



Widows and Orphans Movement (WOM)

MOTTO: TRUST IN GOD

## **ISSUES OF DISCRIMINATION IN WIDOWHOOD IN GHANA THAT REQUIRE ADDRESSING IN THE CONTEXT OF THE CEDAW**

### **Introduction**

Women are not homogeneous. Ensuring that the rights of women are protected needs to first recognise this fact. In the case of widows, this fact is often ignored or forgotten. Failure to formulate or implement policies that seek to eliminate all forms of discrimination against widows results in poverty and even death.

There are 823,562 widowed persons in Ghana out of a population of about 24,000,000. Eighty six percent (86%) of these are women, which means there are over 700,000 widows (statsghana.gov.gh, 2010). These widows find themselves in 75 different ethnic groups, most of which discriminate against widows.

### **Widowhood rites and social stigma**

Ghanaian widows are routinely accused by the community of having caused the death of their husband, or even of literally killing their husbands. The widowhood rites in many cases harbour practices that involve a widow proving her innocence. For example, she may be made to sit on fresh leaves or on the bare floor almost naked, eating and drinking at the same spot for days but should an ant bite her, this 'proves' that she caused the death of her husband. Others are made to drink concoctions that are harmful to them.

In most communities people still do not want to mingle with widows. There are myths that if you are a married woman and you mingle with widows, your husband will die. Husbands are preventing their wives from attending gathering that have widows, threatening to divorce them

A young widow, who asked that her name be withheld, says 'since I was asked to strip naked at my husband's funeral I have not gone to church because I feel shy'.

### **Property rights**

After the funeral a relative of the late husband inherits all the property of the widow's husband. Since the widow is seen as 'property', this means she is also inherited. The man would have paid cows as dowry for the woman, and unless she or her parents have the means to buy her freedom, she remains the property of her late husband's family. This leads to a widow being little more than a domestic servant, carrying out unpaid labour for her late husband's family.

Atebono Agana, a 42 year old widow, says 'my husband died five years ago. Barely a year after his death, his brother took me to court. He claimed the land on which my late husband and I built our bar on was his, and he wanted his land. After three years of going to court and wasting money, I was asked to vacate the bar so he could have his land since it was a family land. My business has collapsed because I spent all my money going to the court and now how do I cater for my three children?' Atebono finally had to relocate and settle outside her community to prevent verbal and physical abuse from her late husband's family. Her case is just one of the situations widows find themselves in.

## **Forced remarriage**

In other cases, widows are forced into marriage with relatives of her late husband, usually a brother. A widow who goes through this will be required by custom to shave her hair in the most bizarre way, in an attempt to disfigure herself so that the ghost of the late husband does not recognise her. Widows who agree to such forced marriage also have to continue giving birth to children for the dead man. This makes the men that re-marry widows shed off the responsibility of taking care of the children since they do not bear his name. On the other hand widows who are bold enough to reject the forced marriage are still neglected. They lose farm lands, property and shelter in extreme cases. They only inherit their children. Their livestock are poisoned; they are beaten, verbally abused and economically abused.

## **Education for widows' children**

Many children of widows risk not finishing their education due to the injustices widows face. Widows routinely face extreme poverty and hardship. Unless her parents or relatives are able and willing to provide for her children, they may be forced to drop out of school. This denies them the chance to obtain the skills needed to access employment, to become independent and be able to earn more money.

This is particularly problematic for girls, as they are seen as a potential source of valuable income for the family. Many are forced to marry so the families of the late father can access the dowry. They marry with no education and no skills, to older men, and the cycle continues.

## **Access to land**

Widows are often denied access to their husband's land to farm. Normally the relatives will say the farm is only for the family, leaving the widow landless. She can try to find new land to farm, but this is frequently far away and of poor quality. A widow may have to walk many miles to her new farm and back each day, reducing the amount she can put in as labour on her land. The widow is not normally given fertile land, and she does not easily get tractor services. This means that the land may be ploughed late, and without farm inputs the woman will be left with a poor yield that cannot feed her family through to the next raining season. The infertile lands coupled with the natural disasters of drought, infertile soil and little access to fertilizer is a prevalent cause of food insecurity among widows.

A widow says 'A relative of my late husband gave me land to farm because I agreed to re-marry somebody in their family. After having another child with this man, raising the number of children I have from 3 to 4, the man was not supporting me and my children. So I refused to continue the marriage and the land was taken from me.'

## **Domestic violence**

Due to the non-availability of shelters, widows are forced to migrate from northern Ghana to southern Ghana to avoid domestic violence in the form of battery, verbal abuse and psychological abuse.

Abused widows are asked to pay a fee at the hospitals before medical doctors' sign their police forms proving that they were actually physically abused. Most widows cannot afford this fee. The Domestic Violence and Victim Support units are not decentralised in most districts, and so domestic violence cases are mostly referred to the regions. This comes at a significant cost to widows. The long periods involved for victims to seek justice are preventing widows from being able to seek justice when abused. The legal aid which provides legal services for vulnerable groups such as widows who cannot afford lawyers is hugely understaffed, with only 1 person available to cover an entire region.

## Questions for Government

These are common issues that affect a great many widows. They raise serious questions about what the government is doing to help widows. There are five specific questions that we would like answered.

1. What practical measures is government putting in place to ensure that traditional councils adhere to the Chieftaincy Act, which calls on them to eliminate dehumanising cultural practices, including widowhood rites?
2. What measures are being put in place to ensure that awareness on the rights of widows is created and damaging social exclusions are eliminated?
3. What package or measure is being implemented to ensure that children of widows, especially girls, access their rights to education and economic empowerment and are not treated as a homogeneous group as other children due to their special circumstance?
4. Why has the the Legislative Instrument (LI) on the Domestic Violence Act (DVA) not been put in place?
5. What efforts is government putting in place to ensure that widows are able to seek justice, and to ensure that they are not discriminated against when they are the victims of violent crime?

WOM thanks the committee for inviting us to submit this report and is ever ready to provide more information when needed.

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