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12 January 2005

NGA43282.E

Nigeria: Ritual whereby a widow drinks the water used to clean her husband's corpse; consequences for a widow's refusal to drink the water; whether a widow's refusal is interpreted by others as responsibility for her husband's death (2002-2004)

Research Directorate, Immigration and Refugee Board, Ottawa

This Response incorporates sections of NGA37500.E of 10 July 2001.

Two sources state that in Nigeria widows have to drink the water used to wash the corpse of their husband (PROLERT n.d.; SOS Sexism n.d.). This is done to prove that the widow is not responsible for her husband's death (Friends of Nigeria Winter 2004; Widows Rights International 17 Apr. 2003; SOS Sexism n.d.). This ritual is practised in Edo State (USA Africa Online n.d.; CIRDDOC 8 July 2001; GWF 9 July 2001).

However, an article entitled "The Travails of Widows in Nigeria," published on the Website of Project Alert on Violence Against Women (PROLERT) indicates that widows who are rich can "use their money to pay off some of these mourning rites" (n.d.). Widows who are educated often "do not really go through" these rites (ibid.). Another source contradicts this statement by stating that "these practices are still being performed today amongst the poor, the rich and even the educated" (Rufarm 2003). These rituals are "giving way" to more modern mourning traditions (Nollywood 10 Oct. 2004).

No current information on the consequences of a widow's refusal could be found among the sources consulted by the Research Directorate within time constraints.

The following information was provided in correspondence received on 9 July 2001 from the Projects Director of Grassroots Women Foundation (GWF), who holds a master's degree in law and who conducted a study on widowhood practices in 11 Nigerian states as a national consultant for the United Nations Development Programme (UNDP). The Projects Director referred to the study she conducted in which two per cent of 150 widows interviewed in Edo state said they

"were subjected to the practice" of drinking the water used to clean the corpse.

The Projects Director added that

it is still normal for a widow, whether she is suspected or not, to be compelled to take an oath with Kola-nut placed on her dead husband's forehead and complete the swearing with 2 broom sticks. We were told that the goal was to determine the extent of the woman's involvement in her husband's death. This is in spite of the fact that 85.9 per cent of the widows found a lot of the practices obnoxious, only 3.3. per cent had dared to refuse to carry out any of the practices as they were afraid of the consequences. During the focus group discussions, they recounted some of the consequences of refusal to conform including rejection by the husband's family, denial of any rights to property that ever existed, and isolation of children. The best bet [for] the women is to go to NGOs such as the International Federation of Women Lawyers (FIDA) and others, for legal assistance (GWF 9 July 2001).

The following information was provided by the Executive Director of Civil Resource Development and Documentation Centre (CIRDDOC) in 8 July 2001 correspondence. The consequences to a widow for refusing to carry out the ritual include physical assault, "banishment from the family or denying her access to her husband's property including her children." When asked to whom the widow may turn to for assistance in supporting her decision not to participate in the ritual CIRDDOC's Executive Director stated that since it is a traditional practice the police "dismiss" the matter as "domestic and outside their realm of authority."

In 2001, the Government of Enugu State passed *The Prohibition of Infringement of a Widow's and Widower's Fundamental Rights Law, 2001*-A Law to Make it Unlawful to Infringe the Fundamental Rights of Widows and Widows, and for Other Related Matters (*WIN NEWS* Spring 2002; Widows' Rights International n.d.). Subsection 1 f) of this law specifically forbids forcing a widow to drink the water used to wash her husband's corpse (*WIN NEWS* Spring 2002). To publicize the law, the Widows Development Organisation, assisted by the Canada Fund for Local Initiatives (CFLI), has published an explanatory guide (Widows' Rights International n.d.). According to a report by the project coordinator of Women's Rights Watch - Nigeria, "three states have passed laws against punitive widowhood rites, Enugu, Edo and Oyo state" (Rufarm 2003). However, the report states that despite these laws, the mourning rites continued to be practised in these states in 2003 (ibid.). No further information on the enforcement of these laws was found by the Research Directorate within the time constraints for this Response.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find

below the list of additional sources consulted in researching this Information Request.

References

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> [Accessed 12 Jan. 2004]

Additional Sources Consulted

Internet sites, including: AllAfrica, Amnesty International, EdoFolks.com,
Edo Nation Online, Human Rights Watch.

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