

PROTECTING THE RIGHTS OF
RURAL WOMEN

A PAPER PRESENTED AT A
CONFERENCE ON
CONSTITUTIONALISM AND RIGHTS
AN AFRICAN - UNITED STATES DIALOGUE

13TH - 15TH AUGUST 1991
AT MAKERERE UNIVERSITY

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1.0 Background

Uganda is a state whose various tribes and communities subscribe to the principles of 'patriachal societies' in whose structure man is the subject, boys are the issue and all members of the female sex are still referred to in terms of the Biblical story of creation. Our customary norms and practices are a clear manifestation of the subordinate classification of "woman". Our state laws likewise reflect the lenient accommodation of customs and beliefs that are biased against women.

1.1 The Rights

The subject of rights has been given considerable focus albeit more so the context of human rights in view of our past history of political turmoil. Little has been heard about rights of women, humane or otherwise but today this subject has surfaced as the world struggles for the emancipation of this group. In Uganda, it is only the Constitution which declares mutual enjoyment of rights embodied therein which accrue to all citizens of Uganda. Ironically the reference to cases of discrimination does not include "sex"! While this may have been an inadvertent omission, one is likely to infer some intent in view of the fact that men have been our legislators and that a majority of our legislation reflect advantage to men. Our discussion of rights should not be confined to those stipulated in our laws, but any other social and economic obligations which should reasonably be enjoyed by women.

1.2 The Rural Women

The recent provisional census report gives the number of women as slightly higher than men by approximately 300,000. However, minor this figure may be, it is a clear indication that there are more women than men. The term "rural" generally refers to a country side several miles from a large industrialised city but with recognised municipal centres or towns in a developed country. In our context our rural area may be a few miles from the main city. This is a social setting of a typical village whose many houses are mud and wattle; bricks from local materials, grass thatched huts, and others of corrugated iron sheets. The home is one of

several wives or one wife with many children and a chain of dependants from extended family.

The governance of this home is dominated by man and based on customs and practices passed down by descendants.

Even with the advent of urbanisation, all of us trace our origins, through established patterns of kinship, to some village set up under the traditional life style as outlined above.

The description might seem exaggerated to those of you gathered here, but this is the basic set up under which live 89% of women in Uganda. And while customs may differ from one area to another, there are hardly any changes for this woman. In fact elaborate details may be worse.

1.3 Protection

We cannot invoke any discussion about protection unless we are aware that or at least assume the subject of reference is in a state of danger and therefore needs to be guarded against the enemy, the attacker in whatever form. We must hence identify the danger from which protection is sought and assess the nature of protection needed; what practical protection is readily available and in case of failures or inadequacies, what can be affordable and recommendations for improvement.

2. FIDA (U): The Uganda Association of Women Lawyers

2.1 Objectives

When the Association was formed in 1974 and later revived in 1986, the main objectives include:

- to take the law to the lay people in Uganda so as to create an awareness of their rights and obligations therein;
- to promote stability of families through legal advice and counselling;

- to assist women and children especially widows and orphans attain effective protection under the law;
- to promote responsible upbringing of children thereby minimising juvenile delinquency; and
- promote the well-being of Ugandans by laying emphasis on the laws that stimulate economic development.

You will all realise that all the above objectives hinge on protection i.e. assisting the womenfolk know what rights are available to them, protecting them from society and arming them with knowledge to fend for themselves.

2.2 Services

The association has been instrumental in protecting the rights of women both urban and rural through its various services.

Rural Legal Education Network

This is a programme initiated for the sole purpose of taking the law to the woman in the rural area. This is done once a month over three days in a particular district. Our eight volunteer members visit different administrative centres in the district imparting knowledge and advising women on any issue arising during the visit. While we are aware that the time given for this work is too little to be exhaustive, we at least manage to sensitise them about what their rights are and how they can enjoy them. We believe that an expanded network formulated on some acceptable national policy will go a long way in protecting the rural women.

Legal Aid Clinic

This being the only free legal aid clinic in the country, it has drawn

the attention of men and women. It serves mainly the urban ones due to its centralised location but always has a flow of the rural women after our rural network visits. It is during these sessions that women are clerked, counselled and advised on individual problems. And for cases that require formal litigation, they are represented.

Through our practical experience in the clinic, a majority of these cases have been issues of inheritance and succession; marriage and divorce; paternity and affiliation; commercial land disputes and property rights.

Although we have been criticised in some quarters as creating rebellion amongst the peaceful folk, this criticism is misconceived by men who do not want enlightened women. A majority of both men and women have appreciated this effort of opening their eyes to truth and reality and our clientele continues to expand.

Several references made *or ideas reflected* in this paper can be traced to the experiences of FIDA in the rural areas and cases of clients in our offices.

3. Life

The right to life we all know is so basic to the enjoyment of other rights. It is ironical to note how little regard is made in respect of women who also are the primary source of other lives.

Most of the rural women give birth in the most appalling conditions. If we assume that there are approximately 15 beds per 10,000 people and 1 physician per 23,000 people, how many of these beds and physicians can be found in the rural areas?

The right to life presumes existence of some health standards that sustain life. Unfortunately given statistics do not reflect even the minimal availability of these in rural areas.

Women are not allowed to eat chicken, eggs and in some cases fish due to some customary beliefs. In case of meat, milk or vegetables, men take

their unlimited share before anyone else and given the dear prices and scarcity of some of these, there is quite little at any given time. This simple denial of nutritious foods contributes to the lack of vital foods necessary for a body that has to bear another, feed newborns and physically take charge of all the others.

With the few hospitals, doctors, the rural woman virtually has no access to pre-natal care. The rural health centres have basically catered for general health facilities and many, even if it were possible, do not provide maternity services. Hence this woman is in many cases assisted at childbirth and thereafter by the wisdom and methods of elder women who use local herbs for medication and await spirits of ancestors to cure other ailments. It is important to note that although 32% of the rural women receive assistance on delivery by a trained midwife, 38% are assisted by relatives, 6.8% by traditional attendants and 18.8% without assistance. It is therefore no wonder that we still record a high percentage of women dying during childbirth today.

4. Age

Although our constitution may not be specific about the rights of children, children have been given special consideration as regards their special status. They are assumed to be under the protection of their parents, have no mental capacity to give evidence, or legal right to act on their own or vote.

Uganda has acquiesced to the Universal Declaration on the Rights of Child which defines a child as, and I quote:-

"For the purposes of the present Convention, a child means every human being below the age of 18 years unless, under the law applicable to the child, majority is attained earlier".

How many of us have sat down to pose who this rural woman is? We have overlooked an important issue that this so called rural woman maybe a "child wife" having been married off at the age of 14 or upwards. This "rural woman" has through no choice of her own, been denied the assumed parental protection and even lost the declared state considerations. It is unfortunate that the continued state accommodation of customary practices, compromises the rights of this child thus rendering some provisions in the universal declaration inapplicable.

What we now need is a specific Child Law which I hope will erase this category of the "rural woman". As of now this is a very unfortunate group of rural women whose rights are not protectd.

5. Marriage and Divorce

5.1 Customary

The presence of several laws of Marriage and Divorce while ably cater for the different social groups has had its disadvantages whose a dverse effects have hit the rural woman most.

The most common marital union in the rural area is the customary marriage which has been defined as:-

"a union potentially or actually polygamous involving a contract between the bridegroom and the bride's father, the marriage consideration consisting of customary payments being given by the bridegroom to the bride's father".

The different forms of customary marriage include optional choice of a man, arrangement between families, bethrothal among royals, abduction, elopement, inheritance, sorrogate, barter or rape.

Ironically, elopement, the only customary marriage where a woman makes her own decision and takes the initiative, is a criminal offence with stiff sentence.

5.2 Choice and Crime

One common feature running through all these forms, apart from elopement

is the absence of a right of choice by the woman.

Again in many of these forms, payment of bride price is an essential requirement of the validity of this marriage. Unfortunately all the wealth paid belongs to the father or the girls clan. Thereby reflecting use of the woman as a chattel or property that can be disposed of to acquire income.

Although rape and abduction are serious criminal offences, the girl or woman will not be acceptable in her home after having had some carnal knowledge and in most cases will quietly accept her fate while the family settles with a fine. At any rate how many people can be prosecuted if the enforcement agencies found nothing wrong with these customs?

5.3 Bride Price

Bride price has been a topical issue in our country, in view of the many problems associated with it. Families have become bankrupt, girls have ran away from marriages subjecting their poor families to repay, while for some it has become impossible to marry thereby indirectly increasing careless sexual behaviour. A fundamental question remains, what protection does 'bride price' give to the woman who has no share in the gifts or money and is contrary enslaved for the rest of her life?

5.4 Polygamy

Another aspect of customary marriage is their polygamous nature without limitations which today subjects many people to contract the aids virus and remains a major hindrance towards social and economic development. Many children are born who cannot be cared for or educated, families live with uncertainty about the future and at the death of the husband become embroiled in bitter fights for possession which leaves the women banished from the homes and destitute children.

5.5 Monogamous Unions

Those who have opted out for church marriages, may have escaped the insecurity but in rural areas, a number of these marriages have been contracted at the expense of the rural woman. Men have opted out of customary unions

to marry a younger or educated woman in church abandoning several in the village. The latter marriage has been given more recognition and hence a higher social status rendering a customary union inferior. And while legislation clearly forbids one who has contracted monogamous marriage to enter any other marital unions, this provision has not been specified for those who have contracted customary marriages.

Marriage under the Mohemadan laws has its problems. Basically the provision in our statutes are so brief to represent the views in the Koran, the limited number of scholars in Arabic or the Mohemadan law has led to different interpretations which have not been challenged; no effort has been made to research these provisions. The result being the liberal utilisation by men of this law with no regard to conforming to other associated laws. Hence you find women married under the Mohemadan law have no reference as to what rights can be enjoyed or obligations that accrue under such unions.

In all these forms of marriage where there are no clear written guidelines have been subject to abuse and many of them still remain unregistered thus making even proof of their existence impossible. These women walk into marriage as they walk out with no rights whatsoever.

5.6 Wife Beating

While the marriage lasts, the woman is subjected to several beatings in some cases severe as a measure of discipline. And although assault is a criminal offence, wife beating is not considered so hence many law enforcing agencies will not entertain this report. When you look at the scared, maimed and mentally deranged women roaming the streets, have you ever thought about the cause? It could be wife beating from which the woman was not protected.

5.7 Divorce

You are all aware of the discriminatory tendencies in our divorce laws. And while the church does not allow for divorce, many men abandon their monogamous wives or kick them and live peacefully with the church congregation while enjoying customary unions. It is normally at his death

when the church will appear to declare the abandoned woman as the right-ful widow.

Most customs permit men to divorce their wives or annul the marriage on grounds of barrenness, witchcraft or refusal to have conjugal rights. You will notice that a man cannot be presumed to be incapable of having children, nor can the woman claim denial of consortium well aware there are several of them.

Where bride price has been paid, she will remain a wife until full refund of the same is made and cannot there remarry.

Under Mohemadan laws, divorce is usually pronounced by repetition of the word 'talak' three times without any mention or reference to any offence having been committed.

In all cases of divorce the woman is only entitled to her bare clothing as permitted by the husband and nothing else. There is no consideration for notice or whatever contribution she may have made to the home.

A divorced woman is considered disgrace to her family or bad omen to her younger sisters and on returning home is treated as an outcast. The result is that many of these divorced women with no skills to earn them useful employment and not acceptable in their parents home many find themselves turning to prostitution to earn a living.

6. Maintenance

Many women do not subscribe to the idea that we should be wholly maintained by men. However, we should appreciate the basis from which this duty evolved. Women have been denied access to education thus lack skills for employment; they are married off young without having had the opportunity to develop skills; their main occupation are house work and digging in shambas for which they earn nothing and have neither the right or liberty to sell off what they cultivate. As men are the bread winners, sell the produce, and manage the homes, they therefore take care of the women. How and to what extent depends on the individual instinct and while the law assumes this obligation, it is not explicitly declared anywhere. Any claim of this duty is just presumed from other facts and hence

enforcement is difficult. The result is despite the hours, days and years of toil, many women in rural areas may have never had access to physical money; live in haggard clothes and conditions with no improvement.

7. Labour

In a country which depends almost 90% on agriculture, serious consideration has to be made about the source and quality of labour. Unfortunately for the little regard is made to rural women who account for over 50% of this labour force.

Customarily, they are expected to take care of all house chores which include cooking, collecting water and fire wood, washing, providing food for the family and cultivating the shambas of cash and other food crops. These are the normal duties which are expected from a wife.

While labour laws are constantly reviewing wages, this is only in respect of male labourers and while society and state are aware of this primary source of labour, the relevant statutes are silent. Despite numerous research programmes on the topic of agriculture and the need to strengthen it, the general tendency has been applaud acknowledgement of this contribution by the so called beasts of burden and no mention made of the need to remunerate these services.

We should also realise that men's support of polygamy should not be limited to physical ego but also economically for supply of a cheap labour force to till their land. Please note that it is common practice to return old and sickly wives to their parents replacing them with young ones.

It is also apparent that women are today further burdened with the responsibilities of taking care of their children, paying school fees and in the homes meeting household expenses. This means that they have to work extra hours weaving baskets, etc to earn this income. When we talk about the accepted normal hours of work, have we ever considered these women?

8. Inheritance and Succession

We have already noted that some customs practice widow inheritance as part of the estate. In these unfortunate circumstances the woman loses all property and involuntarily herself to the heir. Even after abiding to these practices, the heir has a right to marry other women in that matrimonial home giving them a higher status to the widow.

Where she is not inherited, she loses the home and property to the customary heir and children. Her position is worse if she had no children.

In various customary and Mohemadan marriages many women are disqualified at the husband deaths for lack of registration, ^{or} proof of subsequent monogamous marriages. And to many, this is their first notice of such disqualification. These maybe women who were married off at tender age when they were not aware of the requirements. With no education and confined to rural homesteads, is it not unfair to apply the ignorance rule to them?

When the general law of succession was introduced in 1974, it was meant to provide protection to women and children who had been cheated of their husbands property. This law laid some clear guidelines on the division of the estate to be applied. The problem is many rural women are not aware of legislation or find difficulties in understanding the language. In addition, the percentage divisions are normally interpreted by clan elders who belong to the husband's family. In many instances clans have ignored these guidelines and opted to apply customary practices which disinherit women.

The the Moslems, the tendency is to apply the Mohamedan law which does not appear in our statute books, is written in Arabic which few people understand and for which no uniform interpretation has been applied. When you realise that it is the clan and religious elders who are in closer contact with the rural folks than the representatives of the Administrator General, you will agree that a majority of cases are handled by the former.

Particular note should be made of the accepted customary and rightful practice of dismissing the wife or wives from the matrimonial home unless they have children of tender years. No regard is made to the number of years this woman has spent in the home, her age, health condition or subsequent place of abode.

This is the woman who was married off as a child, who was denied access to education, has faithfully lived a life of servitude, has no right to resources she contributed to and now helpless, old and weak is denied even the basic need of shelter!

9. Land and Property

All along we have noted the inferior status of women under custom. In patrieneal societies, they cannot own land and any property so owned before marriage reverts to the husband on marriage.

The constitution and subsequent legislation have asserted the individual right to ownership and enjoyment of property but no effort has been made towards enabling women enjoy this right despite public awareness of the customary practices.

Many women have through ignorance been unable to claim what they were rightfully entitled to or unknowingly relinquished their rights to husbands or male members of their clans. Even after the effort to streamline the division of the estate, fathers and husbands are reluctant to bequeath land to girls or wives for fear of its being taken by her clan or new husband.

In one of the latest effort to improve the women's economic status, a National Rural farmers scheme was introduced to extend credit to women. Unfortunately they required a security in form of title obviously belonging to the husband and consent. Thus you will note that this scheme with its intended motive to assist the rural women, in some cases only served as an avenue to give men funds which were not utilised for rural agricultural purposes. As customs remain the dominant force of law in rural areas, it is difficult to foresee a rural woman enjoying any right to land or property.

10. Representation

10.1 Political

Throughout history, little recognition has been given to women's views. They have remained unseen as they have been unheard. The customary assumption is that "man, as head of family, clan, etc. ably represents his daughter, sister, wife and mother".

After independence, there was some effort to recognise women through the specially nominated members of the legislature. In the subsequent years, the struggle for political office became too volatile to allow women's participation and virtually all representation was lost. Today, under the NRM Government, we have witnessed the initiative of catering for special representation of women from the village Resistance Council 1 up to one female representative from each district.

The question remains, how representative of the rural woman are these Executives?

At some village councils, the women have been disqualified for lack of education; their place has been competed for and won by men or a number of them have not been allowed to attend the meetings and add their vote.

We also note that the particular requisites for an NRC member are automatically limited to a few women who have access to education. They also tend to be centralised which limits contact with the rural population.

10.2 Public Office

Again these opportunities are open to the minority. There was at one time community officers who were scattered at administrative centres and provided a permanent arm of linkage to Government. However, these posts are either non-existent today or the holders can no longer manage to reach to the rural woman.

10.3 Church Organisation

Most of the women in rural areas have been able to share ideas, develop

skills and improve on their awareness through their associations established by the different religions. While this avenue canvases a wide number of women, it can only be useful for members of that faith. Hence rural women of a faith without extension services in their area are left out.

10.4 Non-Government Organisations

A majority of these are formed by women and men belonging to specialised disciplines or of some particular status. They are centrally located and thus discriminatory. Their advantage to rural women are the services they offer but these being voluntary have no guaranteed continuity.

A few organisations which have opened branches in villages may have appreciated this omission but once again the central bodies have to exercise firm control of matters least they go astray.

10.5 School Boards

Most of the School Boards in rural areas are composed of men while women claiming that children belong to the men, simply register their attendance. This apathetic tendency indirectly contributes to perpetual disregard of the need to educate girls. Women should therefore participate actively in school associations and all other forums where issues concerning them are discussed.

Social Services

A number of rights commonly referred to emanate from a pattern of our political structure and the means of ensuring ease of government in any one country. There are, however, important social factors, that have to be taken into consideration whenever any legislative policies are being discussed or formulated. These factors not only affect the effective of government, or economic stability of the country, they are the yardsticks or the main contributory influence of all other systems. Most notable of these are Health and, Education and recently Access to Credit.

Normally all Governments give priority consideration to these aspects and a lot of effort is geared to national policies that cater for the establishment and maintenance of these services. Although, given their peculiar limitations, you find that while Health and Education are stipulated rights in developed countries, they remain essential services for which other states are not in position to grant as basic rights. In view of their importance, we should find it worthwhile to discuss them.

11.0 Health

11.1 Centres

We have already noted the physical limitation of health centres throughout the country and hence the worse condition in the rural areas.

While effort had been made to establish the centres throughout, those that were constructed in the 60's are in need of repair and stocking with drugs and personnel.

Given the scarcity of drugs and poor salaries of government employees, some of them demand payment for services which should otherwise be free.

Private medical practitioners or midwives have in many cases filled this vacuum but their costs are usually too high to be affordable to a rural woman who has no secure source of income.

Religious institutions have always been instrumental in providing health services at some reasonably reduced costs but due to insecurity expansion of this service has been curtailed.

11.2 Traditional Healers

In the absence of the above institutions a majority of rural women use traditional healers or herbalists for cure of ailments while some of the herbs may be useful, they have not been scientifically analysed to determine content, doses and effect on other drugs. And for many fatal casualties, we cannot readily determine the cause.

11.3 Family Planning

Most of our rural women have been reared to believe in unlimited child-birth as the main role of a wife; a right of the husband to determine the numbrs and a means of a secure marital and social tatus. Despite the heavy workload associated with a family of many children, the constant poor health of women and a high rate of maternal deaths, these factors are not issues.

Some considerable effort has been made to aduse men an d women about the need for and values of family planning and methods that could be used. Unfortunately, however, customary practices and religious teachings affect what would otherwise be a strong protective measure in sustaining the health and prolonging the life of the rural woman.

11.4 Circumcision

While in cases of men, circumcision has been scientifically supported as healthy, it is not so for women. Yet despite public outcry against this custom, and the fatal consequences, it continues to go on with the blessing of legislation that has not outlawed it.

12.0 Education

12.1 A most common phrase usuallyheard at forums advancing the cause for womens right to education is, "Educate a woman, you educate a Nation!" How much has been practically done to enable women, and rural women in particular exercise some right to knowledge? Culturally, all the chores attributed to women are found in the homestead. There is thus no need for their development outside the home enclosure with the result that as many as 48% of our women have no education at all.

Man as the provider and head has always been entitled to education hence boys have been encouraged to attend schools while girls stay behind to cook. And given their future roles, fathers pay fees for boys as a priority and where funds are limited only the boys can attend school.

The tendency for girls to get married off at an early age does not justify

expenditure on them for education as they are soon presumed to belong to the clan in which they marry.

In some cases their bride price acts as a source of income to pay fees for boys.

12.2 Facilities

The traditional preference of boys in school has been reflected in the number of boys school being higher than those for girls. Their establishment or numbers for enrollment are not in any way based on statistical data of the number of boys as compared to girls in any one area. Even today, parents have not yet found it meaningful to insist on mixed schools where the all-boys schools are not utilised or determine percentages according to numbers.

The few girls schools originally set up in rural areas were private institutions meant to train daughters of chiefs and have had their problems of expansion. It should also be noted that their fees structure is high and hence places are normally taken up by able urban parents.

Other rural schools for girls are in poor conditions and lack even the basic necessities of a teacher, blackboard and chalk. Several rural schools fail to fulfill the requirements governing management and are not registered.

12.3 Curriculum

The state applies one general curriculum which does not relate to our peculiar environment. A woman who is likely to live in the village all her life with a little period in school benefits little from a syllabus that has no attachment to the life she is going to lead. She does not learn basic agricultural methods, simple first aid or hygiene which would enable her improve her farming and housework and take care of the family.

12.4 Housework

While at school, the girls are subjected to their traditional rules of fetching water, cooking, sweeping etc which naturally limit their study

hours. They are further denied opportunity to concentrate at home as they have to do the rest of the house work. It is the girl who will stay at home to cook if there are many visitors, accompany her mother to hospital if she is sick or take care of the young ones during her mother's absence.

12.5 Sexual Abuse

While many girls are married off young thereby disrupting their opportunity for further education, a number of these drop out at an early age as a result of pregnancies. Many girls are abused in their tender years by male teachers who have not been disciplined. Elder girls with pregnancies are expelled from school while no effort is made to give the boy the same punishment or bring the male teacher to book. Even today, local communities including parents have openly set offending teachers free with no regard as to the future of the defiled girl or girls who many never be able to have access to education for the rest of their lives.

12.6 Discrimination

We note that tradition discriminates against women having access to any education. The domination of men or husbands deprives women from developing any skills outside their homes; the state or local authority have not fairly addressed the problem of women in establishing schools or institutions and right through to university this bias is clearly demonstrated. You will all agree that the aspects considered above reflect the absence of adequate protection towards access to education.

THE DISABLED

We are all aware of the disabled members in any given community. In some customs, being born lame or with some defect is considered a curse on the family, a source of taboos or result of witchcraft. There is therefore a tendency to keep these people in rural areas, hidden from the public and ease the burden of an urbanised working father or mother.

Although some cures are now available, there are very few people in the village aware of these issues. Again many of our public facilities have

A number are just abandoned for sheer denial of responsibility .

Although some cures are now available, there are very few people in the village aware of these issues. Again many of our public facilities have no provision for such people.

Practice is that the extended member of the family take in these people while the community and estate stand by to watch their fate.

POSSIBLE AVENUES FOR IMPROEMENT

We note from the above examples, that all women have suffered from neglect but that those in the rural areas bear the greater blunt. The family pleads custom, the community subscribes to rules of patri-lineal society while the state conveniently asserts male domination through their legislation, quiet omission and unwritten discriminatory practices.

We are often called upon to highlight the plight of women and take time enumerating the shortcomings and lamenting our plight. There is however an urgent need to solve the problems within our limited capabilities.

1. Women

- (i) The story of women has always been the same but has changed and continues to change through the conviction and effort of fellow women. All animals have some unborn instinct of self-defence. This is a natural stimuli which may have been suppressed but needs to be reactivated for our own protection. The rural women should be interested in themselves, their welfare and have respect for their bodies and their life to be able to protect themselves.
- (ii) Those amongst us who are educated should strive to assist our less fortunate mates through sensitising them to value their lives and offer simple educative messages to open their eyes to the evils and disadvantages they endure and face up to them.

- (iii) Women representatives at all levels and in different institutions or forums should strive to be meaningful representatives of the majority in the rural areas. They should publicly voice out the evils and be assertive in their demands. Women elsewhere for aggressively demanded for their right to vote, to property, to education, abortion etc. When will the Uganda women rise up to demand what is rightly theirs?

Our NRC representatives have the mandate to represent women. They now are being challenged to lobby for and initiate legislation that improves the status of woman and protects her rights.

2. The State

While the NRM Government should be applauded for spearheading a devoted campaign for emancipation of women, this initiative should be spread through all spheres. We need the package in its totality as the majority remain unaffected by the current modifications.

The new constitution should address the subject of rights in particular relation to women and embody some definite assurance that all subsequent legislation should conform to the principle of all citizens enjoying equal rights and protection under the law.

Thus will mean outlawing all customary practices that deny women the rights and protection stipulated in the constitution, abolition of all discriminatory provisions in the Domestic Commercial and other laws, and the specific provision of equal opportunities. Allow me to mention that there are certain areas which need urgent attention if the state has to consider protecting the women, and rural women in particular:

(i) Absence of Legislation

There are areas where no protection is available due to a vacuum in the legislative provisions. These include the right to own property and various forms of violence against women.

(ii) Access to Justice

In the rural area where a majority of women live, the courts are very far away hence many have no alternative but to live with their problems. More effort should be made in availing the rural areas with court systems within easy reach.

In their absence, the judicial powers exercised by the Resistance Councils have had several flaws one being their male domination which accommodates the views herein before and their lack of knowledge about law or the legal process. Hence the need to revise the system.

(iii) Archaic Laws

We are often faced with finding solutions within the outdated and inadequate laws which are meaningless or unenforceable. The law of Affiliation through which a woman claims for maintenance for children allows only 2000/- (two thousand shillings) per year per child - a figure which cannot be adequate for a week's meal. And for the rural woman whose husband's income is unknown, even the practicability of squeezing these funds from him is at stake.

(iv) Health and Education

While the state has constantly addressed these two issues, there is need to take stringent steps if the life of women are to be saved. They should be able to determine the number of children they can have and the state should compel parents to take all children to school up to a given age.

The school syllabus should be reviewed to cater for subjects that serve the rural community best and consequently the agricultural sector.

(v) Matrimonial Property

On the dissolution of a marriage, the couple should be entitled to equal share of the matrimonial home and property and the same should apply at the death of either spouse.

(vi) Employment

Discriminatory tendencies that bar women from employment should be outlawed. Provision should be made for remuneration of services offered by women.

3. Community

We should all realise that it seems too difficult to expect sympathy from our local rural communities where the customs are deeply rooted but it is the duty of each one of us as individuals, as religious leaders, educated members of these communities to aim at some positive change of customs and attitudes. Customs evolve and have been known to change according to the community's approach to a given problem.

4. Non-Government Organisations

There are a number of NGO's today whose major objective is to rehabilitate, repair, or improve the quality and standard of life for all especially the rural folk. Our objectives should be distinctly portrayed in our services.

I would therefore appeal to those organisations especially those devoted to the plight of women to come out with some concerted effort towards providing and effecting meaningful protection for the rural women.

CONCLUSION

There may be several radical views for and against the need for protection, or as to the justifications related thereto. My approach is based on reality and practicability. We should examine not only the position of the rural woman but assess the ability of those in positions of influence that determine the type and extent protection offered.

One important note of caution should be sounded that for any right to accrue there must be a corresponding obligation. We should therefore be mindful of our obligations towards the achievement of meaningful protection for the rural woman.

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