

Breakdown of Tribal Culture Further Marginalises Women With Disabilities

By Charles Wachira

The Chief Magistrate sitting at the Nairobi High Court did not hesitate to point out that the act of sexually assaulting a physically challenged woman was beastly, despite the victim having attained the statutory age of consent.

In the dock was Francis Macharia, 52, a mathematics teacher accused of abusing his mentally retarded 19-year-old daughter.

This case which came up late March this year failed to attract much attention in the local media apparently because of the sheer number of incidents where the victims are physically challenged women.

"It shocks no one today. The society has heard so much about men abusing physically disabled women, to the extent that more and more people are having the courage to confront the perpetrators," says Agnes Mutiso, co-chair of the African Network for the Prevention and Protection Against Child Abuse (ANPPCAN).

However the discrimination suffered by women with disabilities goes beyond physical mistreatment.

Lucy Kimani is an example. Upon completion of her undergraduate studies at the University of Nairobi she was refused a job as a journalist with the Nation Media Group, arguably the biggest news organisation in the East and Central African region. Her crime: she had been reduced to using a wheelchair after polio left her paralysed from the waist down.

"They told me that despite my educational

qualifications they could not give me a job as a journalist. They did not tell me why they had ruled me out but I guessed it was because I was on a wheelchair," explains Kimani, 32, who today ekes out a living as a freelance journalist.

Since Kenya became independent in 1963, successive administrations have always passed over the plight of people with disabilities in the country. No special schools exist apart from two that had been put up by the British colonial authorities.

One of them is Nile Road Special School, located 50 kilometres east of Nairobi. With a population of 750 students, the institution is perennially seeking financial assistance from potential sponsors.

"The school is in dire need of assistance. We cannot cope with the number of students seeking admittance. Our annual budget always has had to be cushioned by international assistance," explains Jennifer Owang, the school principal.

Indeed, people with disabilities in Kenya find themselves further pushed into a corner by the country's severe economic problems.

In 1987 President Daniel arap Moi ostensibly reached out to the marginalised groups by

declaring the year to be specially dedicated to the disabled. He directed the raising of funds for them, and a total of US\$32,000 was collected. Unfortunately the money was salted away by cronies of the president. Since then, the issue has conveniently been forgotten.

Kenya's finances are in a shabby state. With an external debt of US\$7.5 billion and an internal debt amounting to US\$2.5 billion, the government spends a massive US\$ 0.8 billion annually on debt repayment. This is more than what the Moi administration spends to provide for education and health services combined, which add up to US\$0.7 billion annually. Kenya remains highly dependent on financial aid from abroad, which alone makes up around 16 per cent of the gross national product.

Not surprisingly, people with disabilities are left to fend for themselves—which means that one's personal resources determine the destiny of a person in such a situation.

And because Kenya is a patriarchal society, women with disabilities are particularly disadvantaged. Their concerns receive scant attention. At best, the issues are conveniently subsumed in an amorphous class cavalierly referred as "the marginalised groups." And because women with disabilities have not been able to come together as a lobby, there is as yet no effort to campaign on a platform of reforms detailing their particular needs.

Since they are hardly regarded as a group in need of an environment that takes care of their needs, it is often taken for granted that most women with disabilities are comfortable at home rather than at the workplace.

But it is at home where they are likely to be sexually abused. Rarely do such cases come out

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into the open. Families keep quiet because of the shame, and are usually intimidated by threats of violence if anybody dares to report to the authorities.

A good case is the trial of Francis Macharia.

"He threatened to kill me when I said that I would blow the whistle on him. He begged me to forgive him and promised to stop having sex with our daughter. I believed him at first, but one day I discovered him in the act and I said enough was enough. I called in the police, who insisted that I grease their palm first if I was to count on their help," Macharia's wife Mary Wairimu, 42, told the hearing. She has eight children.

Tellingly, the police tend to blame Wairimu. "We believe that she earns her living as an urban prostitute," said Patrick Kiarie, the police inspector prosecuting the case, declaring: "Not that we have anything against her preferred trade but it's her visibility as a lush individual that is annoying." Like many jobless women in the inner parts of the city where life is hard and mean, she has already spent time in jail several times, according to the police.

As the Chief Magistrate adjudged Macharia guilty of the crime of sexual abuse, subsequently

sentencing him to 10 years in jail without the option of a bond, his daughter sat on a wooden bench inside the courtroom, with a detachment that was simply moving.

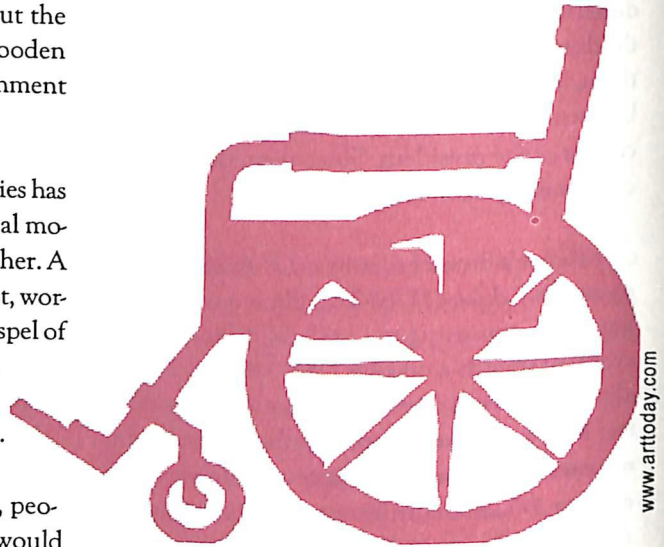
The situation of women with disabilities has further worsened with the erosion of tribal mores that used to bind Kenyan society together. A perverse culture originating from the West, worshipping Mammon and preaching the gospel of individualism, without a gender dimension, throttles the women sector as a whole and relegates it to the fringes of national politics.

"If our tribal mores were still intact, people with disabilities, particularly women, would find a trustworthy social cushion. But with capitalism eating into our culture we have to think of new ways of assisting our people," according to Dr Ojwang Oturi of the University of Nairobi's Sociology Department.

Despite President Moi's repeated utterances that his administration is sensitive to the needs of marginalised groups, amongst them women with physical disabilities, his government has refused to back an Affirmative Bill that aims to empower these groups. Those lobbying for women's interests in particular are branded as at best charlatans, servilely attached to foreign ideology. He himself has generally dismissed women as "small-minded midgets" who should not be taken seriously. He has also underscored the need for women to rally behind the menfolk in nation building.

Significantly, there are only two women legislators in his government, out of 150 parliamentarians.

The apathy towards women with physical disabilities is further entrenched by the fact that no data has been gathered on even just their



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percentage in the population of women with disabilities. "We have a situation where the government sees nothing special or serious about their concerns. What matters to the government is how the women react come the national elections," comments Jane Kiragu, executive director of the Federation of Women Lawyers (FIDA) of Kenya.

"The government has not yet identified women with disabilities as a group in need of special treatment. For now the gender issue is focused on getting more women into the mainstream irrespective of their physical status," according to Onesmus Githinji, Undersecretary in the Ministry of Culture, Sports and Social Services which handles all issues related to gender.

Charles Wachira is a freelance writer based in Nairobi, Kenya's capital—arguably the commercial hub of the East and Central Africa region. He writes particularly about issues that affect women, children, refugees and other marginalised groups in society. A keen Pan-Africanist, he has a degree in history and sociology from the University of Nairobi. He can be contacted at P.O Box 38889, Parklands, Nairobi, Kenya.