

WOMEN OMBUDSMAN IN AFRICAN PATRIARCHAL SOCIETIES:

CHALLENGES AND OPPORTUNITIES

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1.0 Background

Leadership across the world including in Africa is fast changing as the representation of women in positions of power and influence increases. It is only recently, in the last few decades, that women have begun to rise to positions of influence due to the campaigns for gender equality whose goal is to give equal opportunities to all genders in all spheres of social economic and political life. Careers/jobs traditionally held by men are now being taken up by women.

In Ombudsman institutions as well, more and more women are taking leading roles and making their mark in building and sustaining effective ombudsman institutions. Today, 10 out of the 46 national Ombudsman on the African Continent are women. There have also been even more women before who have served on this role.

However, with change comes resistance, with change comes all sorts of challenges for different people at different positions. As Women Ombudsman, just like in any other positions that involve certain power, be it female politicians, business women, women judges, executives, scientists, we have had to face common forces opposing growth in our fields as well our effectiveness in those roles/positions. The biggest challenges facing women in most decision making positions across the continent, have common roots with the same problems that prevent our emancipation in any other sphere. They can all be traced back to the patriarchal values entrenched within our societies that deem women incapable of handling power and responsibility responsibly.

So how do patriarchal societies portray women?

As we all know, in patriarchal societies, women are weak; women are subservient; women are inferior; women are secondary, women are less intelligent; women are incompetent; and most importantly women cannot be leaders nor can women hold any decision making positions. This has unfortunately convinced people that a strong and intelligent woman represents a problem and a disruption in social order rather than an important player/partner/ally. This, in

general, deprives women of the power to influence functions, processes, policies and attitudes in society.

As women Ombudsman, being in such positions with unique mandates in holding public officers and their institutions accountable for the injustices to the marginalised and vulnerable, very same people they are supposed to serve, is even more challenging as these institutions are also male dominated.

What happens then when a woman rises to the helm of an Ombudsman Office? Do we face different challenges from other women in higher decision making positions? Are we spared? Do we have it easy since we have the law on our side? No! Patriarchy in our society does not discriminate. It punches us in our faces the same as long as it gets us to where it wants us to be.

2.0 Challenges

There's an array of these punches that we get but we will just look at those that are more relevant to women Ombudsman.

2.1 Balancing work-life

In most of our African cultures, women, regardless of their status and professions, are responsible for domestic duties such as household chores, bearing and raising children, caring for the sick etc. With the changes in recent times, we are no longer confined to these domestic roles as we are increasingly joining the workforce and taking up space in positions of power and influence.

However, this also brings many challenges in our attempts to achieve work life balance. Despite our demanding public positions we are still expected to perform certain roles arising from religious and cultural obligations associated with our gender. This can give rise to a 'conflict' between our work and our traditional roles in the family and community.

While we are expected to discharge our traditional roles promptly and without any excuse. There is no such expectation for men, which makes achieving work life balance easier for them. The opposite is true for us. But to get to where we are now already has not been an easy journey as such balancing our two roles is only a continuation of that not so easy journey. There can never be a perfect balance where these two roles are at 50/50. We can only strive to give our best to both. I will give time to my kids/family and community and at the same time I will fight for justice for the poor and marginalised according to what the law mandates me to do. There is no compromising but only giving the best I can to both roles.

2.2 Gender stereotypes and attitudinal barriers

Much of our fight to success as women ombudsman lies in the fight against attitudes and stereotypes that come with patriarchy. The unfortunate truth about this is that both men and women are responsible for these attitudes and stereotypes towards other women in decision making positions. That's how deeply engrained patriarchy is in the society's conscience.

With the progress made in fighting for women's rights both in the public and private sphere, much of these attitudes are no longer portrayed/shown explicitly or outright. They are no longer in most of the laws, they are no longer in the biased policies nor regulations. Most of the legal documents are now against these attitudes and have outlawed them. But now you will find that the patriarchal attitudes visible in how these new laws are being used or not used.

The directives given by any Ombudsman are binding but you find that there is usually unresponsiveness in complying with these directives and remedies given. Granted, there are so many reasons for this but some of that unresponsiveness is due to the fact that the directives are coming from a woman. The attitude of 'I cannot be told what to do by a woman,' therefore since I cannot say out loud I just won't comply. Unfortunately the same system will not discipline such for obvious reasons. There are other times when our directives are challenged not because they are wrong but because they are fighting/correcting the system and more so because they are coming from a woman and therefore a woman cannot make competent directives.

As women Ombudsman we may not be taken seriously as we discharge our duties of investigation. Much as the main aim of carrying out an investigation is to accumulate as much evidence and information as possible, officials may be 'forthcoming' with information not necessarily because they want you to use it, but because they are convinced that because you are a woman you will not use it anyway. A pushback follows when a report/determination is released.

There are times when it is those subtle comments made in speeches, discussions whether formal or casual by other male leaders, political leaders or other decision making positions, meant as a joke or otherwise that undermine or belittles us for being women in these positions.

How do we change the attitudes? How do we level the playing field to be seen as equals?

3.0 OPPORTUNITIES FOR WOMEN OMBUDSMAN

Patriarchal values reinforced in societies will continuously refuse to believe that a woman can take charge of affairs and is capable of making decisions that are binding to everyone.

Women Ombudsman have a chance to bring about change through actively identifying and utilising unique opportunities/pathways to becoming a more efficient and effective Ombudsman. We do not have to go radical in finding these opportunities. We just have to take advantage of those already existing aspects of our societies and tailor/adjust them to our needs.

3.1 Garnering Political will

There is some evidence that when governments make a conscious effort to improve women's participation in the justice sector, their numbers do increase. Perhaps unsurprisingly, most evidence suggests that while numbers will increase with political will, women will not necessarily rise to leadership positions unless there is commitment from the gatekeepers for women to also assume these posts. The growing number of women Ombudsman in most countries over the last few years can attest to that. However filling these positions with women is not enough, there is need for more political will to endorse women's decision making and their right to be in those positions without any social nor cultural interference. As a woman ombudsman, we can take advantage of our unique roles within our mandates to garner for this political will in initiating/continuing the fight against patriarchy and its negative and retrogressive attitudes against women.

3.2 Re-Defining the exercise of power

Essentially, power is defined as the capacity to effect action, whether by others or by oneself. There are some theories of power that focus on seeing power as a question of domination, whereby one person exercises power over the other when the former acts contrary to the latter's interests. The power that most women Ombudsman are presently facing as they are discharging their duties.

Others do recognise that power can also be seen as the power to change the wishes of others not necessarily through domination but by influencing them to act in your interest, theirs or that of the next person. This lies at the heart of the Ombudsmanship provision of remedies which is moralisation in delivering justice to the marginalised.

This definition of power has further been re-interpreted by feminists to mean transformative power: Miller (1992) writes that power as domination is particularly masculinist, and that from a woman's perspective, power may lie much more in "the Capacity to produce a change while enhancing, rather than diminishing, the power of any involved actors (Miller, 1992: 241). Rather than focusing on the agent and their intent, this transformative power, focuses on the process of achieving as well as the end. This is linked to empowerment, which describes "the capacity

of an agent to act in spite of or in response to the power wielded over her by others." (Allen, 1998: 34).

As women Ombudsman we are not trying to change the power dynamics within our societies by replacing patriarchy with matriarchy, our goal is to level the playing field by influencing change through a change in attitudes against women and the marginalised thereby bringing about empowerment and a more transformative participation. We do not have to see men as the enemy but as equal partners in this quest for justice to the vulnerable.

3.3 Be Bold and Add Value

To fill a traditionally male-dominated role is obviously challenging for a woman. Failure in those roles is always the expectation by the society. The much needed support from men to women in such roles rarely comes unless we show our value. Discharging the mandate of the Ombudsman in such societies as ours needs us to push the boundaries of our new roles as well as those of our gender by utilizing our strengths and leadership qualities (in skill, knowledge, experience and emotion). We should pursue the things within our mandate that we want and not waiting for them to come to us. The key is to be confident in our resources and abilities and not just those represented on paper. Demonstrating your ability to lead the institution/ perform your role and not playing the 'good girl' always changes the way you are viewed and automatically commands respect and cooperation.

3.4 Be a Woman/Embracing being a Woman

The presence of women Ombudsman in pursuing justice for the marginalised is a powerful message of empowerment for women especially when they are facing patriarchal attitudes in their communities and if the same is removing their voice to speak out. People who are 'silenced' by negative cultural norms may develop some 'trust' in the woman ombudsman than the normal court systems that are male dominated and where female characteristics like empathy and compassion are not exercised.

Something I have seen over and over is that women in power bring a different perspective, an essential perspective in decision making and policy making. Such a presence of a female Ombudsman can be that kick/encouragement that they need to stand up against the injustices they are facing in their communities. There is a saying that goes 'if you want anything, ask a man and if you want anything done ask a women.' Generally women we put all our efforts into getting things completely done, and leave no stones unturned to help people. This comes from being both a woman and human. Therefore be more accepting of oneself as a woman and find the power in create your true identity and not fall into any stereotypes.

3.5 Media

The media can either be our friend or foe. As a woman Ombudsman we are in the public eye, and the media will first judge us as a woman. And we all know how that usually goes. The media can either take us down or take us up, but that is also dependent on us. How do we want the media to portray us? As a weak and incompetent Ombudsman because we are women? Or as a woman Ombudsman, who is ethical, bold, fair, approachable, compassionate and empathetic? Our portrayal in the media can either make or break us especially in this day and age of social media. With the media on our side we can garner for public support (and not sympathy) as a tool for holding public institutions accountable in their service delivery.

3.6 Raising Awareness

With increased awareness around the world about women's rights and the attack on patriarchal attitudes all over the world, we may one day see women being subject to the same standards as men. We cannot ascertain when that can happen but increased awareness is key. The different roles, positions, and other public platforms the Ombudsman has, can be used to raise awareness about the negative aspects of patriarchy to the marginalised and how the role/mandate of the Ombudsman helps in bringing justice to those affected by the injustices caused by patriarchy.

4.0 In Conclusion

The most important issue for our countries is empowering the voices of the marginalised and the vulnerable so that we can fix our broken public systems for their benefit. Right now these people face an immense range of challenges affecting their basic socio-economic rights-from inability to access health care, employment, education to the threat of gender based violence. The Ombudsman is there to listen to some of these voices through the complaints they lodge with us and help them get what is only fair for them. Their perspectives and experiences must help our collective future and if we want to forge ahead, with the best solutions for this, then we need to give smart, dynamic and strong women a chance at the decision making table.

Thank you for your attention.