The Initiative for
Inclusive Security
A Program of Hunt Alternatives Fund

Demonstrating Legislative Leadership

The Introduction of Rwanda's Gender-Based Violence Bill

THE RWANDA PROJECT

Demonstrating Legislative Leadership:

The Introduction of Rwanda's Gender-Based Violence Bill

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The Initiative for **Inclusive Security**

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THE INITIATIVE FOR INCLUSIVE SECURITY (including The Women Waging Peace Network), a program of Hunt Alternatives Fund, advocates for the full participation of all stakeholders, especially women, in peace processes.

THE RWANDA PROJECT is designed to demonstrate how women's leadership in a post-conflict country can be pivotal for the development and stabilization of society.

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Table of Contents

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About the Editor

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Key Findings

1. Apart from internal procedures and regulations, the gender-based violence (GBV) bill of August 2006 is the only piece of legislation introduced in Rwanda since the 2003 elections by members of parliament, rather than by the executive branch.

2. While male parliamentarians and government officials supported the GBV bill's development, the policy-making process was initiated and led by the Forum of Rwandan Women Parliamentarians (*Forum des Femmes Rwandaises Parlementaires* or FFRP).

3. Conducting a highly participatory method of lawmaking, women parliamentarians created a process to gather information, solicit input, and sensitize citizens as well as other lawmakers to the problem of gender-based violence. The GBV bill is thus the product of a strong relationship between women legislators and their constituents.

4. Female parliamentarians demonstrated gender-differentiated models of leadership through their close relationships with civil society, the way they conceptualized their roles as representatives of women, and the strategies they employed for including male colleagues in the fight against gender-based violence.

5. Women's model of leadership and lawmaking has contributed significantly to improving governance in Rwanda. Even in the brief period since their election in 2003, women have improved the dialogue between the grassroots and national levels, enhanced collaboration between civil society and the government, demonstrated legislative leadership, and advocated for human rights.

6. International donors facilitated the FFRP's success in developing a landmark bill. Their financial support enabled the women to build technical capacity, implement a consultative policy process, and demonstrate leadership on the issue of gender-based violence.

7. The FFRP's principled and strategic engagement of male colleagues, from inviting them to join the public consultations to recruiting male co-sponsors for the bill, allowed it to demonstrate that gender-based violence is not solely a women's issue. By engaging men so effectively, members of the FFRP sensitized their colleagues to gender-based violence and cultivated broader support for the bill.

8. Although the GBV bill passed its initial test when it was sent to committee, ongoing negotiations will determine the final shape of the legislation, and the bill then faces a full vote on the floor of the parliament. Regardless of the final legislative outcome, Rwandan women parliamentarians have already succeeded in creating an anti-violence movement that includes men and have taken important steps to ensure that gender considerations are a permanent, sustainable, and prominent feature of Rwandan politics.

Introduction

In August 2006, members of Rwanda's Chamber of Deputies debated a landmark piece of legislation. The "Draft Law on Prevention, Protection and Punishment of Any Gender-Based Violence," though not yet adopted, could become the first comprehensive legal framework in Rwanda's history to address gender-based violence. Importantly, the bill is also the first substantive piece of legislation developed by the legislature since its election in 2003. The draft law was developed by Rwanda's Forum of Rwandan Women Parliamentarians (*Forum des Femmes Rwandaises Parlementaires* or FFRP) over a two-year process of public consultation and collaboration with civil society.

More than 13 years after the devastation of the 1994 genocide, Rwanda's political landscape has undergone dramatic changes. Parliamentary elections in 2003 replaced a nine-year transitional legislature and vaulted Rwanda to the top of world rankings of women's participation in legislatures. Women compose 45.3 percent of Rwanda's two houses of parliament and a record-breaking 48.8 percent of the elected lower house. All of the women in parliament—regardless of political party, ethnicity, or house of parliament in which they serve—are members of the FFRP.

Even after the adoption of a new constitution and the parliamentary elections in 2003, which were meant to signal a successful democratic transition, governance in Rwanda continues to face challenges. Parliament does not yet constitute an effective check on executive authority, a fact of which lawmakers themselves are acutely aware. Parliamentarians cite a lack of capacity with regard to the legal skills needed to draft legislation, lack of support staff for individual parliamentarians and parliamentary commissions, and an overburdened legislative schedule as factors precluding a more robust, independent parliament. Civil society is not a fully independent actor in the policy-making process, either: It is largely dependent on international donors, lacks capacity to conduct lobbying campaigns, and is closely associated with, or in some cases monitored by, the government.

Precisely because they have acted in the context of the legislative branch's relative weakness, the leadership of Rwanda's women parliamentarians in developing GBV legislation is a crucial case study in how governance in Rwanda can be strengthened.

Precisely because they have acted in the context of the legislative branch's relative weakness, the leadership of Rwanda's women parliamentarians in developing GBV legislation is a crucial case study in how governance in Rwanda can be strengthened. More specifically, the drafting of GBV legislation demonstrates how women policy makers in Rwanda are at the forefront of activities promoting democratic governance. Women parliamentarians held extensive public consultation with their constituents, responded to and engaged civil society organizations, and built legislative capacity through new models of leadership. No single piece of legislation or example of policy making can overcome governance challenges in Rwanda. In fact, the GBV bill itself remains in committee in Rwanda's Chamber of Deputies, awaiting final revisions and passage by the full parliament. Observers must recognize, however, the significance of the work of Rwanda's women parliamentarians in strengthening governance and use their efforts as a model for understanding how democratization can best be encouraged and supported.

Rationale

The level of women's participation in Rwanda's government is unprecedented. Nowhere else in the world do women constitute such a large percentage of a country's legislative branch. While women's political participation in Rwanda is remarkable, it is also emblematic of a regional trend in which women, after participating in democratization movements during the 1990s, have entered governments in Sub-Saharan Africa in historic numbers.[1] In fact, over the past 40 years, African parliaments have experienced the fastest growth in female representation of any region in the world.[2]

Although women's presence in parliament is central to understanding governance in contemporary Rwanda and for evaluating larger political processes in Africa, women Members of Parliament (MPs) in that country have received little academic attention.[a] To some extent,

[a] For exceptions to this rule, see research produced by Women Waging Peace's Policy Commission, Powley (2003), Longman (2006), and Powley and Pearson (2007).

this neglect reflects a trend in comparative politics, in which gender is still regarded as a marginal issue, as well as in studies of gender and politics, where literature has focused almost exclusively on case studies from North America and Western Europe.[3]

Based on interviews with Rwanda's first generation of democratically-elected women parliamentarians, documentation of one of the country's first pieces of legislation introduced by parliamentarians themselves, and firsthand observation of debate about gender-based violence in Rwanda's Chamber of Deputies, this report contributes to current discussions on Rwandan governance as well as on women's impact on the political process.

Research Methodology

This analysis of the creation of the GBV bill in Rwanda is the result of an extensive literature survey on issues of gender and political behavior, women and governance, and gender-based violence in Rwanda. Academic literature, analyses conducted by non-governmental organizations (NGOs), and government reports, including the draft bill itself, were consulted as a part of this process.

Primary research took place in Rwanda over the course of 12 weeks from July through September 2006. Interviews were conducted with civil society leaders, particularly in the field of women's rights advocacy, as well as with consultants who participated in the drafting of the GBV bill, representatives of the international community, and male and female parliamentarians. These semi-structured interviews took place in Rwanda's capital, Kigali; in addition, a focus group was run in the province of Ruhengeri. Follow-up research was conducted during February 2007 through observation of the "Gender, Nation Building, and Role of Parliaments" international conference hosted by the FFRP in Kigali.

Interview participants were selected based on their involvement in developing GBV legislation. Subjects often suggested other potential interviewees in the manner of a "snowball" interview technique. The majority of interviews were conducted in English by the author or her supervisor; they were digitally recorded and transcribed. Some interviews, however, were conducted in either French or Kinyarwanda by the author and an interpreter. When not digitally recorded and transcribed, the interviews were chronicled through the author's note taking.

Data was also gathered during two sessions of parliamentary debate in Rwanda's Chamber of Deputies on August 2 and 3, 2006, about the bill on gender-based violence. A team of researchers assembled by The Initiative for Inclusive Security, including the author, recorded information on each debate participant's sex, duration of speaking, political affiliation, and content of response.

Existing research on women parliamentarians and policy making is discussed in greater detail in Part One. Although the secondary literature on women's political role in Rwanda is not extensive, this analysis builds on research documenting that women lawmakers often have distinctive experiences and impacts in post-conflict legislatures. While a substantial portion of political science research on women and politics employs quantitative forms of analysis to examine relationships between women as political actors and political outcomes, this research report is based on qualitative techniques that are also common tools of researchers conducting in-depth, comparative politics work in a particular country setting.

It is important to note that the primary author was a research intern in the Kigali office of The Initiative for Inclusive Security during the period of her research. The Initiative for Inclusive Security is a funder of and partner in FFRP activities. This relationship, while affording the researcher and the researcher's supervisor unprecedented access, is also a source of potential bias.

Terminology

Gender

The term "gender" refers to the socially constructed—as opposed to biologically determined—identities of men and women. Gender is not the same as "sex," and gender differences are not the same as sex differences. For instance, the ability of women to bear children is a sex, or biologically determined, difference from men; that women, in many societies, are responsible for food preparation and household chores is a gender, or socially constructed, difference.

Gender roles are assigned to men and women in early socialization. They cut across public and private spheres; are specific to a given culture at a given time; are affected by other forms of differentiation such as race, ethnicity, and class; and can change in different socio-

political and economic contexts within a society. World Bank literature notes that in any given society, gender shapes the definitions of acceptable responsibilities and functions for men and women in terms of "social and economic activities, access to resources, and decision-making authority." [4]

In any gender analysis, two factors emerge for consideration. The first, gender mainstreaming, highlights the implications of policies and programs for both men and women. This means that, in the construction of policies and programs, it is necessary to consider how implementation will affect men and women differently. As defined by the United Nations Development Programme (UNDP), gender mainstreaming is "taking account of gender concerns in all policy, program, administrative, and financial activities, and in organizational procedures, thereby contributing to a profound organizational transformation."[5] UNDP further notes that, "if gender mainstreaming is done effectively, the mainstream will be transformed into a process much closer to truer democracy." [6]

The second factor is gender balance. Men and women in decision-making positions can have different impacts on policy and program development; thus, both men and women must be included in policy formulation. In order to integrate gender considerations comprehensively, mainstreaming and balance are both important.

Gender-Based Violence (GBV)

The term "gender-based violence" emphasizes the social roots of violence directed against someone because of his or her gender. Gender-based violence (GBV) often occurs as a result of unequal power relations between men and women, and a disproportionate number of GBV victims are female.[7]

The 1993 United Nations Declaration on the Elimination of Violence against Women provided the first official and internationally accepted definition of "violence against women" and made reference to "gender-based violence." [8] Article 1 of the Declaration states that "[t]he term 'violence against women' means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life." Article 2 lists examples of acts that constitute violence against women and that are committed within the family, by the general community, or perpetrated or condoned by the state, including but not limited to "battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation [. . .] rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution."

Gendered Leadership

A socially structured activity, leadership is shaped by the perspectives, life experiences, and power relationships of those who are involved in it. As a primary organizing feature of power relationships and social experiences, gender must be understood as a fundamental component of leadership, including legislative leadership.[9] While it is true that all leadership is "gendered" in that it will inevitably be shaped by its social context, the aim of using the term "gendered leadership" is to call attention to the specific ways that leadership exhibits characteristics that derive from the social constructions of gender. Both traditional and emerging models of leadership in Rwanda are gendered, although in different ways. This case study focuses on how leadership exercised by *women* political actors is shaped by gender; however, it should be stressed that "gender" in this analysis is not employed as a synonym for "women."

Good Governance

Consolidation of peace in a post-conflict setting is dependent on many factors, including what is referred to as "good governance." In fact, the World Bank concludes "that high-quality institutions have the power, over the long run, to raise per capita incomes and promote growth in all parts of the world."[10] The establishment of good governance is a lengthy process rather than a singular event. It typically includes efforts at democratization, the introduction of free and fair elections, participatory politics, the creation of an independent civil society, and respect for constitutionalism and the rule of law.

The Post-Conflict Reconstruction Project (PCR)[b] identified "governance and participation" as one of four pil-

[b] The Post-Conflict Reconstruction Project is a joint initiative of the Center for Strategic and International Studies (CSIS) and the Association of the United States Army (AUSA).

lars[c] of post-conflict reconstruction that move countries out of conflict toward sustainable peace and long-term development. The PCR framework identifies key components of governance that must be addressed by indigenous and international actors to assist the transition from violent conflict to normalization. They include national constituting processes, transitional governance, executive authority, legislative strengthening, local governance, transparency and anti-corruption, independent media, and active civil society, as well as participation in elections and political parties.[11]

Such frameworks are useful to multilateral and bilateral development agencies, humanitarian aid organizations, and national actors that promote democratic governance as key to the success of long-term development. UNDP focuses its interventions on the following components of good governance: legislatures, electoral systems and processes, justice and human rights, e-governance and access to information, decentralization and local governance, public administration reform, and anti-corruption.[12] The United States Agency for International Development (USAID) similarly promotes the rule of law, democratic and accountable institutions, political freedom and competition, and citizen participation and advocacy for good governance, which "encompasses commitment to the rule of law, the public good, transparency and accountability, and effective delivery of public services."[13] The World Bank identifies six indicators that measure the quality of governance to provide "a better and deeper understanding of countries' strengths and weakness [and offer] insights and evidence of how reforms can generate development dividends." Those indicators are voice and accountability, political stability and lack of violence, government effectiveness, regulatory quality, rule of law, and control of corruption.[14] This study draws on such definitions and frameworks to establish women's contributions in the context of accepted definitions of good governance.

Report Structure

This report contains four parts. The first presents a review of literature concerning women's participation in politics, including a discussion of "critical mass"—the theory that women legislators can be effective only when their numbers reach a minimum threshold. It also examines studies of gender-differentiated political behavior on the part of female legislators.

The second part provides background on the issue of gender-based violence in Rwanda and on the role of women in Rwanda's government. To give an overview of the development of GBV legislation, it presents a detailed timeline of the FFRP's work as well as data from debates on the draft bill in the Chamber of Deputies.

The third part investigates factors that contributed to the successful development of the GBV law and considers the rationale behind parliamentarians' decision to adopt a consultative approach to policy making. It analyzes the relationship between gender and governance demonstrated in the process of creating one of Rwanda's first pieces of parliament-initiated legislation since 2003 and evaluates the implications of this relationship for democratic structures in Rwanda and for women legislators more generally.

The fourth part summarizes the contributions of women's leadership to an emerging different model of governance in Rwanda.

[c] The other three pillars identified in this framework are security, justice and reconciliation, and social and economic wellbeing.

Part One: A Literature Review—Exploring Gender Differences in Political Leadership

Arguments for an increased female presence in government take several forms. Some claim that women have specific interests that need to be represented by other women; others contend that women's gender-specific ways of working change politics for the better; and still others emphasize that women's under-representation contravenes democratic principles. These arguments are, of course, not independent of each other. The fact that women's exclusion is a problem of justice does not prohibit inclusion from being understood both as a victory for democracy and as a signal that women's issues will be more prominently represented in a more diverse government.

Certainly, the presence of greater numbers of women in government, and particularly in legislative structures, supports the values of democracy and justice by producing an institution that more closely reflects the demographics of its constituency. Sex is a significant factor in predicting one's likelihood of participating in government, and women's disproportionate exclusion from decision making and political life indicates that their increased participation is an issue of justice. Still, the question of whether increased numbers of women in government will bring change to politics and policy making is one that has been the subject of an evolving debate. Making the case that women's presence and participation in politics will lead to a different kind of politics is in many ways a more difficult task than making the theoretical point that democracy is more robust when all citizens participate equally.

In reviewing the various arguments related to women's participation in politics, it is important to remember that most of the empirical and case study research that has been conducted around this issue has focused on women politicians in high-income, Western contexts.[d] Research on governance in post-conflict settings has yet to comprehensively examine women's participation in some of the world's newest democracies, particularly in Africa where Mozambique, Uganda, South Africa, Burundi, Tanzania, Seychelles, and Namibia all join Rwanda in the top quartile of world rankings of women's participation in parliaments.[15] As a result, existing literature may not always be applicable to the African context, where women parliamentarians face unique challenges related not just to gender but to the circumstances of their difficult governance environments, which are shaped by legacies of colonialism and conflict as well as by a prevalence of poverty and disease unmatched in high-income countries.[16] Even so, this literature can be an important resource in attempting to extend the current boundaries of research on women's contributions to politics and governance, which is why it is reviewed here.

Finally, while research on women's participation in politics can demonstrate important trends in their leadership and can highlight differences with traditional, male political actors, it cannot provide universal conclusions about women politicians. Women, including women parliamentarians, are differentiated by social and economic factors. They have diverse interests that they may share more with some men than with other women. It would likewise be a mistake to claim that, merely because of their sex, women representatives can or should act for a hypothetical set of concerns that all women necessarily share. Significant differences exist, for instance, among Rwandan women with regard to class, ethnicity, language, experiences of violence, and access to formal education. The experiential divide between women who were in Rwanda during the genocide and those who returned after the genocide, as well as between those survivors who had relatives killed and those who had relatives imprisoned, is particularly important to recognize.

At the same time, Rwandan women do share common experiences and are able to form coalitions across lines of difference. Indeed, the development of GBV legislation testifies to a much different reading of relationships among them. Ultimately, a feminist rejection of biological determinism does not necessarily mean the absence of a shared set of concerns, even if there is no assumption that all women have the same perspective on how these concerns should be ranked against each other or the ways in which they should be addressed.

Why Might Women "Do Politics" Differently?

Women's political behavior is shaped by their life experiences, societal roles, and expectations. The structural differences between men's and women's lives mean that women may take different paths to politics and may have different motivations for becoming involved.[17] Research indicates that many women enter legislative work from community-based careers rather than from

[d] For some notable exceptions to a general lack of scholarship on women's participation in African parliaments, see: Bauer (2004), Britton (2005), Tamale (1999), Bauer and Britton (2006), Geisler (2000), and Goetz and Hassim (2003).

a previous position in formal politics.[18] For example, in South Africa when post-apartheid elections resulted in a parliament with almost 30 percent female representation, many women who became part of the government left positions with civil society organizations that had engaged in women's advocacy, including issues of gender-based violence.[19]

Research on women politicians' attitudes towards politics also demonstrates that women tend to see it as an activity that extends their involvement on an issue of personal concern, rather than as an opportunity for achieving power or status.[20] This kind of motivation can reinforce the notion that women base their engagement with formal politics on their experiences in the "private" realm, particularly their experiences as mothers.[21] Male and female parliamentarians in Rwanda have voiced such sentiments, describing women MPs' motivation and performance as deriving from their experiences as mothers.[22] This way of conceptualizing women's participation in politics can be critiqued for reinforcing rather than challenging the public/private divide and for failing to call attention to the socially constructed character of gender.[23] At the same time, however, it highlights the structural aspects of women's lives, particularly a persistent, gendered division of labor in which women are far more likely than men to engage in child-rearing as well as roles in the formal workforce that require "emotional labor," or attention to and management of the feelings of others.[24] Consideration of these structural features of women's lives underlies attempts to explain how and why women might "do politics" differently than men.

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The "Critical Mass" Theory

In a formative 1977 sociological analysis of women's participation in majority-male sales forces, Rosabeth Kanter argues that the behavior of social minorities is conditioned by their "token" position in groups or organizations.[25] Until minority members compose at least 30 percent of a group, they will find it difficult to form coalitions, craft alliances, or affect the dominant culture. Kanter therefore cautions against confusing "the effect of situation with the effect of sex roles" by labeling women's behavior as gender-determined without taking into account their minority status and the potential for behavior to be shaped by their structural context. Drude Dahlerup's equally influential application of Kanter's work to women's participation in politics produced a theory of "critical mass" in which 30 percent representation is theorized as the threshold at which women politicians are able to effect change in male-dominated contexts.[26]

Advocates have adopted this 30 percent target in various forms, including endorsing it in the 1995 Beijing Platform for Action, which states that women should occupy 30 percent of all decision-making positions.[27] States adopting quotas to increase women's participation in government frequently have set the minimum level of women decision makers at 30 percent.[e] The International Institute for Democracy and Electoral Assistance identifies the number of countries currently operating with constitutional, electoral, or voluntary quotas for women as more than 50.[28] Quotas, including the 30 percent mandate written into Rwanda's constitution, are designed to institutionalize the notion of critical mass and fiat women's ability to effect change by pushing them beyond "token" status.

The concept of "critical mass" has not gone unchallenged.[29] At times, studies fail to support hypotheses of change with measurable shifts in political behavior or legislative agendas. Critics have attacked the theory as a crude or "limited, if not redundant, concept."[30] Criticism of the idea of critical mass as a simple numerical threshold that attempts to substitute analytically for the complex and contingent relationships that structure political decision making is warranted. Even when significant numbers of women are elected to a legislature, political inexperience, membership in a minority party, committee assignments, and continuing social stereotypes can constrain their effectiveness. Further, a backlash by male colleagues may actually increase the difficulty of advancing a "women's agenda." Women MPs in New Zealand experienced higher rates of "gender labeling" and harassing remarks during par-

[e] For instance, Côte d'Ivoire, Mali, and Mozambique all have 30 percent quotas for women's participation voluntarily set by major political parties while Eritrea has a nationally-mandated 30 percent quota (Tripp 2003).

liamentary debate, even after their numbers grew from four percent to 29 percent of the parliament over the course of 25 years.[31] Evidence from the United States reveals that men may respond to women's presence by becoming *more* vocal during committee debates when the proportion of women on the committee increases.[32] In addition, even if the proportion of women in a legislature does not reach critical mass levels, women can still transcend "token" status by organizing, engaging in personal lobbying, or conducting media campaigns, even around pigeon-holed "women's issues."[33]

A significant weakness of critical mass theory is also the limited extent to which it has been applied to, and critically evaluated from the perspective of, women's political participation in post-conflict, low-income settings. Dahlerup herself has called attention to the fact that quotas have been applied in Sub-Saharan Africa under much different conditions than in Scandinavia, where they were originally used.[34] To understand how critical mass may function differently in these settings, the use of quotas to "fast track" women's presence in politics, as opposed to institutionalizing a more gradual improvement in gender equity, requires further study. Although this analysis does not directly test the critical mass theory with reference to Rwanda, the country's unmatched levels of women's participation in legislative politics makes it an excellent case study with which to evaluate women's influence on policy making and governance.

A sudden and significant increase in the number of women in power as the result of democratization or the implementation of quota systems can dramatically demonstrate the influence that women can have on institutions as a whole and especially on their male colleagues.

Women's Impact on the Political Environment

Even without an identifiable benchmark at which women's effectiveness in politics is potentially transformed, the question of what changes when women participate in government remains crucial. Scholarship on the impact of women legislators engages a basic distinction, classically articulated by Hanna Pitkin in 1967, between "descriptive" and "substantive" representation.[35] With descriptive representation—sometimes called the "mirror" concept of representation—a representative "stands for" the represented "by virtue of a correspondence or connection between them, a resemblance or a reflection."[36] Substantive representation, on the other hand, privileges the actions of the representative over his or her resemblance to the represented.

While Pitkin identifies substantive representation as a superior model, arguments for women's increased presence in legislative politics challenge the separation of descriptive and substantive representation and examine the ways that descriptive representation can *lead to* improved substantive representation.[37] Research into women's impact on the political environment therefore concerns itself with three broad categories: consequences for the culture of governance, consequences for legislative agendas, and consequences for legislative processes.

The Culture of Governance

A sudden and significant increase in the number of women in power as the result of democratization or the implementation of quota systems can dramatically demonstrate the influence that women can have on institutions as a whole and especially on their male colleagues. In post-apartheid South Africa, women succeeded in changing the hours of parliamentary debate sessions so that they did not take place at night. They also secured women's toilets and gym facilities[38] and instituted child-care services used by both male and female parliamentarians.[39] Less formal institutional changes can also occur. For instance, women in South Africa note that smoking stopped when they arrived in parliament and started participating in committee meetings.[40]

Research indicates that an increased presence of women politicians can also change the way that so-called "women's issues" are discussed by male legislators.[41] Women politicians in Britain report that an increase in their numbers has meant these issues are no longer cause for laughter on the part of male parliamentarians when they are raised during debate.[42] Research from Latin America demonstrates that higher percentages of women in legislatures are associated with an increased likelihood that a government's cabinet will include women ministers and that those women will be appointed to

high-prestige ministries.[43] Perhaps most important, the presence of women in parliament helps normalize the idea that women are politicians, government officials, and leaders, which contributes to changing cultural and social perceptions of women.[44]

Legislative Agendas

An increased presence of women in politics is no guarantee that a feminist agenda will be advanced. Research indicates that women do not always act "for women," and factors such as party affiliation and age can be stronger predictors of political behavior than gender.[45] In many cases, however, an influx of women into representative government has been associated with heightened legislative attention to women's issues, such as gender, family, children, and social welfare. Research on state legislatures in the United States reveals that female politicians introduce and pass bills related to women, children, or family at a higher rate than men do, and that their likelihood to introduce these bills increases in tandem with their numbers in the legislatures.[46] In Honduras, women deputies are also significantly more likely than men to sponsor and prioritize bills related to women's rights.[47] The same conclusions hold in Colombia, Argentina, and Costa Rica, where women legislators assign higher priority to women's, children's, and family issues than do male legislators and are also more likely to initiate bills dealing with these issues.[48]

An increased presence of women in politics is no guarantee that a feminist agenda will be advanced.

The focus on women politicians' success in promoting women's issues has resulted in a relatively narrow scope for evaluating women legislators' impact. More research is needed, for example, on how women legislators might influence issues such as foreign policy, defense and security, or macroeconomic decision making. These issues have been neglected in part because most research on women's political participation is conducted in Western, high-income country settings.

Women legislators in Africa's new democracies often have much broader legislative agendas than their Northern counterparts and focus on structural causes of women's oppression—such as lack of access to land, poverty, the spread of disease—as well as specific outcomes of these conditions, such as gender-based violence.[49] The little existing research on Africa shows that women in South Africa's parliament oversaw the passing of legislation related to abortion, marriage law reform, sexual harassment, and domestic violence legislation.[50] In Mozambique, the women parliamentarians who make up 35 percent of the National Assembly were at the forefront of the 2004 passage of the New Family Law, which overturned patriarchal privilege in marriage and property ownership.[51] Ugandan female legislators, who make up 24 percent of the parliament, have cooperated with civil society to fight for changes in land ownership regulations as well as in marriage and divorce law, even though they often have found their efforts frustrated by the ruling party.[52] Since independence in 1990, women legislators in Namibia have passed legislation dealing with employment discrimination, maternity leave, women's equality in marriage law, gender-based violence, and land reform.[53]

Members of Parliament and of the FFRP executive committee, Athanasie Gahondogo (left) and Judith Kanakuze. Photo credit: Elizabeth Powley

Legislative Processes

Another aspect of women's political participation that has received particular attention in existing scholarship is the styles of leadership that

The Impact of a Women's Caucus

The formation of women's cross-party political caucuses can be an important factor in increasing women's impact on the legislative process. Caucuses organized around gender rather than party interests can be collaborative forums for information sharing. Such bodies can provide important support to women legislators, especially if they are still in the minority. Caucuses not only complement but also facilitate other forms of support such as friendship among female colleagues and mentoring programs.[54] In addition, the presence of caucuses has a significant effect on the development and passage of legislation. An American study revealed that, of the five state legislatures that passed the most legislation related to women's, children's, and family interests, four had formal women's caucuses. None of the states with the worst records on these types of legislation had a women's caucus.[55]

There is evidence that caucuses can bridge the gap between members' general support for an issue and their decision to actively organize and pursue a policy goal. For instance, newly elected women MPs in the United Kingdom created a "shopping list" of policy changes in the context of the parliamentary Labour Party's women's group, which helped raise the profile of issues as specific as removing the value-added tax on sanitary products.[56] Likewise, women delegates to the Constituent Assembly that debated Uganda's 1995 constitution formed a women's caucus and held "gender dialogues" to exchange views among themselves on gender issues related to the constitution.[57] The caucus gave women a formal framework within which to develop advocacy on constitutional issues affecting women, and it provided an organizational link with foreign donors who provided funds for training workshops, expert technical advice, and secretarial assistance.

women bring to their legislative activities. Literature from the fields of both business and politics indicates that women leaders exercise distinctive, gendered styles of leadership and are more likely than men to prioritize participation, power sharing, and the involvement and inspiration of subordinates.[58] Such research reports that women's leadership styles are consistently identified as less autocratic than those of men, oriented towards gaining the trust and confidence of subordinates and concerned with mentoring and empowering successors.[59] According to one study, women are more likely to ask for input and suggestions before reaching a conclusion, a method that can build support for a policy decision and increase the likelihood that it will be sustained in the long term.[60] In a comprehensive study of women committee chairs in state legislatures in the United States, Rosenthal finds that women are much more likely than men to display what she calls an "integrative" style of leadership, which stresses non-hierarchical relationships, consensus building, deliberation, and the empowerment of others.[61]

Research on women MPs in the United Kingdom, where a 1997 election doubled their number in the House of Commons, describes women as more inclined to networking, sharing ideas, and team work.[62] British women MPs are also more likely than men to engage in cross-party collaboration, especially on issues related to gender.[63] Research also suggests that women legislators prioritize political activities differently than men. For instance, female MPs in the United Kingdom spend more time than men engaging constituents through individual case work and focusing on issues of local concern; and they report receiving more letters from constituents than their male counterparts.[64]

In her case study of women parliamentarians in Uganda, Sylvia Tamale cautions that their styles "reflect women's interrogation with and negotiation around patriarchy."[65] In other words, Tamale echoes Kanter's insight that women's different styles of leadership may be due in large part to their attempts to adapt to a male-dominated environment. Tamale describes the Ugandan women

parliamentarians' gender-specific legislative activity, including strategically presenting arguments in moderate tones; reminding male parliamentarians of their mothers, sisters, and daughters as a way of changing their attitude towards female delegates; and involving male allies to help short-circuit antagonism from other male colleagues.[66] This behavior is certainly collaborative and aimed at building consensus around issues, but it is also necessitated by a patriarchal legislative environment.

Application to the Rwandan Context

While it would be a mistake to overemphasize the visibility or impact of these differences in political behavior—or to claim that women legislators are a homogeneous group who always behave the same way with regard to women's issues—it would be equally incorrect to conclude that men and women have indistinguishable approaches to politics. Research on trends in women's political behavior risks implying that it is possible to draw universal conclusions about women as political actors. This is not the case. At the same time, however, a review of existing research on the effects of increased female participation in politics suggests that women's presence makes a difference in government, even when that difference is sometimes difficult to document or capture statistically. Although the primary justification for increasing women's participation in politics should remain one of justice, it is nonetheless important to investigate the effects on governance and democracy.

According to existing research, women legislators are more likely than men to prioritize issues traditionally understood as "women's issues," and they are also more likely to introduce or sponsor bills related to these agenda items. There is some evidence, although much of it is anecdotal, that women's presence in legislatures leads to institutional change and shifts in legislative culture. Furthermore, studies have claimed that the methods of drafting legislation favored by female legislators, including lobbying, debating, and communicating, indicate a gender-differentiated style of political behavior.

Before any conclusions can be drawn on women's political behavior, more research is needed on the impact of their increased presence in government in the countries that have seen the most recent and substantial changes in their political participation. These countries are not in the post-industrial, Western world but, notably, are located in Sub-Saharan Africa. Rwanda's first-in-the-world status makes it a natural laboratory within which to examine the relationship between gender and policy making, but the fact that it is a low-income, post-conflict country undergoing democratic transition also identifies it as a paradigmatic case for evaluating the relatively recent phenomenon of women's participation in governance and democratization.

Part Two: The Creation of Legislation to Address Gender-Based Violence in Rwanda

This section of the report provides context for the policy-making efforts of Rwanda's women parliamentarians in creating GBV legislation. In addition to discussing the issue of gender-based violence in Rwanda, both during and after the 1994 genocide, this section considers women's involvement in governance since the formation of the 1994 transitional government. Finally, this section provides a detailed timeline of the policy-making process directed by the FFRP that culminated in debate over the "Draft Law" in August 2006. The section closes with an analysis of the two days of this debate in the Chamber of Deputies.

The "Draft Law on the Prevention, Protection and Punishment of Any Gender-Based Violence" introduced in Rwanda's Chamber of Deputies in August 2006 draws on parts of the definition of gender-based violence provided in the 1993 UN Declaration on the Elimination of Violence against Women. The definition provided in Article 2 of the Rwandan law states that "[g]ender based violence means any act that results in or is likely to result in a negative consequence to an individual to his or her physical, sexual, or [psychological] nature, which may cause deprivation of liberty whether occurring in public or private life."[67]

A History of Gender-Based Violence

During the Genocide

Violence during the genocide was gendered in that men and women experienced this violence differently. In the months leading up to the event, extremist propaganda included sexual stereotypes of Tutsi women, who were portrayed as beautiful, desirable, and arrogant.[68] Social tensions that preceded the genocide were in some cases even said to be the result of gender relations "falling into a state of decadence" as women gained greater independence in public and private life.[69] There is also evidence that sexual harassment and rape, mainly of Tutsi women, increased in the months leading up to the genocide.[70]

Over the course of the 100 days of the genocide itself, women were victims of a systematic program of rape, abuse, and sexual torture.[71] Gathering statistics on gender-based violence during conflict is difficult; even so, estimates of the number of rapes committed in Rwanda during the genocide range from 250,000 to 500,000.[72] The United Nations Special Rapporteur on Rwanda, René Degni-Ségui, has stated that, during the genocide, "rape was the rule and its absence the exception."[73] Although the use of rape as a weapon of war is not unique to Rwanda, the prevalence of rape and sexual torture during the 1994 conflict is distinctive in its sheer scale. In fact, a landmark decision by the UN-established International Criminal Tribunal for Rwanda (ICTR) in 1998 was the first time that international law recognized it as a constitutive element of genocide.

Women were raped by soldiers and members of the extremist militia, but also by neighbors and "protectors" who had taken them into their homes and hidden them from killers.[74] They were often raped repeatedly or gang-raped, sometimes in front of their children and other family members. Sometimes women were kept as "wives" by genocide perpetrators who would threaten them with death unless they remained in sexual slavery. Testimonials of women survivors gathered by human rights organizations after the genocide bear witness to the horrific nature of women's suffering and confirm the disturbing truth noted by the UN Special Rapporteur, that genocide crimes "took on special connotations when women were the victims."[75]

Gendered violence committed during the genocide has given way to gendered forms of trauma for survivors.

Gendered violence committed during the genocide has given way to gendered forms of trauma for survivors. Because they were left alive after the genocide when many men were killed, a majority of those with adult memories of the genocide may be women. Many now have children who were born as a result of rape. And, perhaps most significantly, the gendered nature of violence during the genocide has left a population of women survivors who are now living with HIV/AIDS; as many as 70 percent of female rape survivors are estimated to have contracted the virus during the genocide.[76]

Women who experienced rape or sexual torture have also faced challenges in participating in the post-genocide legal system.[77] Due in part to the efforts of women activists and parliamentarians, rape was elevated to the highest category of genocide-related crimes in 2001.[78] In the ten years that followed the genocide, however, the ICTR tried only 23 defendants while an estimated

130,000 accused genocide perpetrators remained in prison.[79] Even more disturbing, as of 2005, 70 percent of the cases brought before the ICTR by the prosecutor's office did not include rape charges, 90 percent of the ICTR's judgments contained no rape convictions, and the number of rape acquittals handed down by the court amounted to double the number of convictions.[80]

Genocide-related rape and sexual violence charges can also be brought to trial at the national and local levels in Rwanda. In 2001, the government passed a law establishing community-based *gacaca* courts, which, in addition to fulfilling a legal function, are also designed to promote truth telling and reconciliation.[81] A second law concerning the *gacaca* system, passed in 2004, contained provisions aimed at protecting the rights of sexual violence survivors, including allowing women to testify in closed sessions.[82] Although *gacaca* has expanded opportunities for legal recourse on the part of survivors of gender-based violence during the genocide, the 10-year gap before the inception of legal procedures has made prosecution of gender-based crimes difficult. Without medical evidence, still traumatized, and often unwilling to come forward, many women express doubts about the effectiveness of the *gacaca* process.[83]

In Post-Genocide Rwanda

Gender-based violence in Rwanda remains a concern in the post-genocide era. Although there is a general lack of statistical information regarding gender-based violence before, during, and after the genocide, Amnesty International reports that there is some evidence that the incidence of gender-based crimes is now higher than it was before the genocide.[84] They also note that the presence of a growing number of small arms in the country and region following the 1994 conflict only adds to the capacity for committing rape and sexual assault.[85]

A 2004 study by the Rwandan government's Ministry of Gender and Family Promotion (MIGEPROFE) revealed that, over the preceding five years, one in three women in Rwanda had been physically or verbally abused in their communities, and, in the previous year, one out of every two women had experienced an act of domestic violence.[86] Girls and young women are particularly at risk. A Human Rights Watch study documented that, during the period from 2000 to 2004, every province reported complaints of sexual violence against girls that far exceeded the number of complaints filed on behalf of adult women.[87] Since sexual violence, including domestic violence, is associated with increased risk of contracting HIV/AIDS, the link between rape and HIV/AIDS infection in Rwanda is also not limited to the genocide.[88]

The 2003 election of unprecedented numbers of women to Rwanda's parliament vaulted the country to the top of world rankings of women's participation in government, pushing Sweden to second place.

Although the Rwandan penal code prohibits rape and sexual torture, it does not provide legal definitions of these acts, which increases the influence of judicial discretion—often to the detriment of women who have brought accusations of sexual assault.[89] This lack of definition leads to difficulty and inconsistencies in prosecuting gender-based crimes.[90] The fact that marital rape and abuse are not addressed in existing law contributes to a perception that spousal abuse is not a crime.[91] Rwanda also lacks a rape shield law to prevent the introduction of testimony during a rape trial regarding a woman's past sexual activities.[92]

The "culture of silence" that surrounds issues of gender-based violence in Rwanda is an additional barrier to prosecuting sexual assault offenders.[93] Unequal power relationships continue to structure sexual relations between men and women in Rwanda, particularly in rural areas. Men are understood as having the right to insist on sex, while women's refusals are perceived as illegitimate.[94] Women are often reluctant to bring forward charges of rape because of the risk of being stigmatized or ostracized by families or communities.[95] Even those who do want to bring charges may be discouraged by families or friends.[96] This combination of potential negative consequences—at the hands of communities and the flawed legal system—means that women are often "doubly victimized" when they seek recourse against gender-based violence.[97]

Women and Governance

The 2003 election of unprecedented numbers of women to Rwanda's parliament vaulted the country to the top of world rankings of women's participation in government, pushing Sweden to second place.[98] Women hold 39 out

of 80 seats (48.8 percent) in the Chamber of Deputies and nine out of 26 seats (34.6 percent) in the Senate.[99] Women therefore constitute 45.3 percent of all Rwandan parliamentarians. These statistics can be compared to an average of 17.5 percent worldwide and 17.9 percent in Sub-Saharan Africa.[100]

The promotion of women policy makers and gender equity issues were an important part of post-genocide politics in Rwanda, even before the 2003 election. When the Rwandan Patriotic Front (RPF) took power in the 1994 transitional government, they appointed the greatest percentage of women to parliament of any party—six of their 13 representatives, or 46 percent.[101] Overall, women in the transitional parliament accounted for 23 percent of the legislature, or 17 out of 74 parliamentarians.[102]

In 2003, Rwanda's constitution was drafted with deliberate attention to principles and mechanisms of equal participation for men and women.[103] Three women sat on a 12-member Constitutional Commission charged with drafting the document that would usher in a new government after nine years of transitional rule.[104] Women's civil society organizations and female citizens played a significant role in advocating for a "gender-sensitive constitution."[105] The constitution affirms in its preamble a commitment to the 1980 Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) and states that the country is "committed to ensuring equal rights between Rwandans and between women and men without prejudice to the principles of gender equality and complementarity in national development."[106] Article 185 of the constitution establishes the Gender Monitoring Office, charged with supervising Rwanda's efforts toward gender equality and submitting recommendations related to the promotion of gender inclusiveness. Most significantly, Article 9 of the constitution mandates that 30 percent of all positions in decision-making organs be granted to women.

Women's participation is integrated into Rwanda's governance structures by way of several organizational frameworks. After the genocide, MIGEPROFE established a system of women's councils at the national, provincial, district, sector, and cell levels as a way of providing a conduit for women's concerns to be voiced at all levels of government.[107] These women's councils are not strictly governmental structures (their members are unsalaried and are not traditional civil servants), but MIGEPROFE, the FFRP, and women's civil society organizations often turn to them as a way of accessing women at the grassroots level. At present, only three of 18 government ministers are women, but six out of 11 lower-ranking ministers of state are women.[108] [f]

The Rwandan women MPs organize their policy-making efforts through the FFRP. In 1996, female members of the transitional parliament established the FFRP. The FFRP's objectives include reinforcing the capacity of female parliamentarians, revising existing laws that discriminate against women, drafting new laws that promote gender equality, and lobbying for the inclusion of a gender perspective in all activities of government.

Legislative Successes for Female MPs

During their four years in office, Rwanda's women MPs have set an ambitious agenda of legislative action. In particular, they have worked to revise existing discriminatory laws, pushed for the inclusion of a gender perspective on new laws, and, with the introduction of legislation against gender-based violence, drafted one of the few laws in Rwanda to originate in parliament rather than in the executive branch.

During the transitional period following 1994, a MIGEPROFE-led commission reviewed laws and noted provisions that discriminated against women.[113] Identifying these instances of discrimination made it possible to then amend the relevant sections in parliament. For example, laws on nationality and citizenship were problematic in that children born to a Rwandan man and a foreign woman were automatically citizens, while children born to a Rwandan woman and a foreign man had to wait until age 18 to apply for citizenship.[114] Women in the transitional parliament helped lead the effort to amend this law once it had been identified as discriminatory.

Also during the review process, women pointed out unequal regulations stating that children were to be listed on the father's identity card but not the mother's, which created difficulty if the father died or abandoned the family and the mother wanted to access social services for her children or claim insurance benefits.[115] If a man had more than one wife, these record-keeping practices meant that it was impossible to determine which children belonged to which wife, putting the burden on a woman to prove a relationship to her own children.

[f] Information is current as of August 2007, but frequent changes are made to ministry-level positions.

Factors Contributing to Women's Presence in Post-Genocide Politics

The fact that Rwanda's national legislature is the world leader in levels of women's participation often prompts questions about what underlies this remarkable statistic.

Various factors contributed to uniquely favorable conditions for converting the positive consequences of social upheaval into more sustainable features of the political landscape. To begin with, a progressive perspective on gender is not necessarily entirely new to Rwanda; many Rwandans refer to pre-colonial cultural practices of gender equality when explaining the factors behind women's contemporary status, and cultural attitude is a strong factor in women's level of political participation.[109]

Women's significant role in the immediate aftermath of the genocide, when they were major actors in the country's reconstruction, as well as the perception that they bore the brunt of genocidal violence, is also often cited as a reason for their inclusion in the new government.[110]

In addition, the particular historical context in which reconstruction began was one in which women's inclusion in government was a high-profile issue. The year of the genocide was the same year that both South Africa and Mozambique held elections resulting in substantial increases in the presence of women in their national legislatures. The Fourth World Conference on Women took place in Beijing only one year following the end of the genocide and was attended by a delegation of women activists from Rwanda, catalyzing the reorganization and revitalization of the women's movement. Their post-Beijing advocacy efforts took advantage of formal declarations and resolutions, including the provision in the Beijing Platform supporting a 30 percent quota for women in decision-making positions that was included in Rwanda's 2003 constitution. Many of the women representing newly formed women's civil society organizations would later become part of the first generation of female parliamentarians.[111]

The powerful executive branch characteristic of countries in democratic transition coincides, in the case of Rwanda, with a leadership that is remarkably gender-sensitive. These cultural attitudes were also significantly shaped by the return of Rwandans who had grown up in exile. The members of the RPF army and political party that now controlled the country had lived most of their lives in Uganda, where the women's movement has been particularly strong and where quotas have boosted women's levels of participation in parliament.[112] Paul Kagame, commander of the RPF troops that invaded Rwanda and halted the genocide and the current president of Rwanda, has been a consistent advocate of women's involvement in government and of gender-sensitive policy initiatives.[g]

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g In January 2007, Kagame was named the recipient of the 2007 African Gender Award conferred by Femmes Africa Solidarité (FAS) and the African Women's Committee for Peace and Development (AWCPD), beating out fellow nominee and Africa's first female president Ellen Johnson Sirleaf (Munyaneza 2007).

Celebrating the Forum des Femmes Rwandaises Parlementaires (FFRP)

In February 2007, the FFRP hosted an international conference in Kigali on the subject of "Gender, Nation Building, and the Role of Parliaments."[h] Attended by women parliamentarians from around the world, the conference, celebrated the tenth anniversary of the FFRP's formation and highlighted Rwanda's success in modeling a democratic transition in which gender-sensitive policies played a central role. The conference was a high-profile event in Rwanda; President Kagame and the First Lady attended both days of the conference and hosted guest of honor President Ellen Johnson Sirleaf of Liberia. All Rwandan parliamentarians attended the conference; both men and women appeared in traditional dress at the opening ceremony. Other speakers included Cherie Booth, Alice Walker, the president of the Rwandan Senate, the president of the African Development Bank, the president of the Pan-African Parliament, and Rwanda's minister of family and gender promotion.

President Ellen Johnson Sirleaf of Liberia congratulated the FFRP and drew parallels between the experiences of Rwanda and her country: "As I reflect on the theme [of] gender, the role of parliaments, and nation building, I remember all too well the comparative issues that were brought to the fore by my election as the first woman president of Liberia and [in] Africa. The obvious question always asked [was] "How did we do it? How were we able to pull it off?" Those who ask, in marveling at our success, underestimate the power of women. Women working objectively for a common cause and toward a common goal. In this context, those of us participating in this event are able to appreciate the tremendous efforts of you, the women of Rwanda [. . .]."[118]

The conference was an occasion to celebrate the FFRP, their male allies in parliament, and those in the executive branch who supported their efforts. The conference proceedings were recorded in a document entitled "The Kigali Declaration on Gender, Nation Building and the Role of Parliaments," which outlines recommendations for governments, parliaments, women parliamentarians, the private sector, civil society, and multilateral organizations concerning "the centrality of gender equity to social, economic, and political development."[119]

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[h] At the time of writing, the conference's Web site was still active at: ***http://www.rwandawomen-mp.org/Conf2007/.***

Again, this law was amended by the transitional parliament, under the leadership of women parliamentarians and civil society advocates.

Women in the transitional parliament were also at the forefront of drafting significant legislation dealing with women's rights to inheritance and succession. A 1999 inheritance law prohibits discrimination between male and female children when land is partitioned and passed on to descendants, and women parliamentarians have sought to further institutionalize gender equity with a 2005 law that states that men and women have equal rights to land.[116]

Women parliamentarians and civil society advocates also laid the groundwork for current efforts for GBV legislation with work during the transitional parliament. In 2001, women MPs helped pass the "Law Relating to the Rights and Protection of the Child against Violence," which criminalizes child rape.[117] Women parliamentarians followed up on this issue in 2004 when a law concerning *gacaca* courts was amended to include provisions protecting the rights of sexual violence survivors.

Gender-Based Violence Legislation

The most significant instance of women's legislative leadership was the drafting of a law against gender-based violence. This bill was not only the first piece of legislation drafted and introduced by the FFRP, but was also the first law (excluding internal provisions and regulations) introduced into parliament that did not come from the executive branch of the government.[120] Women MPs were therefore responsible not only for creating landmark legislation on the issue of gender-based violence, but also for providing one of the first major instances of legislature-initiated policy making since the ratification of Rwanda's 2003 constitution.

An Overview of the Process

Interviews with women parliamentarians and civil society advocates produce a detailed picture of the process leading up to the August 2006 introduction of the "Draft Law on Prevention, Protection and Punishment of Any Gender-Based Violence" into Rwanda's Chamber of Deputies (see box: "Timeline: The Creation of Rwanda's Gender-Based Violence Legislation").[i] With UNDP and UNIFEM support, two domestic consultants were hired by the FFRP in 2005 to engage civil society organizations and experts on issues of gender-based violence.[j] As part of this consultation, a questionnaire about gender-based violence was distributed to occupants of senior positions in civil society organizations. In addition, an international consultant who had previously studied and reported on Rwandan legal statutes was invited by the FFRP to compile a set of best practices in international law related to sexual violence.[121k] The documents produced by these consultants served as the starting point for a national conference on gender-based violence held in Kigali in October 2005.

The most significant instance of women's legislative leadership was the drafting of a law against gender-based violence.

During the two-day conference, participants discussed and debated issues of gender-based violence in Rwanda and developed a set of recommendations that would provide the framework for the law itself. Also developed at the conference was a checklist of concerns related to gender-based violence that was used in further interviews with civil society representatives. The FFRP also undertook a mass media campaign in which panel discussions with experts and lawmakers were broadcast to all provinces over TV and radio.[122] Radio programs included live call-in debates on the subject of gender-based violence with citizens who had access to a free telephone line and who were encouraged to contribute.[123]

Shortly after this national conference, in October and November 2005, members of parliament returned to their home districts in two-day visits. During these "*descentes en terrain*" (trips to the field), the parliamentarians explained the policy-making process and the issue of gender-based violence to the local population and solicited opinions in order to come back to parliament with recommendations.[124] Out of 106 (80 seats in the Chamber of Deputies and 26 in the Senate), 76 parliamentarians participated in the "*descentes*."[125] Approximately half of the participants were men.[126] One parliamentarian mentioned that the population was encouraged to write the president of the parliament if they later thought of any comments that had not been raised at the meetings but would be relevant to the lawmaking process.[127]

Parliamentarians also coordinated with the National Women's Council to convene large groups of women from Byumba (approximately 150 women) and Kibungo (approximately 400 women) for women-only discussion sessions.[128] In November 2005, members of the FFRP also invited two women from each of Rwanda's 12 districts to come to the parliament and participate in information-gathering sessions. The women chosen were activists in their community who had shown a commitment to fighting gender-based violence.[129]

By December 2005, the consultants turned over their strategic policy document to the FFRP,[130] which then formed a consultative committee composed of both men and women, including female parliamentarians who were lawyers; representatives from MIGEPROFE and the Ministry of Justice, the national police, civil society, and the legal community; as well as two technical advisers from parliament.[131] This consultative committee met monthly to prepare the bill for introduction in the Chamber of Deputies.

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[i] The process of developing GBV legislation is described in an unpublished document obtained from the FFRP: *The Instrument Tool towards Preventing and Eliminating Gender-Based Violence in Rwanda*. Unpublished. Kigali: Parliament of Rwanda, 2006.

[j] These consultants were Justine Mbabazi and Eugene Ntaganda.

[k] This consultant was Elizabeth Barad.

Timeline: The Creation of Rwanda's Gender-Based Violence Legislation

1996	Formation of the Forum of Rwandan Women Parliamentarians (*Forum des Femmes Rwandaises Parlementaires* or FFRP)
2003	Ratification of constitution, mandating that 30 percent of all decision-making posts be occupied by women
2003	National elections result in 48.8 percent female representation in the lower house of parliament
June 2004	Ministry of Gender and Family Promotion and International Rescue Committee release results of study on violence against women in Rwanda
Late 2004–Early 2005	Parliamentarians participate in province-level meetings to disseminate information about gender provisions in the new constitution and receive recommendations that parliament should create legislation dealing with gender-based violence
March 8, 2005	International Women's Day; Beijing +10 conference in New York City, attended by FFRP President Judith Kanakuze, emphasizes ongoing need to address gender-based violence
2005	FFRP meets with stakeholders, including representatives from Ministry of Gender, Ministry of Justice, national police, and UNIFEM; FFRP resolves to have GBV law in place by the end of 2006
2005	FFRP meets with community leaders and hires consultants to compile information related to gender-based violence in Rwanda and potential legal mechanisms
2005	Parliamentarians participate in mass media campaign on gender-based violence, including radio and television programs
Oct. 3–4, 2005	National conference on gender-based violence held in Kigali
Oct., Nov. 2005	"*Descentes en terrain*" (trips to the field) organized by FFRP in which parliamentarians return to districts for discussion on gender-based violence and produce follow-up document listing recommendations gathered from population
Nov. 2005	FFRP collaborates with National Women's Council to convene women from Kibungo and Byumba to conduct women-only discussion on gender-based violence
Nov. 2005	FFRP invites two women from each of Rwanda's 12 districts to parliament to discuss gender-based violence
Dec. 2005	Consultants turn over strategic policy document to FFRP
Dec. 2005	FFRP forms consultative committee with female parliamentarians who are also lawyers, technical advisers in parliament and representatives from Ministry of Gender, Ministry of Justice, civil society, the national police, and the legal community
Dec. 2005–Aug. 2006	Consultative committee meets about once a month to continue to format legislation
June 2006	FFRP resolves that they will have introduced draft bill by the end of the current parliamentary session
Mid-July 2006	FFRP meets with Speaker of Chamber of Deputies to ask that bill be put on agenda
July 2006	FFRP meets and invites four men to co-sponsor the GBV legislation
August 2, 2006	"Draft Law on Prevention, Protection and Punishment of Any Gender-Based Violence" introduced into Chamber of Deputies
August 3, 2006	"Draft Law" passed to committee without objection
August 2007–present	"Draft Law" remains in committee, awaiting revisions and ratification by the full parliament

Member of Parliament Judith Kanakuze introducing the gender-based violence bill into Parliament, August 2006. Photo credit: Elizabeth Powley

Finally, the draft law was introduced into debate on August 2, 2006, by eight parliamentarians (four men and four women).[132][1] President of the FFRP Judith Kanakuze presented the bill to the Chamber. Questions and comments followed her presentation, and on the following day, she responded to these points by speaking for just over an hour.

Immediately after this response, the bill was passed without objection to committee debate where, as is standard procedure for bills, it will be revised. Once the bill has been discussed and amended in committee, it will return to the Chamber of Deputies for a full vote. If passed, it would also have to be approved by the Senate. At the time of writing, the bill remained in committee. Among other considerations, the parliamentary committee is in consultation with the Ministry of Justice to ensure that the bill's provisions are compatible with revisions of the penal code currently underway.[133] It is not unusual for legislation to face a slow process of approval in Rwanda, due in part to legislative backlog caused by the need to bring many of the country's laws in line with the newly-ratified constitution.[134] Furthermore, the bill has required additional revisions and legal attention precisely because it was developed by the legislative branch rather than by government ministries, which generally benefit from greater technical capacity in legislation drafting. The bill continues to enjoy substantial political support; and while its eventual passage is predicted, it remains an as-yet-unfinished project for the parliament.

Major Points of the Proposed GBV Bill

The "Draft Law on Prevention, Protection and Punishment of Any Gender-Based Violence" is a wide-ranging piece of legislation that touches on many aspects of gender-based violence as well as other gender equity issues. An opening explanatory note introduces the impetus for drafting legislation on gender-based violence by discussing the problem in Rwanda and around the world, including statistics from the 1994 Rwandan genocide as well as in post-genocide society.

The bill defines gender-based violence and outlines general principles, such as "any gender-based violence is a heinous crime punished by law." Importantly, the bill in-

[1] The eight sponsors of the bill were Evariste Kalisa, Judith Kanakuze, Claire Kayirangwa, Donatila Mukabalisa, Faith Mukakalisa, Juvenal Nikusi, Aimable Nibishaka, and Fidele Nitsiudo.

cludes an article stating that violence against spouses is considered gender-based violence and that "no person is allowed to indulge a spouse in forced sexual intercourse." Gender-based violence is identified as a reasonable cause for requesting divorce. In addition, the bill prohibits violence and harassment related to dowry issues.

Other articles outline the responsibilities of state organs, including the police, the judicial system, local authorities, medical professionals, and employers, with regard to gender-based violence. The bill also specifies penalties for categories of gender-based violence.

Included in the bill are a number of provisions that extend beyond basic definitions of and penalties for gender-based violence. For example, Article 12 assigns monetary value to domestic chores performed by women for the purposes of determining property and compensation in case of crime or divorce. Women's domestic chores are valued at 1,000 Rwandan francs (approximately $2) per day, an amount that doubles if the chores are performed by a pregnant woman. Article 18 of the bill establishes maternity leave and prohibits dismissal of women who are pregnant or on maternity leave. Article 57 of the bill abolishes polygamy and requires that men engaged in unlawful marriages "legalize the marriage with his first wife and ensure education of children born to the rest of his wives." Other articles in the bill prohibit indecent dress and forbid children from drinking alcohol or attending bars.

As indicated above, the GBV bill's provisions continue to be under consideration by parliamentary committee. One legal scholar familiar with the early stages of the bill's development commented that the bill could be improved by further clarifying the definition of rape and including provisions related to protective orders.[135] Final passage of the bill will also need to take into account the recent repealing of existing penal code provisions under which gender-based violence is currently adjudicated.

Parliamentary Debate

Data was collected during the two debate sessions in the Chamber of Deputies. The sex, political affiliation, and speaking time of each participant on August 2, 2006, was recorded (see Table 1). Analysis of the debate provides crucial insight into the strategies used by parliamentarians in supporting or opposing various provisions of the bill and into the role that consultation played in shaping these strategies. This analysis complements information gathered during interviews and can serve as a snapshot of the arguments the FFRP saw as most significant in convincing fellow members of parliament to adopt the bill.

Objections by Members of Parliament

Notably, with only one exception, all objections to provisions of the proposed bill were raised by men (see Table 2, on page 26).[136] The aspect of the bill that received the most objections during debate in the Chamber of Deputies was the harshness of proposed penalties. Two MPs suggested that the legislature consider adopting traditional justice mechanisms like *gacaca*, perhaps with community service punishments, for GBV offenders. As two female parliamentarians responded at the time—and as Judith Kanakuze noted in her formal response

TABLE 1: **Gender Analysis of Parliamentary Debate**

	Number who spoke during debate	Total speaking time (minutes)	Percentage of speakers during debate	Percentage of total time	Percentage of Chamber
Men	20	78	51%	51%	51%
Women	19	75[a]	49%	49%	49%
Total	39[b]	153[c]	100%	100%	100%

[a] Judith Kanakuze's introduction of the bill lasted 24 minutes and composed almost one third of the total number of women's speaking minutes.

[b] It is unknown how many MPs were present during the debate session. A procedural vote taken early in the Chamber of Deputies session indicated that there were 58 members of the Chamber present out of an official total of 80. Likewise, women occupy 39 seats, or 48.8 percent of the Chamber, but it is unknown what percentage they were of those present during the debate.

[c] There was an apparent four-minute limit on speaking time during the debate, which was enforced by the President of the Chamber of Deputies. Not all parliamentarians spoke for their entire allotted time, and neither the President's interjections of less than one minute or when he called upon the next MP to speak were included in calculations of speaking time. In addition to the President of the Chamber, only one man and one woman spoke more than once during the session.

TABLE 2: **Gender Analysis of the Objections of MPs**

Concern	Number of times raised during debate by men	Number of times raised during debate by women
Objections that proposed punishments are too harsh	6	0
Objections to provisions on marital rape or domestic violence	5	0
Objections related to provisions on polygamy or requirement that polygamous men legally marry their first wife	3	0
Objections to proposed standards of evidence/testimony/accusation	3	0
Objections to maternity leave provision	2	1
Objections to provision dealing with adultery	2	0
Objections to provision concerning dress code	2	0
Objections that law will hurt families	2	0
TOTAL	**25**	**1**

the following day—the punishments included in the bill were in most cases less severe than those proposed by the public during the consultation process.

Indeed, the FFRP report on the *descentes* records that the population recommended the death penalty[m] for three categories of crimes: the rape of a child less than seven years old, the rape of a child older than seven years old if the child is infected with the HIV/AIDS virus as a result, and rape resulting in the death of the victim. The bill reserves the death penalty only for the latter two crimes and reduces the punishment for raping a child to life imprisonment (for raping a child less than five years old) or a sentence of 20-25 years imprisonment plus a 500,000-1 million Rwandan franc fine (approximately $900-$1800) for raping a child between five and 12 years of age.[137] Likewise, while the consultative meetings produced recommendations of 15-30 year prison sentences plus damages for the rape of an adult, the draft law reduces that sentence to 10 to 15 years.

Interestingly, the one category of crime for which the bill's penalties are harsher than those proposed during public consultation is domestic violence. The population recommended imprisonment from six months to five years, while the draft law imposes sentences of five to ten years imprisonment plus financial compensation for conjugal rape and 10 to 15 years imprisonment plus financial compensation for "harassment of a spouse" (insult, battery, injury, forced labor, or the deprival of "the right to enjoy tranquility").[138]

The FFRP's decision to reduce many of the penalties proposed by the population when it was drafting the bill may reflect its knowledge that harsher penalties were not likely to meet with approval in parliament. In addition, it should be noted that the Rwandan parliament recently voted to ban the death penalty, a move that had been under consideration for some months.[139] Ongoing revisions to the penal code has also made the task of assigning penalties to various crimes an iterative process.

Marital rape or domestic violence was the second most frequently cited concern during debate over the law, following harshness of punishments. Male parliamentarians who raised concerns regarding these two issues argued such things as: marital rape is a contradiction in terms; not all family disputes should be classified as gender-based violence; or given there are no witnesses to marital rape, it will be impossible to prosecute. Given the nature of these objections and the way that they reflect a more general sentiment in Rwanda that spousal abuse is not always a crime, it is not surprising that the population recommended weaker penalties for these crimes than the FFRP decided to propose in the draft bill.

[m] Subsequent to the introduction of the GBV bill, Rwanda abolished the death penalty, and thus the penalties laid out in the bill will have to be amended in line with Rwanda's new penal code.

Part Three: Gender and the Policy-Making Process

In this section of the report, the process of drafting the GBV bill is examined in greater detail and analyzed with regard to the consequences for governance and gender equity in Rwanda. In examining the impact of women's leadership and political participation on the policy-making process, this analysis contributes to the existing literature on women and politics that is dominated by Western case studies. More specifically, this analysis focuses first on how women parliamentarians in Rwanda engaged their male peers on the issue of gender-based violence for both strategic and principled reasons. Also considered are the ways in which the GBV bill is an example of women representing women and collaborative structures. The section closes with a discussion of why the women parliamentarians chose a policy-making methodology that emphasized public consultation and what consequences this choice had for the shape of draft legislation.

Women in Rwanda's parliament have strengthened relations between constituents and representatives, forged important linkages with civil society, and increased women's access to and presence in policy making through public consultation.

The process of developing GBV legislation in Rwanda illustrates the several ways that women parliamentarians are having an impact on the country's governance. Women in Rwanda's parliament have strengthened relations between constituents and representatives, forged important linkages with civil society, and increased women's access to and presence in policy making through public consultation. Women MPs have also modeled an important leadership paradigm for fellow parliamentarians by designing an inclusive and participatory policy-making process that resulted in the first substantive piece of parliament-generated legislation written since the 2003 elections. A key component of this leadership paradigm was the extent to which it engaged men as allies on what is traditionally viewed as a women's issue. By including men at every stage of the policy-making process, women parliamentarians not only increased the political strength of the GBV bill but also used it as a vehicle for transforming gender relations in Rwanda. Ultimately, women parliamentarians saw the process of drafting the GBV bill as a way of holding parliament and the executive accountable for gender equity concerns.

Women Representing Women

In the development of this legislation, women parliamentarians had a strong sense of responsibility to female constituents and civil society activists. Women within civil society organizations consistently spoke of a history of women's exclusion from public life, often in reference to the creation of legislation on gender-based violence.[140] For instance, one woman noted that gender-based violence is linked to an entire constellation of issues, including women's lack of economic participation that leaves them vulnerable to abusers, whom they depend on for food and financial support.[141] In other words, women's increased involvement in government and the development of gender-sensitive legislation are seen as part of a larger movement to improve women's situation in Rwanda.

The previous lack of definitions or penalties related to gender-based violence in Rwandan law is attributable in part to the historic lack of women in decision-making positions.[142] The coordinator of Pro-Femmes/Twese Hamwe, an umbrella structure for Rwandan women's organizations, Suzanne Ruboneka stated that, though many men in the parliament are gender-sensitive, the level of awareness related to gender issues is much higher among women, both because they are former civil society activists and because they are women themselves.[143] Thus, despite their commitment to work with male colleagues on gender-based violence, described in detail below, women parliamentarians took up this issue out of a sense of responsibility to other women.

In the course of this research, several interviewees also mentioned that female parliamentarians may have themselves experienced gender-based violence.[144] Judith Kanakuze indicated that the FFRP originally resolved to create legislation on gender-based violence in 2004, when meetings related to gender provisions in the new constitution produced recommendations from women at the grassroots level, who pointed out that even women in decision-making positions still suffered domestic

violence.[145] During her presentation of the law to the Chamber of Deputies, Judith Kanakuze cited a Kinyarwandan proverb that translates as "the house is burning all night, but in the morning the fire is out," to indicate that even women in leadership positions may have experienced abuse in their homes.[146] By virtue of being women, the female parliamentarians many times have a connection to the issue of gender-based violence that their male peers do not.

Female parliamentarians—particularly the 30 percent that were elected on the "women's ballot," as opposed to political party lists—feel an obligation to represent women's interests. A 2005 survey of 61 of the 80 MPs found that while 97 percent of women MPs view it as "very important" to promote women's interests in parliament, only 60 percent of men respond the same.[147] Of MPs elected on the "women's ballot," 100 percent responded that the promotion of women's interests was "very important," while 93 percent of women elected on the general ballot responded this way.[148]

The women parliamentarians saw the GBV law as a way of meeting the obligation they felt to their female constituents. One male MP described the GBV law as a project the FFRP undertook to justify its existence as a women's forum.[149] A civil society advocate who works with the women MPs noted that, when the women come together, they constantly ask themselves how what they are doing benefits women at the grassroots level.[150] Women in leadership positions "sit at levels" that women at the grassroots cannot reach and therefore "need people who can speak for them."[151]

Civil society leaders describe applying pressure to female parliamentarians, saying: "Every time we meet with them, we tell them 'You should advocate. In every policy you have to pass, you can open your mind to see if it is women-friendly.'"[152] In her speech to the Chamber of Deputies, Judith Kanakuze reminded fellow women MPs of this responsibility, citing another Rwandan proverb that translates as "the night can only be understood by those who have gone through it."[153] Similarly, one interviewee recited the proverb that, "the good deed starts with the doer," to illustrate that women's presence in parliament is a crucial step in ensuring that women are better represented in legislation.[154] The GBV bill is therefore, in part, a product of the strong relations of accountability that exist between women parliamentarians and their female constituents.

Maintaining Strong Connections to Civil Society through Collaborative Structures

The leadership style of Rwanda's women parliamentarians is distinguished by the close relationship they have with civil society. Prior to entering parliament, a number of the women MPs worked as prominent members of civil society organizations. Judith Kanakuze was president of Reseau des Femmes, while several female parliamentarians worked as attorneys for Haguruka, which provides legal services for women and children and is a prominent women's rights organization.[155] Participation in civil society and exposure to the issue and problems of gender-based violence before they arrived in parliament was frequently cited as a factor in prompting the development of the draft GBV bill.[156]

Even now that they are in parliament, female parliamentarians maintain their close interaction with civil society, particularly with organizations that focus on women's advocacy issues. The women who lead such groups often attended school or university with the female parliamentarians and have ongoing friendships as well as professional relationships with them.[157] The women in parliament maintain memberships in various women's rights organizations, which means they are in contact with other members and are informed of various advocacy activities.[158] All female members of parliament, as well as all female ministers and women leaders from the private sector and institutions of higher learning, are de facto members of the Rwandan Women Leaders' Caucus (RWLC), a non-profit organization that focuses on women's capacity building.[159] Although not a particularly activist or well-funded organization, the RWLC provides yet another forum for women leaders to interact with others outside their institutions.

Female parliamentarians consult with civil society and report that the FFRP's action plan includes meeting with representatives to familiarize them with procedures of parliament and aid them in their lobbying activities.[160] These pre-existing and continuing ties give the FFRP a more systematic relationship with that sector than individual parliamentarians might have.[161] Schwartz's research on Rwandan parliamentarians underscores the highly-developed relationship between women parliamentarians and civil society, finding that 43 percent of women MPs who rate the promotion of women's interests as "very important" report having contact with women's organizations at least once a week.[162] By contrast, of the male MPs who also ranked the promotion of women's

Parliament building, Kigali. Damage to the building from the violence in 1994 is still evident in this 2006 photo. Reconstruction began in 2007. Photo credit: Elizabeth Powley

interests as "very important," only five percent had this level of contact with women's organizations.

In addition to civil society organizations, female parliamentarians also collaborate with the country's system of women's councils, which exist at all levels of administration: cell, sector, district, province, and nation. The 30 percent of parliamentarians who were elected on the "women's ballot" were elected by the women's councils, and the FFRP took advantage of this comprehensive structure to facilitate the consultation process around the GBV law.[163] This collaboration led the chair of the National Women's Council to comment that "on gender-based violence, really that's where we have [. . .] a positive experience [. . . .] At the end of the day, if we get this law, we [will] know it has been owned by women."[164]

Perhaps the most important collaborative structure in which the female parliamentarians participate—and the one that was most instrumental in developing GBV legislation—is the FFRP itself. One woman, referring to the way that the FFRP facilitated the promotion of women's interests on the parliamentary agenda, noted the importance of the parliamentarians having a context in which "they can sit as women."[165] In fact, the FFRP first raised the possibility of drafting GBV legislation when it first formed in 1996 and though they did not have the capacity to undertake the project for another 10 years, the existence of a strong caucus eventually made it possible.[166]

Although the FFRP is made up solely of parliamentarians, civil society activists report that the existence of the caucus makes their own work easier. The FFRP has been described as an intermediary structure between civil society and the rest of the legislative branch.[167] Suzanne Ruboneka of Pro-Femmes/Twese Hamwe, called the FFRP civil society's "partner" in the parliament and noted that the two engage in a "strategic alliance" with regard to gender issues.[168]

Even though it was drafted by the female parliamentarians, the GBV bill was often described by interviewees as the product of a longer history of activism on the part of civil society. In explaining the impetus for the bill, women civil society leaders often began by discussing cultural attitudes toward women, their exclusion from power, and sometimes their suffering during the genocide. Then they describe the gender-sensitive policy environment in the post-genocide period, and finally they emphasize the necessity of GBV legislation.[169] There is little sense on the part of women civil society leaders that the legislation is somehow separate or unconnected to their work. As one of these women leaders noted:

> Even if this forum for women parliamentarians is not an NGO—it is a political institution because they are members of parliament—but they work closely with the civil society and particularly with women's organizations [. . . .] [I]t was a good strategy that this law be initiated by women parliamentarians instead of [an] NGO, because they have more power in parliament, and they have this opportunity to initiate law.[170]

Members of civil society organizations gave input on the law even after it was drafted. For instance, a representative of Haguruka noted that its expertise was used to bring clarification to certain portions of the bill.[171] Ultimately, the fact that women MPs are engaged in collaborative relationships that men are not affects women's ability to draft legislation that meets the needs of their constituents.

Choosing Consultation to Build Legitimacy and Sustainability through Public Input and Sensitization

One of the distinguishing characteristics of the GBV bill is the extremely consultative nature of the process used to draft and introduce it. The draft law on gender-based violence is not the first bill in Rwanda to be developed using a consultative process. The government engaged in varying amounts of consultation with the population around the ratification of the 2003 constitution, the genocide law, the 1999 inheritance law, and the 2005 land reform legislation, for example.[172] Interviewees indicated that consultation with the population is now seen as the ideal method for developing legislation, and one parliamentarian noted that consultation was necessary because "there is no way you can make law without going to the people."[173]

Although a consultative process is a desirable component in developing all legislation—whether for information gathering, sensitization, democracy, or strategy—there are also considerable barriers to its successful implementation. The process can be time-consuming, and field visits and follow-up analyses require financial resources that often are unavailable. Moreover, the political agenda can be crowded with other issues that make it difficult to prioritize public consultation.[174] Though consultation was described as always desirable, some interviewees estimated that consultation actually happened in less than half of the potential cases,[175] and one labeled it a "new trend" in lawmaking.[176] When consultation does take place, there is a danger that those leading the discussion (whether government officials, parliamentarians, community leaders, or paid consultants) will themselves direct the process and shape outcomes in an unrepresentative fashion. Furthermore, the sensitive nature of issues around which consultation can be most useful sometimes prevents an open dialogue from taking place.

The GBV consultations were unique in that they were the first instances when the process was driven exclusively by parliament; they were also particularly comprehensive. One of the major factors cited by interviewees regarding the successful development of the GBV legislation was the strong political support that the issue had among all members of parliament and the government.[177] Political will meant that the female parliamentarians could be confident that their efforts would be met favorably. In addition, the FFRP received international funding to carry out the consultation. Because the FFRP planned from the beginning to include consultation as a component of the drafting process, they were able to put together a donor proposal that, once funded, supported this methodology.

Why Choose Consultation?

The FFRP had several reasons for adopting a consultative approach to GBV legislation. First, the subject of the law was more suited to public consultation than a more technical bill or one that focused on an issue affecting a narrower demographic. While parliamentarians and civil society advocates stress that gender-based violence affects all members of Rwandan society, they also point out that the most frequent victims of gender-

based violence—women and children—are the largest segment of the population.[178][n] This gives a majority of the population a sense of "ownership" over the law.

Second, the members of the FFRP, including its president, Judith Kanakuze, were particularly committed to participatory methods of legislation drafting. Kanakuze noted that she served on the commission that drafted Rwanda's 2003 constitution, which used a similar approach.[179] Under her leadership, the FFRP consciously pursued a participatory methodology for creating the GBV law. She remarked that lawmakers sometimes prefer to keep the content of laws confidential during the drafting stage because publicity can provoke criticism and opposition but that the FFRP decided to take this risk. "If you want [the people to have] ownership" over a law, you must have an open process, she explained, stating: "If you are drafting a law for a population, you must let them discuss."[180]

Public Input to the Bill

On a pragmatic level, public consultation provided a forum for generating information about the prevalence of gender-based violence in Rwandan society. Member of Parliament Aimable Nibishaka stressed that, in order to know how to fight something, it is essential to understand its underlying causes.[181] He illustrated this principle by describing how he had asked a man in Ruhengeri during public consultation whether he beat his wife. The man answered, "I don't beat my wife, but I *could* beat her because I paid a dowry." The man's response highlighted a connection between the practice of dowry—which can result in women being seen as objects that can be bought and sold—and the problem of gender-based violence. Nibishaka went on to explain that since the standard for dowry in Ruhengeri is very high (300,000 Rwandan francs, or about $545), young men are often prevented from marrying; young women will agree to marry only men who can pay, even if they are already married to other wives. Gender-based violence is therefore also linked to the practice of polygamy. That these complex relationships between cultural practices and gender-based violence can be better understood in just a few sentences during public consultation points to the value of the field visits.

Public consultation was also useful for brainstorming solutions to gender-based violence that could be included in the law. In the words of Justine Mbabazi, one of the consultants who worked on the GBV bill:

> As a consultant, how would I know how to prevent someone from being raped if they are really in remote areas? [. . . .] [How] do I know the preventative measures? How do I know the best protective measures? How would I know the best [. . .] intervention measures? Because you don't know where they live; you don't know how they can access the police—there is no road to get there. You know, people needed to go down there and talk to [the population].[182]

At the district level, consultations revealed that women in rural areas have sometimes established informal neighborhood watch associations as a response to gender-based violence. These associations stress that citizens have a right and a responsibility to intervene when they hear abuse being committed. As one woman described the program, which she labeled a potentially replicable "best practice": "Watch over my kids, I watch over you. If someone screams, I have the right to grab another neighbor and say: You know what, let's go find out what's going on."[183] Perhaps as a result of gathering this type of information, the bill contains Article 27, entitled "Obligations of Preventing Violence and Assisting Victims of Violence," which states that, "Any member of an extended family, a neighbor and a person living in the family has the responsibilities [sic] to prevent violence, assist and call for assistance for the victim and deliver testimony on gender-based violence."[184]

Member of Parliament Faith Mukakalisa emphasized that the consultations, while initiated by parliamentarians, were not meant to be controlled or dictated by their presence: "When we go there, more time is given to the community to talk. It's not—it's not for us to talk. For us, what we do, just introduce the topic and then we tell them it's open. They just talk."[185] Despite these intentions, one male MP commented that the public consultation sessions were designed primarily to draw out the concerns of women, who experience the majority of gender-based violence, and noted that more efforts could have been made to include men's voices.[186]

Following these district-level "*descentes*," the FFRP prepared a short report of public comments and recommendations regarding gender-based violence.[187] This re-

[n] The 2002 Rwandan census reported that women and girls made up 53.5 percent of the population.

port lists responses to questions about causes of violence against children and women, how violence could be prevented, and what specific groups (the national police, the legal system, neighbors, victims, lobbying organizations, and other authorities) could do to address the problem. It also includes suggestions of sanctions for different types of gender-based violence and comments on the nature of the links between dowry, polygamy, and violence.

A comparison of the recommendations recorded in this initial report and the text of the draft bill itself demonstrates the impact of public consultation. Many recommendations are notably specific and appear in almost identical form in the bill. Recommendations regarding the police and judicial system are particularly illustrative of how, in many cases, each suggestion generated by the public consultations can be matched with specific language in the draft law (see Table 3, on page 33).

Because grassroots consultation was a component of the drafting process, women parliamentarians and their supporters believe that the bill is more legitimate than it would have been had it been developed entirely at the national level. Parliamentarians frequently referred to comments from public consultations as a way of defending various provisions of the bill that were questioned by fellow lawmakers during the debate in the Chamber of Deputies. One civil society representative noted that the arguments from the population regarding a given issue would convince decision makers that the population wanted change.[188] In fact, Judith Kanakuze began her introduction of the bill by reviewing the steps of the consultative process, including the national conference, the district-level visits, and even a discussion of the bill that was broadcast on a radio program called "Kubaza Bitera Kumenya" or "Ask and Get an Answer."[189] Her review provided a history of the bill's development, but it also reminded parliamentarians of the legitimacy of the bill's content.

Public consultation also provided the FFRP with an important strategic benefit; Presenting gender-based violence as the concern of men and women at the grassroots level was seen as more convincing than a campaign initiated by national-level gender activists brandishing the Beijing Platform.[190]

> We argued in so many meetings and seminars that this issue is really rampant and it's not going anywhere, and we figured that, probably, we as speakers, as activists, were not convincing enough until we went back to the grassroots to talk to the people, for them to say in their own words and talk to the policymakers.[191]

The FFRP chose consultation not just because they were concerned with building constituent trust and ownership or because they wanted a "friendlier" face for power. They also knew that consultation provided important strategic benefits that would increase the likelihood of a controversial and sensitive issue actually being addressed in law. Appealing to the consultative process was a way to defuse potential objection to portions of the bill, particularly during debate in the Chamber of Deputies. Developing the bill through the recommendations drawn from public meetings meant that the women could legitimize the bill's content through reference to consultation rather than to feminist ideology. Interestingly, some objected that not *enough* consultations had been done regarding a particular part of the law.[192] The fact that parliamentarians felt compelled to frame their criticisms with reference to consultation suggests that the process designed by the FFRP had established a standard and, in effect, defined the terms of the debate.

Sensitization and Implementation

Public consultation did more than simply help identify the problem of gender-based violence in Rwandan society. In the course of this research, many interviewees stressed that consultation was also a way to sensitize the population on the subject of the bill itself.[193] Awareness raising changes attitudes towards gender-based violence, which in turn affects how the law will be received and implemented once passed in parliament.

The relationship between Rwandan culture and the provisions of the gender-based violence was cited nine times during the first session of parliamentary debate over the bill by eight different parliamentarians, and Judith Kanakuze began her address on the second day of debate by addressing perceived conflicts between tradition and the law.[194] Few parliamentarians stated outright that the law contravened Rwandan culture, and most mentions of culture were made by parliamentarians who stressed that human rights violations should never be part of it.[195] Even so, the notion that a law against gender-based violence conflicted with Rwandan culture was a recurring theme of interviews. A male co-sponsor of the GBV bill, Member of Parliament Fidele Mitsindo, reported that some men had questioned why Rwanda had to be the first country in Africa to address these issues,

TABLE 3: **Comparison of Consultation Recommendations and Text of Draft Law**

Recommendation recorded in FFRP consultation report	Excerpt from text of draft law
Regarding the judicial system:	
Accelerate and give priority to processing accused perpetrators of gender-based violence	Article 21: Obligations of the judiciary—"The court to which a gender-based violence case was referred shall hear the case within a period not exceeding two (2) weeks starting from the day of submission of the case."
Judge accused perpetrators of gender-based violence in the place where the crime was committed	Article 23: Case hearing on the crime scene—"Without prejudice to the victim [sic] rights, a gender-based violence case shall be heard on the crime scene."
Avoid subjectivity during judgments	Article 15: Evidence and testimonies on violence—"Proofs and testimonies related to gender-based violence submitted to courts by any person who has sufficient information shall be accepted unconditionally and analyzed. Testimonies provided by house keepers shall not be subjected to doubt."
Regarding the national police and public prosecutor's office:	
Welcome and listen carefully to victims of gender-based violence	Article 19: Receiving and reassuring the victims—"The State shall establish modalities through its medical, judicial and local authorities, of receiving and reassur[ing] the victims of gender-based violence."
Rapidly assist victims of violence	Article 20: Obligations of medical organs—"State organs responsible for defending, rendering justice and treating the victim are required to do so immediately and with no condition."
Rapidly prepare cases and transfer them to the proper system	Article 21: Obligations of the judiciary—"The Public Prosecution shall file a gender-based violence case before the competent court within a period not exceeding three (3) months starting from the day the gender-based violence was recorded or submitted to the Prosecution."
Stop or provisionally imprison the presumed perpetrator of gender-based violence	Article 22: Provisional detention—"Testimony or medical evidence is enough for the person alleged to have committed gender-based violence to be subjected to provisional detention."
Draw up adequate measures to prevent gender-based violence	Article 25: GBV prevention measures at work places—"Services whether public or private shall establish mechanisms including procedures for the suppression and fight against gender-based violence at work place." Article 26: Prevention of violence against children—"Parents, educators and any other persons have the responsibilities [sic] to educate and protect children preventing any cause that may lead to violence against them." Article 27: Obligations of preventing violence and assisting victims of violence—"Any member of an extended family, a [neighbor] and a person living in the family has the responsibility to prevent violence […]"
Protect victims and witnesses of gender-based violence	Article 16: Violence Victims Assistance Fund—"The Government shall establish a fund to assist and to cater for the lives of the victims of gender-based violence and at least zero and a half percent (0,5%) of the annual national budget shall be deposited in the fund."
Consult the neighbors of victims in the preparation of cases	Article 27: Obligations of preventing violence and assisting victims of violence—"Any member of an extended family, a [neighbor] and a person living in the family has the responsibility to […] deliver testimony on gender-based violence."

especially when countries in West and North Africa had kept "customs" that this bill would abolish.[196]

One of the parliamentarians who spoke out against harmful "cultural traditions" during the Chamber of Deputies debate, Aimable Nibishaka, later commented during an interview that it was easy enough for men to seek out culture as a defense since it tended to work in their favor. Echoing the civil society advocates who emphasized the difference between how men conceptualized relationships with daughters or mothers as opposed to wives, he described men who seek out advice on good schools for their daughters in order to assure them of a bright future, and yet return home to beat their wives. As he assessed their attitude: "As far as their daughters are concerned, they want 'gender,' but as far as their family is concerned, they want 'culture.'"[197]

Comments in the Chamber of Deputies regarding domestic violence and marital rape demonstrate how attitudes can be a barrier to passing or implementing GBV legislation. The parliamentarians themselves participated in trainings before they went into the field in order to prepare for the consultations.[198] These trainings were important, ensuring that all parliamentarians were on the same page with regard to the problem of gender-based violence before they went out to speak to the public. This sometimes meant learning to see gender-based violence as a crime, rather than as a cultural practice. The woman who conducted the trainings described her approach in sensitizing reluctant parliamentarians: "But when they describe a culture, I always ask them, 'a culture for who?' Because if it's a culture, it's supposed to be shared and enjoyed by both people. But if it becomes a culture that hurts me and gives you pleasure, then it's not a culture."[199]

The woman who conducted the trainings described her approach in sensitizing reluctant parliamentarians: "But when they describe a culture, I always ask them, 'a culture for who?' Because if it's a culture, it's supposed to be shared and enjoyed by both people. But if it becomes a culture that hurts me and gives you pleasure, then it's not a culture."

The consultative process provided an opportunity for dialogue that could break down these barriers, on the part of both the parliamentarians and the population. One woman who worked on the legislation described the dynamic of sensitization by talking about how one of the male parliamentarians would discuss the issue of domestic violence:

> For example, he would say "I was raised by my mother. And I never saw her being hit by my father;" or, "I never talked back to her because she was my mother and I believe all mothers are mothers of the nation." Things like that. Or, "I can never imagine taking my daughter to meet her groom and turning my back, and when she comes back to visit, she [has] a black eye [. . .]" You know? So things like that [are] what penetrate men in this country, because they love their mothers and they love their daughters.[200]

In identifying gender-based violence as a problem and signifying that parliament intended to address it through legislation, the MPs were performing a consciousness-raising function at the same time that they were soliciting input. As Justine Mbabazi explained:

> Obviously, the members of parliament would introduce what it is that they are looking for, why [this] is [an] issue, for the local people to understand it.: "Oh, it has made the parliament come all the way from Kigali to sit with us to make sure that this issue is taken care of." So they went ahead to talk about how it happens, the most causes, why it's done, how it's done, the most vulnerable, and some of the interventions that have ever happened and so they had some victims speak up.[201]

Judith Kanakuze noted that this consultative and participatory approach was intended to serve as an education campaign. "During the preparation of the law, some attitudes can change. We want prevention and protection. We want penalties to be the exception."[202] Laughing, she added that because the profile of gender-based violence was raised through public consultation and discussion of new legislation, many people now assume that a law against it is already in place: "Some of the men say, 'You women, nobody will

touch you because your parliamentarians are there, they are watching.'"[203] The idea that behavior can change as a result of the *way* that a policy is developed and not merely as a *result* of the policy's passage or eventual implementation is especially relevant to an issue such as gender-based violence, for which eradication likely will depend more on attitude change than on law enforcement.

Sensitization of this sort has at least two potential consequences for GBV legislation. By discussing the issue in a forum of citizens and parliamentarians, the parliamentarians themselves are informed about the magnitude and nature of the problem, which in turn affects how they will react to or vote on the bill itself. In addition, sensitization can influence how effectively the law can be implemented, once passed at the national level.

> [B]ecause [of] culture [...] the husbands think they have right to mistreat their wives, to do whatever they want with their wives. So there are many, many violations; and to get this law [to] be implemented, you must raise public awareness about it [....] I think it is a kind of preparation of people so that after the law passed the full parliament, they can implement it.[204]

Since "it will be new for them—to be punished [....] They need public consultation so just to prepare public opinion and then after the law is signed it will be effectively implemented."[205] Some interviewees noted that laws that did not go through this consultative process ran into difficulty in the implementation phase. For instance, one mentioned fiscal laws that provoked strong resistance on the part of taxpayers and businesspeople who felt excluded from the decision-making process.[206]

Acting Strategically to Engage Men on Gender Issues[o]

When asked whether female parliamentarians approached politics differently because they were women, NGO leader Suzanne Ruboneka swiftly responded that, rather than emphasize how different and more sensitive the women were, she would rather promote the idea that all people, men and women, are responsible for women's problems.[207] According to that rubric, she explained, women's leadership in parliament would help men understand the importance of advocating for women. Certainly women parliamentarians in Rwanda have demonstrated how their leadership on the GBV bill has had exactly this kind of impact.

Parliamentary rules indicate that a bill may be introduced either by an individual member of parliament or by a group of parliamentarians. Since the impetus for the bill and the organizational force behind its development was the FFRP, an obvious choice for sponsors would have been the 39 female parliamentarians who make up the FFRP's presence in the Chamber of Deputies. Instead, the FFRP chose to introduce the bill with only eight sponsors, four of whom would be women and four of whom would be men. Judith Kanakuze explained that the decision was based on several factors, both principled and strategic.[208]

First, the FFRP wanted, on principle, to present gender-based violence as "a community matter"[209] rather than as a "women's issue." Women parliamentarians and their counterparts in civil society developed ways of discussing gender-based violence that would attract male support. The draft bill used inclusive language and highlighted issues of direct concern to men, such as crimes against young boys, in addition to those of concern to women. The genuine commitment to protecting men and boys as well as women and girls and the strategic use of non-threatening language worked in the bill's favor.

The FFRP also had strategic reasons for choosing men as partners in the introduction of GBV legislation. They wanted to avoid alienating male parliamentarians, who could potentially have the perception "that this law is coming to beat men."[210] Judith Kanakuze stated that, when she went to the president of the Chamber of Deputies to brief him on the bill and ask to have it put on the agenda, he too encouraged inclusiveness in the manner of the bill's introduction. She explained that "everyone recognizes women have pushed the process, owned the methodology," so it is "not necessary to make a conflict" over the mode of introduction or bill sponsorship.[211]

The women knew that, as a very slight minority in the Chamber (39 of its 80 members), they needed male votes to ensure the bill's passage. Inviting some men to cosponsor the bill would help secure this support. Therefore, the members of the FFRP—whom Kanakuze de-

[o] For an extended analysis of the FFRP's involvement of men in the process of developing GBV legislation, see Powley and Pearson (2007).

Senator Agnes Kayijire of the FFRP executive committee (left) confers with a colleague. Photo credit: Elizabeth Powley

scribed as "having their fingers on the pulse of parliament"— set about planning how to identify, recruit, and persuade specific male parliamentarians.[212] The FFRP held an evening meeting at parliament during which they decided they wanted to target the heads of various parliamentary committees. Members of the FFRP then called male parliamentarians to brief them on the bill and invite them to co-sponsor.

Such strategizing was not unwarranted; Judith Kanakuze described one parliamentarian as "living the contradiction." He asked her to not approach him about signing on to the bill, saying "I would be the first one in prison [if it passed]." [213] Aimable Nibishaka also noted that some men refused to co-sponsor the bill because they felt that it contravened Rwandan culture.[214] But the women succeeded in recruiting four men—including the vice president of the Standing Committee on Gender and Family Promotion, the president of the Human Rights Commission, the president of the Security Commission, and the president of the Commission on the Economy and Commerce.[p] These men joined four women who hold leadership positions in the FFRP as the bill's sponsors.[q]

This strategy of inclusion was also evident in the steps leading up to the introduction of the law in the Chamber of Deputies. Men, including parliamentarians, were invited to the national conference on gender-based violence held in Kigali one year before the law was introduced, and the male president of the Senate was invited to open the conference.[215] The FFRP's purpose in involving male parliamentarians in this manner, especially the president of the Senate, was to indicate that the law against gender-based violence was a project of the entire parliament, not just the women MPs.[216] The female vice president of the Senate, a member of the FFRP, even noted that it would have been "inappropriate" not to include male parliamentarians, since this was not just a women's initiative.[217]

During debate over the proposed law in the Chamber of Deputies, parliamentarians—both men and women—repeatedly stressed that, although gender-based violence affected women most, "this law is for everyone."[218] After Judith Kanakuze introduced the bill, parliamentarians argued that a man should come forward to supplement Kanakuze's comments before moving to open debate. A vote on procedure resulted in the male vice president of the Standing Committee on Gender and Family Promotion, Aimable Nibishaka, speaking in favor of the legislation. This, too, was a premeditated strategy on the part of the FFRP, as was their decision to divide responsibility among the eight co-sponsors for responding to points raised during debate, such as the economic costs of gender-based violence, issues of culture, family rights, and the proposed penalties.[219] For instance, Juvenal Nikusi was assigned to discuss the economic costs of

During debate over the proposed law in the Chamber of Deputies, parliamentarians—both men and women—repeatedly stressed that, although gender-based violence affected women most, "this law is for everyone."

[p] The four male co-sponsors of the bill were Evariste Kalisa, Juvenal Nikusi, Aimable Nibishaka, and Fidele Nitsiudo.

[q] The four female co-sponsors of the bill were Judith Kanakuze, Claire Kayirangwa, Donatila Mukabalisa, and Faith Mukakalisa.

gender-based violence because he was president of the Commission on the Economy and Commerce. These actions on the part of the FFRP were more than an attempt to present gender-based violence as something other than merely a women's issue. Whether a strategic move to minimize or outflank opposition, or a gesture motivated by the desire for greater inclusiveness, the FFRP sought to involve men in their activities and to reference men's concerns in their rhetoric.

Women interviewees described the careful language they used when talking about gender-based violence as a means of enlisting male support. They avoided discussing gender-based violence as an issue between a husband and wife, stating that if you talked about violence against women in these terms, "probably you are talking to [last night's] perpetrator."[220] Whereas talking about spousal violence can remind men of their own wives and the real problems they may have in their marriages, referring to mothers, daughters, and sisters puts men in a situation where they are the potential guardians of women's rights. During debate in the Chamber of Deputies, MP Henriette Mukamurangwa urged male colleagues to think of gender-based violence as an issue of their daughters and sisters, not just as a concern between husbands and wives.[221]

Women parliamentarians employed their symbolic power as representatives of the top-ranked country in terms of women's participation to push for feminist reforms in Rwanda. They also exploited the visibility of gender issues on the international stage to promote a feminist policy agenda. Judith Kanakuze mentioned the attention focused on Rwanda's high proportion of female lawmakers as a major factor in enabling the development of GBV legislation.[222] In her speech to the Chamber of Deputies, Kanakuze referred to the prominent position of gender-based violence on the agenda of the Beijing Conference and its follow-up meetings, invoking a sense of obligation on the part of reluctant male colleagues to live up to Rwanda's "model" status.[223]

Such an approach is no doubt in part motivated by women's realization that male colleagues also care about this issue; but it would be a mistake to ignore the strategic element to their policy making. As one woman closely involved in the drafting of the bill noted:

> [T]he way you start is really very important if you don't want a backlash. Because the way you start—don't give examples of activists like [myself]. Then that's an issue, for example. They say, "Oh, you mean those women who really have no respect for men?" Then it becomes like men/women thing. But then it takes away [from] the gender-based violence thing, which is the thing we are trying to fight.[224]

Strategic maneuvers on the part of the women are designed to make progress on the issue of gender-based violence rather than to seize power for its own sake. Involving men early was a way of short-circuiting opposition that might otherwise have stalled the bill.[225] Women sought to persuade men that gender-based violence was a problem for everyone, not just for women. They also developed ways of talking about the issue that would personalize it for men—but in ways that would create positive rather than negative associations. The women were happy to share power in a way that would give men ownership over the GBV legislation, such as when they asked men to open the national conference, speak on behalf of the bill's supporters, and ultimately co-sponsor the bill itself.

Part Four: Women's Leadership Improves Governance

The gender-differentiated models of leadership exhibited by Rwanda's women parliamentarians in developing GBV legislation have had important consequences for post-conflict governance in Rwanda. Certainly, governance there continues to be troubled by democratic weaknesses, including a parliament and civil society that lack the capacity to serve as vigorous checks on executive authority. Increasing women's participation in politics is not an automatic answer to such failings. As this case study has demonstrated, however, women legislators in Rwanda are strengthening governance by building individual and institutional capacity and refashioning gender relations.

The close and distinctive relationship between Rwanda's female parliamentarians and women's organizations is improving governance by building links between civil society and the parliament. This relationship was exhibited when women MPs collaborated extensively with civil society to perform public consultation and draft a bill to introduce in parliament. Crucially, the process of creating GBV legislation was also a capacity-building experience for both civil society organizations and parliamentarians. It is important for civil society organizations to gain experience in lobbying parliamentarians, reviewing legislation, and communicating with the population in order to represent their interests to the legislature. Civil society groups may have had limited experience with this process during the development of previous legislation; but given that the GBV bill was the first piece of parliament-initiated legislation to deal with a major issue confronting the population, it represented an important learning experience for civil society.

It is also important to note that the 2003 election drew many women out of civil society and into parliament, a trend that has occurred across Africa as women enter legislatures in greater numbers.[226] This sort of movement can have the unfortunate effect of depleting the capacity of civil society as women with the most leadership experience leave to hold formal political office. A consultative process, particularly in a small country like Rwanda, can therefore be an important vehicle for rebuilding that capacity and forging links between new civil society leaders and their former peers who are now parliamentarians.

The fact that women parliamentarians have a more highly-developed relationship with civil society than do their male peers, as discussed above, is also important in building parliamentary capacity in a new democracy. Marie Mukantabana, vice president of the Rwandan Senate, noted that the relationship between NGOs and the parliament is still in "its beginning stages," in part because the two bodies are not used to working together and because NGOs are not always well organized.[227] There is also a lack of understanding about the policy-making process and reticence on the part of NGOs to openly criticize the government or engage in oppositional lobbying. Because all parliamentarians were involved in various stages of the public consultation directed by the FFRP to create the GBV bill, many who had not previously collaborated with civil society were able to participate in this experience. As parliamentarians gain familiarity with the process and problems involved in engaging civil society—and as civil society organizations form relationships with new members of parliament—the likelihood increases that parliamentarians will turn to civil society during future policy-making exercises.

Women have strengthened governance in Rwanda by modeling strong vertical links between the parliament and its constituents.

In addition, women have strengthened governance in Rwanda by modeling strong vertical links between the parliament and its constituents. As noted above, women MPs view the promotion of women's interests as an important part of their obligations as parliamentarians. In the words of the chair of the National Women's Council in Rwanda, to be a woman parliamentarian is to be "more than a mere parliamentarian."[228] She argued that the sense of accountability that female parliamentarians felt to their women constituents was the reason that they could not wait for the executive branch to draft GBV legislation, but rather had to be proactive. Being leaders meant that they had to do more than just fulfill the minimum responsibilities of a parliamentarian—such as reviewing the budget or laws that were passed down from the ministries—since "being a leader is one thing, but being a woman leader is something else."[229]

Another way that the leadership of women MPs has modeled inclusive governance is by emphasizing cross-party collaboration as a way of prioritizing constituent needs and transforming those needs into legislation. Schwartz's

Lack of Technical and Financial Capacity as a Barrier to Strong Legislature

The GBV bill drafted by the FFRP and introduced in August 2006 is the first substantive bill introduced, since the 2003 parliamentary election, by members of parliament themselves, as opposed to the executive branch. Member of Parliament Aimable Nibishaka believes that this is not because parliamentarians cannot generate ideas or diagnose societal problems. Rather, he stated, they suffer from a combination of too little time and no legal counsel or support for their commissions.[232] Because the 2003 constitution produced drastic changes in Rwandan law, the parliament has been occupied with debating and passing numerous supplementary laws that are required by the constitution.[233] One parliamentarian estimated that they had dealt with more than 50 laws just during the summer of 2006.[234]

The FFRP is supported by international funding, which was an indispensable factor in the creation of GBV legislation and also in making the February 2007 international conference possible. International funding has begun to help the FFRP overcome the lack of technical capacity that is a major barrier to parliamentarians, though even their five year strategic plan is not yet fully funded. A lack of staff, as well as legal and technical expertise needed for legislation drafting, plagues the parliament as a whole. One MP joked that every member of the Chamber of Deputies needed international sponsors like UNDP in order to start introducing laws.[235] Two other cross-party political caucuses exist in the parliament—one dealing with regional peace concerns and the other with population issues—but they have not generated legislation. This suggests that the greatest barrier to the development of more parliament-initiated legislation is not organization, but access to technical and financial resources.

research also demonstrates that Rwandan women parliamentarians' commitment to representing women's interests is paired with a significantly lower commitment to representing party interests than that expressed by male MPs. Only 54 percent of women MPs rank the promotion of party interests as "very important," compared to 83 percent of male MPs.[230] This gap remains even when comparing only women and men elected on the general ballot, all of whom represent a political party, as opposed to the women elected on the set-aside "women's ballot," who do not. In this case, 64 percent of women rate the promotion of party interests as "very important," again compared to 83 percent of men.

The creation of GBV legislation also demonstrates how women's presence in government is transforming gender relations in Rwanda.

The ruling RPF has been an important source of support for efforts towards gender, including the GBV bill. At the same time, there is no denying that the entire policy-making process was driven and defined by the efforts of the FFRP. As one civil society representative took care to point out, "It wasn't the parliament; it was the Forum that initiated [the law]."[231] An overemphasis on political patronage as an obstacle to democratization can miss the ways in which women have strategically pushed for and enlisted political patronage as a way of accomplishing their policy goals. Political will does not automatically generate legislation, and the FFRP provided the missing link between support for gender issues and action on these same issues.

The creation of GBV legislation also demonstrates how women's presence in government is transforming gender relations in Rwanda. The FFRP's efforts are particularly significant in the context of a democratizing country where, as interviewees indicated, lack of capacity can indeed be a barrier to improved governance (see box: "Lack of Technical and Financial Capacity as a Barrier to Strong Legislature"). Civil society leaders were emphatic that the efforts of fe-

male parliamentarians—both their actual contributions and their symbolic importance as role models—were important in improving women's capacity. One woman noted that her organization would contact the women parliamentarians and ask them to encourage women to run for office at the local level.[236]

> Even if we go to the elections at the grassroots levels, we use them as the models [. . . .] They went down to the grassroots, they became the models, they explained it to the women. They told them, "You know me. You know my family. You know where I was born. You know we went to the school together. And you remember when I started how I was, you know, feeling that maybe I cannot do it. But you see now what I am doing." And that helped us a lot [. . .] to give [. . .] the courage to the women.[237]

Research demonstrates that increased numbers of women in parliament provides a boost in "the public representation of different ways of performing gender [roles]," and that "the representation of such alternatives in top-level politics increases the cultural choices available to women."[238] In addition, higher levels of "descriptive representation," such as when women see other women as political leaders, are also linked to increases in political interest, participation, knowledge, discussion, and activism on the part of women citizens.[239]

Certainly the public discourse regarding gender has changed substantially in Rwanda in little more than a decade as a result of government commitment to gender equity, renewed activism of women's civil society groups, and the widespread participation of women in leadership roles in Rwandan society. The NGO Women for Women International, which supports marginalized and vulnerable women, identifies the visible presence of women in leadership positions as an important factor in motivating other women to seek a more active role in formal politics.[240] A 2004 study of women's empowerment in Rwanda indicated that rural women are very cognizant of the presence of women parliamentarians and express a desire for stronger links between their communities and their representatives, suggesting an engagement with national politics that is connected to women's participation in the legislature.[241]

Female parliamentarians are not just models for other women. Rather, as this report has stressed several times, their activities suggest that they could also serve as models for their fellow parliamentarians by embodying an unprecedented form of leadership.

> [L]eadership is there to be learned [. . .] [F]or example, I can be a leader but maybe I'm not a good leader [. . . .] Maybe, you never know, after three, four years I'll be a good leader. But you cannot just dream of something and it happens. You have to

Members of Parliament in a committee meeting. Photo credit: Elvis Gakuba

> practice it [. . . .] What is needed is that you have a will, you have a commitment, you know what you're doing, what you want to do for others who have elected you. And then you are ready to cooperate and to work together with others and learn even from others.[242]

Member of Parliament Aimable Nibishaka stated even more bluntly that the law would "be like a detonator" in terms of inspiring the introduction of more laws on the part of parliamentarians.[243] His estimation is not unreasonable, given the notable level of debate surrounding the GBV legislation. Judith Kanakuze estimated that the two days of debate may have constituted the longest that the Chamber of Deputies had devoted to debating an individual law, laughing that she thought the president of the Chamber had expected about three questions after her presentation of the bill rather than the several hours of comment and discussion that followed.[244]

Conclusion

Even in the brief period since their election in 2003, women have played a central role in strengthening governance and democracy in Rwanda by creating dialogue between the grassroots and the national government, modeling legislative leadership, and advocating for human rights. Women's distinctive forms of leadership have followed from their life experiences and social positions. The landmark efforts of female parliamentarians on the GBV bill show that women parliamentarians in Rwanda promote otherwise invisible concerns and seek legislative solutions to them. The FFRP's action demonstrates capacity and commitment as well as a progressive notion of the role of consultation in the lawmaking process.

Whether these successes, both improved governance and increased attention to women's issues, can be wholly attributed to increased numbers of women's participation in the Rwandan parliament is difficult to say. The female parliamentarians had the advantages of powerful and supportive political will in the executive branch and the interest of international donors, both of which were significant factors in making GBV legislation possible. A comprehensive evaluation of the relationship between gender and the legislative process would require study of additional policies and processes not undertaken by the FFRP. Still, the GBV bill is a powerful exemplar that demonstrates both women's contributions to policy making and democratic processes in Rwanda.

Although the GBV bill passed its initial test when it was sent to committee, there are ongoing negotiations that will determine the final shape of the legislation, and the bill then faces a full vote on the floor of the parliament. Regardless of the final legislative outcome, however, Rwandan women parliamentarians have already succeeded in creating an anti-violence movement that includes men. They have garnered significant support for what could have been an alienating issue. Two months after the introduction of the bill, for example, in a ceremony to mark the tenth anniversary of the FFRP, the president of the Senate applauded his female colleagues for their legislative contributions and thanked them specifically for the introduction of the GBV bill.[245]

It is impossible to deny the impact that gender has had on the policy-making process in Rwanda. Women acted for fellow women when they resolved to create GBV legislation. They pursued collaborative models of leadership, enlisting the support of male peers and insisting that "gender" should not merely mean "women." They took advantage of their connections, both formal and informal, with civil society to craft a dynamic relationship among various policy makers. They designed and executed a participatory methodology of lawmaking that, while not unprecedented, serves as conceivably the most complete model of consultation in Rwanda's short history of democracy.

Perhaps the most important result of the presence of high numbers of female parliamentarians in Rwanda has been the influence these women have had on their fellow members of parliament. In acting for women, the female lawmakers refused to act alone. The women sought partnerships with supportive male colleagues and worked to raise the awareness of others. By doing so, the women MPs have taken important steps in making gender a permanent, sustainable, and prominent feature of Rwandan politics. Many challenges remain for lawmakers in Rwanda, including the need for increased capacity to draft legislation, to consistently implement public consultation as part of the lawmaking process, to ensure implementation of reforms, and to find the resources and independence to serve as a check on executive authority. Women parliamentarians are leading the way.

Appendix 1: Map of Rwanda

Appendix 2: Acronyms

AUSA	Association of the United States Army
CEDAW	Convention on the Elimination of all Forms of Discrimination against Women
CSIS	Center for Strategic and International Studies
FFRP	*Forum des Femmes Rwandaises Parlementaires*
GBV	Gender-based violence
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome
ICTR	International Criminal Tribunal for Rwanda
MP	Member of Parliament
MIGEPROFE	Ministry of Gender and Family Promotion
NGO	Non-governmental organization
PCR	Post-Conflict Reconstruction Project
RPF	Rwandan Patriotic Front
UN	United Nations
UNDP	United Nations Development Programme
UNIFEM	United Nations Development Fund for Women
USAID	United States Agency for International Development

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