, husbands missing/missing in action, killed, or disabled due to the war.

UN Human Rights Declarations and Resolutions and widows:

The final preamble in UNSCR 1325 notes the need to consolidate data on the impact of armed conflict on women and girls. However there are no accurate data and statistics of widows and wives of the missing in conflict-affected countries. Even though the Beijing Declaration for Action (BPFA) and Convention on Elimination of all forms of Violence against Women (CEDAW), stresses a commitment to social justice and urges governments to listen to voices of all women, everywhere with particular attention to their diversity, their roles and circumstances but in reality this is very far. The poverty and low status of widows is a cross-cutting theme, both in the CEDAW and in the BPFA. Widows' low status affects the whole of society and its future. This discrimination and marginalization have impacted negatively on their children who are often made homeless and deprived of education, making them vulnerable to economic and sexual exploitation, crime and even terrorism. In particular, in conflict and

post-conflict scenarios, widows, many struggling to survive as internally displaced peoples and refugees, need special support so they can participate fully in peace-building and reconstruction.

Conclusion and Recommendation:

The poverty, stigma, and marginalization of widows and their children is not only a women's issue, it is an issue that affects all the society, now and in the future, expanding and deepening poverty and inequality across the generations through its impact on children and their human rights to shelter, food, health, education and ultimate employment. Widowhood is one of the root causes of poverty therefore its features and possible responses should form part of all strategies to achieve the Millennium Development Goals (MDGs). Poverty and inequality breeds conflict; gender equality is an essential building block for sustainable development, justice, the rule of law, democracy and peace. Without gender equality no country can achieve their peace and development goals. Therefore all the respective government and the international agencies including UN should devote more attention to combating all forms of discrimination against widows, including harmful traditional practices; and by providing them with full rights to ownership of land and inheritance rights.

It is essential that governments and UN entities specifically focus on the particular situation of widows if the human rights declarations and resolutions such as CEDAW, BPFA, UNSCR 1325 and 1820 have to be achieved. Neglecting the impact of marginalized widowhood may impact negatively to all the eight goals of the MDGs and their targets. The numbers of widow women is high and requires urgent attention by considering the need and urgency as the basic unit for the delivery of services under national program on women's empowerment. This urgent attention should be given for a rights based response to ensure that widows, who are in their productive years continue to contribute effectively to national development and become an agency of change rather than victims of misfortune, through enabling programs that enhance their skills and capacities; and places development resources into their hands. This is essential that the UN should appoint a special reporter on widowhood and should form commission to study the impacts of the conflict on the women. Besides, all the international instruments and declarations should identify the indicators to measure the status of widows in their National Action plan.

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