

An Analysis of Widowhood in India: A Global Perspective

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Abstract

Widows are more than victims; they are mothers, caregivers and heads of households. Widows of all ages and their children should be treated as full and equal citizens and their rights should be protected. National laws and policies should be guided by the Convention on the Elimination of all Forms of Discrimination against Women and the Convention on the Rights of the Child. UN Women advocates for the empowerment of widows everywhere and supports this in Asia, Africa and Latin America. We work in partnership with widows' organizations so widows can live free of stigma and discrimination, with dignity, rights and economic independence, and have a voice in decisions that affect their lives in the household and the public sphere. This is part of our broader work to support women's economic empowerment, political leadership and participation, women's role in peace and security, ending violence against women and girls, and gender-responsive budgeting.

Keywords: Patriarchy, Physical abuse, Psychological trauma, Discrimination against widows Patrilineal.

Introduction

Widows in India have a pronoun problem. The estimated 40 million women widows in the country go from being called "she" to "it" when they lose their husbands. They become "de-sexed" creatures.

Clearly, it's more than a problem of language, although that discrimination goes further, with epithets such as "husband eater" used against them. In the northern Indian state of Punjab, a widow is referred to as bitch, which means "prostitute" in Punjabi. In this region, they usually arrange for the widow to marry her deceased husband's brother because being owned by a man is a way to avoid being raped.

"Widowhood is a state of social death, even among the higher castes," says Mohini Giri, a veteran activist in the fight for women's rights who was nominated for the Nobel Peace Prize in 2005. She is also the director of the Chennai-based social work nonprofit organization Guild for Service. "Widows are still accused of being responsible for their husband's death, and they are expected to have a spiritual life with many restrictions which affects them both physically and psychologically."

A widow prays in an ashram in Vrindavan. Women are often forced into prostitution by corrupt heads of such ashrams. (Sara Barerra)

Although widows today are not forced to die in ritual *sati* (burning themselves on their husband's funeral pyre), they are still generally expected to mourn until the end of

their lives. According to 2,000-year-old sacred texts by Manu, the Hindu progenitor of mankind: "A virtuous wife is one who after the death of her husband constantly remains chaste and reaches heaven though she has no son."

Whether young or old, widowed women leave behind their colorful saris, part with their jewelry, and even shave their heads, if they are in the more conservative



Hindu traditions. All of this is designed so as not to encourage male sexual desire, according to **Meera Khanna, a trustee of the New Delhi-based Women's Initiative for Peace in South Asia, and a contributor to of a book called *Living Death: Trauma of Widowhood in India*.**

“The widow is ‘uglified’ to deprive her of the core of her femininity,” writes Khanna. “It is an act symbolic of castration. She is deprived of the red dot between her eyebrows that proclaims her sexual energy.”

Widows seem to follow rules based on tradition because they have internalized them. They keep doing what other widows did without asking, resigned to a kind of fate—such as placing restrictions on their own diets. Orthodox Hindus believe that onions, garlic, pickles, potatoes, and fish fuel sexual passions by stimulating the blood, but these are the same foods necessary to avoid malnutrition or even death. For India as a whole, mortality rates are 85 percent higher among widows than among married women, according to research by the Guild for Service.

In much of Indian society—across caste and religion—a widow is often perceived by family members to be a burden and sexually threatening toward marriages.

According to the Home Ministry’s National Crime Bureau of India, violence against women is the fastest-growing crime. Every 34 minutes a woman is raped, and every 43 minutes a woman is kidnapped. Forty million widows continue to be deprived of their basic dignity as a kind of atonement for some sin. It’s the punishment for being a woman and a widow in India.

Violence against women is “one of the most serious challenges of our time,” according to the United Nations Secretary-General’s in-depth study on violence against women (2006). Not only does violence against women and girls violate their fundamental human rights, it prevents women around the world from achieving their full potential. Full implementation of the human rights of women and girls is essential to the progress and prosperity of the world. States have a responsibility to promote and protect women’s rights and to insist upon the accountability of perpetrators. Effective legislation on violence against women and girls is vital in combating policies and practices throughout the world that perpetuate women’s subordinate status and undermine their human rights.

Problem Statement

Invisible Women, Invisible Problems

Once widowed, women in many countries often confront a denial of inheritance and land rights, degrading and life-threatening mourning and burial rites and other forms of widow abuse.

Widows are often evicted from their homes and physically abused – some even killed – even by members of their own family. In many countries, a woman’s social status is inextricably linked to her husband’s, so that when her husband dies, a woman no longer has a place in society. To regain social status, widows are expected to marry one of their husband’s male relatives, sometimes

unwillingly. For many, the loss of a husband is only the first trauma in a long-term ordeal.

In many countries, widowhood is stigmatized and seen as a source of shame. Widows are thought to be cursed in some cultures and are even associated with witchcraft. Such misconceptions can lead to widows being ostracized, abused and worse. Research by HelpAge International, for instance, has found that in Tanzania hundreds of older women – mostly widows – have been killed because of accusations of being witches.

The children of widows are often affected, both emotionally and economically. Widowed mothers, now supporting their families alone, are forced to withdraw children from school and to rely on their labour. Moreover, the daughters of widows may suffer multiple deprivations, increasing their vulnerability to abuse. Such cruelties are often seen as justified in terms of cultural or religious practice. Impunity for abuses of the rights of widows is rife, with few perpetrators ever successfully brought to justice. Even in countries where legal protection is more inclusive, widows can suffer social marginalization.

Rationale of the Topic



Some 40 million widows live in India, 15,000 alone, on the streets of the Holy City of Vrindavan. Above, a widow prays to a shrine - a tuls tree - on the grounds of the Ashram.

Absent in statistics, unnoticed by researchers, neglected by national and local authorities and mostly overlooked by civil society organizations – the situation of widows is, in effect, invisible.

Yet abuse of widows and their children constitutes one of the most serious violations of human rights and obstacles to development today. Millions of the world’s widows endure extreme poverty, ostracism, violence, homelessness, ill health and discrimination in law and custom.

To give special recognition to the situation of widows of all ages and across regions and cultures, the United Nations General Assembly declared 23 June 2011 as the

first-ever International Widows' Day, to be celebrated annually.

We commemorate the third International Widows' Day for the hundreds of millions of women in the world who suffer exploitation, deprivation and exclusion when their husbands die. There are more widows than ever before due to armed conflict, the HIV/AIDS pandemic, and the age difference between partners, with many girls being married off to much older men.

Today, we call for stronger action to end widespread discrimination against widows.

Many widows are denied their rights, subjected to abuse and evicted from their homes because they cannot inherit property or land. Widows are forced into exploitative work to support themselves and their families. An estimated 115 million widows currently live in poverty, and 81 million have suffered physical abuse, some from members of their own family. Young widows, who were child brides, face great risk with little protection.

In India, we are working for widows' rights so they can move from exclusion to empowerment and shape their futures with confidence and dignity. In Malawi, we support national consultations to secure livelihoods for widows, based on a study on the status and opportunities widows have in the country. In Guatemala, UN Women supports the rights of widows who lost their husbands in internal armed conflict and to secure reparations.

Funding implementation

Legislation on violence against women should mandate a budget for implementation. Funding provisions in laws should include all, or a combination of, the following:

- Create a general obligation on the Government to provide an adequate budget for implementation;
- Request allocations of funding for specific implementation activities;
- Allocate funds for use by civil society organizations to assist in implementation of the law;
- Provide incentives for private funding related to implementation of the law; and
- Remove restrictive provisions in laws that negatively impact funding for implementation.

A general budget obligation to provide a funding stream for implementation of laws on violence against women is an excellent model for ensuring that the goals and activities of the law are achieved. As budgetary mechanisms among governments are variable, so too will be provisions in laws that designate government funding. The following examples highlight the approaches taken by various countries.

Review of Literature

Women's Rights in India

Off the Beaten Track: Rethinking Gender Justice for Indian Women by Madhu Kishwar OUP, New Delhi: 1999

Madhu Kishwar is an influential participant in the women's rights and human rights movements since the 1970s and is the founding editor of *Manushi* - a journal about women and society.

This volume is a collection of some of Madhu Kishwar's best and most controversial essays concerning topics central to women's issues in India today: the role of marriage payments and dowry, unwanted daughters, denial of inheritance and land rights to women, love, sex and marriage, sexual harassment, identities, beauty contests etc. Many of these offer a critical appraisal of Madhu Kishwar's activism and engagement. The essays are an attempt to grapple with one of the most serious challenges to women in India: Why is it that in spite of all the high profile attention on women's issues many remain unresolved? Most of the work thus far has resulted only through symbolic actions such as passing of laws, which very often are inappropriate and not implemented. In most cases where laws are misused it contributes to increasing the vulnerability of women's lives. The volume also deals with Madhu Kishwar's moving away of 'ism-driven' politics and orthodox feminist thinking. The essays reject statist interventions in social reform and appeal to people's consciences to bring about any meaningful changes in the position of women.

"*Gender Justice and The Supreme Court*" by Indira Jaising in **Supreme but not Infallible: Essays in Honour of the Supreme Court of India** B.N. Kirpal, Ashok H. Desai, Gopal Subramaniam, Rajeev Dhavan and Raju Ramachandran (eds.) OUP, New Delhi 2000 (pages 29, words 199).

Indira Jaising is a Senior Advocate of the Supreme Court of India. She has been a fellow of the Institute of Advanced Legal Studies London and is Secretary of 'Lawyers Collective' which deals with socio legal issues of public interest. This essay traces the evolution of gender justice in the Supreme. Before taking up judicial decisions concerning issues that involve women's rights, the author draws attention to the composition of the judiciary and its starkly unrepresentative character. Through an analysis of cases dealing with property rights to women to cases of violence against women, the essay addresses the problem of formal equality and the evolution of equality jurisprudence in the Indian Supreme Court where sameness and similarity form the criteria for classification. One of the recent cases (*Vishakha vs. State of Rajasthan*) where the Supreme Court has considered provisions in CEDAW to address sexual harassment in the workplace is also discussed. While some recent decisions do indicate a positive step towards gender justice the unevenness in this development is attributed to a greater emphasis on criminal law as opposed to civil law, leading to a neglect of women's economic rights. Finally, the essay points to emerging issues concerning validity of personal laws, women's representation etc. which will

engage the courts and it is felt that an increasing number of women in the judiciary will be able to perceive women as autonomous decision makers and active participants in public life.

Violence against Women

Violence against Women: New Movements and New Theories in India By Gail Omvedt, Kali for Women, New Delhi 1997 (Third Impression) (42 pages - 192 words)

While the women's organisations in India have opposed individual acts of violence against women ranging from amniocentesis, female infanticide, rape, dowry deaths and *sati*, there has been little attention given to the theoretical understanding of the causes of violence. The essay therefore discusses some recent Indian feminist theorising of violence by activist leaders closely involved in movements of women as peasants, forest dwellers and members of the lower castes. The author, while discussing violence in traditional Marxist and Radical Feminist theories delves into the emerging theories of violence in India. The essay focuses on Sharad Patil's theory, a combination of Marxism and Phule-Ambedkarism, where violence against women is understood as a reflection of the relations of production of a class-caste society; Sharad Joshi's theory influenced by radical feminism, where violence is central to the process of capital accumulation and women's power is the central force of liberation; and eco-feminist, Vandana Shiva's theory, influenced by Gandhian thought where violence seen as inherent in 'western cultures' and women as protectors of nature and the traditional community. The essay apart from bringing out the complexities involved also provides an insightful critique of each of the theories.

Violence against Women by Ram Ahuja, Rawat Publications, Jaipur and New Delhi: 1998.

Ram Ahuja retired as Professor of Sociology from the University of Rajasthan in 1988 after completing a teaching career of more than 3 decades. He is on the visiting faculty of various national institutions and police academies and has authored numerous research articles and books.

The book while noting the rise in violence against women attempts to answer questions regarding the nature of and causes for violence against women, if any theoretical analysis could be offered explaining the etiology of violence and the effectiveness of women's groups in tackling issues of sexual exploitation and harassment of women. These and other issues are critically examined from sociological perspective. It also deals with issue of trauma faced by victims of violence as they seek acceptance in a hostile environment. The book also offers suggestions regarding treatment of such issues

through preventive measures, redefining patriarchal norms, developing support for victims within the family and through women's organisations etc. thus providing a balance between practical and theoretical issues.

Rape: A human rights versus a patriarchal interpretation

by Latika Sarkar, Indian journal of gender studies V I (1) 1994, Pg 69.

The article makes an attempt to redefine rape not only as a sexual offence but also as an act of violence, which goes against the fundamental human rights laid down in the universal declaration of human rights. The treatment meted out to the rape victim and the onus on her to prove her lack of consent is all the reflection of patriarchal criminal justice system. The change in Indian rape law following the recommendations of law commission of India to change the substantive law, as well as law of evidence and procedural law, has been highlighted. A large number of custodial rape cases and subsequent acquittals of the guilty also cause concern. Insensitivity and apathy of the government results in delay and injustice and in most cases very little punishment. The issue of marital rape and legal sanction of cohabitation with a minor wife are discussed. U.N documents, even CEDAW has been criticised for making no mention of eradication of all forms of gender-based violence. A change in the U.N declaration is suggested to include not only the public sphere but also the primary male bastion-The family, so far considered the private sphere and outside the purview of Human Rights.

Widows in India: Social Neglect and Public Action by Martha Alter Chen (ed.) Sage Puelhi: 1998

Martha Alter Chen is Development Advisor, Harvard Institute for International Development and Lecturer, Kennedy School of Government at Harvard University in the USA. A specialist on gender and poverty, she has worked on South Asia and is author of *A Quiet Revolution: Women in Transition in Rural Bangladesh* and *Coping with Seasonality and Drought*.

This volume aimed at a better understanding of the status and condition of widows as a marginalised group of Indian society is a result a workshop and a conference at Bangalore in 1994. The first was an informal gathering of 25 widows and 10 activists while the conference included 65 activists, scholars and policy makers who had experience on issues relating to widows. After these events, a network of widows and activists was established and a two year action plan launched in six states to ensure rights and dignity to widows.

Methodology

Objectives of the study

- Identifying the problem: investigating and gathering evidence
 - Research the nature and extent of the problem
 - Key steps in investigating and documenting violations of women
 - Research best practices, And Review research
- Understanding the government structure, legal obligations, and legislative process
- Taking action
 - Coalition Building
 - Mobilize the Constituency

Objectives of monitoring of laws

Monitoring of laws should:

- Determine the prevalence of cases of violence against women.
- Determine the laws, policies and protocols which are used to address violence against women.
- Evaluate laws, policies and protocols used to address violence against women.
- Propose changes in laws, policies, and protocols in order to further the goals of safety for victims and accountability for offenders.
- Reveal unintended consequences of laws, policies, and protocols.
- Reveal gaps in the law, policies, and protocols.
- Pressure a government to apply international standards or to change its actions.
- Reveal the need for a coordinated community response to enforce the laws.
- Reveal the need for capacity-building and training for professionals who must enforce the laws.
- Be performed on a regular basis.

Sources of international laws on monitoring

Under the following declarations and conventions, the state has a duty to provide an effective remedy for acts which violate the human rights of women and girls. In order to provide an effective remedy, a state must monitor the implementation of its laws on violence against women and girls. The analysis is done on basis of case studies in India, and Africa.

Widows Rights - Prevention & Elimination of Violence to Widows A Global Perspective

STATEMENT submitted by Women for Human Rights, single women group of Nepal in association with SANWED member organizations ; Guild of Service, India, Widows for Peace through Democracy, UK, Small Fishers Federation, Sri Lanka, Tarango, Bangladesh, Bhutanese refugee Center, Nepal, Care Afghanistan and Aurat

Foundation, Pakistan for CSW 57 on PREVENTION AND Elimination of Violence to Widows

On the occasion of the 57th Session of the Commission on the Status of Women (CSW 57) the Women for Human rights, single women group of Nepal in association with sanwed take this opportunity to express our continued support for the full and effective implementation of the Beijing Declaration and the Platform of Action (BPfA), UNSCR 1325 and 1820.

In light of the priority theme of CSW 57, "Prevention and Elimination of Violence against Women and Girls We, the organizations representing widows, of all ages, in developing, conflict and post-conflict countries, draw attention to widowhood as an urgent and neglected cross-cutting issue, and particularly welcome the opportunity to highlight the often hidden aspects of violence perpetrated against widows and their daughters. Widows of all ages – child widows, young mothers, elderly women -in developing countries, especially in Africa and South Asia, experience many different forms of violence. In conflict and post-conflict scenarios the violence is exacerbated in more complex environments, leaving scars that last a life time, and affect the whole of society and its future. This issue has been neglected by governments, and the international community.

Widows are likely to suffer, (in silence), extreme and systematic physical, psychological, sexual and economic violence both within their families, and in the outside community. Across regions, religions, cultures, caste and class, widows can be stigmatized as bringing bad luck, as "inauspicious", or "the evil eye". The vernacular word for "widow" in many dialects is usually pejorative, synonymous with names for "harlot, witch, prostitute, and sorceress". Widow-related gender based violence has not been adequately researched, nor is there reliable data or qualitative information on the causes, nature, and consequences of these practices. Furthermore, even where Member States have legislated to criminalize violence against women, laws are poorly enforced, Harmful traditional practices, for example degrading and life-threatening mourning and burial rites that oppress widows within their families rarely get mentioned. Due to illiteracy, location, economic, social and cultural obstacles, widows often have little or no access to the justice systems. .. In rural areas widows' lives are determined not by modern laws, but by patriarchal discriminatory interpretations of religion, custom and tradition.

Much of the violence against widows occurs within the family. Deprived of rights to inheritance of property and land, they can be "inherited" as a chattel, by a forced marriage to a dead husband's relative; powerless, widows are often exploited as domestic, agricultural and sexual

slaves. Mourning and Burial rites forced on widows may include "ritual cleansing by sex" (a practice believed to exorcise the evil spirits); extreme restrictions on mobility, diet, dress and freedom of association which causes grave psychological trauma that can lead to depression and suicide. Where evicted from the homestead impoverished landless widows often find their only means of survival is through begging or prostitution, putting them at risk of further violence, stigma and HIV and AIDS. In the event that widows are courageous enough to seek justice for their rights through the courts, they often provoke further physical and psychological violence because they dared to challenge deep-seated societal and patriarchal norms. Many poor rural widows migrate to urban centres in the hope of finding employment to feed themselves and their children, where again their poverty and powerlessness leaves them vulnerable to the worst forms of exploitation, including trafficking.

The daughters of poor widows are also at risk of the violence of a forced child marriage. A common action of poor widows is to remove their daughters from school and to marry them, or sell them to older men. In the context of the HIV and AIDS pandemic, such men are often widowers, and carriers of the HIV virus. Child marriage is itself a violence, but many of these little girls then become child widows, also subject to the stigma and violence that their mothers faced.

Armed conflict and post conflict has resulted in a huge increase in the numbers of widows, since a common feature of present day conflicts is the separation and killing of men and boys, and the sexual violence including rape of women and girls as a weapon of war. In some conflicts widows have had to witness the murder of their husbands before or after they have been raped. Widows face threats to their lives, violence and often death should they be brave enough to testify against the rapists at international or national tribunals.

Displacement as a consequence of war affects widows and their dependents disproportionately since without any adult male protector they are greatly at risk whether in IDP or refugee camps, or in flight seeking safety across frontiers. For example in camps they lack adequate security, and are in danger when they leave the site in search of water and firewood. Within the camps, a culture of "food for sex" often operates with particular impact on widows and their daughters.

Homelessness and displacement in the context of post-conflict transitional period leaves millions of uncounted widows, without any sources of support.. For example, in Afghanistan, widows in Kabul, unable to feed their children, are known to be selling their daughters for as little as \$10, but many widows have committed suicide through self-immolation. Widows fleeing the violence of a forced remarriage to a brother-in-law are kept in prison ostensibly for their own protection, even though they have committed no crime. In Iraq, poor widows and their daughters are frequently subject to rape, abductions,

kidnap, and forced prostitution. In the DRC widows and their daughters are subject to multiple rape and sexual mutilation. In Nepal, widows are subjected to face severe violence in the name of culture and religion.

The greatest obstacle to effectively preventing and eliminating violence against widows is the lack of data: numbers, ages, numbers of dependents, needs, roles, coping strategies, support systems, legal status, and access to justice, Also, the conception in the development community that women are an "homogenous" category, denying that there are sub-sects of women, such as widows, who suffer particular forms of discrimination and abuse that demand a specific response.

A conventional methodology to gather data have failed in the context of widowhood, since widows' isolation and the cultural taboo on any discussions of their personal status requires alternative initiatives to hear their voices. Widows require financial and human resources to support them in establishing their own organizations and networks. Banding together, widows will have a collective voice, be able to access training so they can utilize national and international human rights mechanisms and norms, participate equally in decision-making bodies, such as peace-tables, and committees on law reform and constitutional redrafting. Also, as in Nepal, associations of widows can be supported to work with their governments to fill the gap in data so as to influence policy makers, and be key monitors of implementation of new laws.

We ask for the following recommendations to be taken up by the UN and governments.

1. Commission a United Nations Report on Widowhood in Conflict.
2. Appoint a United Nations Special Representative on Widowhood.
3. Create a fund to enable widows' organizations to mobilize and ensure the voices of widows are heard on their issues related to peace negotiations and legal reforms, including constitutional reform and law committees.
4. Urge State Parties to fund the collection and disaggregation of data based on marital status and family structure, including data to combat marginalization and multiple marginalization.
5. Recommend that the CEDAW consider monitoring the status of widows on the country level and adopting a "General Recommendation" to States Parties on this issue.
6. Organize international meetings in Asia and Africa during 2013 and 2014 on Widowhood and its relation to human rights, poverty, and justice.
7. Acknowledge and urge States Parties to recognize that the goals of the Millennium Development Goals and the Beijing Platform for Action cannot be reached if widows remain an invisible group within the larger, homogenous group of "women". The vital need is to Mainstream Widowhood issues into UN action to achieve

the MDGs and the objectives of the Beijing Platform for Action, United Nations Security Council Resolution 1325, and its subsequent resolutions, including all international and regional policy meetings.

8. Include "widows" as a specific category in National Action Plans for implementing SCR 1325 and for Development.

Women make up half of the world's population, they nurture, the earth and its beings, yet burdened by the poverty and problems associated with women, men, children and the environment. It is disheartening too know that several African countries have non-implementable, non-implementing, or refused to be implemented law on widowhood and inheritance, and even when they are ready to implement this law, it takes the lifetime of the affected woman before judgment is proclaimed, this due to the cumbersome nature of out courts proceedings.

Widowhood and inheritance should not be a subject for 2010, if we are really developing, but today they are two peculiar challenges faced by women yet unaddressed by our leaders through their non-implementable instruments, it will be right then to say that the laws of the clan supersedes that of the land, or do we agree that the problems of our women is the least of our governments' problems. Will it also not be wrong to conclude that gender imbalance or unequal representation of gender at the helms of affair has part to play in this? Stories and unending cries, it is unbelievable that some women have to be married to their brother in law in order to have access to their children and their husband's property, mind you they worked together for the property and when we dig deep, into productive roles, and activity profile we will submit to the fact that women play overwhelming roles in the acquisition of these property, yet are denied of them, after the death of their spouses.

Apart from India, that ensures that all inheritance go to the wife, there are no countries in our developing world who is truly interested in the plight of the widows and their inheritance, this is a condition not desired by any woman but accepted because no one can question her maker. Several women in the developing world have been denied the right and desire to mourn their husbands because of inheritance grabbing, imagine a woman sitting beside the late husband's corpse and watching as her life's saving is being grabbed not by strangers but practically disinherited by in laws.

Patriarchy has been institutionalized to disinherit women of all dignity, it has been used for hundreds of years and it is still being used, although subtly in the areas of patriarchy- predator- protection. It will be satisfying if one can get the answer to who is a predator and who is a protector? Who is to be protected, who seeks protection from whom? Lots of generative questions we would agree. Have you ever read or witnessed ceremonies on

widowhood rites? Then it may be right to say that everywoman needs protection from women and men in this regard, because elderly women are used to perpetuate the worst form of human's inhumanity to human when it comes to this dastard rite, it must be a topic for another day.

What are our leaders doing? In Nigeria, we have the available instruments, but what of the unwritten codes? Do you sue the clan? Fight against the in laws, in our world where MARRIAGE IS CONSIDERED AN INVIOATE INSTITUTION! And these widows remain in appalling conditions because of their children. May be we should also take a closer look at the fact that even as beautiful as this legal instruments look like and presented by our not so working or slow institutions, the court proceedings are re-traumatizing and always filled scenarios of mad rush of emotions. Consequently, may we be moved enoug to retrospect on the double burden being borne by a single widow.

My mother became a widow on May 9th, 1976, I was barely three years old, afterward, we moved out of my father's house on the 15th of June same year or thereabout, just to allow my mother to experience the mandatory forty days mourning of her husband, you will not believe that my next visit was when my husband accompanied me back there on the eve of our wedding, to pay his respect to the dead you will say, nobody from my father's clan visited us after the eviction, my mother single handely funded my education up till Masters level when I said I had had enough, she was a dedicated woman.

I am interested in real life stories from developing countries, and we can collaborate to plan the way forward, is it mass education or enlightenment campaign?, is it true that we are faced with hopelessness with regards to our men?, I do not believe, men can learn, re-learn and can unlearn too, and on a positive note, we can also educate the boys of today, a popular adage form the Western region of Nigeria says, "we must prune the Iroko tree while it is young and budding if not it will soon be demanding for sacrifice and worship, forgetting that we planted it" .

It is hard to think about a woman who is passing through this agony presently but the next widow must not be allowed to undergo that deadly challenge again, the world must act. It begins with me.

Case Study

1. *Moving Into the Land of Giants*

We mentioned just the other day that the Maman Shujaa had stepped into our vision by finally opening our very own Women's Media Training Center. Well, yesterday was a day of experientially navigating all the highs and lows of having entered. Things began with a call from Emilie that somehow our center had become flooded and

power strips and laptop cords were under water. I discovered when arriving that out of the four organizations sharing the partitioned space in the building, ours was the only one with water. Curious as the bathroom that was supposedly the culprit is outside our space in the free area shared by **all** the office spaces. Well, soon we had things under control with new power strips and replacement power cords from laptops in storage while these dried out, and used the flood as an opportunity to do some serious house cleaning.



Neema

All of that was behind us as the NGO of handicapped seamstresses came for their second training. They were catching on well as a group, especially since some of them had come to the Center on their own a couple of days last week.

Things continued strong as 13 widows from the High Plateau region of our province - of AVOC (Christian Association of Widows and Orphans) - came to see our new office and put in their request for a Center; they're about 300 kilometers from Bukavu. While they were here they wanted to brainstorm about some issues they were dealing with so I took them into my office so as not to disturb the training going on. We'd gotten through those things and were now strategizing and making plans, having a wonderful time considering possible expansion to one day include these precious sisters in our program, when all of a sudden, ECC Director, Theodore ASSUMANI, showed up unannounced and interrupted our meeting to serve us an eviction notice.

I guess this moment had been building, but still I wasn't expecting it. Our space is in an office building owned by ECC - Eglise du Christ au Congo, or Church of Christ in Congo; an umbrella organization for 62 Protestant denominations in Congo. A couple days after signing the lease with their building manager, Furaha, the President of ECC East Congo, Mr. Kuye Ndongo of Kinshasa, came walking through. I know him from my days working in our nation's capital and so we greeted each other. Two days later when we were up and running, Furaha came and told me that we needed to move because they had a situation where one of their departments was being evicted from their space and so needed to move into their organization's building; specifically, into *our* space.

I was able to fend them off for a while thinking that after they saw the internet connection and all the tables and laptops, they really only wanted more money. Every day or two Furaha would find her way back downstairs to our Center saying she'd been sent again to tell us to leave. Well, on Friday when Furaha came she said she had our rent deposit in an envelope. I said: "Is this our program everyday now? If you guys are serious then have the chief come and tell me in person." So since East Congo President Ndongo had gone back to Kinshasa, there stood before me and the AVOC widows this Monday afternoon, Theodore Assumane Kilembwe, the Director of Mr. Ndongo's Cabinet, to tell me in person. I was astounded.

How do I react? I have a three month lease. We have rights. And I have connections to exercise those rights decisively, even aggressively if I want. But everyone knows how these things work. You may have been given space in their Diakonia Development Services office – which according to Sweden's Diakonia was founded to "help change unjust political, social and economic structures that are preventing many people in the world from living a dignified life" – but when the male patriarchy representing all Protestant Christianity in Congo interrupts a meeting with widows to throw them and their disabled female sponsor out on their ear, and *that* on the heels of this unspoken warning: 'Today it was just a hose under the door; tomorrow it could be a break-in and all of your laptops are gone,' they are willing to do whatever it takes to have their way. So I needed to determine if this was a battle worth fighting at our stage of things? What on earth are they so afraid of?

I needed time to think. The envelope Cabinet Director Kilembwe handed me only had two month's rent in it because we'd already been in for most of a month. I told him about the internet installation expense that would be lost and proposed being reimbursed for that. And I wanted all three month's rent deposit back. He left saying he'd think about it and get back with me later.

I went home and tried to sleep on it myself. In the morning I thought: these are the things that wars are made of here – truly; making these aggressive moves that provoke an in-kind response. I knew I held a fuse in my hand and I was afraid that if I took a stand, not everyone who would come alongside me would know how to fight this fight. And I'm not talking about my sisters.

I decided to defuse the situation and determined we would just move. I would negotiate the best terms I could get and then move on. They are looking for a fight. I'll not give it to them. They think we can't find another place. They think their tactics can break us down or break us up. They don't know the destiny that's over us. They don't know the energizing power of New Life already beating within us.

I went this morning and signed their release. They gave all three month's rent deposit back and then said we had until the end of March to get out. But then our building was the only building on the block without

electricity today. I called Cabinet Director Kilembwe to talk to him about it and he said he could see I was becoming problematic. Hmmm. I thought to myself: "You have no idea."

2. *The Developing World, Widowhood and Inheritance*



Women make up half of the world's population, they nurture, the earth and its beings, yet burdened by the poverty and problems associated with women, men, children and the environment. It is disheartening too know that several African countries have non-implementable, non-implementing, or refused to be implemented law on widowhood and inheritance, and even when they are ready to implement this law, it takes the lifetime of the affected woman before judgment is proclaimed, this due to the cumbersome nature of our courts proceedings.

Widowhood and inheritance should not be a subject for 2010, if we are really developing, but today they are two peculiar challenges faced by women yet unaddressed by our leaders through their non-implementable instruments, it will be right then to say that the laws of the clan supersedes that of the land, or do we agree that the problems of our women is the least of our governments' problems. Will it also not be wrong to conclude that gender imbalance or unequal representation of gender at the helms of affair has part to play in this? Stories and unending cries, it is unbelievable that some women have to be married to their brother in law in order to have access to their children and their husband's property, mind you they worked together for the property and when we dig deep, into productive roles, and activity profile we will submit to the fact that women play overwhelming roles in the acquisition of these property, yet are denied of them, after the death of their spouses.

Apart from India, that ensures that all inheritance go to the wife, there are no countries in our developing world who is truly interested in the plight of the widows and their inheritance, this is a condition not desired by any woman but accepted because no one can question her maker. Several women in the developing world have been denied the right and desire to mourn their husbands because of inheritance grabbing, imagine a woman sitting beside the late husband's corpse and watching as her

life's saving is being grabbed not by strangers but practically disinherited by in laws.

Patriarchy has been institutionalized to disinherit women of all dignity, it has been used for hundreds of years and it is still being used, although subtly in the areas of patriarchy- predator- protection. It will be satisfying if one can get the answer to who is a predator and who is a protector? Who is to be protected, who seeks protection from whom? Lots of generative questions we would agree. Have you ever read or witnessed ceremonies on widowhood rites? Then it may be right to say that everywoman needs protection from women and men in this regard, because elderly women are used to perpetuate the worst form of human's inhumanity to human when it comes to this dastard rite, it must be a topic for another day.

What are our leaders doing? In Nigeria, we have the available instruments, but what of the unwritten codes? Do you sue the clan? Fight against the in laws, in our world where MARRIAGE IS CONSIDERED AN INVIOLEATE INSTITUTION! And these widows remain in appalling conditions because of their children. May be we should also take a closer look at the fact that even as beautiful as this legal instruments look like and presented by our not so working or slow institutions, the court proceedings are re-traumatizing and always filled scenarios of mad rush of emotions. Consequently, may we be moved enough to retrospect on the double burden being borne by a single widow.

My mother became a widow on May 9th, 1976, I was barely three years old, afterward, we moved out of my father's house on the 15th of June same year or thereabout, just to allow my mother to experience the mandatory forty days mourning of her husband, you will not believe that my next visit was when my husband accompanied me back there on the eve of our wedding, to pay his respect to the dead you will say, nobody from my father's clan visited us after the eviction, my mother single handely funded my education up till Masters level when I said I had had enough, she was a dedicated woman.

I am interested in real life stories from developing countries, and we can collaborate to plan the way forward, is it mass education or enlightenment campaign?, is it true that we are faced with hopelessness with regards to our men?, I do not believe, men can learn, re-learn and can unlearn too, and on a positive note, we can also educate the boys of today, a popular adage from the Western region of Nigeria says, "we must prune the Iroko tree while it is young and budding if not it will soon be demanding for sacrifice and worship, forgetting that we planted it" .

It is hard to think about a woman who is passing through this agony presently but the next widow must not be allowed to undergo that deadly challenge again, the world must 3Act. It begins with me. It begins with you.

3. Indian Cases

Udaipur (India), January 2013: 55-year-old Mannkunwar from Gulab Ji ka Guda village in Rajasthan's Chittorgarh District became a widow at the age of ten. She neither remembers when she got married nor when she became a widow. Let alone lead and enjoy a normal childhood, she was forced to abide by discriminatory and traumatizing practices that widows are forced to abide by like wearing only black clothes and lead a Spartan life. For days she was only allowed a 'drink' made from water used to clean the *paraat* (a utensil in which dough is kneaded).

Today Mannkunwar is engaged fulltime, working with Ekal Nari Shakti Sangathan (Association of Strong Women Alone), an organization that works to empower single women, including widows to live a life of dignity and respect in India. "Today, I am not alone. I am not an object of pity either. I am an inspiration to many others who have been through rough weather," says Mannkunwar.

People say Mannkunwar is certainly an inspiration to other such single women whom she encourages to come, sing and dance with her and live a life full of courage and confidence.

UN Women's Programme

Through an innovative programme called 'Empowerment of Widows and their Coalitions', UN Women works to mitigate the social exclusion faced by widows like Mannkunwar.

A three-year joint initiative by UN Women and Swiss National Committee is currently being implemented in 10 locations across India, Nepal and Sri Lanka. It aims at evolving replicable strategies to empower widows. This will enable them to access services and entitlements and become active leaders and lead coalitions. For example, the programme has supported 52 widows in accessing their pensions – a lifeline for their survival.

By including the problems of widows in national discourse and collecting improved data about the stigma and discrimination they face, the programme is working to change policies and evolve strategies. "We empower widows to access their entitlements with dignity, and become agents of change in their own right. This will be done by, amongst other strategies, working with widows' coalitions so they can access services and entitlements, and ending discriminatory social practices against widows," says Anju Dubey Pandey, Programme Specialist, UN Women South Asia.

UN Women works with the Guild for Service and Ekal Nari Shakti Sangathan, Astha Sansthan in India, the Women for Human Rights (WHR) in Nepal and Women's Education and Research Centre (WERC) in Sri Lanka. In its first year of implementation, UN Women and its partners were able to reach out to over 1,500 widows.

Nepal takes firm steps ahead

In Nepal, 1,117 people across 20 districts know more about the situation of widows. Interactions with 150 single women in Sunsari, Palpa, Kailali and Surkhet have resulted in an increase in awareness on single women's issues amongst the local audience. It has also shown a marked commitment from local government representatives to assist single women at the local levels through resource allocation and participation in decision-making.

WHR as part of this UN Women programme has developed the Emergency Directives for the management of the Emergency Funds by the Ministry of Women, Children and Social Welfare (MoWCSW). The programme led to inclusion of the following seven districts for the first time in such a programme: Parbat, Sindhuli, Parsa, Terathum, Darchula, Baglung and Dadeldhura.

Standing up to Society

M. Kajendini's story from Sri Lanka is no different. Widowed at a young age, Kajendini faced ridicule and discrimination from her own family and community.

She tried wearing flowers in her hair and *pottu or bindi* (decorative mark worn on the forehead by Indian women) on her forehead. However, her young and energetic friends were the first to criticize her for her inability to adjust to widowhood saying that her time with flowers and *pottu* are gone and that she has no right to wear them as she was a widow now.

Today Kajendini is involved with empowering others like her. She said "Now whenever a widow criticizes me for my behaviour and attire, I tell them to stop criticizing others and to stand up to the society that discriminates against them, even if it is something small such as wearing flowers in hair or wearing *pottu*."

In Sri Lanka, the programme reached out to nearly 500 participants like Kajendini in Ampara and Batticaloa through a series of interactions between community leaders and widows in these areas.

The interactions focused on awareness on widows' issues. Sensitization programmes were held with the divisional secretaries, *grama sevaka* officers and *samrudhi* officers for many of whom this was a first time to be part of any such gender sensitization interaction. In Batticaloa, four sessions were held with 34 participants and with 44 participants in Ampara.

Surviving Through Heat and Dust

Chadi Bai from Jambola village in Rajasthan's Ajmer district is an active member and coordinator of *mahila mandals* or women self-help groups in eight villages. She is also a founder member of the Mahila Jan Adhikar Samiti (Women's Rights Group), fighting for the rights and dignity of widowed and deserted women.

"I believe in myself and my self-respect drives me greatly," says Chadi. "My children are my sole objective and my survival is my motto."

She was married at the age of 12 and was deserted by her husband when she was only 18, after having suffered years of abuse. Homeless, with no means of livelihood, she survived many hardships to bring up her three young children.

The turning point came after she became a member of *mahila mandal*, an organization devoted to provide support to excluded women and serving those in distress. She has now become so popular that she was also elected as a *Sarpanch*. "I now take issues of single women to a higher platform," she says.

Widows Face Neglect

The number of widows living on the streets of Vrindavan alone is estimated to vary from 1,780 to 5,000. Their stories are hardly heard and their tales of survival almost never known. "India has an estimated 35 million widows as per the 2001 Census, and their lives are often mired in poverty, neglect and deprivation. The time has come for us to act and create space for widows in mainstream policy and schemes and not treat them as objects of pity and welfare. Their situation has to be recognized and addressed," says Anne F. Stenhammer, Regional Programme Director, UN Women South Asia.

A survey done to assess the situation of widows in Vrindavan by the Guild for Service and UN Women revealed that the widows are extremely poor, living well below the poverty line defined by the World Bank and the Planning Commission. Although 70 percent of the women had heard of the Destitute Widow Pension Scheme, only a quarter of all widows received pension.

Conclusion

"Violence against women is perhaps the most shameful human rights violation, and it is perhaps the most pervasive." – Kofi Annan

UN Women in India works to prevent violence against women – from violence in public and private space to trafficking of women and girls.

We support the Government and civil society to build a strong knowledge base and undertake reviews of laws relating to violence against women.

As part of the Global Safe Cities Programme, UN Women works with UN Habitat, Jagori and Delhi Government to make New Delhi safer for women. Through the programme, we now have better data available on safety, and seven safety audits in New Delhi have helped women to underline their own safety issues. Audits are also underway in Mumbai and Bangalore.

As part of the project to prevent anti-trafficking in six states of India, 75 peer educators trained in community leadership to prevent trafficking of women and girls.

60 Vigilance Committees have been established in 6 panchayats across 6 states.

We manage grants under the UN Trust Fund in Support of Actions to Eliminate Violence against Women. The Trust Fund is the only multilateral grant-making mechanism exclusively devoted to supporting local and national efforts to end violence against women and girls. The UN Trust Fund works with partners in India to secure much-needed services for women and girls affected by violence.

In India, through the UNiTE campaign to End Violence against Women, we have reached out to young people and survivors. A social media campaign took the word on prevention to thousands of young people in eight cities. Based on prevalence surveys in some countries in the Asian region, nearly half of the women have experienced physical and sexual violence at the hands of an intimate partner.

- According to the National Crime Records Bureau (NCRB) of India; 89,546 cases of cruelty by husband and relatives; 21,397 cases of rape; 11,009 cases of sexual harassment and 5,650 cases of dowry harassment were reported in India during the year 2009.

Source: National Crime Records Bureau (NCRB) India, 2009

- According to a survey in two countries of the South Asia region, 39% of men and women in India think that it is sometimes or always justifiable for a man to beat his wife.
- New laws to combat violence: Out of 9 countries in South Asia, 5 countries (Bangladesh, Bhutan, India, Pakistan and Sri Lanka) have in existence a legislation against sexual harassment. Only 4 countries (Bangladesh, India, Nepal and Sri Lanka) have laws to prohibit domestic violence. Global data shows that where laws are in place against domestic violence, its prevalence is lower and fewer people think it is acceptable.

Source: Progress of World's Women: Access to Justice, 2011-12, UN Women

A national survey in Maldives on "Women's Health and Life Experiences" showed that 1 in 3 Maldivian women aged between 15-49 reported experiencing some form of physical or sexual violence at least once

India is hell for widows!

India has done nothing!!!! Yes, I definitely agree. It is a tragedy that there needs to be a strongly defined law that's implemented for widows' rights to property especially in developing countries -- where such laws are weak.

But unfortunately -- the law you are talking about Widow's inheritance in India was pushed during the British colonial period. It still fails implementation. Only if

women come from upper class, educated families are they in a position to push for it.

But in much of India -- rural areas and urban slums, (70% of India) -- soon as a woman's husband dies she is like food for the wolves. Not only is she disinherited, but she's subject to sexual abuse from men in the family and in the villages. Sometimes they hound her labeling her a 'witch' and kill her! Often times they want to resort to 'sati' the practise which again the british banned of burning the widow alive on her husband's pyre. This is generally done to make sure she makes no property claims!

Many of such women, who lost their property, are sexually harassed and fear being killed-- flee the village. And they land up in one of 2 cities in India. Varanasi or Vrindavan. Ironically these are India's holiest cities. There are more There are temples in India dedicated to 'sati' which the government does not dare take down. The public will be furious. Because a woman who has been killed Vrindavan. Ironically these are India's holiest cities. There are more than 40,000 such widows right now in these cities -- begging, sometime prostituting or singing in a temple to just survive. They live in pathetic conditions. The government Nothing!!!

We have on our campaign blog Gender Bytes -- an online photo exhibition of these two cities of widows in India. You can see it here. And we will be doing more posts, stories of widows who escaped sati and came to these cities to save their lives. They are generally fed opium and just put on the dead husband's pyre to burn along with him. this way in many communities in North, Central and western India is sacred!! Even women's groups in india have objected to calling these murder. Why? Because it is tradition -- and we are dishonoring cultural sentiments -- yeah right!!! You can read more about the status of widows in India here on our post 'abandoned widows' -- there are also official reports and references here. Historically India is the widows' hell-hole!! Really!

A **conventional methodology** to gather data have failed in the context of widowhood, since widows' isolation and the cultural taboo on any discussions of their personal status requires alternative initiatives to hear their voices. Widows require financial and human resources to support them in establishing their own organizations and networks. Banding together, widows will have a collective voice, be able to access training so they can utilize national and international human rights mechanisms and norms, participate equally in decision-making bodies, such as peace-tables, and committees on law reform and constitutional redrafting. Also, as in Nepal, associations of widows can be supported to work with their governments to fill the gap in data so as to influence policy makers, and be key monitors of implementation of new laws.

We ask for the following recommendations to be taken up by the UN and governments.

1. Commission a United Nations Report on Widowhood in Conflict.
2. Appoint a United Nations Special Representative on Widowhood.
3. Create a fund to enable widows' organizations to mobilize and ensure the voices of widows are heard on their issues related to peace negotiations and legal reforms, including constitutional reform and law committees.
4. Urge State Parties to fund the collection and disaggregation of data based on marital status and family structure, including data to combat marginalization and multiple marginalization.
5. Recommend that the CEDAW consider monitoring the status of widows on the country level and adopting a "General Recommendation" to States Parties on this issue.
6. Organize international meetings in Asia and Africa during 2013 and 2014 on Widowhood and its relation to human rights, poverty, and justice.
7. Acknowledge and urge States Parties to recognize that the goals of the Millennium Development Goals and the Beijing Platform for Action cannot be reached if widows remain an invisible group within the larger, homogenous group of "women". The vital need is to Mainstream Widowhood issues into UN action to achieve the MDGs and the objectives of the Beijing Platform for Action, United Nations Security Council Resolution 1325, and its subsequent resolutions, including all international and regional policy meetings.
8. Include "widows" as a specific category in National Action Plans for implementing SCR 1325 and for Development.

Research Outcome

What is a coordinated community response to violence against women?

Effectively implementing laws on violence against women requires community support. Drafters should include an interagency, coordinated community approach when mandating the implementation of laws addressing violence against women.

What is a Coordinated Community Response?

The implementation of new laws and policies is most effective when paired with the development of a community-wide strategy that ensures all members of the community respond in a consistent way to violence against women and can be held accountable for their responses. Coordinated community response (CCR) programs engage the entire community in efforts to develop a common understanding of violence against women and to change social norms and attitudes that contribute to violence against women. Law enforcement,

civil society, health care providers, child protection services, educators, local businesses, the media, employers, and faith leaders should be involved in a coordinated community response.

Coordinated community response (CCR) programs should:

- Promote victim safety;
- Hold perpetrators accountable;
- Strengthen individual knowledge and skills;
- Promote community education;
- Educate service providers and the legal system;
- Foster coalitions and networks;
- Change organizational practices; and
- Develop law and policy.
- Coordinated community response programs work to create a network of support for victims and their families that is both available and accessible. They also use the full extent of the community's legal system to protect victims, hold perpetrators accountable, and reinforce the community's intolerance of violence against women.

Rules and principles for a coordinated community response (CCR)

- Coordinated community response (CCR) programs may focus on a single type of violence or on gender-based violence generally. Whatever the level of coordination or the focus, the primary goal should always be increased victim safety and support. Coordinating responses without focusing on victim safety can, in fact, be harmful to victims. Other goals for CCR programs might include:
 - Short term
 - Increase knowledge about laws that protect women and girls
 - Support and empower women and girls
 - Ensure sanctions for perpetrators
 - Long term
 - Change harmful attitudes and beliefs about violence against women
 - Reduce prevalence and ultimately end violence
- Goals should include a timeframe for accomplishing objectives. For example, the requires that states "adopt integrated approaches, including institutional cross sector structures, with the aim of reducing gender based violence by half by 2015." The goals of a coordinated community response program should be reflected in principles of intervention and action. Key principles for any CCR effort should include:
 - Respond to the expressed needs of victims: Intervention practices must respond to the articulated needs of victims, whose lives are

- most impacted by the interveners' actions.
- Focus on changing the perpetrator and the system: The institution, not the victim, must hold the offender accountable from initial response through restrictions on offender behavior. Focus on changing the offender's behavior or the system's response.
- Recognize differential impacts on different people: All intervention policy/practice development must recognize how the impact of intervention differs, depending on the economic, cultural, ethnic, immigration, sexual orientation, and other circumstances of the victim and offender. Non-majority-culture community members must review and monitor the practice.
- Address the context of violence: Most incidents of violence are part of a larger pattern of violence. The need for protection from further harm and the need to create a deterrent for the assailant should determine the intensity of the intervention.
- Avoid responses that further endanger victims: Intervention practices should balance the need for standardized institutional responses with the need for individualized responses which recognize potential victim consequences for confronting the offender, validate victim input, and support victim autonomy.
- Link with others: The intervention response must be built on cooperative relationships with other community members and on communication and interdependent procedures to ensure consistency across sectors.
- Involve victims/survivors in monitoring changes: Women advocates and victims, outside the system, should continually monitor intervention policies/procedures to evaluate their effectiveness in protecting victims and to identify training needs.

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Requiring national action plans in legislation Overview

Laws on violence against women should include a provision that requires creation of a national action plan to eliminate violence against women. A national action plan can be an extremely useful tool with which to assess strengths and weaknesses, set targets, identify private

organizations that can help implement new laws or priorities, and plot future directions in ensuring prevention of violence against women. Action plans and strategies should also include provisions to meet funding needs of implementation programs.

Requiring National Action Plans in Legislation

Drafters including national actions plan provisions should specify that the resulting action plan must:

- Be evidence-based
- Result from extensive consultation with relevant groups and individuals
- Include benchmarks and sanctions for non-compliance
- Clearly identify costs and funding sources for each component of the plan
- Clearly identify costs and funding sources for each component of the plan

Legislation from around the world provides helpful examples of the ways that drafters have required the development of national action plans.

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