

Critical Half

The following article, “**Gender Is Society’: Inclusive Lawmaking in Rwanda’s Parliament,**” is a draft excerpt from the forthcoming Winter 2007 issue of *Critical Half*, a bi-annual academic journal from Women for Women International that is intended to spark debate on topics related to gender and development in conflict and post-conflict societies.

The forthcoming issue will explore how men can be engaged to support and promote women’s rights, and help to establish gender equitable societies. Articles topics include men’s perceptions of gender roles; men’s fears of and hopes about “women’s empowerment”; factors and incentives that influence men’s receptiveness to social, political, and economic programs for women; obstacles faced by men who wish to implement change in their communities; and proven strategies to create partnerships with men and positively transform gender relations.

Past issues of *Critical Half* are available online at www.womenforwomen.org/repubbiannual.htm. The Winter 2007 issue will be posted online by mid-March 2007. For inquiries related to *Critical Half*, please contact criticalhalf@womenforwomen.org. For inquiries related to Women for Women International’s programs in Rwanda, please contact Country Director Berra Kabarungi at bkabarungi@womenforwomen.org.

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“Gender Is Society”: Inclusive Lawmaking in Rwanda’s Parliament

ELIZABETH POWLEY AND ELIZABETH PEARSON

While the development community has shifted toward a gender and development (GAD) paradigm that emphasizes relations between women and men, rather than focusing on women alone, GAD programs often fall short of truly including men. However, a 2006 legislative campaign by Rwandan female parliamentarians, in which they engaged their male colleagues to fight gender-based violence (GBV), demonstrates how such inclusion might be conducted successfully. Though challenges remain in involving men in addressing gender disparities, the recent development and drafting of anti-GBV legislation in Rwanda provides a noteworthy model for engaging men on traditionally women’s issues.

Introduction

In August 2006, eight members of the Rwandan Parliament introduced a wide-ranging bill to combat gender-based violence (GBV).¹ Because Rwanda leads the world in women’s political representation—48.8 percent of its lower house of Parliament is female—it is perhaps unsurprising that criminalizing GBV is a legislative priority. What is remarkable, however, is the extent to which women and men worked together on this issue; the bill, known as “Draft Law on the Prevention, Protection, and Punishment of Any Gender-Based Violence,” was co-sponsored by four women and four men.

While the legacy of the 1994 genocide permeates all aspects of life in Rwanda, including contemporary politics and gender relations, this article does not attempt to comprehensively address the relationship between the genocide or its attendant trauma and current gender relations. Instead, it explores one case of post-conflict policymaking and posits that it is emblematic of the state of gender relations in Rwanda today. Based on field research during the summer of 2006,² this article examines the ways in which women parliamentarians engaged male colleagues in the fight against GBV. Motivated by principle and strategic concerns, Rwandan women parliamentarians created a cooperative, rather than adversarial, legislative campaign. The development and drafting of the GBV bill, which passed through to com-

mittee without objection but awaits a final vote in Parliament, provides a successful model for engaging men in traditionally women’s issues.

The New “Gender” Approach to Social Problems

The 1994 Rwandan genocide, in which Hutu extremists targeted the Tutsi minority and politically moderate Hutus, decimated the population and destroyed the country. The violence was extremely gendered; the vast majority of perpetrators were male and the majority of survivors were female. The United Nations Special Rapporteur on Rwanda noted that genocide crimes “took on special connotations when women were the victims” and that, during the genocide, “rape was the rule and its absence the exception.”³ In the immediate aftermath, Rwanda’s population was 70 percent female. Large numbers of men had been killed or fled the country, while many of those who remained were subsequently imprisoned.⁴

Several non-governmental organizations have documented the extent of GBV during the genocide.⁵ There have been some—albeit insufficient—efforts to address the trauma suffered by women, particularly survivors who contracted HIV/AIDS as a result of rape during the genocide, but less is understood about the impact of trauma on men or gender relations. And GBV, though

not genocidal in nature, continues to be a problem in Rwanda today. A 2004 study conducted by the Rwandan Ministry of Gender and Family Promotion (MIGEPROFE) estimated that, in the previous five years, one in three women in Rwanda had been physically or verbally abused in their communities, and, in the past year, one out of every two women had experienced an act of domestic violence.⁶

Recognizing that there could not be a sustainable improvement in the lives of women without a change in the relations between women and men, Rwanda shifted from a “women” approach to a “gender” approach to development in the post-conflict environment of the mid-1990s. Before and immediately after the genocide, for example, these issues were managed by a Ministry of Women’s Affairs, but by 1997, the ministry was renamed the Ministry of Gender and Social Affairs.⁷

The emphasis on gender relations rather than on just women in Rwanda mirrored a shift in the wider development community, beginning in the 1980s, from women in development (WID) to gender and development (GAD). The shift was based on the acknowledgement that WID programs, helpful as they might have been to their beneficiaries, did not fundamentally challenge the social structures that privilege the majority of men. GAD programs promised to promote sustainable development by addressing the inequalities that are the result of social constructions of gender. Yet, despite this ideal, development programs have struggled to include men in GAD initiatives or account for the diversity of male concerns.⁸ Men are “largely missing from GAD discourse,” and when they do appear, they are cast in stereotypical roles as oppressors or obstacles.⁹

Though the shift from WID to GAD remains uneven worldwide, and well-intentioned but uninformed practitioners often conflate the terms “women” and “gender,” advocates in Rwanda have created interesting models that include men. Male and female staff from MIGEPROFE, for example, conduct gender trainings throughout the country that describe development as a shared challenge and emphasize the roles that both men and women play in advancing it. In the local language, Kinyarwanda, trainers use two translations of the English word “gender”: *ubulinganire* (equality) and *ubwuzuzanyije* (complementarity), or the idea that women and men, while different, complement one another.

Forum of Women Parliamentarians

The development of the GBV bill was coordinated by the Forum of Women Parliamentarians (FFRP). The

FFRP is a cross-party, multi-ethnic political caucus to which all women parliamentarians belong. It seeks to develop “policies, laws, programs, and practices [that ensure] equality between men and women.”¹⁰

From the outset, the FFRP saw men as crucial partners in the development of the GBV bill and deliberately sought to include them. As Member of Parliament (MP) and FFRP President Judith Kanakuzwe explained, “If it is a gender issue, men and women, everybody, must advocate.”¹¹ Her colleague Aimable Nibishaka, one of the male co-sponsors of the proposed legislation, concurred: “Most of the time, when we talk about gender, ‘gender’ equals ‘women,’ yet it is important that men talk about gender too, since gender is society—men, women, all.”¹² The FFRP’s commitment to collaboration was based in part on principle; it believed its efforts would be incomplete if it failed to include men.

Additionally, the FFRP had strategic reasons for involving men in the policymaking process. They wanted to gain potential legislative allies, attract votes for the bill, and increase the effectiveness of the law’s eventual implementation. Because of the sensitive nature of GBV, which is still considered by many in Rwandan society to be a private matter, and because the issue can play into unfortunate stereotypes of all men as violent perpetrators and all women as passive victims, the FFRP was aware that enlisting men as allies would require a deliberate effort.

Non-Alienating Language

Women parliamentarians and their counterparts in civil society developed ways of discussing GBV 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. During the debate about the bill in the lower house, one female MP explained it this way:

I would like to ask my fellow MPs not to take this law as if it is a women’s thing, even though in many cases women are the ones suffering from gender-based violence. [This] law will protect the whole Rwandan society.¹³

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; a male MP also spoke out during debate to note that “when you read this law, at first sight you will think that it is favoring one side [women], but...it is a law for the whole society.”¹⁴ By emphasizing that the bill addressed a so-

cial problem that could affect anyone, the women avoided creating a dynamic where all men are cast as potential perpetrators and women as the only victims.

In public discourse about GBV, and in the national media campaign they sponsored, women parliamentarians were also careful to engage men as fathers and sons, not as husbands. As one of the consultants who helped to draft the bill explained:

Anyone would love to see their mother happy...and they would love to see their daughter grow and prosper.... But a wife is always something, you know, something else. So [when] presenting gender-based violence as a women’s rights violation, you always have to use examples of daughters and mothers.¹⁵

Men were encouraged to think about the protection of their daughters and mothers, but not feel as if they were being accused of mistreating their own wives. This tactic also provided a form of political cover for male lawmakers, some of whom may even have committed abuses themselves, and demonstrates the kind of compromise that attends all policymaking efforts.

Thus, men were invited into the discussion as champions of victims’ rights, not as the target of the legislation. As the chair of the National Women’s Council, which worked in collaboration with the FFRP on the GBV campaign, stated:

If you don’t involve [men], they become enemies. They think that you are planning bad things [for] them. But if you involve them and try to show them that this is the community’s problem, this is the society’s problem, [they see that] it has to be solved by [all] members of the society.¹⁶

In a society familiar with issues of accountability and impunity, the women parliamentarians chose to make their male peers accountable on the issue of GBV not by accusing them as potential perpetrators but by reminding them of their role as legislators and their responsibility to protect constituents and address issues of importance to all Rwandans. In a recent guide to engaging men in gender equality work, researcher Emily Espen suggests avoiding “language that leaves men feeling blamed...or feeling guilty” and recommends drawing on “men’s sense of responsibility and positive engagement as fathers.”¹⁷ The success of the FFRP in recruiting men as allies reinforces her conclusions.

Development of the GBV Bill

The primary method by which the FFRP enlisted men’s support was by inviting the involvement of male colleagues at every stage of the policymaking process, including asking key male allies to play leadership roles. The FFRP process was markedly participatory, involving extensive public consultation and collaboration with civil society over nearly two years. The centerpiece of this process was a series of *descentes en terrain* (trips to the field) during which parliamentarians held public meetings with their constituents to discuss the causes of and solutions to GBV.

In addition to participating in the *descentes en terrain*, male parliamentarians were invited to join the FFRP in opening a national conference on GBV held in Kigali in 2005. Furthermore, when the FFRP hired two consultants to help with the actual drafting of the legislation, one was female and one was male. Involving men throughout the process of developing the GBV bill meant that men at all levels of society were made aware of the issue and of the Parliament’s intention to address it. One male parliamentarian reflected on the importance of men’s participation:

I was in charge of delivering this particular message [on gender-sensitivity]. At the end of the meetings, local leaders, local *male* leaders, were shaken up. Hearing the message from a man was an added value, [they were] more convinced, more able to take the message seriously. But if the message had come from a woman you [would have] found them saying, “Oh, yes we know the story,” but they [wouldn’t have] given it much weight. They tend to be more concerned with gender issues when a man delivers the message.¹⁸

Including male parliamentarians in this manner meant that the dialogue with the population was not limited to women constituents. Because GBV touches deeply on sensitive aspects of Rwandan culture and traditional power structures, and because it affects a large portion of the population, public consultation was seen as an effective methodology for both developing the bill and improving the effectiveness of its implementation, if passed into law.

In the summer of 2006, when the FFRP was preparing to introduce the bill, it made the strategic decisions to share its early drafts with male colleagues, to work to ensure that men felt included rather than alienated by the introduction of the bill, and ultimately to

enlist equal numbers of women and men sponsors. “Everyone recognized [that] women pushed the process,” FFRP President Kanakuze said. She stressed, however, that working to ensure that men also felt “ownership” of the bill was more important than demonstrating women’s leadership.¹⁹

Members of the FFRP did not indicate that they felt disempowered by the enlistment of men as advocates for the bill; rather, they spoke with pride about having conceived, directed, and executed a process in which they *chose* to involve men. Furthermore, men’s involvement meant that GBV was less likely to be sidelined as a “women’s issue.” Having participated as visible members of the consultation process as a result of the FFRP’s strategy of inclusion, men were then accountable for their own involvement in the legislation.

The FFRP’s campaign against GBV has not been without obstacles. Some men who were approached by the FFRP were unwilling to co-sponsor the bill. Others raised objections to specific provisions of the bill—most notably to the length of prison terms for GBV crimes and to the criminalization of marital rape—when the bill was debated in August 2006.²⁰ Still others argued that despite the FFRP’s attempts to be gender-sensitive, men’s experiences as victims of domestic violence had been overlooked.

The resistance of some men to shifts in gender relations or the empowerment of women can sometimes invite compromises that undermine feminist aims. Members of the FFRP and their male allies responded to this potential threat by emphasizing the consultative process they had engaged in and citing data to justify their proposals. During the debate, they referenced their public consultations to defuse objections, claiming that the bill reflected opinions of citizens at the grassroots level.²¹ A 2004 MIGEPROFE study that demonstrated that, though men are also affected, women are disproportionately the victims of GBV also bolstered proponents of the bill. With this backing, the FFRP was able to defend itself against opponents who claimed that the bill ran contrary to Rwandan culture, denied the severity of the problem, or asserted that the bill victimized men. The experience of the FFRP demonstrates how public consultation and survey data can be crucial tools in advancing women’s legislative interests when some male political elites may be resistant to change. Ultimately, in August 2006, after two days of debate, the bill passed through to committee without objection.

Conclusion

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 10th 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.²²

Involving men in gender issues is not without challenges. It requires deliberate attention to frame the issues in ways that are not exclusively about women but rather about social relationships. This effort must include both women and men since the conflation of “women” and “gender” is a conceptual, not solely a linguistic, problem. In Rwanda today, women parliamentarians and activists must work to sustain the level of support that they have thus far garnered, continue to educate and inform the population about culturally sensitive or controversial provisions in the bill, and work to create the means for implementation so that the bill, if passed into law, will be enforceable. Rwanda’s current government is receptive to gender issues—there is a commitment from the executive as well as the legislative branch that has emboldened activists on the GBV issue—but institutions need to be put in place to guarantee the upholding of these rights and protections regardless of the political climate. And while the public face of gender relations has improved dramatically in the 13 years since the genocide, in part because of the ruling party’s promotion of quotas for women’s membership in Parliament, the pace of change is much slower at the local level.²³

The women parliamentarians’ principled commitment to the inclusion of men exemplified the GAD approach that “gender” must mean more than “women” in order to effectively address the unequal relationships at the heart of many social issues. Their efforts provide a powerful example of the strategic benefits of including men in addressing “women’s issues.” Ultimately, the GBV bill was not only a chance for women MPs to represent their female constituents’ interests but also an opportunity for them to influence their male colleagues and demonstrate that women’s concerns are society’s concerns.

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ENDNOTES

- 1 The bill defines and criminalizes GBV as the physical, sexual, or mental abuse of a person based on his or her gender. In addition to addressing rape, sexual abuse, sexual harassment, and domestic violence, the bill also includes articles dealing with divorce, property rights, dowry, maternity leave, access to family planning services, and polygamy.
- 2 This research was funded by The Initiative for Inclusive Security, a program of Hunt Alternatives Fund. It is part of a larger body of research being conducted under the auspices of The Initiative for Inclusive Security’s Rwanda Project. For more information, see www.inclusivesecurity.org.
- 3 Degni-Ségui, 1996. 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. Human Rights Watch, 1996.
- 4 Various sources estimate that approximately 120,000 people, most of whom were men, were imprisoned after the genocide, while approximately 1 million people, or one-eighth of the population, fled the country as refugees.

- 5 For examples, see Amnesty International, 2004 and Human Rights Watch, 1996.
- 6 MIGEPROFE, 2004. Though this study is an important contribution to the understanding of the problem of GBV in Rwanda, it is unclear whether the high levels of GBV reported reflect increased reporting or an actual increase in violence. There has not been a systematic comparison of GBV before and after the genocide, but some illuminating studies exist. Taylor, 1999 reports an increase in rape just prior to the genocide; Amnesty International, 2004 claims that the increase in small arms in the country following the 1994 conflict contributed to greater amounts of GBV.
- 7 The name of the ministry has undergone several variations since 1994; it is currently the Ministry for Gender and Family Promotion in the Office of the Prime Minister.
- 8 Men’s concerns, like those of women, often differ based on variables such as economic and social class, level of education, cultural background, and sexual orientation.
- 9 Cornwall, 2000.
- 10 Forum of Women Parliamentarians, unpublished: cover page.
- 11 Judith Kanakuze, personal interview by Elizabeth Powley and Elizabeth Pearson, Kigali, August 30, 2006.
- 12 Aimable Nibishaka, personal interview by Elizabeth Pearson, Kigali, August 24, 2006.
- 13 S. Henriette Mukamurangwa, Chamber of Deputies debate observation by Elizabeth Powley and Elizabeth Pearson, Kigali, August 2, 2006. Translated by Elvis Gakuba.
- 14 Elysée Bisengimana, Chamber of Deputies debate observation by Elizabeth Powley and Elizabeth Pearson, Kigali, August 2, 2006. Translated by Elvis Gakuba.
- 15 Justine Mbabazi, personal interview by Elizabeth Pearson, Kigali, July 11, 2006.
- 16 Oda Gasinzigwa, personal interview by Elizabeth Pearson, Kigali, August 17, 2006.
- 17 Esplen, 2006: 15-16.
- 18 Wellars Gasamagera, personal interview by Elizabeth Powley, Kigali, Spring 2006.
- 19 Judith Kanakuze, personal interview by Elizabeth Powley and Elizabeth Pearson, Kigali, August 30, 2006.
- 20 During several hours of debate, six men raised objections to the severity of the proposed punishments; one suggested that perpetrators of GBV should perform community service instead of serving jail time. Five men raised concerns over the criminalization of marital rape, referring to it as an oxymoron or something that simply couldn’t exist. Three men commented on the provision that would require men with multiple “wives” to legally marry only the first wife. No women parliamentarians raised concerns regarding these issues.
- 21 During the debate, a female parliamentarian responded to concerns about the severity of the proposed punishments by pointing out that most of the penalties in the bill were less severe than those suggested during the public consultations. If anything, the drafters of the bill had been more lenient than the public.
- 22 Vincent Biruta quoted in “Women MPs Forum Marks Ten Years,” *The New Times*, Kigali, October 10, 2006.
- 23 For example, male participants in a focus group in rural, northern Rwanda indicated that women’s empowerment meant that women now perceived themselves as “better” than men and had lost respect for men. According to these men, they now had to fight for *their* rights. These comments suggest that some men are struggling to deal with post-genocide changes in gender relations.