



The real justice: What my cousin's rape case tells us about unaddressed issues in modern patriarchal societies

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In November 2018, my cousin was tied down and raped by her boss, a foreigner who runs a hospitality business in Rwanda. She confided in me to help her get justice. Several months later, I got frustrated with how the case was being handled. As a feminist's activist, I felt challenged and realized issues, beyond her case, that are major barriers to achieving the real justice – social and gender justice.

Rwanda has always been a patriarchal society, colonialism and capitalism only made it worse by perpetuating gendered divisions of work and roles in society. With the introduction of formal education under colonial rule, only males were the beneficiaries. They later also monopolised economic opportunities that gave them more power and value in the society. This was maintained even in post-colonial Rwanda. Most Rwandan families prioritized education of the boy child and girls were only groomed to be good wives and mothers.

It wasn't until post Genocide against Tutsis in 1994 that the new Rwandan

government introduced major progressive social economic and political shifts backed by a high political will and progressive minds in the new government. Rwanda immediately embarked on correcting the image of the country at the international scene by ratifying gender responsive international and regional instruments and revising its then discriminatory laws. Women comprised the majority of the population then and it only made sense not to leave women excluded in social, economic and political matters. For the first time, women were allowed to take leadership positions, own bank accounts, inherit, and have the right to

property and land, and girls' education was given priority. Gender based violence (GBV) was condemned and a law punishing GBV was passed in 2008. To date, Rwanda is known to be one of the most pro-women's rights and pro gender equality countries not only in Africa but globally, often compared to countries like Sweden. 25 years after the major legal and policy changes were introduced, a lot has changed but Rwanda remains largely patriarchal. Gender sensitive laws and policies do not immediately correct centuries of gendered practices, values and division of roles.

Basing on my cousin's case, I point out three key issues that remain problematic in systems, structures and social values in general. If not addressed gender based inequalities, injustices, discriminations and violence will persist.

Structural inequality

Gender inequalities are made worse by economic inequalities. Vulnerable women and girls remain at great disadvantage and at a higher risk of being in abusive and harassment situations and being violated by those who have economic power, including their partners, families and employers. My cousin dropped out of school at secondary level due to lack of financial means and moved from a rural area to the city in search of a job that can earn her income to support herself and her family. She got a job as a waitress at a decent hotel in Kigali city. She got harassed repeatedly by her boss but quitting the job was not an option until her boss raped her.

My cousin represents a large percentage of young women in Rwanda who live and work in similar conditions. She wasn't entitled to any medical or social security benefits since private sector companies are not obliged or held accountable by law to provide such benefits to lower level workers. About 80 percent of Rwanda's workforce works in the informal sector and exploitation in this sector is high.¹

Women's and girls' economic justice is still a dream for many and contributes

largely to their vulnerability, exposure and tolerance of harassment and violence. Care work still heavily relies on women and girls who at the same time are expected to compete equally in labour markets. There are limited comprehensive gender responsive social protection programs which could ensure a fall-back position and avoid deprivation of families and individuals especially of women and girls. There is also a lack of regulations on decent work and living wage for lower class and informal sector workers which results in exploitation of cheap labour, mostly women, by the private sector.

Systemic injustices

Almost three months after my cousin was raped no case has been filed in court yet by the government prosecution, despite the fact that in Rwanda GBV is denounced and there are programs in place. If it can take this long for a case that had immediate response and evidence collected on the spot, one wonders how long other more complicated cases can take. During this time, she has been summoned more than five times by different government institutions and been subjected to endless medical tests. She received counselling only on the day she was raped and no follow up was made after that. She has been left to deal on her own with mental issues that follow such an experience. Most public positions are held by men including police, investigators, lawyers and judges, who have been socialized to treat women as inferior and to normalise harassment and violence done to women. Apart from national (gender sensitive) laws, it's not a requirement but rather a voluntary act for other institutions, organizations and the private sector, like where my cousin worked, to put in place institutional policies and mechanisms to prevent and respond to GBV, and most don't have these policies.

There is a need to ensure that all people are accountable to laws and policies, provision of efficient services and are conscious about not to

re-stigmatize a person who has gone through rape. In addition to national laws on GBV, all working spaces including those in private sectors need to comply with state laws and uphold the country's gender equality principles including prevention and response mechanisms to GBV.

Social stigma

The #MeToo movement has sparked a lot of debates around stigma faced by women who have been sexually harassed and violated. It is not uncommon that in a patriarchal society women and girls get blamed for sexual violence. Similarly in Rwanda, a conversation among typical Rwandans on rape quickly turns into how girls seduce men and how sometimes it's their fault. Such culture makes women continue to live in abusive relationships and environments and think twice about reporting cases. Media also plays a big role in perpetuating stigma. Many journalists reached out to me and expressed their interest to publish a story on the case of my cousin but they quickly cancelled on learning that they would be talking to me and not to her (because she wasn't ready) – so the stories would not get as much attention. Without implementing consistent programs to address social stigma in all parts of society, it remains difficult to eradicate practices that normalise GBV and blame those affected.

There is no single law that can address GBV in its entirety – GBV is an outcome of deeper root causes that remain superficially addressed. Imprisoning the man that raped my cousin doesn't even bring about real justice. Real justice requires going deep and beyond to address unequal structures, systems and continuously challenging social norms.

Reference: ¹ www.newtimes.co.rw/news/what-future-work-rwanda

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