

WOMEN IN LAW AND DEVELOPMENT IN AFRICA (WiLDAF): THE STORY SO FAR

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WiLDAF is the youngest of the three women, law and development networks, having been set up in early 1990, after the setting up of CLADEM and APWLD. The overall objective of WiLDAF when it was set up was “bringing together organizations and individuals for the promotion of women’s human rights, using law as a tool for development”, bringing it inline with its two sister organizations. As has already been stated in another presentation, the idea of setting up the networks arose from the forum on women, law and development that took place at the third United Nations Conference on Women held in Nairobi in 1985. At that forum, participants agreed that law could be a useful tool for women’s advancement rather than the mechanism for their oppression.

In this presentation, I shall try to highlight not only the achievements of WiLDAF in terms of issues around which it has worked and the strategies used but the challenges it has faced and continue to face.

At its inauguration in Harare, the participants identified five main issues around which they wanted the network to focus. These areas were: inheritance, land rights, violence against women, economic structural adjustment programmes and their impact on women’s rights and organizational development issues. Whilst some of the issues were common to all members others were specific to particular sub-regions depending on what participants felt were the issues of women in their particular sub-region. For instance, participants from the West African sub-region prioritized work around the structural adjustment programmes which had been introduced by the international financial institutions in the sub-region and which they felt the policies were having devastating effect on women’s human rights. The Southern Africa sub-region offered to focus on violence against women as an issue that needed priority attention whilst the East African participants chose to focus on conflict which at the time was rife within their sub-region. In addition to these areas, the participants all felt they lacked the capacity to be able to engage meaningfully at both the national, sub-regional, regional and international levels and agreed on capacity building for them in areas such as lobbying and advocacy, programme planning and implementation, proposal writing and fundraising, legal rights awareness and other issues that would be of relevance in their work as time went on.

To be able to carry out the mandate set out at the inauguration, roles were clearly spelt out as to who was to do what and how. The Secretariat which was based in Harare was tasked with raising the necessary funds to carry out the capacity building activities, including the development of training materials. The issue based-activities were to be carried out at the national level as well as sub-regional and coordinated by the Regional Secretariat.

STRATEGIES:

In carrying out its mandate, WiLDAF utilized multi-strategies some of which are:

- Awareness creation: Ignorance of women's rights by women themselves and men was identified as one of the key factors in the low status of women in Africa. At the time WiLDAF started, whilst there were still discriminatory laws on the statute books of most African countries, there were other laws that were protective of women's rights but which were generally not known. Consequently, awareness creation was utilized to make first women, then the general population aware of these laws and thereby get women to assert their rights.
- Paralegal and legal literacy: In creating awareness about laws, it was then realized that if women wanted to assert their rights, they needed to have structures in place to support them as these women generally would not have the resources to employ the services of lawyers. This led to the training of paralegal and legal literacy volunteers in various communities to serve as a first aid to women who wanted to assert their rights. These volunteers were trained not only to serve as first "aiders" in the law but were also used to undertake awareness creation on the issues and the laws in their various communities. This was to ensure that the message will be carried to all corners of the country because the networks had limited human and financial resources and therefore could not go everywhere. The paralegal concept became very successful as community members were more willing to accept the message from community members rather than from persons they considered strangers.
- Legal aid: This was another strategy that was adopted to enable women assert their rights under the law, even without any resources. Whilst in some countries national networks employed lawyers to provide free legal aid, in most countries, the networks relied on the women lawyers associations in those countries, who were also members of WiLDAF to provide that service.
- Law and Policy reform: Africa in the nineties had a number of discriminatory laws and policies affecting the rights of women and almost across all countries law and policy reform became the focus of work. This was undertaken through research and then lobbying and advocacy.
- Participation at international events and fora: the international conferences of the nineties, the Vienna Conference on Human Rights 1993, the International Conference on Population and Development in Cairo, 1994 and the 4th UN conference on Women in Beijing 1995 were opportunities that were used to make visible African women's voices and their issues.

ACHIEVEMENTS:

Considering the time, resources and energy that went into all these activities, one can safely say, without any hesitation, that there has been real success, considering that most of the work was done on voluntary basis at the national, sub-regional and regional levels

by women who had dedicated themselves to promoting and protecting the human rights of women, often times at personal risk and loss of income. What have been some of the concrete achievements of WiLDAF in the last seventeen years?

- ❖ Increase in new laws and policies promoting women's rights: The activism of WiLDAF network members saw an increase in the passage of new laws and policies as well as the review of existing discriminatory laws all across member countries. This period saw the passage of inheritance laws in a number of Southern and Eastern African countries. Laws on domestic violence have also been passed in most network member countries, such as South Africa, Uganda and Ghana. At the regional level, WiLDAF spearheaded the drafting of the Protocol to African Charter on Human and People's Rights on the rights of Women and mobilized other organizations to lobby and advocate for its adoption and ratification. The African Union Declaration on Gender Parity could also be attributed to women's human rights activism, including WiLDAF. Activism at the sub-regional level also saw the adoption of policies promoting women's rights (eg. The SADC Gender Declaration, ECOWAS etc)
- ❖ Visibility of African women: African women became a force to be reckoned with both at home and internationally with WiLDAF's presence on the continent. One recalls with fond memories the passion and the eloquence of African women in the negotiations for the Beijing Platform for Action to ensure that the girl child and her issues were adopted as one of the twelve critical areas of concern. It is now a matter of course that the views of African women will actively be sought by other women's rights organization before adopting a common stand on any issue at the international level. The visibility at the international level also allowed the ordinary woman to understand the linkage between her struggle and issues at the local level to what was going on at the global level.
- ❖ Increase in women with skills to promote women's human rights: In adopting capacity building as a key area of work, WiLDAF can claim credit for the large number of multi-discipline members on the continent, whose skills and services were in demand not only nationally, but regionally and internationally. Indeed WiLDAF can list a large number of members and former members in the United Nations and its agencies, international, regional, sub-regional and national agencies and institutions as well as in national governments and their agencies. WiLDAF can also boast of a number of women members of parliament who have achieved their present status as a result of WiLDAF's work with them.
- ❖ The evolution of a number of women's human rights organizations across the continent: One of the achievements of WiLDAF can be said to be the increase in the number of women's human rights organizations across the continent and the fact that WiLDAF continues to cooperate and collaborate with these organizations harmoniously. This stems from the fact that WiLDAF as a network saw its role as one of facilitating the growth of its members to be able to promote the human rights of women. It never saw itself as being in competition with its members. In those countries where the country chapter found itself implementing programmes, they were careful to work in those areas where none of the network members were working.

CHALLENGES:

Over the last seventeen years, WiLDAF has faced a number of challenges which it had tried to resolve but some of them have persisted to this day.

GOVERNANCE:

In order to ensure total ownership and commitment of the members of WiLDAF, the structure was designed in such a way that the members, at the General Assembly which was convened every four years, set the agenda for the following years and elected the board of directors. A board of fifteen members was put in place to which the Secretariat reported. Major decisions such as constitutional amendments could only be taken by the members in general assembly. This has led to the current situation where the Secretariat continues to operate from Harare under very difficult conditions but it is not possible for the board to take the decision to move it to another location. The large number of board members also means difficulty in raising sufficient funds to be able to hold regular board meetings as the constitution required. In the last four years, it has not been possible to raise funds to have a board meeting which means the Board is unable to play its supportive and supervisory role effectively. We have tried to hold discussions through email but this has not been very successful as not all board members participate in the online discussions.

FUNDING:

Since the year 2001, it has been very difficult to raise core funding to keep the Secretariat operational. This can be attributed to a number of factors, including the fact that resources for women's human rights work are dwindling by the day and also due to the political situation in Zimbabwe, not many donors are prepared to fund organization operating from there, forgetting WiLDAF is a pan-African organization. The fact that a number of organizations have sprung up doing similar work as WiLDAF could also be a contributing factor, raising the question of WiLDAF's continued relevance as an organization. WiLDAF has also not taken advantage of new opportunities to move into new areas of work and has been too narrowly focused.

GENERATIONAL GAP:

In spite of the visibility of WiLDAF on the continent, it appears not much thought has gone into bringing on board a new generation of activists who would take over from the founding leaders, most of whom have moved on into other areas. This has created a vacuum which needs to be addressed if WiLDAF would continue to survive as an organization which serves as the breeding ground for future activists and leaders.

CONFLICTING UNDERSTANDING OF NETWORKING:

While WiLDAF has flourished and been very visible in some countries and sub-regions, it cannot be said for all countries. This has led to the situation where other organizations

at the national level have stepped in to fill the vacuum created by the inactivity of WiLDAF networks in those countries. A sub-regional office for West Africa, for instance has led to vibrant national networks in member countries in the sub-region.

WHAT DOES THE FUTURE LOOK LIKE?

At the beginning of this week WiLDAF members and some friends of WiLDAF met to discuss strategies to reawaken WiLDAF from its slumber. A candid discussion by participants came to the conclusion that WiLDAF is as relevant today as it was in the nineties and that the vacuum created by its inactivity cannot be filled by any other organization but WiLDAF itself.

This meeting has been an opportunity that we hope can help us learn from our sister networks how they have managed to keep going for the past twenty years. It is our hope that the next time we meet, WiLDAF would have woken from its deep sleep, ready to take on the world again.