

# Africa *woman*

**Opinion**

## The strength of an African Woman

**ELLEN JOHNSON-SIRLEAF** is to be congratulated — and to be commiserated with, all at once. As Africa's first elected female president, she goes down in history for going where angels fear to tread and turning up trumps.

In that sense, Johnson-Sirleaf's triumph is a victory for all African women who have dreamt of pushing the boundaries as far as they can go. The message that Johnson's victory sends out is this: Hang in there, do your best, and you will overcome.

Yet the story of African leadership is a road filled with many pitfalls, some manufactured and most self-inflicted. With Liberia, especially, Johnson-Sirleaf can expect to work round the clock if she is to make something of her tenure in a land ravaged by civil war.

We have no doubt that she is up to the task. Whether Liberia is up to the challenge of democratic leadership is another thing altogether.

Today we celebrate the election of Johnson-Sirleaf as a triumph of justice over the forces that would put the women of this continent down. She has overcome the biases and limitations that have made politics a veritable graveyard for African women.

Africa's girls and young women will no longer have to look East and West for role models when it comes to the pinnacle of political leadership.

Much as one-time British premier Margaret Thatcher was vilified for her conservative politics, many African girls looked on from afar and cited her as their role model.

They had every reason to. She came through as a strong leader

CONTINUED ON PAGE 2

# RAPE: TIME TO TAKE ACTION



AT PEACE: African women deserve to be happy too

## More women are sexually assaulted than people killed

By Florence Machio, regional coordinator

*"The state has not proved the accused guilty beyond reasonable doubt. I therefore find the accused not guilty."*

— Judge Willem Van Der Merwe of the South African High Court in a landmark ruling that saw the country's former deputy president, Jacob Zuma, acquitted of rape.

**IT WAS** a case that pitted women's rights activists against Zuma's supporters and many hoped that it would set a precedent and help garner support for the Sexual Offences Bill that is due to be tabled in the South African Parliament.

Zuma had been charged with raping a 31-year-old HIV-positive woman who was a family friend. African women keen on the four-hour ruling were reminded of the many versions of the Bill under consideration through the continent and the debate — most of it nonsensical — that has attended attempts to crack down on rapists and other sex offenders.

At the end of the day, the judgement hinged on the sexual history of Zuma's accuser, with the defence arguing that she had set out to seduce him — even though she had argued strongly that she would never have had sex with him without a condom, knowing her status. At some point, she was even told that she didn't know the difference between making love and rape.

Zuma, who was once the head of the local Aids council, demonstrated an appalling sense of judgement, if what he told the court was true, when he said he believed that hav-

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CONTINUED ON PAGE 6



# Wanted: A few good men of goodwill

"Male predatory sexual behaviour is killing women in Africa at an alarming rate." – Stephen Lewis, UN Special Envoy on HIV/Aids in Africa

The statistics are damning enough – when they are available, that is. But rape is so much more than data that can be documented, especially in the African context.

In the recent past, there have been attempts in several countries to deal legally with the question of rape in whatever form. These efforts generally take the form of Bills in parliament intended to change the law to provide for tougher sentences and a more conducive reporting process. These efforts generally take the form of bills in parliament intended to change the law to provide for tougher sentences and a more conducive reporting process.

Those bills, going by names such as sexual offences or domestic relations, have inevitably hit a rocky patch. That's just how sensitive the matter is. In Uganda, the Domestic Relations Bill

has been in suspension for a decade or so.

Similar bills in Kenya and Ghana have been greeted with impassioned debates that have served to polarise matters rather than shed light on a meaningful way forward. And so sexual violence continues to rise as parliaments hopelessly dominated by men continue to play out the gender divide.

Which brings us to the next most important point: if sexual violence were to be reduced to a man-woman thing, what would account for the fact that in some countries defilement of children as young as five-months-old is much higher than the rape of adult women?

The question is made relevant by the defence that rape suspects fall back on without fail – the women asked for it by dressing or behaving provocatively. African women are just as likely to be raped in their marital beds as in the streets.

Either way, the sex predators inevitably get away with it – if not in the name of culture, then simply because of a legal regime that makes it virtually impossible to prosecute sexual

violence cases conclusively.

We at *Africawoman* refuse to buy into the idea that the much-maligned culture is an acceptable defence in situations where men rape their wives even after they've just had babies and even when they know full well that their sexual adventures have exposed them to HIV/Aids. Anyone who forces himself on an infant should not be allowed the plea that he believed it would cleanse him of HIV/Aids.

If any culture condones torture and killing, it can never be a valid way of life. Yet loose laws and social norms that celebrate macho conduct have encouraged and allowed men all over Africa to rape and destroy the lives of their women and girls.

Those who value African women must not be discouraged by the high failure rate of laws against violence targeting females. There is hope in the fact that we are able to generate public debate – and that there is a growing battalion of good men who are speaking out against gender-based violence, as our special report shows.

## The fight for equality is still far from won

By Lilian Kemunto, Kenya

**DESPITE** positive trends in African women's representation in parliament and government positions, they still face tremendous challenges breaking through the glass ceiling.

One of the key barriers to the greater participation of women in politics is verbal abuse during the primaries, which is designed to intimidate and humiliate them.

"Women sometimes find themselves trivialised by men," says 2004 Nobel Peace Laureate Wangari Maathai, who is also an elected MP representing a Central Kenya constituency. "The challenges, whether verbal, written or in suggestions, can be violent in terms of men using disrespectful language against women, especially in campaigns."

Matters are not helped by the fact that many male candidates enlist the support of private "armies" not only to protect them but also unleash violence on those they perceive to be



NOBEL PRIZE: Wangari Maathai

their strongest challengers.

In the 2002 General Election, several women protested about such tactics. Only 44 women eventually made it to the list of the 1,035 parliamentary candidates. In simultaneous local and municipal council polls, they comprised 120 out of 7008 candi-

dates competing for 2093 seats, according to Electoral Commission of Kenya statistics.

"We have to continue struggling," says Maathai. "Women should realise it's never going to be easy and support each other by forming a girl network."

Her views receive support from Nominated MP Cecily Mbarire: "A woman will want to be peaceful and mature during the electioneering, but men go outside the rules. The violence intimidates women, forcing them to pull out or not to attempt to join the race because they are unable to campaign freely."

Women also tend not to have enough money for the campaigns and may also be hampered by family responsibilities.

And what's the solution? African countries need to adopt affirmative action if the statistics are to balance out in politics, says Mbarire, who is also an assistant minister in charge of youth affairs. There are 18 women in Kenya's parliament, two of them Cabinet ministers and five assistant ministers.

In neighbouring Uganda, there are 73 women legislators making up just 23.9 per cent of the House. The country's constitution provides for affirmative action executed via special district seats contested by women only.

¶The 1990s were the decade of decent beginnings for women in politics in Africa, and all the indications are that greater pressures for political representation and participation will be seen in the years ahead.

## The strength of an African woman

FROM FRONT PAGE

capable of striking out on her own, and standing up for what she believed in. It didn't matter that some of her policies were definitely not pro-women; it didn't matter that her years at the helm did not translate into more women in government.

All that counted was that she was the person in charge. Power is androgynous, after all, and she simply had a job to do. She did it to the best of her ability and chose not to play to the popularity gallery. This is all that we can ask of women as national leaders, though it would be a bonus if they were to bring peculiarly female perspectives to the job.

There is no shortage of tough women in Africa. We see them every day, struggling against the odds to eke a living out of circumstances that would break the backs of many a man. Yet they contrive to take it all in their stride and do their duty by their children and communities.

Ellen Johnson-Sirleaf will have to fall back on the strength of the African woman in the face of adversity if she is to pull her country back from the brink and knock Liberia into all that it can be.

The challenge is tremendous — two civil wars have left the country shattered. Healing the wounds of war should be as much her priority as getting the country back on track.

The task will be daunting, at times even frightening: how do you give a country its soul after the excruciating pain that Liberians

have lived through? How do you reinstitute the basic tenets of democracy in a country long used to rule by the gun? How do you give your people the faith in their own humanity that will enable them to rise above the anger and anguish?

The basic principles of governance are one thing, and rebuilding a nation another. The first is achievable in short time.

The second will require strength of will comparable only to that of Paul Kagame, who has painstakingly and systematically moved towards reconstructing a sense of nationhood in Rwanda.

It is to the doggedly principled leadership of Kagame that Johnson-Sirleaf must look if she is to leave a lasting legacy of peace to her people, who broke the stereotypical mould in choosing to elect her.

She will have to rule with a firm and decisive hand yet with empathy for the spiritual needs of her people.

Africa's political landscape is full of leaders who romp to power promising to take their people to Canaan only to get distracted by the three African diseases — ethnic politics, self-aggrandisement and corruption.

Never let it be said, Ellen Johnson-Sirleaf, that Africa's first female elected head of state fell into the same trap as the myriad men ahead of her who became fallen angels rather than the true liberators that the people cried for.

Look south to Nelson Mandela, Madam President, and expend all your energy on forging a nation that will stand on its feet.

God bless you. God bless Liberia.



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# Violence Against Women

Africa**woman**

MAY, 2006

In this special report dedicated to gender-based violence, you will notice that much of the reportage focuses on sexual violence. This was a curious development since the brief to our writers was not designed to limit African women's experience of violence to just the one thing. Yet everywhere we looked, we were confronted with the fact that rape is the worst nightmare for women all over the continent

By Christian Benoni, Kenya

Should we? Should we not? This is the challenge facing Kenyans in the big debate over whether or not to pass laws to punish those who deliberately infect their partners with HIV/Aids.

Organisations working in this area have been breathing fire over the 2003 HIV/Aids bill which, they say, insinuates punishment for those who infect others, including their spouses.

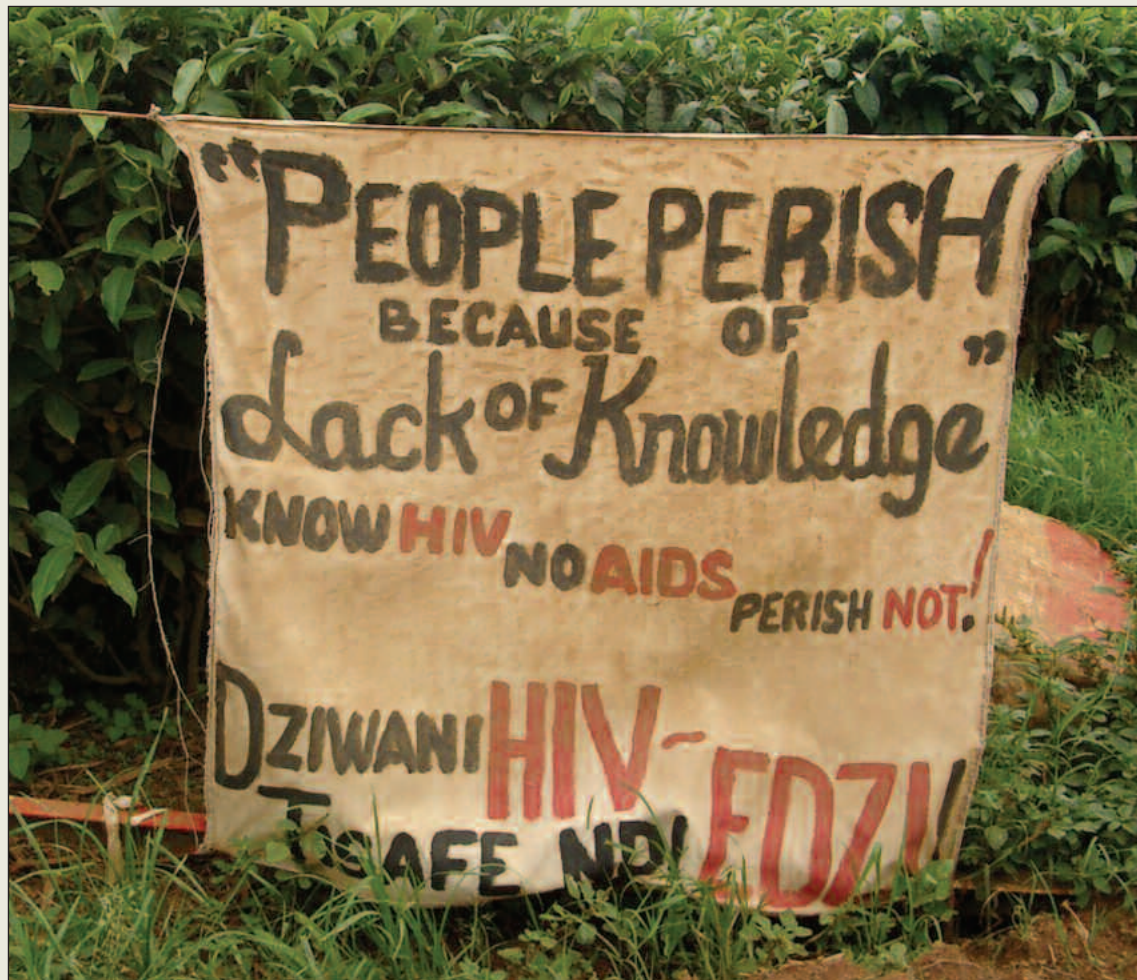
"Yes, the bill is leaning in that direction," says Michael Angaga, national coordinator of the Network of African People Living with HIV/Aids. "What is not clear is how one comes to the conclusion that it is this person who infected the other. We can't allow such a bill to be passed because it will give individuals the leeway to blackmail others."

With the relatively high HIV/Aids prevalence rate among women and girls, gender activists say that females will continue to be susceptible to infection in the absence of laws to safeguard their interests.

Says Joyce Majiwa, the immediate former chair of Fida-Kenya: "The absence of such a law leaves us in the situation we are in now, where women are infected in high numbers and yet we are unable to protect ourselves because we lack the capacity, including financial power."

Majiwa, who has been involved in studies highlighting women's vulnerability to HIV/Aids, argues that most married women get infected on their marital beds "more than through other means." Government statistics indicate that HIV prevalence among women aged between 15 and 49 is nine percent while that for men in the same age group is five percent.

Even though the pre-independence Public Health Act, revised in



SAYING IT ALL: For women, knowledge is often not enough, it is a question of power relations

## Dicing with death on the marital bed

Women will continue to be infected with HIV in the absence of laws to protect their interests

1986, spells out provisions for dealing with syphilis and gonorrhoea, it is silent on HIV/Aids. Generally dismissed as archaic, the Act prohibits anyone from contracting a marriage before syphilis and gonorrhoea has been treated. You do so on pain of a fine up to the equivalent of \$54 and a six-month jail term.

There is the argument, along these lines, that punishing those who deliberately infect their part-

ners may go some way in addressing the disparity in the prevalence rates for men and women. About two-thirds of those infected here are reportedly women.

But Angaga argues that the solution to women's vulnerability lies in tackling issues such as violence against them. A 2004 Aids Epidemic Update by UNAids shares a similar concern, noting that violence has been largely responsible for the spread of HIV/Aids in

women and girls. "The fear of violence, not just from partners but also from the wider community, prevents many women from accessing HIV information, from getting tested and seeking treatment, even when they suspect they have been infected," says the report.

This is certainly the case for Leonida Akinyi, who recently discovered she was HIV-positive. Even though she is aware that her

husband has many partners, she continues to have unprotected sex with him. He beat her when she asked him to use protection and hurt her seriously.

She says: "He came home late that night and demanded sex with me. I told him I would do so only if he used a condom. He punched me heartlessly, accusing me of having other men. I had no choice but to give in to his demands."

According to the Kenya Demographic Health Survey 2003, over half the women of Kenya have experienced violence since they were 15. Sixty percent of the beatings were inflicted by their husbands.

Nevertheless, laws surrounding domestic violence remain wanting. Having been drafted in 2001, the Domestic Violence (Family Protection) Bill is still pending. "If passed and enforced, this bill can greatly reduce cases of violence in the home, particularly on women," says Atsango Chesoni, a human rights activist.

"The bill provides for women to be taken to safer shelters and to get protection orders upon reporting violence so that they are distanced from their abusers, even if it is their husbands."

Women's rights groups have blamed the rising rape cases on weak legislation. The Criminal Law Amendment Act approved by the government two years ago provides for tougher punishment for rape and defilement, from a maximum of 14 years to life imprisonment.

But it falls short of stipulating a minimum, which is left to the discretion of magistrates.

They may decide to lock up offenders for just days, hours or even seconds. Some magistrates have even been known to let child defilers go scot-free "because they have shown remorse." How about some sympathy for their victims, then?



Going to a safe house was a tough call ...

# 'It scares me to think that I stayed that long with him'

By Lifaqane Nare, Zimbabwe

**P**auline Ncube has every reason to be pleased with her achievements. At 30, she is the managing director of a publishing company. She has done everything right? getting excellent results in school, graduating from university with distinction and marrying the man of her dreams.

On the face of it, her husband Donald, a doctor, is the kind of son-in-law every family would wish for. Ncube is the last person you would expect to meet at the Musasa Project's safe house for battered women in Zimbabwe's second city, Bulawayo.

Says Ncube: It took me two years to accept that I was a battered wife and to seek help. I have never failed at anything in my life and facing up to a disastrous marriage was not something I had been conditioned to accept. What would people say? I was too ashamed to confess that the dream had turned into a nightmare and the man of my dreams into a monster. Going to a safe house was a tough call, but ultimately it was either that or risk being killed in her home.

The beatings started just over a year into the marriage, and she can't even remember what set off the whole thing. "He was late home and arrived as I prepared supper. I mentioned that I had been trying to reach him on the phone and he spun out of control. He accused me of keeping track of him and not giving him enough space. When I tried to explain, he slapped me and the plate I was holding went flying. The maid came



running, and he shouted at her and stormed out of the house. For more than a week, I couldn't look her in the eye."

Donald apologised the following morning and promised it would never happen again. But it did often enough that she could no

longer find excuses for her husband. After six months of this, she reported the abuse to police who dismissed it as a private matter and told her she should bring him in for counselling.

She adds: There was no way I could raise the issue with my husband. By then, he was not the man I had married. Looking back, it scares me to think I stayed that long with him. The police made me feel it was my problem and I just needed to understand my husband. I knew there were laws to help me but the police officers were not interested in arresting him. They wanted me to talk to him. I don't know how. They made me feel that all

marriages were like that.

She heard of the Musasa Project from a friend and went there for a chat but still lacked the courage to walk out of her marriage. It would take a severe beating that nearly crippled her before Ncube sought

refuge at Musasa.

"They offered an alternative, a safe haven. I could go to them because they were strangers. They were non-judgmental and understood how I was feeling. At that moment, I couldn't face either my face or the police.

I couldn't imagine the shame of having to stand in an open court and relating to the world what had been happening to me. I couldn't face the hostility of the police and the audience. My dignity was all I was left with." She understands, at the intellectual level, that the shame is not hers but for the man who constantly abused her. But there's no getting away from the social perceptions that conspire against women worldwide who are battered by their partners.

At Musasa, she has been receiving counselling that has helped her slowly rebuild her self-confidence and her belief in herself as a person who deserves the best and has a right to expect it from society.

According to the director of Musasa Project, Sheila Mahere, one in four women in Zimbabwe has been assaulted by a man. Contrary to the belief that Musasa Project destroys homes, we are here to build violence-free homes, she explains. By providing safe houses, we offer refuge and an alternative to those who have been made to feel they have nowhere to go. Ncube knows she will have to leave the safe house at some point and get on with her life. Musasa Project has given her a chance to get her life back on track without outside pressures from family, friends and society and the courage to take the next step.

## Where wives are not allowed to say 'No'

By Margaret Nankinga, Uganda

**J**anet Nantume's joy at putting her bouncing baby to bed was short-lived. Only seven months after being discharged from Mengo hospital, she was back, bleeding profusely and suffering severe abdominal pains. She had been raped by her husband.

Although her doctor had advised her not to have sex for 30 days and then get the all-clear from him, her husband would not hear of it. Five days after she returned home, he forced her into it, claiming he would rather hurt her this way than go out with other women who could infect him with HIV. He was being faithful, he reasoned, and his wife's pain would be a small sacrifice.

The doctor who treated her on re-admission ensured she spent two weeks in hospital to protect her from her husband's demands. Although she eventually healed

physically, Nantume has never been the same emotionally. She fears having sex with her husband, who has taken to battering and raping her.

Although organisations such as Hope After Rape provide support for survivors of rape and other forms of violence against women, Nantume and others who live with marital rape will not seek help for fear of being ridiculed.

Culture is one of the key barriers to women seeking help, says Lorna Kaggwa, an administrator at Hope After Rape. Ugandan women are traditionally taught never to deny their husbands sex regardless of their own needs and desires.

Among the Banyankole of western Uganda, a woman was married to the entire family and they were not expected to speak of rape should any member of the family force them into sex. Sharing of women within the family is now increasingly frowned

up, but has not been entirely wiped out.

In Central Uganda, the Baganda aunties who are the cultural providers of sex education for girls advise their charges to give in to their husbands' demands wherever and whenever they come. It is stupidity in today's women that makes them accuse their husbands of raping them, says Namusoke, one of the renowned aunties who now sell such counsel to brides-to-be. What did you marry for if not to satisfy your husband's sexual desires?

It is paternal aunts that are culturally assigned the task of resolving marital problems, and many women would rather suffer in silence than be subjected to such ridicule. Only 181 rapes were reported here in 2003, 92 in 2002 and 52 in 2001, according to a report from the inspector-general of police. Defilement cases amounted to 804 in 2001, 988 in 2002 and 3052 in 2003.

Many rape survivors come in suffering

from withdrawal and we give them psychosocial counselling and teach them self-defence, says Kaggwa. Many women also choose to stay in abusive relationships because they simply don't have the means to provide for themselves.

Yet the Domestic Relations Bill, which women banked on to help deal with issues such as marital rape, has been shelved by Parliament for the past decade or so. It was cast adrift after men protested the two-year prison term for marital rape. Muslims also argued that the bill ran counter to their right to polygamy because the bill would require men to get consent from their first wife and also that each wife be given her own home.

Political bills such as the one lifting presidential term limits have since taken precedence. The government is too busy playing politics to care whether women are being raped and society simply couldn't care.





IDEAL SITUATION: women in africa long for the day the continent will rise and protect them

"How can education alone help when a high court judge assaults his wife ..."

By Rebecca Kwei, Ghana

Marital rape may be an all too familiar matter to women here, but it threatens the Domestic Violence Bill that is expected to go to Parliament soon. Though the bill seeks to remedy anomalies in the law and provides protection orders for those subjected to violence in the home, it has met resistance from critics who argue it will destroy the sanctity of marriage and encourage a rush to police stations by wives seeking to prosecute their husbands.

Supporters of this theory see no irony in their argument, preferring to go with the standard thinking that, by consenting to marriage, women automatically lose the right to reject sexual overtures from their partners regardless of their reasons.

Says Angela Dwamena-Aboagye, executive director of the Ark Foundation, a non-governmental organisation which works on the protection of women and children: This bill makes provision for protection from sexual abuse. It calls for the repeal of Section 42 (g) of the Criminal Code of 1960, which justifies the use of force within marriage.

It's all about an archaic provision dating from 17th Century English Law that can be traced back to statements made by Sir Matthew Hale, chief justice of England then. He wrote: The husband cannot be guilty of a rape committed by himself upon his lawful wife for, by their mutual matrimonial consent and consent, the wife hath given her-

## Why Africa needs laws to protect women

self in kind unto the husband which she cannot retract. Yet the British have themselves expunged that provision from its law books.

At a forum on the domestic violence bill in Accra, Henry Tackie of the ministry of justice argued that people who were contesting this had not taken the time to study it. How can anyone justify a situation where a partner forces himself on his weaker partner and intentionally infects her with HIV/Aids? There are several things going against the domestic violence bill. The common belief in Ghana is that violence in the home is a family matter. Even police themselves are often reluctant to intervene in what they consider private issues. At any rate, the law does not give them the power to step in.

Worse still, many women simply don't know that the violence perpetrated against them is wrong. They often don't even know

where to report. Most women don't even know what options are available to them when they are abused, says Dwamena-Aboagye. There is so much social pressure on them that they refuse to bring the perpetrators to the sanction table.

Even when they seek help, most Ghanaian women don't want their abusers jailed; they just want an order to have them stop the abuse. With the setting up of the Women and Juvenile Unit of the Ghana Police Service, now called the Domestic Violence and Victim Support Unit, there has been a rise in the number of women and men reporting assault and battery.

More than 100 human rights groups have come together to form the National Coalition on the Domestic Violence Legislation in Ghana in an attempt to respond to the challenges that face the bill.

The coordinator of the coalition, Adolf Awuku-Bekoe, disagrees with the notion that it is better to educate people to live in harmony than to put in place laws to govern life at home. "How can education alone help when a person as highly educated as a high court judge assaulted his wife so badly that she fled to a police station in her morning coat," he asks. "What kind of education does such a person need, other than laws to check him?" The bill, which had gone to the Cabinet, has been sent back to the ministry of women and children affairs for more consultation.

Minister Hajia Alima Mahma argues that the bill is non-discriminatory and will protect men, women and children. She highlights the main areas of public concern as marital rape and sexual harassment and argues for a need to consult further and reach consensus on how they should be tackled in the proposed law.

Says Dwamena-Aboagye "Ghana believes in its stated commitment to the international human rights instruments and documents it has ratified and its own constitution, which states that the dignity of all persons shall be inviolable, then it is just and right that measures be taken to uphold the rights of citizens, no matter where they find themselves. It is good to have protective measure that victims can take advantage of. We must understand that women are the majority of our citizens and anything that concerns them is a matter for the whole country, not just women alone.



"If Parliament and the country can't protect women, children and boys, who will?"

# Proof beyond reasonable doubt – but in whose interests?

## FROM FRONT PAGE

ing a shower immediately after would wash away the virus that causes Aids. He also said he believed women were more likely to be infected with HIV than men and therefore saw no reason to protect himself.

Not that all this presumed ignorance of HIV/Aids mattered to his supporters, who had not only ransacked her mother's house but tried to assault the woman herself. At the last count, there were efforts to relocate her to a third country to protect her from the elderly Zuma's supporters.

But if the Zuma case was farcical, it wasn't that far different from the sentiments expressed in Kenya's Parliament that eventually reduced the Sexual Offences Bill to a battle of the sexes. And this despite the latest crime report (2004) indicating that rape now tops the list of crimes in the country.

More women are raped in Kenya than there are people murdered or vehicles stolen. New studies by the Steadman Group show that 310 adults are raped hourly and over 37,000 every month. It further states that 1,240 cases of rape happen daily. Further statistics from the Nairobi Women's Hospital show that more men are now seeking help at the hospital's Gender Recovery Centre.

## State prosecutes

Kenya's Sexual Offences Bill makes the State the prosecutor in cases of sexual violence, making it impossible for families to negotiate private settlements and withdraw cases without the consent of the victim – which has been one of the biggest problems, especially when children are defiled.

Prosecuting sexual offences has been made especially difficult by the fact that the law demands proof of the presence of the suspect's semen in the victim. Rape suspects have found their way round this simply by using condoms. Besides, the red tape surrounding the reporting process has meant

that all evidence has been destroyed by the time the legal machinery comes round.

Worse still, even should the man be apprehended, rape is a bailable offence and the offender will more often than not continue to harass the victim.

## Mass walk-out

Against this background, women's rights activists were quietly confident that the Bill would meet little or no resistance from politicians. They learnt otherwise right from day one of the debate, when male MPs staged a mass walkout the moment the sponsor of the Bill, Nominated MP Njoki Ndung'u, got up to state the case.

Indeed, newly-elected Paddy Ahenda said in his maiden speech: "Mr Speaker, sir, you know as much as I do these creatures (meaning women) are somehow shy. They are not as open as men are..." He was referring to

Section 23, which says: "Any person who undertakes unlawful, unsolicited and unwelcome sexual advances or requests for sexual favours is guilty of the offence of sexual harassment." He continued: "This section prohibits any male person from marrying because before you marry you must make advances."

But worse was to come. He went ahead to say that the African woman always says 'no' when she means 'yes'. It should be noted that some MPs have been accused of sexual harassment and even rape.

He was backed by colleague Jimmy Angwenyi, who described the Bill as good but full of 'rubbish'. He added: "Mr Speaker, in Kisii culture, if you approach a girl for the first time and she says 'yes', you leave because she is a prostitute. She has to pretend that she does not agree to your request, and you make more advances.... I do not condone rape but this Bill interferes with culture."

The mood in Parliament was so acrimonious that women politicians also ended up

**Prosecuting sexual offences has been made especially difficult by the fact that the law demands proof of the presence of the suspect's semen in the victim. Rape suspects have found their way round this simply by using condoms**



**ACQUITTED:** Jacob Zuma may have been cleared of rape, but his conduct is hardly anything to write home about

walking out in protest at the way some of their male colleagues were trivialising the debate. Yet there were voices of reason in the debate-turned-into-slanging match.

Anyang' Nyong'o pointed out the loopholes within the legal system, saying women should not be criminalised for reporting rape or sexual assault. He said: "In my experience, when one goes to report, the officer at the desk usually asks, 'what were you doing there?' or even more perversely, 'what were you wearing?' Or, 'At that time of the night, where were you going?'"

He continued: "I have looked at the Constitution of Kenya and there is nowhere it is said that women must not be out of their homes at night, or where it states how long or short a woman's dress should be. So for a police officer to ask a woman such questions is a violation of her human rights and fundamental rights as a Kenyan citizen."

## Gather evidence

According to Nduku Kilonzo, programme officer with Liverpool VCT centre, which has started offering services to rape victims outside Nairobi, "for the system to work, we have to literally gather evidence for the police and sometimes it is difficult to follow-up".

She not only worries that the Bill will not sail through Parliament but also the fact that there are no systems in place to ensure that evidence is gathered properly.

Liverpool offers treatment to those who report rape or incest within 72 hours. Patients have been known to travel across the country to this one hospital, but often arrive way past time and also when most of the evidence has been destroyed.

Liverpool's services have gone a long way to help police gather evidence, but more work needs to be done to ensure that the judicial system works. As MP Mutula Kilonzo put it: "If Parliament and the country can't protect women, children and boys, who will?"

Nduku is quick to point out that, much as the law is important, all other systems, and especially the health sector, have to work for justice to be achieved. "We train personnel and have managed to integrate this service in eight district hospitals," she adds.

There is hope in the recent turnaround in the debate, with voices of reason calling for amendments to the most contentious issues rather than throwing out the baby with the water.

As judge Van der Merwe said in his ruling, it is important to make sure that the state is the prosecutor in sexual offences so that the burden of proof is not left to the claimant.

And MP Kirugi M'Mukindia captured the sentiments of most Kenyans when he said: "If we do not pass this Bill, we shall be telling our wives that we don't care, that we don't feel the pain they suffer. To fail to support this bill is cowardly of us."



*In Africa we cry for more representation of women in decision making positions in the hope that it will make a difference. Florence Machio explores the women who have made it on the top seats in their countries and wonders whether they have fallen in the same trap as their male counterparts*

# These ladies are not for turning

One in five politicians elected to parliaments worldwide last year was a woman, according to a study by the Inter-Parliamentary Union unveiled at the United Nations 50th Status of Women session last March.

This notwithstanding, there are six female presidents in the world today – in Finland, Ireland, Latvia, the Philippines, Chile and Liberia. There is also German Chancellor Angela Merkel, who is riding an unprecedented wave of popularity, not to mention prime ministers and deputy heads of state elsewhere.

How appropriate then that the theme for this year's International Women's Day was, "Women in Decision-making: meeting challenges and creating change".

So let's take an up close and personal look at what some of the most famous women ever to have been on top said and did: "Any woman who understands the problems of running a home will be nearer to understanding problems of running a country," said the Iron Lady, also known as Margaret Thatcher – she of Conservative politics and radical policies such as the poll tax.

She is perhaps one of the longest serving woman to head a government and is remembered for her controversial statements, including: "I have a woman's ability to stick to the job and get on with it when everyone else walks off and leaves it."

Thatcher is credited with the triumph of capitalism and the downsizing of the state on nearly every continent and in almost every country.

She had a quick mind and faster mouth. She once said: "The woman's mission is not to enhance the masculine spirit but to express the feminine; hers is not to preserve a man-made world, but to create a human world by the infusion of the feminine element into all its activities."

Perhaps we can now understand why one-time Pakistani Prime Minister Benazir Bhutto is still battling to clear her name of corruption charges. Did she try leadership by enhancing the male spirit?

It is said that four years before his fall from power in 1977, Zulfikar Ali Bhutto warned his nation: "What is built of hypocrisy and deceit must finally crumble."

Just like her father, Bhutto cleverly used populist oratory, inspirational promises and idealistic national platforms to rise to power. And when she came to power, Bhutto seemed determined to carry on her father's troubled legacy.

Her critics say that Bhutto inherited her father's charisma, passion for politics and insatiable ambition, but also his cruel streak and willingness to undermine democratic institutions. She has yet to be absolved from corruption charges arising from her



**LEADING THE WAY:** German Chancellor Angela Merkel, Britain's Iron Lady Margaret Thatcher, and Pakistan's former Prime Minister Benazir Bhutto.

tenures as prime minister of Pakistan - 1988 to 1990 and 1993 to 1994.

Benazir Bhutto started her political career with Western credentials, including degrees from Radcliffe and Oxford, and a great deal of goodwill. Returning home in 1986 after self-imposed exile, she endured imprisonment before the popular movement she led helped end the military dictatorship of Zia ul Haq. In 1988, she won the country's first general election in more than a decade.

Pakistan then enjoyed a brief interlude of hope and pride. But that euphoria quickly ended, even among those who worked closely with her in the Pakistan People's Party, which she still chairs in exile.

Instead of focusing on developing the economy and trying to provide education and work for tens of millions of poor Pakistanis, Bhutto worried about how best to immortalise her father, planning costly monuments and hoping to persuade the World Court to exonerate him. Did

Bhutto wear her heart on the sleeve?

Back to the original Iron Lady, who said: "In politics, if you want anything said, ask a man. If you want anything done, ask a woman."

Now we may begin to understand why so many African women end up campaigning for men even as they lose out in the leadership stakes. Or could it be the reason why Mary Robinson of Ireland is known for doing rather than politicking.

Robinson went from president to UN human rights commissioner and then quit before her second term expired.

Some would say that her departure from the UN was both unfortunate and predictable. Predictable because she didn't know how to do politics and unfortunate because she "put human rights on the map".

Before taking over the mantle as Ireland's CEO, Robinson revealed herself to be tenacious and a fearless defender of human rights, championing women's human rights and

campaigning for the liberalisation of Ireland's laws prohibiting divorce and abortion.

Later, as Ireland's president (1990-1997), she achieved international standing by bringing compassion into politics. Among other things, she visited famine-ravaged Somalia and post-genocide Rwanda.

As the UN's Commissioner for Human Rights, she put a human face to rights that governments did not want to pay attention to – food, housing, health and other economic, social and cultural matters.

These things did not go down well with Uncle Sam. She held all countries accountable, including the US – a position that put her on a collision course with Washington.

Let us just say that President Bush would not be a happy man had she still been heading the human rights body, especially after the report on Guantanamo Bay.

By trying to lead the women's way, she made as many enemies as admir-

ers. Robinson's tenure at the UN and in Ireland could well be summed up by another Thatcher quote: "It may be the cock that crows, but it is the hen that lays the eggs."

In 1960, Sirivamo Bandaranaike of Sri Lanka became the world's first female elected prime minister and in 1974 Isabel Peron of Argentina became the first woman president. In 1999, Sweden became the first country to have more female ministers than men at 11 women and nine men.

We now have the first African female president, who will hopefully serve the full term. Ellen Johnson-Sirleaf inherits a war torn country after the first democratic election in Liberia. Her leadership of Liberia is yet to be assessed as she literally starts from scratch.

She reminds one of Sylvie Kinigi who took over Burundi in June 1993 when Melchior Ndayaye was killed in a military coup and interethnic violence flared up across the country.

Kinigi, who was then the prime minister, was able to retain control of the government and facilitate an election that saw Cyprien Ntaryamira elected president a year later.

Merkel and Johnson are now in the spotlight. Will their leadership will be any different and yield results? One hopes that as Johnson brings a fresh look at Liberia, she will stay on course so we can judge whether she indeed lays the eggs as opposed to crowing like her male predecessors.

Johnson has the goodwill and women's liberation – or what's left of it – is looking at her and hoping things will definitely be different this time round in Liberia. Africa's Iron Lady might need to use this quote on her critics: "U-turn if you want to. The lady's not for turning."

## Female condom is fashion statement

By Rebecca Kwei, Ghana

Health workers here heaved a sigh of relief when the demand for female condoms shot up recently. Finally, they believed, this method of contraception was catching up with local women. They had no idea just how wrong they were.

While reports indicate that the female condom is getting increasingly popular in the suburbs of Accra such as Adabraka, James Town, Bukom and Chorkor, the women buy them for a purpose the inventors would never have imagined. They have proved handy as fashion accessories.

Some use the flexible plastic rings on the tips of the condoms as bracelets and seamstresses here have taken to using the rings for new

designs. "I have seen the bracelets on some women, says Araba Essanoah. They are very attractive and match anything you wear. Until they tell you they got them from the female condom, you wouldn't know."

The rush for female condoms began last June. Young women would buy up to seven condoms then cut them up and use the flexible plastic rings at the ends as bracelets. According to Clement Abankwa, a pharmacist at S. Asanti Chemicals, the demand for the condoms rose from two to three pieces a day to more than 40.

What should have been good news for health workers quickly turned to yet more frustration when the new fashion trend became apparent on the streets.

Education on the use of the female

condom will be intensified in order to create the right awareness among women, says Henrietta Odoi-Agyarko of the reproductive health unit of the ministry of health.

While the virtues of the male condom are widely-publicised in multi-media advertising campaigns, little is heard of the female condom. Those who have tried it also complain of having difficulties inserting it and that its size is intimidating. In some parts of Africa, women have also complained that it is too noisy for their peace of mind.

A study conducted in 2003 by the Ghana chapter of the Society for Women Against Aids attributed the low uptake to poor publicity when the female condom was first introduced here in 2000.

Now organisations such as SWAA

have the task not only to publicise the female condom but also to strengthen the community outreach element of their work if they are to address contentious issues to do with culture, perceptions and stigma.

In patriarchal Africa, especially, they will have to contend with the fact that women rarely enjoy the liberty to demand that their men wear condoms, let alone use the female condom, which remains cumbersome, to say the least.

As a country where record-keeping is hardly a priority, Ghana may well take the cue from Brazil, where all clinics keep records of female condom distribution.

This allows follow-up, which may establish reasons for low usage and may help chart and adjust marketing strategies.



By Florence Machio, Kenya

**FROM** the Horn to southern Africa, the cycle of drought and famine has become as familiar — and predictable — as the back of our hands. Indeed, the USAid early warning systems network (FEWS) calls January to March the peak hunger season. And so it has been again this year.

Children dying of hunger, mothers with shriveled breasts holding children with unnaturally large heads, animals in their death throes.... These are the images that we have presented to the international community for the past decade.

Africa is now entering what the UN calls a persistent famine phase. Drought strikes more often than ever before, followed by famine in a cycle that we can almost take for granted. And relief efforts have become continuous emergencies. Can we dream of a time when we will not need the World Food Programme?

Not as long as African governments persist in shooting themselves in the foot. Drought is a function of hostile weather conditions but famine is a process, not an event. If our leaders chose policies that work for their people rather than those that enrich them and their cronies, there would be no need for the grief that accompanies the famine cycle on this continent.

Instead of policies that focus on eliminating the worst of the scourges that have kept African people down — and out, more often than not — we have even the beneficiaries of the so-called second and third liberation

# Peaks of hunger, depths of despair

movements falling into the trap of the dictator generation of African leaders. They pursue leadership because of the trappings that it comes with, not because they have any plans to push a development agenda.

And so Africa remains the poorest continent, the only one to have declined since 1960. Bad governance and widespread corruption are not just a moral issue here. They have contributed extensively to the hunger crisis with their excesses. But that is only half the story.

In 2004, G8 leaders came up with a strategy with the grand title “Ending Famine in the Horn Africa”. They said then: “We are united in our belief that famine is preventable in the 21st century. Famine, food insecurity and malnutrition have many causes and defeating them will require a global partnership. We renew our commitment to help build this partnership, particularly in Africa, where more than 200 million people remain threatened by famine or food security.”

The reality is rather more complex. While many of their companies

want to invest in Africa because of cheap labour and raw material, they have in fact fuelled corruption in striking the deals to enable them operate in these countries.

Who benefits from famine may also be a useful angle to follow. When Zimbabwe and Zambia refused stockpiles of genetically modified foods from the US, the question was how hungry people could refuse help. The governments of those countries were accused of not caring for their citizens.

The point to note, though, is that the US genetically modified stockpile of grain needs a home in itself. Created though a vast subsidy programme, the grain cannot be sold to the European Union or Japan because they have embargos on GM food for human consumption.

The US spends over \$1 billion buying food from local agricultural corporations and shipping it to the starving. Food aid, therefore, serves as a de facto means of support for local industry while presenting a veneer of humanitarianism.

As the political games continue, Africans need to find innovative and

lasting solutions to deal with this perennial problem. Soil scientist Peter Gicheru says: “If we are to conquer famine, we have to be serious about growing the right crops in the right environment.”

Gicheru, who is in charge of Kenya’s soil survey, knows only too well which soils are fit for what crops. He is also all-too-familiar with the fact that it is difficult to change people’s attitudes towards food. Many people believe that traditional vegetables are fodder for poor people. Yet they are the most nutritious.

In the western breadbasket of the country, farmers persist in planting maize even though it is unsuitable in terms of the environment and the nature of local soil.

While early warning systems would be pretty useful, it may make a great deal of sense to work with what we’ve got. In the drylands to the north of the country, the solution to cycles of famine could simply be investing in improved infrastructure — which could then boost meat production, and the purchasing power of locals.

As it is, the Kenya Meat Com-

mission is based 600 kilometres away from a province where the population’s main activity is rearing cattle. “This is an area where the soil cannot be relied on to produce enough food for consumption and it would make more sense to have KMC in the region.”

James Shikwati, director of the inter-region economic network and coordinator of the Africa Resource Bank, notes that while famine and drought is wrecking havoc on Africa, the continent has the lowest usage of fertiliser in the world.

According to AU statistics, Africa uses 25kilogrammes per hectare and loses up to 30 per cent of harvested crop due to poor storage.

Shikwati argues that international activists employ double standards when it comes to solutions for Africa. “They fight known solutions and offer ideal solutions, leaving Africa static and desperate,” he says. “Africa will continue to suffer food shortages because developed countries forbid the use of technology to turn around the famine situation.”

Shikwati has barbs for African intellectuals, whom he accuses of having let the continent down. “When will they independently scrutinise some of these so-called international standards to establish whether or not a whole generation is being destroyed in the name of the environment?”

His philosophy boils down to one sentence: Africa needs to find home-grown solutions and prioritise its needs as opposed to waiting for food aid.



This edition of *Africawoman* is funded by the Washington-based **Population Reference Bureau**

The views expressed here do not necessarily reflect the views or policies of the **Population Reference Bureau**

which can be reached at **1875 Connecticut Avenue, NW, Suite 520, Washington, DC20009-5728 USA**

## Inside MmeMathato’s garden of hope

*Lifaqane Nare in Lesotho*

**THE** house is dilapidated. Falling stones and missing windowpanes tell the story of the family that lives here more vividly than words ever can. Some of the rooms are boarded up with old, rusty iron sheets. An old brown sofa sits on two legs in what used to be a side room that has now fallen in. A turn around the house reveals a few water containers lying on the ground. The sound of sheep bleating attracts you to the kraal built of corrugated iron sheets that have seen better days.

In the midst of all this is Mathato Alice Faku’s garden. It is her pride and joy and has been planned with the precision of a drill sergeant. There is no weed in sight.

MmeMathato’s garden has vegetables in five colours, all chosen for the nutritional value, spinach, carrots, onions, beetroot and cabbage. Nine beds are in full bloom, one filled with an almost ready for harvest bean crop. Another three have been prepared and are ready for planting.

The keyhole bed is striking with its leafy vegetables that are a sharp con-

trast to the surrounding vegetation, which is dry and stunted.

MmeMathato’s garden is more than just a piece of land with a few vegetables growing in it. It represents her struggle to provide for her family and hold her head high. Her garden is one of 5,400 that villagers in Mafeteng district, 120 kilometres from the capital city, Maseru, have built with the help of Care Lesotho-South Africa and The Employment Bureau for Africa.

After undergoing a lot of screening, I was taken into the programme and taught how to prepare a vegetable plot for planting,” she says. “When the instructors came to inspect our gardens, everyone was told to redo their gardens as they did not meet the set standards. But not me. I had put in a lot of work and followed instructions. It was the only one declared fit for planting.”

MmeMathato has every reason to be proud. This was not just digging. She had to go two metres deep, then followed this with the separation of good soil from bad. Manure was put in, then ash and the bad soil and finally the good soil on top.

She says: “I had been planting vegetables for a long time before the drought. But what struck me and attracted me to this project was this new type of gardening I was shown and the new manure I had to use.” Care’s approach emphasises knowledge transfer and empowering people with no source of livelihood and no outside income. Funded by USAid through its Food for Peace Agency, the project seeks to improve and maintain household food security for vulnerable people.

They are aiming for food security and not direct food relief, according to Henry Khonyongwa, project manager for the Consortium of Southern Africa Food Emergency.

“These communities were devastated by the 2002 drought and have not recovered,” he says. “Our aim is to help them get where they were before by equipping them with survival strategies and help them gain assets.”

The garden next door to Mme Mathato is overgrown and it is clear that she is not part of the project. How does she manage to save her vegetables from thieves and other



desperate people in the village? She has a ready answer “Thieves don’t bother me at all. I have a huge and fierce dog that keeps everyone out of my garden.”

This garden has taken MmeMathato from the status of beneficiary of food handouts to producer of her own food, perhaps not all that she requires but enough to restore her dignity and ability to care for her family.