

## **Resources on HIV and Widows Kenyan perspective**

In Kenya, the Succession Act of 1981 stipulates that women may inherit property as dependants of the deceased. The simultaneous existence and applications of Customary Religious and Statutory law lead to confusion as regards family custody and maintenance of children. Soci- Cultural norms in Kenya are diverse and different communities attest different values to property. Some communities look at property as land while others look at property in terms of household goods.

When death occurs in the family, young widows and children suffer as society presents itself at its worst. A husband's death spells doom for the young widows for it threatens her psychological and physical wellbeing. Often she is blamed for the deaths in the family and is punished by being chased away from her matrimonial home and all properties taken away from her by in-laws. These problems are especially tragic for young widows for it occurs when they are not yet well grounded in their matrimonial homes, they are new to their matrimonial homes and have little or no power in claiming traditional forms of wealth like land or domestic animals that their husbands might have accumulated or inherited. They do not have children old enough to look out for their wellbeing and so are left impoverished, rejected and unprotected. They may turn to minor trading or even prostitution to earn income.

The neglect of property ownership and inheritance rights for women and girls has been an issue in Kenya for many years, but largely perceived as an economic one. Today, it is part of a larger social issue, one with fatal implications not only for the economy but also for the health and prosperity of the entire community. Neither widow nor her children should be left destitute when her spouse dies, regardless of how he died, but the issue is coming into greater light due to the increasing numbers of young women who are widowed because of AIDS.

The national response to the HIV and AIDS epidemic has mainly focused on prevention and increased access to care and treatment –its time that is addressed issues related to mitigating the social and economic impact of the disease especially on young women. This includes protecting the property and inheritance rights of women and children

Because of the stigma attached to AIDS, many women and girls who are HIV positive and who are widowed or orphaned by AIDS are expelled from their homes and communities due to fear. This is particularly prevalent in rural areas where knowledge about the disease is limited. A younger widow whose husband has died of AIDS is more vulnerable to disinheritance than an older widow. The community support mechanisms may not be available for her as they blame her for infecting her husband. AIDS widows are normally young, mostly in their twenties or thirties as AIDS kills many of their husbands in their productive years.