

Democracy, Citizenship and Gender

Elaine Salo and Desiree Lewis, July 2002

Publication details: AGI Newsletter Vol 10 July 2002
<http://web.uct.ac.za/org/agi/pubs/newsletters/vol10/democracy.htm>

Just as nationalist narratives of the colonial and post colonial period were premised on the centrality of notions of manhood and masculinity, contemporary narratives of the transition to democracy in Africa continue to give the impression that gender is irrelevant to politics.

This is the conclusion reached by Zenebeworke Tadesse, a recent guest lecturer at the AGI and a member of the Institute's board, in her trenchant survey of the shaping of democracy in relation to women's movements and rights on the continent. Focusing on the last two decades, Tadesse shows how current post-colonial rhetoric, the recent evolution of the state, and new alignments between global and national elites (manifested especially in NEPAD) have entrenched women's disenfranchisement even though recent policy-making, political structures and institutions appear to encourage ever-increasing inclusiveness in African politics. Tadesse therefore stresses that the entrenched gender biases that underpin citizenship and democracy in Africa will be effectively challenged not by the reforms and piecemeal initiatives we have recently witnessed, but through a "much more concerted effort by the women's movement for coalition-building with other democratic forces in civil society".

As this argument indicates, issues of democracy and citizenship are crucially connected to current debates about identity, nationalism and human rights - in other words broad questions of power and freedom....

Issues of democracy and citizenship are crucially connected to current debates about identity, nationalism and human rights - in other words broad questions of power and freedom. Few discussions about these broader questions squarely confront the centrality of gender. And yet all post-colonial governments, in challenging the colonial legacy, have claimed to advance the interests of all Africans, regardless of gender, ethnicity, and sometimes, sexual preference. In what follows we raise some key issues concerning the connections between gender, citizenship and substantive democracy, especially in recent years.

The ballot box and substantive democracy

Globally, the meaning ascribed to democracy centres around the exercise of citizens' right to elect representative officials through the ballot box process. In the West, the electoral process is often seen as a definitive marker of the progress of autocratic African states towards democratisation. This has led many to conclude that most African states today, in comparison with the eighties, have at long last transcended their traditional propensities towards tribalism, autocracy and dictatorship. Yet to what extent does the ballot box process, in itself, guarantee effective representation and a qualitative reduction of cultural, social and economic inequities for all Africans? And for women in particular, what is the impact of their sub-ordination in the private sphere on their

involvement in the public electoral process?

Dealing with this theme in this newsletter, Eunice Mafundikwa insists that elections are always gendered processes, and confronts the enormous gap between women's nominal rights to elect representatives of their choice and their real-life situations in Zimbabwe. For example, in the recent elections, women were coerced, often through violent means, into electing officials chosen by powerful headmen or by their husbands.

Clearly, the electoral process in Zimbabwe was profoundly complicated and fraught for all Zimbabweans; although all citizens had the right to vote, the general socio-economic, political and cultural conditions in which they voted totally undermined notions of freedom of choice. In addition, many Zimbabweans were actively prevented from exercising their democratic rights through a conventional ballot box process because of the interference of the ruling party in strategies ranging from covert machinations (such as limiting or moving polling stations) to overt violence.

But Mafundikwa's point is that women are particularly hard hit by fraudulent voting processes in contexts that already favour men's interests. For example, although both men and women were victimised in Zimbabwe's extremely bloody election in February, it is a striking and yet often ignored fact that women have been the long-term invisible victims of ongoing campaigns within the country since the early 1980s. This victimisation has ranged from arrest for being on city streets alone after dark, to extreme forms of gender-based violence such as rape or genital mutilation. Also important is the fact that the many insidious obstacles that disadvantage voters in the ballot box process affect women more than men. For example, voter education, because of the barriers that have always affected women's education and literacy, most severely impacts on women's rights to make informed and responsible choices.

For many non-elite women especially, the formal right to vote is by no means a guarantee that they actually can exercise this political right.

Customary Law and Democracy

Throughout Africa, intense discussion continues about the value of customary law in relation to the preservation of indigenous identity. Ostensibly, this has been expressed as the need to grant formal recognition to marginalised voices and to extend democracy in post-colonial Africa. What is (often conveniently) forgotten is the way in which the defense of "custom", often the protection of a reified and colonialist notion of tradition, has effectively robbed women of some of the basic rights for which they fought several decades ago. Raising this in her discussion of Nigeria, Ada Okoye highlights the discrepancy between women's formal rights protected by the Constitution and the everyday customary practices of gender inequality. As she stresses, it is these everyday customary practices, which have become more and more common in recent years, that have eroded the few gains women have made over the past few years.

Customary law is central to different debates and processes of identity-formation, especially the perceived need to preserve the particularity of African identities in the face of homogenising global processes. What is disturbing is that in the process of defending a different African identity vis-à-vis the West, customary law has been cast in stone, thus reinscribing gender relations that are construed as integral aspects of "African tradition". This reinscription of a reified form of customary law and practice fails to acknowledge the

inherently dynamic relationship between custom and social context, and so sets up the basis for an authoritarian nationalism. The internal diversity that inheres in African societies, the multifaceted, gendered character of African identities and the importance of substantive, radical democracy are thus sacrificed in the name of homogenising difference.

The preservation of "pristine" religious identities in Africa has often been especially detrimental to the realisation of women's citizenship, if we take citizenship to mean the right to legal and economic personhood as well as bodily integrity. We see this in situations ranging from the imposition of Shari'a law in Nigeria to the condemnation of gay rights in the name of Christianity in several African countries. A few months ago, a northern Nigerian woman was sentenced to death by stoning for allegedly committing adultery. This sentence was passed in the name of upholding Islamic identity, at a time when Islam was perceived to be under threat from Western powers in the wake of the September 11th attacks in the United States. In this case, the man's complicity was totally erased; it was the woman who became the bodily symbol of religious identity. She alone was tried for "contaminating" the religious community through her actions. In the process, her identity as a Nigerian citizen and her rights to a fair trial were entirely jettisoned, while the many debates among Islamic scholars about interpreting Shar'ia law were marginalised.

South Africa's democratic state has attempted to accommodate ethnic and religious plurality by granting recognition to customary law and Muslim personal law. In doing so however, it has failed to acknowledge the gender inequities inscribed in these laws. Muslim feminist groups such as Shura Yabafazi have demanded that changes be made to these laws on the basis of their progressive interpretations of women's roles in Islam. Their struggle highlights the necessity to raise critical questions about recognising conservative male definitions of custom and religion and sanctifying only these definitions as law.

In many southern African countries most notably Namibia and Zimbabwe, gays have been demonised in the name of defending respectable African Christian values. Gays have been attacked by key politicians, and in Zimbabwe, gay identity has been declared "illegal". Gays have also been subjected to physical attacks and abuse by "citizens" who have been swayed by the anti-gay nationalist rhetoric.

Throughout Africa therefore, the importance attributed to customary law (even in cases where con-stitutions and modern law mean that customary law has no legal standing) implies that women have very little meaningful legal recourse in protecting their rights. In countries like Kenya, Tanzania, Zimbabwe and Botswana customary law has meshed with metropolitan state law to place women in particularly invidious situations in asserting their rights; there has been a nominal commitment to women's rights, and yet the populism of customary law gives women very few opportunities to assert or pursue their rights. Even when women are availed a measure of power in customary law, this is usually very limited and simply means that they can exercise power only within the framework of the "traditional" status quo. In the case of state policy in Zimbabwe, women are trapped in between two laws. The Legal Age of Majority Act, which gives women powers in divorce, marriage and custody is contradicted by their designation as infants in Customary Law, with many men being able to refer to the law they find most beneficial.

Ethnicity and Citizenship

In many parts of Africa, struggles for ethnic identity and purity, which are believed to offer a natural sense of belonging, have taken prior place over struggles for citizenship and its implications of full civil, social and economic rights. Exclusionary practices linked to ethnic and nationalist consciousness have progressively intensified in African countries such as Rwanda, Burundi, and the DRC. In these contexts, women have become the bodily symbols of ethnic purity and identity. Recent ethnic and nationalist conflict has generated horrific violence and social instability, with women often bearing the main brunt of this. For example it is women who are often displaced and forced to flee their homes during military manoeuvres associated with these conflicts. In men's struggles to maintain their sense of ethnic purity, women in rival ethnic groups have become the targets of rape - the supreme act of domination over the "enemy".

This gender-based violence has become routine in these military campaigns, and yet the gendered character of ethnic conflicts is rarely fully interrogated. The gendered nature of the war in the DRC was hardly mentioned at the recent inter-Congolese Dialogue held in South Africa earlier this year. It is ironic therefore, that whilst women and their children have borne the main brunt of the violence, it is they who live their daily lives across ethnic and nationalist boundaries through reproduction and intermarriage, often suturing together diverse groups, and in doing so, forging meanings of citizenship that are not confined by exclusive ethnic labels. This is graphically illustrated in the following statements: "Rwanda now has between 2000 and 5000 children born of rape. Commonly considered Hutu despite their mothers' ethnicity - and the government's almost absurd insistence that ethnicity is now irrelevant, the babies are called "little interahamwe" or "devils' children" (Royte quoted in Turshen and Twagiramariya, 1998: 104).

Women in Politics

Another key issue in considering gender and democracy in Africa today concerns women's representation in politics. In countries such as Uganda and South Africa, much has been made about the way that national democratising processes have progressively drawn women into national politics and the growing numbers of women in government. Moreover, governments have frequently announced their commitment to women's equality through highly visible public pronouncements. Even dictatorial regimes in Nigeria foregrounded the rhetoric of gender equality in their policymaking and public statements in the 1980s. Despite the many public assurances to protect women's rights, however, women in most African countries are experiencing continuing difficulty in claiming the few gendered rights for which they struggled in the national liberation movements. We therefore have to ask to what extent the rhetoric about gender equality and the formal recognition of gendered citizenship as enshrined in constitutions translate into reality. And it is important to bear in mind that the much-celebrated increase of women in government does not necessarily mean gender sensitivity in policy-making. In South Africa and Uganda, for example, women's representation in parliament has rapidly increased over the past few years, and yet the policies for improving women's rights are by no means commensurate with the growth in the number of women parliamentarians.

Furthermore, women politicians frequently struggle against numerous challenges that constrain their full political participation, even where they do have a high degree of political visibility. Commenting on this in Uganda, Aili Tripp observes: Here the obstacles to women's full participant in the political arena are daunting. For example, female parliamentary candidates face a myriad of cultural prohibitions on

political activity not experienced by their male counterparts. Married women politicians often find it difficult to find a constituency to run in: if they run in the constituency where they were born, they are told to go to the constituency where they are married. When they run in their husband's constituency they are told: "You came here to marry not to rule." (2000:229).

We also need to ask what are the main factors that motivate governments to include gender in their new agendas. It is sobering to consider that many governments receive powerful incentives from donor bodies like the World Bank and the IMF to adopt policies that seem to address women's needs. Enormous attention is therefore paid to window dressing and rhetoric, and almost no attention is given to actual changes on the ground. In other words, the developing rhetoric of "gender sensitivity" in many African countries is often driven by external donor funding requirements, rather than by the state's firm commitment to substantive democracy or even by local women's movements.

Generally, African gender scholars and activists have focussed on discrete levels of women's oppression, such as women and violence, women and politics, and women and work to a far greater extent than on women in relation to democracy and citizenship. When we unpack these concepts as processes, it becomes clear that they point towards many interconnected levels of gender oppression. It is at these levels, which raise key questions about social justice and human rights, that the most horrific, insidious and ingrained gender iniquities in both the public and private spheres surface. As we face challenges for the new millennium, we therefore need to acknowledge how African women continue to struggle for democracy and citizenship as the basic human rights for which they fought during the colonial period, such as food and land security, bodily integrity as well as the formal recognition of their political agency.

References

Tripp, Aili. 2000. *Women and Politics in Uganda*. Kampala: Fountain Publishers.
Turshen, M and Twagiramariya, C. 1998. eds. *What Women Do In Wartime: Gender and Conflict in Africa*. London: Zed.