

USAID GENDER AND DEMOCRACY IN AFRICA WORKSHOP

Speech by,

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July, 1995

Good afternoon.

I am here today to discuss USAID/Malawi's experience with factoring gender considerations into our democracy and governance project. I will cluster my remarks into three broad categories. First, I will discuss how our democracy project incorporates a gender emphasis. Second, I will give you one example of what we have achieved through that incorporation and the process by which we've achieved it. And finally, I will summarize the factors which have enabled gender to receive such important play in our democracy efforts.

For those of you who do not know Malawi, let me begin with a bit of history. For most of the years since independence in 1965 Malawi citizens have been subjected to authoritarian rule, inability to participate in politics except within the one-party structure, harassment and imprisonment for daring to speak out or organize to advance their interest, and heavy-handed civil and criminal codes. In June, 1993, as a consequence of sustained domestic and international pressure, the government called for a referendum on the issue of a single vs. a multi-party system of government. In that referendum, 63% of the population voted in opposition to the single party dictatorship of the past 30 years and voted for multi-party rule. In response to this unique call for change, then President Banda made an even more unique call for presidential and parliamentary elections to be held within a year.

Eager to ensure that this deadline was not missed, the mission and other donors responded quickly to support the election process. USAID/Malawi seized the moment by designing and authorizing the Democratic and Civic Institutional Development Project (DECIDE) within three months after the referendum. The project's three components consist of electoral assistance, legal/judicial reform, and civic institution development.

The question now is, how did we incorporate a gender emphasis in DECIDE?

First, we followed a practice which has become second nature in USAID/Malawi when designing programs and projects and that is to take gender considerations seriously during initial pre-design analysis.

That serious consideration resulted in the documentation of national statistics which clearly demonstrated that although women represented 52% of the population they were disadvantaged compared with men in virtually every social, political, and economic sector. Women have significantly lower levels of literacy, political representation, and formal and non-traditional employment opportunities. Female literacy is approximately 35%, while male literacy is estimated at 60%. In the cabinet, female representation was less than 2%, while male representation stood at more than 98%. In the formal sector, women make up less than 5% of administrative and managerial cadres and in the Ministry of Agriculture, less than 1% of grassroot extension workers are women despite the fact that 70% of women in the rural areas are farmers. In addition, the NGO sector was only three years old and NGOs which focused on women's rights or human rights only existed on paper at the time of DECIDE's design.

Once these figures were documented, the mission made a conscious decision to commit the project to a democratic process that provided equal access and opportunity to both men and women. The mission recognized that the new environment in general and DECIDE in particular presented a unique opportunity to expand women's political participation. These principals of addressing gender equality were clearly enshrined throughout the project document and provided a broad and flexible mandate to work with women.

As many of you know, enshrining gender issues in the design stage is one thing but carrying it through on implementation is quite another. The movement from design to implementation is often the place where gender issues are left behind. This did not happen in DECIDE however because of our commitment to the issue and our close contact with the women of Malawi. That commitment translated into the mission always looking for opportunities to advance women's participation and to ensuring that the implementors of DECIDE shared in our search for that opportunity. Additionally, Malawian women relied on us to keep them in the loop of election happenings which at times the donors knew more about than others and the bonds of that close relationship kept the focus on track.

Years of close collaboration with the handful of professional Malawian women in various sectors and our support of the National Commission on Women in Development (NCWID) served to increase the mission's understanding of women's needs and priorities. The Commission not only benefitted from USAID funding, but a number of USAID projects benefitted from gender recommendations made by the Commission. This solid relationship provided the impetus for Malawian women to look to the mission for support in the political arena and for the mission to provide it within the appropriate context. It also laid a strong foundation of mutual

trust and understanding between the mission and the women of Malawi.

In general, that sets the background to incorporating gender considerations in DECIDE. Next, I'd like to give you an example of what we have achieved as a result of that focus. This is but one example which focuses on the role DECIDE played in facilitating women's participation in the drafting of the constitution. This example covers a period of just over a year and I have broken it down into four events.

Event #1: Jan., 1994

In January, 1994, The National Democratic Institute (NDI), which was funded through a grant from DECIDE, sponsored the first "All Party Conference". The purpose of the conference was to assist all seven political parties contesting in the election to develop campaign strategies and techniques.

In an effort to identify opportunities to expand women's participation, NDI and USAID agreed to sponsor a separate women's session as part of this conference. Each party was invited to send 20 delegates to the conference and a special request was made that at least five of those party delegates be women. This conference was the country's first opportunity for male and female political party representatives to meet and collaborate across political lines.

The purpose of the women's session was to provide a forum for women to come together and build solidarity across political lines and to identify the key issues affecting women in Malawi. These were not women from the National Commission on Women in Development who had dealt with gender issues for years. Rather, these were women who came from rural areas and for various reasons were brave enough to enter the political fray. They were hesitant as they began the session but with our encouragement they soon gained confidence and within 45 minutes, 30 issues were identified and then synthesized into the five most important ones. These issues were presented at the closing plenary of the conference and the hope was that all parties would endorse these issues so that they would be addressed no matter which party won the election. Briefly, the five key issues included: (1) encourage girls' to enter and stay in primary and secondary education; (2) recognize the positive role women can play in politics; (3) enhance women's economic equality and financial opportunities; (4) provide equal legal rights for men and women; and (5) promote HIV/AIDS prevention programs for men and women.

When these issues were presented at the plenary, a lively discussion ensued, but by the close of the session, all seven political parties endorsed the issues, and went one step further

by stating that women's issues should be addressed in the new constitution.

EVENT #2, Feb.1994

One month after the "All Party Conference," a constitutional conference was convened to gather views from the nation for the drafting of the new constitution. At this conference, all segments of society (political parties, NGOs, church leaders, chiefs, women leaders, etc.) voiced their views of what should and should not be included in the new constitution. A women representative from the "All Party Conference" made a presentation reiterating that all parties had committed themselves to addressing the special concerns of women in the new constitution. The Chairperson of the NCWID who had been briefed on the outcome of the "All Party Conference" built upon the momentum that was generated there by calling for a separate section for women's rights in the bill of rights and equal representation for men and women in the upper house of the Parliament, or the senate.

The paper that the Chairperson of the National Commission on Women in Development (NCWID) presented was drawn extensively from the Women and the Law in Malawi book which had been funded by the US government's Human Rights Fund. The book outlines the laws that affect women in Malawi and recommends reforms to those laws which are discriminatory against them. By virtue of the fact that the research had already been completed, the commission was poised to make solid recommendations for the bill of rights. The issue of one house verses two (in parliament) was a major topic and the chiefs, women, and political parties that had been excluded during the one-party state lobbied hard for the senate as a body that would include otherwise unrepresented groups.

The specific recommendations for women in the bill of rights and the composition of the senate were incorporated and deleted approximately four times in three months before the constitution was ratified in May 1994. The National Consultative Council (NCC) went back and forth on their commitment to the provisions pertaining to women. Since the donors had provided a constitutional expert to assist in the drafting of the constitution we were kept abreast of its progress including the status of the women's recommendations. When the drafters decided to water those recommendations down or take them out I would call one of the three women who was serving in the NCC that was suppose to oversee the process and she would march to the drafting office and demand that they be put back in. She would then call the chairperson of the NCWID who would send letters of complaint to that very body. At one particularly crucial time, newspaper articles were drafted urging the NCC to follow the dictates of the constitutional conference. In essence, a very

small core of women played the watchdog role to ensure that their recommendations remained in the constitution.

The constitution was approved in May 1994 and went into effect on the eve of the election as a provisional document with a one year period of review. In the final analysis, the constitution contained the women's recommendations for the bill of rights and the senate. Towards the conclusion of the one year period of review a second constitutional conference was convened to gather views from the public before final ratification in the house.

EVENT #3, Feb., 1995

USAID, through NDI, financed the second constitutional conference in February, 1995 and again assisted the women, along with political parties and other interest groups, in defining their strategies in preparation for the conference.

For the women, that entailed assistance to the newly founded Society for the Advancement of Women, a local NGO, to bring women together to discuss the constitution and solidify their recommendations for the conference. USAID and NDI worked with the Society to sponsor a number of meetings to reach agreement on these recommendations. The main recommendation of their paper called for the retention of the senate on the grounds that it was the only constitutional mechanism which guarantees representation for women. The paper stated that the senate was a luxury the country could ill afford to eliminate. Given the lack of women involved in the political process, they declared a crisis of representation and stated that it was undemocratic not to address this crisis. They also called for the restructure of the senate so that it would be a body mostly composed of women and chiefs (two from each district) who they thought would adequately represent the rural areas. This was a strategic move since the women knew that the ruling party no longer supported a senate and that the women alone did not have the votes to win on this issue. The ruling party's justification for not supporting the senate was that a two-house parliament was too expensive. However, many noted that the ruling party was arguing for other things to be retained in the constitution that cost significantly more than the senate.

Since NDI was also sponsoring meetings for the parties and the chiefs to define their strategies for the constitutional conference the women decided to attend those meetings and make a plea for their support. Much to everyone's surprise, two of the three parties and the chiefs decided to join the women on the senate issue. Their success in gaining allies on this issue can be directly attributed to the time and effort they put into the formulation and justification for their recommendations.

The ruling party was taken by surprise with the women's support and they pulled out all stops by having the President remark in his opening speech that the senate was not a good idea. Despite this opposition, the women spoke out vigorously. Given Malawi's authoritarian history, this was an act of courage and tenacity and the majority of the members at the constitutional conference recognized that by voting to retain the senate.

EVENT #4, March, 1995

Parliament convened a few weeks after the second constitutional conference to consider their recommendations. However, with the ruling party having a majority in the Parliament it appeared that they were going to disregard many of the recommendations from the conference, including the retention of the senate. The Parliament declared that they alone could vote on amending the constitution and that the constitutional conference only served as an advisory meeting.

In the midst of Parliament's session, USAID/Malawi and the American Embassy (through the Human Rights Fund) supported another workshop given by the Society for Advancement of Women on women's empowerment. Over 100 Malawian women, representing government, NGOs, and traditional authorities (chiefs) were invited to the workshop and discussed constraints to women's empowerment. They looked at ways to address those constraints, e.g., through lobbying parliament, increasing networking among NGOs and increasing women's participation in politics. Because the senate was going to be voted on the day after the workshop it became a key topic of discussion. The women decided to draft and sign a petition calling for the senate's retention. Six women were selected to go to Parliament to distribute the petition. USAID and NDI provided crucial support by xeroxing the documents and providing transport to the women so that they could arrive in Zomba for Parliament's opening.

The timing was vital. As a result of their petition being broadcast on the radio and every Parliamentarian receiving the petition, the Parliament realized the pressure and voted to retain the Senate in the constitution. However, they added an amendment that senate elections would not take place until 1999. Had the women not been able to mobilize their efforts at the Women's Empowerment Workshop and had the women not been present at parliament to petition and lobby the parliamentarians, there is no doubt the senate would have been abolished.

The final result of all these events is a gender sensitive constitution which provides equal rights and representation for women. This is a tangible example with a solid outcome. But it is a result that has taken continual attention and will continue to do so in the future. The question is, will the senate be included in the elections in 1999 or will the Parliament amend

the constitution and abolish the senate before it can be put into place? The women of Malawi will have to follow this issue closely in the intervening years.

Finally, I would like to offer ten summarizing remarks:

1) Seizing the moment and designing a democracy and governance project at lightning speed enabled the mission to be responsive to the fast paced changes leading up to the election. That philosophy of "seizing the moment" was crucial to the effectiveness of our assistance to women as well.

2) The incorporation of a gender analysis into the design of DECIDE laid a strong foundation for addressing women's issues during implementation. Operationally, that emphasis was guaranteed by including it in our grantee's SOW.

3) Effective utilization of resources from a variety of sources (DECIDE project, NDI grant, and the Human Rights Fund) allowed flexibility and responsiveness to the precise needs of Malawian women.

4) Assisting women to build coalitions and partnerships with groups like the chiefs and political parties strengthens and enlarges their outreach and ultimate impact.

5) For countries that have come out of a closed political system, much assistance and coordination is needed to support groups that have never come together in a political way. That assistance may mean providing everything from transport to moral support. To be sustainable, however, it is imperative to establish a framework that encourages rather than discourages women to build broad networks among themselves and to take initiative.

6) The essential point for participation was not whether Malawi should have a bicameral legislature, but rather whether the views of a previously voiceless majority--Malawian women--were "brought to the table". When supporting a disadvantaged group in democracy and governance activities it is vital to be explicit about who our clients are and our justification for supporting those clients. The emphasis for our support should remain on a process of participation and not on the outcome of what each group is trying to achieve. As with support to all political activities, it is important for all the clients to receive equal assistance.

7) From the women's session at the "All Party Conference" the primary lessons were that: 1) special efforts are needed to include women issues at political conferences; 2) efforts to include women can be as simple as requesting their attendance; 3) there are issues affecting women's lives that cut across party

lines for which women can put aside their political differences; and 4) simple, practical efforts to facilitate dialogue among women can have far-reaching impacts in achieving equitable development.

8) Constitutional drafting provides a once in a lifetime opportunity to shape the laws that will affect women for many generations. It also provides a unique opportunity to educate women of their legal rights and involve them in the process of defining those rights.

9) USAID/Malawi's approach of initiating consultation and dialogue with women as well as men has recognized them as key contributors to problem solving. In our democracy and governance activities this has led to gender specific focus groups that have informed the mission of the similarities and differences of the attitudes and political behaviors of both women and men.

10) Working with women in any sector often involves a redistribution of power. In the political arena, this is a more sensitive issue because of the potential appearance of taking a political stance. Aware of the delicate nature of the situation, USAID/Malawi has emphasized a supportive rather than leading role for the mission and has been explicit about its goals to provide equal access and opportunity for women.

In conclusion, the main point that I would like to leave you with is that democracy and governance presents numerous possibilities for providing equal access and opportunity for women. If each mission with a democracy and governance project was required to initiate just one activity that addresses women's issues (for instance, a review of laws that affect women, a study of women politicians and how they rose to office, a conference for women leaders to voice their concerns, the design of a gender sensitive civics education curriculum, or weekly meetings with women on political topics) then it would begin the process. What is it a democracy and governance project should do for women? What is really required? What is important? From a substantive point of view, the requirements will change by country, but from a participation point of view, providing a formal channel for women so that their voices can be heard will create a process whereby they can tell us what is required and important. If we can create the process, they will lead us.