

ZAMBIA

**STRATEGIC COUNTRY GENDER
ASSESSMENT**

A Report of The World Bank

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JUNE 2004

ACRONYMS

ACBF	African Capacity Building Foundation
AIDS	Acquired Immune -Deficiency Syndrome
AIEMS	Action to Improve English Maths and Science
ARPT	Adaptive Research Planning Team
ARV	Anti-Retroviral (Drugs)
BSA	British South Africa (Company)
CAS	Country Assistance Strategy
CA	Constituent Assembly
CBO	Community based organization
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CIDA	Canadian International Development Agency
CRC	Constitutional Review Commission
CSO	Central Statistical Office
CSOs	Civil Society Organizations
DDCC	District Development Coordinating Committee
FAWEZA	Forum for African Women Educationalists Zambia
GIDD	Gender In Development Division
HDI	Human Development Indicators
HIPC	Highly Indebted Poor Countries
HIV	Human Immune Virus
ICPD	International Conference on Population and Development
ICT	Information Communication Technology
ILO	International Labor Organization
JUDAI	Jule Development Associates International
LCMS	Living Conditions Monitoring Survey
MCDSS	Ministry of Community Development and Social Services
MMD	Movement for Multi-Party Democracy
MMR	Maternal Mortality Ratio
MoE	Ministry of Education
MoFNP	Ministry of Finance and National Planning
MoLSS	Ministry of Labor and Social Security
MoL	Ministry of Lands
MoLA	Ministry of Legal Affairs
MPS	Master of Policy Studies
MoSTVT	Ministry of Science Technology and Vocational Training
MoSYCD	Ministry of Sport Youth and Child Development
MTCI	Mother-to-child-infection
M2000	Movement 2000
NAC	National HIV/AIDS, STD, TB Council
NGP	National Gender Policy
NGO	Non-governmental organization
NORAD	Norwegian Agency for Development Cooperation
OVC	Orphans and Vulnerable Children
PAGE	Programme for the Advancement of Girls Education
PRSP	Poverty Reduction Strategy Paper
RNE	Royal Netherlands Embassy
SADC	Southern African Development Community
SCGA	Strategic Country Gender Assessment
SIDA	Swedish International Development Agency
SPA	Strategic Plan of Action
SSA	Sub-Saharan Africa
STD	Sexually transmitted disease
TB	Tuberculosis
TBA	Traditional Birth Attendant
TFR	Total Fertility Rate
TNDP	Transitional National Development Plan
UNDP	United Nations Development Programme

UNECA	United Nations Economic Commission for Africa
UNFPA	United Nations Fund for Population Activities
UNICEF	United Nations International Children's Education Fund
UNIP	United National Independence Party
USAID	United States Agency for International Development
VSU	Victim Support Unit
WILDAF	Women in Law and Development in Africa
WLSA	Women and Law in Southern Africa
YWCA	Young Women's Christian Association
ZARD	Zambia Association for Research and Development
ZDHS	Zambia Demographic and Health Survey
ZNWLG	Zambia National Women's Lobby Group

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ACKNOWLEDGEMENTS

The Zambia Strategic Country Gender Assessment (ZSCGA) is a collaborative effort between the World Bank, Government of Zambia and Zambian gender experts. The team appreciates the invaluable technical inputs that many stakeholders brought to the assessment. Many development partners concerned with gender issues and supporting both government and civil society in this important area contributed to the substance of the assessment. Stakeholders from among the cooperating partners, universities, government and civil society, and private sector participated in a workshop to review the assessment, and brought a wealth of information and analysis to the process. Many made themselves available for any one-on-one consultations as needed. The Gender in Development Division (GIDD) in Cabinet Office is responsible for gender within the Government of Zambia. Its Permanent Secretary, Sr/Dr A Ponga, played a pivotal role in backstopping the study, both technically and logistically. Her staff were equally supportive. The direct involvement of GIDD facilitated the sense of ownership of the SCGA by the Zambian Government and civil society.

The assessment was undertaken under the supervision of the gender team of the Africa Region of the World Bank, specifically Mark Blackden and Shimwaayi Muntemba. It benefited from insights of Malcolm Ehrenpreis, Gender and Development, the World Bank, who reviewed the draft; and of the Zambia country team, Africa Region, the World Bank.

FOREWORD

Zambia has put in place many development instruments, the overarching being the Poverty Reduction Strategy Paper (PRSP), which was finalized in 2002, but whose review may be undertaken in 2006. Development partners have their own assistance strategies, that are nevertheless guided by the PRSP. Zambia has also committed itself to the Millennium Development Goals (MDG). The Strategic Country Gender Assessment (SCGA) offers Zambia and its development partners an opportunity to look at gender as a means of informing and improving the effectiveness of the country's poverty reduction strategy and of meeting its MDGs in a meaningful manner.

By looking at how gender can inform development and poverty reduction, the development community acknowledges gender as a social and economic issue that must be captured in policy analysis. The debate on the importance of gender in economic and social policy analysis revolves around two issues. The first issue is premised on conclusions drawn by gender and development economists and social scientists that gender inequalities impede economic growth and frustrate efforts to reduce poverty. Eradicating or reducing gender disparities is seen, in this scenario, as an effective way of achieving economic growth, reducing poverty and securing livelihoods at the household level. A cost benefit analysis (CBA) is applied to show the economic gains of investing in girls, as well as in boys who have been preferred by governmental policy makers and families. The second issue originates from the notion that gender inequalities are bad in and of themselves. Gender equity is the concept that all human beings, both men and women, should be free to develop their personal abilities and make choices without the limitations placed by stereotypes, rigid gender roles, and prejudices. There is now strong advocacy for gender equity. This is justified through the rights-based approach to development.

Gender, then, is both an economic and social issue. One reinforces the other. Empowerment that comes with stronger economic positions has impacts on social status, while social/cultural issues affect economic performance. This SCGA will identify factors that encourage or frustrate the productivity of men and women and that affect development outcomes.

Hartwig Schafer
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EXECUTIVE SUMMARY

The Zambia Strategic Country Gender Assessment (ZSCGA) is the principal means by which Zambia and the Bank, and other development partners, participate in a collaborative process to:

- (i) analyze the gender dimensions of development in the country;
- (ii) identify gender-responsive policies and actions important for poverty reduction, economic growth, human well-being, and development effectiveness; and
- (iii) integrate these policies and actions into policy dialogue and country assistance programs.

While principally responding to the Bank's priorities, this SCGA addresses key areas for intervention by the Government of Zambia and its development partners, specifically the donor community and civil society including national and international non governmental organizations (NGO), as well as the private sector. The ZSCGA provides a novel opportunity for partnership among various players, recognizing that each player has their own specific role and strength to bring to a program.

The ZSCGA identifies culture, in this case patriarchy, and socialization as key to gender relations, whether social/power or economic. To better articulate this, the SCGA first looks at economic relations from the standpoint of the roles that women and men play in both household and market economies where it is shown that both men and women are active in the market economy, although the benefits from this are controlled by men despite that women provide the bulk of labor for technology strapped small-holder agriculture where majority Zambians operate. Women carry the responsibility for the household economy, which is why they end up with a 12-13 hour day compared to the men's seven. They provide up to 70% of agriculture's labor, yet most do not own or control the productive resources. The assessment shares proverbs from different parts of the country that justify and reinforce these roles and patterns of asset ownership.

The SCGA then examines gender profiles in the country and takes education, health, HIV/AIDS and decision-making as cases in point. It demonstrates that in all cases, women are at a disadvantage in relation to men: there is parity or near parity at Grade 1 school enrolment in almost all the provinces, but as they progress, girls start to lag behind boys, until the tertiary level where they constitute a low percentage of the student body. Choices parents make as to who should remain in school and teacher preference for boys, academically, contribute to this result. Boys are perceived as better protectors of families, as future heads of households. In health, women generally do not enjoy as much good health as men because of their reproductive responsibilities where the indicators for maternal mortality ratio and total fertility rates indicate the state of their health, exacerbated by the burden of work they experience every day. Many of them do not have the right to decide whether to go to a health facility. They defer to husbands. Ironically, men's life expectancy is lower than women's, but we are yet to understand fully why this is the case.

HIV/AIDS is perhaps one of the worst outcomes of power relations that favor men. Unable to negotiate for their own sexuality in the context of male dominance expressed in multiple partners, women often fall prey to the infection. But this also exposes men to risks so that a generational pattern of exposure and infection appears: women are five to six times more likely to be infected at younger ages and more men are infected at older ages. This reality has made gender based violence, which has been on the increase in Zambia, even more potent as, often, younger girls are the victims of this violence, especially rape. At all levels, women do not participate fully in decision-making even where this affects their lives, a reflection of gender power relations. But the SCGA has noted that patriarchy has equally influenced the country's laws so that they do not always offer protections to the vulnerable. The Constitution lays the foundation for discrimination against women by allowing application of personal laws (marriage, divorce, inheritance), while the practice by some law enforcement individual males with regard to marriage, divorce and inheritance expose their biases toward patriarchy.

The SCGA sees six main issues emerging from an analysis of the above situation, and around which it bases its recommended interventions:

- (i) Gender is an economic issue in Zambia, given the different roles men and women play in both household and market economies. Women tend to predominate in agriculture and micro-enterprises, as well as in household tasks, while men dominate the mining sector and small/medium enterprises. But there are inequalities in access, ownership and control of productive resources, and of time and labor of women. The resulting gender-based disparities have important economic costs to households and the nation.
- (ii) Women suffer from time poverty as a result of the combination of productive and reproductive tasks they are responsible for: they work 12-13 hours/day compared to men's 6-7 hours/day. Time poverty has been compounded by the additional burdens disproportionately placed on women in coping with the HIV/AIDS pandemic and caring for the sick and orphans. This in turn suggests a need to give much greater priority to investing in the household economy, including labor-saving technology, that would free women's time for more productive work, and for themselves.
- (iii) The legal framework in Zambia is discriminatory against women: freedoms provided for under the Constitution are undermined by customary laws and cultural factors; the dual legal system limits women's rights of access to and control over productive resources. Laws in effect offer insufficient protection against markedly rising levels of gender-based violence, and are not in step with the march of HIV and AIDS.
- (iv) Human development indicators in Zambia are deteriorating, while gender disparities in human development persist, especially in higher education. Life expectancy at birth has dropped to 46.1 years. Maternal mortality ratios (MMR) at 649 per 100,000 live births, and total fertility rates (TFR)

of 5.9 children per woman remain very high and have implications for women's reproductive health. The ZSCGA demonstrates strong and positive linkages between gender-inclusive education, reduction in TFR, MMR and child mortality, and household livelihood security.

- (v) Poverty has gender dimensions, including isolation, powerlessness and vulnerability. Low participation in decision-making at all levels has serious implications for women's empowerment and poverty reduction, compounded by time poverty and their double workday. While poverty remains high in Zambia (affecting more than 70 percent of the population), the gender dimensions remain poorly understood. These dimensions are not adequately captured in analysis based on disaggregation by sex of the household head alone. More work is needed in this area.
- (vi) HIV/AIDS has gender differentiated risks and vulnerabilities where more young women than men in their age group get infected and more older men catch the virus. There are gender differences in impact where women shoulder the burden of caring for the sick, but both women and men suffer other social and economic effects of the disease. Culture plays a pivotal role in who is subjected to the risks and vulnerabilities. Gender-based violence is both fuelled by and is fuelling the spread of HIV/AIDS.

Recommended Interventions

The ZSCGA, therefore, has made recommendations that it sees as fundamental to making gender an effective poverty reduction and development tool. The interventions would help integrate gender fully in program planning, implementation and monitoring. They focus on:

Engendering key instruments of development, where the Bank is singled out as needing to play a special role in achieving this.

Engendering the PRSP implementation and review process, where Gender in Development Division (GIDD) and the PRSP secretariat in the Ministry of Finance and National Planning are to take primary responsibility.

Equality in access to and control over productive resources, where women's potential has to be optimized for household security and national economic growth.

Easing women's time poverty where the Government of Zambia and its development partners are called upon to invest in household-targeted technology.

Integration of gender dynamics in HIV/AIDS programs where laws need to be promulgated to protect especially young girls and where, building on the process already in place and supported by the World Bank, GIDD and the National AIDS Council (NAC) would ensure that gender gets integrated in all HIV/AIDS programs and activities.

Aligning national laws to gender-based protections, where a Gender Act is called for to deal with all gender-related issues, including personal laws, under one legislation.

CHAPTER 1:

INTRODUCTION AND COUNTRY CONTEXT

1. Zambia completed its Poverty Reduction Strategy Paper (PRSP) in 2002. The Zambia Strategic Country Gender Assessment (ZSCGA) was initiated soon after this completion. The PRSP provides the overarching framework for the country's development agenda, while the main task of the ZSCGA has been to identify gender concerns and issues that need to be addressed in poverty reduction and development in Zambia. This gender assessment, therefore, missed an opportunity to inform a key poverty reduction and development instrument, for while the PRSP process had opened the door for gender inclusion, the final report did not adequately capture the linkage between gender and poverty reduction, and development. Nevertheless, the issues this report articulates could advise implementation and the anticipated review of the PRSP in 2006.
2. The ZSCGA was commissioned by the World Bank and prepared between August 2002 and December 2003. The World Bank, like many other development partners, has recognized a central role gender plays in poverty reduction and development, and has articulated this through various documents, in particular its *Report on Engendering Development 2001*, and *Integrating Gender into the World Bank's Work– A Strategy for Action, 2002*, which highlight lost development opportunities as a result of gender exclusion. Available gender disaggregated data demonstrate gender-driven differences in female and male socio-economic roles, responsibilities, needs, constraints and potentials, and their important implications for equity and efficiency, as well as for female/male responses to different interventions aimed at improving productivity and reducing poverty.

A. Objectives of the SCGA

3. The Zambia Strategic Country Gender Assessment is the principal means by which Zambia, the World Bank and other development partners can participate in a collaborative process to:
 - (i) analyze the gender dimensions of development in the country;
 - (ii) identify gender-responsive policies and actions important for poverty reduction, economic growth, human well-being, and development effectiveness; and
 - (iii) integrate these policies and actions into policy dialogue and the country assistance programs.
4. The SCGA is intended to form a basis for assisting government policy makers to develop priority gender-sensitive and poverty-focused interventions, building on priorities articulated in the PRSP; the National Gender Policy (NGP) and its Strategic Plan of Action (SPA); the Movement 2000 (M2000), a

program of 'Support to the Mobilization for Women's Empowerment' by NGOs; as well as the Zambia National Response to AIDS (ZANARA), the program of the National AIDS Council (NAC).

5. The ZSCGA will articulate how best the Bank, and other development partners, can help to catalyze gender issues in country dialogue, and in the design and implementation of development interventions. To this end, it will identify ways in which Zambia and its development partners, can define and implement gender-responsive development strategies and programs both in macro and sectoral levels, especially in implementing the PRSP, and the Transitional National Development Plan (TNDP, 2002-2005). It should inform the Bank's country assistance strategy (CAS), and other key programs being carried out in the country by other development partners, including non governmental organizations (NGOs). In so doing, the SCGA will support the development process in Zambia in a way that enables both men and women to participate meaningfully in and benefit from the country's social and economic development.

B. Methodology

6. A multi-disciplinary team of Zambian gender experts of varied backgrounds (an economist and demographer, a development sociologist, an educationalist and a human rights lawyer) prepared this SCGA, to take stock of available qualitative and quantitative data on gender and development in the country. Some of the sources used are ten years old or older. These were found useful in that the issues they raised remain valid. Two stakeholder workshops were held, first to suggest how to conduct the research and analysis to capture as many critical issues as possible, and later to review the first full draft. Participants at the second workshop enriched the analysis and, in sharing their different and wide ranging experiences and perspectives, helped broaden and deepen the scope of the assessment, and its national ownership. The Gender in Development Division, represented by its Permanent Secretary, backstopped the process.

C. Country Context

7. This section focuses on the country context and critically discusses an enabling environment for the promotion of gender equality in relation to socio-economic change, priorities, legal/regulatory and policy frameworks, as well as institutional arrangements and capacity for implementing gender and related development goals.

Legal and institutional frameworks

8. To what extent does the existing legal and regulatory framework guarantee or protect the human rights of Zambia's men and women?
9. ***The Zambian Constitution:*** The constitution of any country is important both as a reflection of national values and norms and because all other laws and sectoral policies derive their legitimacy from it. From a gender perspective,

however, the *Zambian Constitution* contains contradictions that place barriers to achievement of gender equality. While the Constitution protects women against discrimination under Article 11, Article 23(4) negates this guarantee by allowing the application of customary law in matters of personal law (i.e. marriage, divorce, and devolution of property). This has a negative effect on women's ability to fully participate in national decision-making, earn a decent living through formal employment or enterprise, and acquire and own property. Therefore, in terms of personal law, the Constitution has defined a power relationship between men and women that disadvantages women in terms of access to and control over resources in the private sphere, and this translates into gender-based inequalities in the public sphere (education, land, employment, business development services, financial capital, decision making, etc). Gender biases tend to characterize aspects of various laws (refer to Chapter 4 for a profile).

10. ***Inheritance rights of men and women:*** Under customary law, which is widely practiced and understood by majority of Zambians, married couples do not own property jointly nor inherit property from each other. In general, household property is regarded as belonging to the husband, and this promotes the practice of property grabbing from women in the event of the husband's death. Although the Inheritance Act provides for women's share of a deceased spouse's estate, it still disadvantages them more than men, as confirmed by the distribution pattern: ***50% to children; 20% to the widow (or widows in case a polygynous marriage); 20% to parents; and 10% to dependants.***
11. Moreover, women are also discriminated against within their natal families in that all kinship systems give preference to male heirs to property (Mvunga 1979).
12. ***Marriage laws:*** The Government of Zambia recognizes the legality of marriages under both customary and statute, both of which operate to the detriment of women in terms of access to and control over productive resources. Customary marriage applies a double standard in terms of sexual rights, exclusiveness, and reproductive rights (childlessness, always blamed on the woman, may be reason for divorce or for taking additional wives).

Policy frameworks

13. Zambia has passed through several phases of the development planning process. However, between 1991-2002, government planning shifted from long-term planning that was characteristic of the Socialist orientation of the Second Republic to short and medium-term planning. The 3-year Policy Framework Papers and the 1-year Economic Policy Instruments (National Budgets) guided the short and medium term plans. Since 2002, government has reverted to the long-term planning strategy through the Transitional National Development Plan (TNDP), 2002-2005 and the PRSP. The financing of macro and sectoral programs will be undertaken within the Medium-Term Expenditure Framework (MTEF)

14. With regard to sectoral policies and programs that derive from the TNDP and PRSP, literature that was reviewed shows that there are a number of approved policies relevant to the SCGA, for example on gender, poverty reduction, education, commerce, trade and industry, technical and vocational and entrepreneurship training, health including reproductive health and family planning, population, etc. Some are highlighted below:

The National Gender Policy, approved in March 2000, reflects the national vision on gender, which is stated as ‘Attainment of gender equality and equity’. However, the policy is relatively new and is yet to be widely circulated or understood, even within line ministries. Most line ministries do not have sectoral policies that incorporate gender issues. The Programme of Action for Capacity Building and Mainstreaming Gender, which requires financial and technical support, was prepared in 2002 by GIDD in collaboration with cooperating (donors) and implementing partners.

The National Population Policy introduced in 1989 was revised in 2000 to bring it in line with the goals of the International Conference on Population and Development (ICPD) of 1995. This provided for the institutionalization of reproductive rights, safe motherhood, adolescent sexual and reproductive health, and family planning.

Educating Our Future: National Education Policy (1996) addresses the entire educational system, from pre-school to tertiary and adult education, and pays attention to current global acceptable tenets such as curriculum relevance, capacity and partnership building, and efficient management of resources. Its cornerstone has four guiding principles: access, equity, democracy, and quality. ‘Educating Our Future’ also identifies areas of special concern including gender in education, special needs education, and education for the poor and vulnerable.

Technical Education, Vocational and Entrepreneurship Training Policy (1996), which seeks to improve productivity of the labor force, promote entrepreneurship in both formal and informal sectors, empower women economically, etc. However, findings indicate that there is lack of capacity among training providers to develop and run demand-driven training, and to mainstream gender and entrepreneurship in the curriculum (JUDAI 2002: 29).

Health Reforms of the national health system began in 1992, when the National Health Policies and Strategies were introduced. These stressed equity of access and quality of services ‘as close to the family as possible’. However, macro-economic policy and measures (i.e. cuts in social sector spending) have negatively affected implementation of health reforms. Governmental difficulties to adequately fund health services has led to the introduction of medical fees and de-institutionalization of health care provision towards home-based care, especially for chronic illnesses such as TB and HIV/AIDS. This policy change has negatively affected women and girls, the traditional caregivers. Illness in the family is a common reason for women’s absence from both formal and informal employment and for schoolgirls not attending, or dropping out of, school to look after siblings in the event of the death of both parents.

Land Policy, introduced in the last two-three years, incorporates a quota system – 30% of all available land for allocation specifically to women, in addition to their

participation in the remaining 70%. However, a major constraint particularly for women (who are more disadvantaged financially and economically than men) relates to the short period of 18 months required by the Government for developing the land.

Institutional framework for gender mainstreaming

15. The long years of sensitization and analysis, from the 1975-1985 UN Decade for Women through 1995, have helped Zambia to develop institutional structures to address women's and gender issues. First established was the Women in Development Desk to be responsible for activities relating to the women's decade, later elevated to a Unit in 1984 in the National Commission for Development Planning within the Ministry of Finance, and then a Department within the Commission in 1992. Finally in 1996, it became the Gender in Development Division in Cabinet Office, Office of the President.
16. Thus, the institutional framework for implementing the gender policy consists of the:
 - Gender in Development Division at Cabinet Office under the Office of the President;
 - Parliamentary Committee on Legal Affairs, Governance, Human Rights and Gender Matters;
 - The Gender Consultative Forum; and
 - Gender Focal Points in planning units of line ministries, specialized government agencies, Provincial Planning Units and District Development Coordinating Committees.
17. The structure is, however, very weak and almost non-functional at all levels especially at the line ministry, provincial and district levels. There is strong collaboration between government and cooperating partners on one hand and partners and NGOs on the other. Cooperating partners have assisted government and NGOs in many areas. Some examples: The Netherlands have focused on government while NORAD works more with NGOs. The Netherlands has been assisting GIDD to facilitate gender inclusion in the constitutional review now underway, as well as to address gender in cross-border trade and investment. It has assisted with institutional capacity building. USAID has assisted with gender and education, while many in the United Nations system have also been actively promoting gender. The World Bank is supporting government and NAC build national capacities for integrating gender into HIV/AIDS activities, UNDP has focused on some sectors, for example food security. UNICEF is addressing girls' education, while UNFPA focuses on the North-Western Province, specifically concerning itself with mother and child health, and nationally it supports initiatives working on combating gender based violence.
18. There are also informal structures such as the Gender Forum, Women's Parliamentary Caucus and various civil society organizations (CSOs) and individuals that have greatly contributed to the gender discourse in Zambia.

National efforts to integrate gender into HIV/AIDS programs/activities

19. Based on recognition that gender plays a critical role in the life cycle of the HIV/AIDS pandemic (i.e. infection, incubation, sickness, and death), considerable efforts have been put in place to mitigate the gender impact of HIV/AIDS, which often puts a disproportionate burden on women and girls. The efforts of both the Government and civil society are directed at behavior change, provision of care for HIV/AIDS patients such as home based care, corporate policies on HIV/AIDS, provision of ARVs, and prevention of mother-to-child infection (MTCI). With respect to behavior change and advocacy, GIDD and NAC in collaboration with the World Bank (PREM) have put in place activities to facilitate integration of gender into HIV/AIDS programs and activities. So far, over 25 officers from line ministries, provincial administration and NGOs involved in HIV/AIDS activities have been trained on gender integration, and on monitoring and evaluation. A Training Manual to facilitate the work of this core team of trainers has been developed, and a number of activities such as sensitization of communities, workers of the hospitality industry, long distance travelers, truckers and others have been planned. Gender in Development Division is also working with traditional girl-initiation practitioners to revisit their Initiation Curricula to incorporate HIV/AIDS and gender concerns. Furthermore, GIDD plans to compile gender and HIV/AIDS related statistics and document information and cultural practices in Zambia pertaining to the topic. The Zambian Government, in the 2003 National Budget, put aside K12 billion aimed at enabling 10, 000 HIV/AIDS patients access ARVs. This program is anchored in the Ministry of Community Development and Social Services (MCDSS). However, less than 2000 patients accessed this facility in 2003. ZANARA is coordinated by the Ministry of Finance and national Planning (MoFNP), and targets the Public Service Commission with regard to behavior change.

Macro/national issues

20. ***Economic factors:*** In the last 38 years since independence, Zambia has moved from being one of the middle income countries in SSA (with US \$1200 per capita in 1964) to being one of the poorest, its human development ranked at 165 out of 174 nations in 2004, down from the 153 position in 2000. This downward mobility has been due to both external and internal factors, for example decline in terms of trade for copper, bad economic management, acceleration of the implementation of SAP measures since 1991, which has worsened rather than improved the living situation of majority Zambians. Although Zambia has now acquired the highly indebted poor countries (HIPC) status, it is still required to make substantial foreign debt repayments. Lack of government funds, aggravated by the impact of SAP measures, has negatively affected development opportunities in both agriculture and industry. Under the free market system introduced in 1991, there have been massive job losses and stable sources of security for individuals and families have been put to the test. Gender inequalities, in this respect, have been reflected in formal employment where male participation increased to 88% in 2000 from 80% in 1996, compared to that of women which declined sharply to 12% in 2000, from 20% in 1996 (CSO 1996, JUDAI 2002). Currently, over 80% of total

population are affected by joblessness, and consequent poverty (CSO 1997; CSO/LCMS 1998), with women being much worse off than men. Women dominate the coping strategies that have been devised over the last decade or so, which have been necessitated by macro economic changes and the impact of HIV/AIDS. They have predominated in programs of 'food for work' and in carrying the burden of caring for the chronically ill family members and HIV/AIDS orphans.

21. *The gender impact of SAPs on the provision of public goods* is well demonstrated by the developments within the education and health sectors. As part of fiscal discipline and the ash budget system and responding to the advise they get on need to focus on 'economic sectors' that can generate wealth for future distribution, adjusting countries tend to reduce budget allocations to social sectors. To cushion the budget cuts, adjusting economies introduce cost-shifting or cost-sharing mechanisms in the provision of services affected by the budget cuts.
22. In Zambia, the Government completely withdrew its support to the provision of primary education. The burden was shifted to the household where almost 100% of primary school requirements were pushed. At secondary and tertiary levels, some form of cost-sharing was introduced. However, these measures had a gendered impact. Statistics show that enrolment, retention and progression of girls in the education system declined. This was as a result of little attention put on girls' education, due to patriarchal norms that influence parental choices regarding school attendance by their girl and boy children. Thus, as privatization of para-statals accelerated, with more people taken out of formal employment and less money (through salaries) going to households, a number of households opted to withdraw their girl children from schools.
23. With regard to health, budget cuts to the sector led to de-institutionalization of the provision of health care. Home-based care systems were introduced so that terminally ill patients have been prematurely discharged from health facilities to be cared for at home, and care providers at home are women. Consequently, provision of this care has put additional pressure on their already overstretched time. The design of home-based care was blind to the local social and cultural reality where gender division of labor is premised on the principle that women's time is elastic and thus can be stretched. In addition to this, little attention was paid to environmental health in the homes where patients were sent, nor was the safety of the care givers themselves and other household members considered. Most care givers also lost what little income that they would have been generating from the informal sector. Their labor and time have been needed to care for the sick.
24. Agriculture is another, though non social, sector whose impacts have been dramatic. Before the 1990s, government subsidized the supply of agricultural inputs, (seed, fertilizer, credit); it subsidized transportation of inputs and organized marketing. After 1991, the pace of SAP implementation accelerated. Supply of agricultural inputs and marketing were completely liberalized. Yet, farmers had not prepared for such changes. A study carried out in the North (Kasama) and South (Choma) revealed that the switch in crop marketing, from centrally controlled buying and selling, had not been

preceded by any educational programs to apprise small-scale farmers on how the market system operates. Perhaps, withdrawal of agricultural credit to small-scale farmers has hit women hardest. The study referred to in this paragraph found lack of access to agricultural credit to be the single most disabling factor for women farmers, whose productivity, already low, has diminished dismally. Thus, the agricultural sector seems to have experienced a collapse of the input distribution and marketing system, inputs having become unaffordable for majority small-scale farmers, especially women (Keller-Hertzog and Munachonga 1995).

25. The negative processes in productive sectors may be seen in gender-differentiated poverty as explained in terms of: (i) low levels of education among women, for example, in 1996, 29% of females had no education compared to 24% of males; 15.6% of males had completed Grade 10 or higher compared to only 8.5% of females; (ii) the very small and declining share of formal sector employment held by women; and (iii) the higher risk women face in contracting HIV/AIDS and other opportunistic infections due to biological factors, gender roles that leave them more vulnerable, lack of access to resources, and cultural norms and practices regarding sexuality.
26. ***The Poverty Reduction Strategy Paper:*** The Government prepared the PRSP as a means of addressing increasing levels of poverty affecting the majority of Zambians. The PRSP refers to gender concerns and issues (JUDAI 2002). However, there are many and complex barriers to poverty reduction and these include: huge foreign debt, misdirection of resources, economic decline, HIV/AIDS, and non-prioritization of human development. The gender dynamics in these variables were not addressed and consequently, their gendered impacts were not adequately analyzed by the PRSP. Achievement of sustainable development and livelihoods security will require multi-faceted interventions that incorporate gender, human rights and HIV/AIDS as cross cutting issues.
27. ***Status on implementation of Millennium Development Goals (MDGs):*** Zambia, like other UN member states, has incorporated all the eight Millennium Development Goals (MDGs) into its program activities. Most of the MDGs directly or indirectly attempt to redress existing gender imbalances in such areas as education and health. The country is currently preparing its first report on the implementation of the MDGs, which is being coordinated by the Ministry of Finance and National Planning (MoFNP) in collaboration with the UNDP local office. Gender in Development Division, as the national gender machinery, is fully involved in the activities and preparation of the progress report. However, the nation still faces challenges in the attainment of the MDGs due to a number of factors including inadequate funding to sectors such as education, health, and to governance. Negative and gender biased cultural practices could still impede progress in achieving the MDGs. Although some of the MDG targets, for example Universal Basic Education for All, are key, the analysis in the report being prepared indicates that the country will not achieve much by full attainment of Universal Basic Education, especially for girls, because positive effects of education such as lower fertility, enhanced access to productive resources and control over one's

life seem to occur beyond the nine years universal education advocates for in the MDG.

28. **Population characteristics/trends:** Zambia's population is youthful. In 2000, 45% of total population was below 15 years, resulting in a high dependency ratio. In turn, this increases the economic burden on able-bodied section of the adult population, most of whom are being thrown out of employment through public sector reforms. High dependency ratio assumes particular significance in a situation of the increasing number of orphans due to HIV/AIDS, with the burden of care falling on aged and non-earning grandparents (mostly women). An increasing number of children (many of whom orphans) live on streets, and this increases their vulnerability to sexual and other forms of abuse. This social problem is aggravated by the fact that Zambia does not have an effective social welfare system.
29. **Migration and gender implications:** Zambia is the most urbanized country in Sub-Saharan Africa after South Africa, with about 50% of its total population living in urban areas (CSO 2000). Men have a long history of migration to urban centers for wage employment under the colonial migrant labor policy. By contrast, women have migrated to towns for economic and, mainly, social reasons, for example to join husbands already working in towns, to join relatives, or to escape from abusive marriage relationships (Muntemba, 1982; Schlyter, 1988). Females who migrate to urban areas on their own face more difficulties than males in their search for housing and meaningful income generating activities. Due largely to discriminatory policies and practices, many women are engaged in petty trading and illegal/risky income generating activities, for example "living as *Shabeen Queens* – i.e. running prostitute houses in the compound, some becoming prostitutes themselves.", with very low incomes (Muntemba 1982).
30. **Headship of Households:** Headship of a household is a very important role as it entails responsibilities such as finding housing for family members, food or cash provisioning to support the family. In urban areas, ownership of a dwelling can also provide a means of income-generation, to run a small business from or to rent, among other social and economic benefits. However, women face more constraints than men in efforts to own and/or improve housing for their families (Schlyter 1988). Secondly, the head of the household is the link between the household or domestic economy, on the one hand, and the market economy on the other. Female-headed households have increased from 17% in 1985 (Safilios-Rothschild 1985) to 22% in 1998 (CSO/LCMS 1998), and to 23% in 2000 (Jobs for Africa, 2000). There are three categories of female household heads: divorced and single mothers, women whose husbands have temporarily migrated, and women in polygamous marriages. The incidence of female headed households is higher in rural than in urban areas (CSO/LCMS 1996 & 1998).
31. What is at issue here is the fact that in spite of the increase in the number of households headed by women, including in the wake of AIDS by girl children, government policy continues to be based on the assumption that the family is male-headed. This has influenced targeting of resources through men, to the detriment of women. Therefore, there is need for flexibility in designing

interventions for achieving gender equality, greater livelihood security, growth and development.

D. International Conventions

32. Zambia is a party to international conventions, which she has ratified or acceded to. The key ones are: The United Nations Convention on The Elimination of All Forms of Discrimination Against Women (CEDAW); the United Nations Convention on the Rights of the Child (CRC); and the African Charter on Human and Peoples' Rights and other International Covenants such as Civil and Political Rights (ICCPR/ADD/62). These Instruments have not been domesticated, a fact that could improve the rights of women and children, and facilitate their participation in issues of national development (see also chapter 4).

CHAPTER 2:

GENDER PROFILE: GENDER AND ECONOMY

33. This chapter identifies and critically analyzes gender dynamics and issues in the broad areas of:
- The socio-economic roles of men and women in, and especially time allocation to, both household and market economies;
 - access to and control over productive resources and other assets;
 - human development indicators (education, health care, HIV/AIDS, decision-making); and
 - the legal and institutional frameworks.

A. Socio-economic roles of men and women

34. To appreciate the social and economic roles men and women play, it is important to understand the dominant gender ideology (as reflected in ideas, attitudes, values, beliefs, assumptions, perceptions, etc) about their roles and forms of behavior within the wider socio-economic context of Zambia. This is because gender ideology influences policy, planning, legislation, social services provision, and general administrative practices. A useful starting point in this regard is examination and assessment of the portrayal of men and women as members of their societies and in terms of their relationships to each other.

Expressions of gender roles in Zambian languages

35. In terms of language, the critical question is: ***Who do Zambian men and women say they are, both as social groups and in terms of their relationships to each other?*** Expectations, perceptions and stereotypes about men and women as expressed through language communication, for example through sayings and proverbs, may assist us to gain better insights into the prevailing gender values and relations, as well as the factors that influence changes in, and reinforce, gender relations, including: the sexual/gender division of labor, roles and responsibilities in society; the relative position of women and men in society, and the relationships between them; the allocation and control of productive resources and benefits between men and women; as well as respect or otherwise of the human rights of men and women.
36. Language is an integral part of culture and an important communication tool that symbolizes and communicates attitudes, values, stereotypes, potential behavior, men and women's understanding of situations, beliefs, and meanings. Language is used to define gender roles and responsibilities, to express the portrayal of men/women, and what is acceptable or appropriate behavior for men and women in society. In the form of jargon, language is often used to stake out impenetrable territory, to obscure social obligations to

act or to interact with others, as well as to avoid responsibilities, or to take ethical decisions, etc. Language plays a central role in the socialization process, and, therefore, in perpetuating gender relations through various social institutions, legal and educational systems, religious and economic institutions.

37. In terms of expressions of gender attitudes and role-expectations through sayings/proverbs, an examination and analysis of selected Zambian language sayings that influence expectations and perceptions of the roles of men and women may assist in achieving a better understanding of the prevailing gender values and attitudes in the country. This will, in turn, assist in understanding the actual or potential impact of gender on the economic, decision-making and social roles of men and women. As a way of providing a basis for gender assessment of socio-economic roles and patterns of access to and control over productive resources, examples of sayings and proverbs are presented and discussed below.

‘Sina musali kimutu?’ which translates as ***‘Is a woman a human being/person?’***

38. This is a saying in the Lozi language of Western Province which by emphasizing male superiority and women’s inferiority in society is clearly in conflict with the principle of gender equality. It even questions the human worth and dignity of a woman, and represents a negative perception and portrayal of women in society. The significance of this saying lies in the fact that one’s social standing and worth as perceived by one’s society are important in decisions pertaining to allocation of roles and productive resources, and in respecting or violating human rights of certain groups (in this case women). This saying can reinforce the tendency to marginalize women, deny them automatic rights to property ownership and protection of their human rights including physical security. If women are not perceived as ‘human beings or persons’ on an equal basis with men, then their interests may seem not to count, or to count less than men’s.

‘Musali kilishete, which translates as ***‘A woman is a granary’***,

39. Lozi saying, whose implication is that a woman is responsible for the production of food, and for the care of members of the households/extended families. She is also a granary in the sense of childbearing and the associated social responsibilities (for example child-minding, growth monitoring through attendance at under-five clinics, provision of moral education and survival skills), which, in turn, has negative implications for women’s workloads, and sexual and reproductive rights.

‘Kwapa tacila kubeya’, which translates as ***‘The armpit can never be above the shoulder’***.

40. This is a Bemba saying (Northern Province) in which the armpit represents a woman, while the shoulder represents a man. This saying emphasizes women’s subordination to men in all aspects of social life and at all levels of society. It reflects the cultural expectation for women to defer to men in

decision-making. Since, physiologically, the shoulder and the armpit cannot be positioned at the same level nor interchanged, the saying assumes that men and women can never be equal in society.

'Amuna ni pamimba, which translates *'A man should always be well fed'*.

41. It is a saying among the Ngoni and Chewa (Eastern Province), which emphasizes women's responsibility for ensuring that best and most nutritious food available to the family is given to males, especially the husband, which results in unequal sharing of food, to the disadvantage of females. It also negatively affects women's security within marriage, because failure by a woman to cook to the satisfaction of her husband and his family may be reason for divorce.
42. These sayings show the stereotyped portrayal of women and men, and their relationships to each other, to the detriment of women. They represent powerful tools that affect all aspects of social life, and contribute to the perpetuation of gender inequalities and, in particular, the subordination of women to men in virtually all aspects of socio-economic life (see ANNEX 1, for more examples). Consequently, the sayings reinforce a socio-economic system that provides males with greater and better opportunities for personal advancement than females. The patriarchal ideology is confirmed by the fact that, in Zambia, females have lagged and continue to lag behind males in virtually all aspects of life (education, training, employment, access to productive resources), with women with disabilities being much worse off in these respects (JUDAI, 2002).

Gender roles at rural household level

43. Both men and women participate in all three types of roles/work – productive; reproductive; and community-linked, but within the context of a disproportionate gender division of labor against women. Various study findings show that women and girls predominate in performance of household chores, in particular care-giving and reproductive responsibilities (ZARD, 1985).
44. In the subsistence (rural) socio-economic system, household chores include the following:

Grain processing (for example of maize, sorghum, millet, groundnuts), which is extremely time-consuming, is a predominantly female activity. Even where labor-saving technology, for example hammer mills has been introduced, it is usually women and girls who head-load the grain and transport it over long distances to such facilities. Men tend to get involved in transporting grain to hammer mill facilities when improved technology (i.e. bicycle or ox-carts) becomes available.

Transportation of harvested crops to homesteads and storing the grain involves both sexes. However, shelling for marketing purposes is also predominantly a female activity, while transportation to markets tends to be mainly a male activity arising

from the fact that grain marketing is generally done through male heads of households.

Collection of water (for different uses: cooking, bathing, laundry, drinking) and *firewood*, are activities whose transportation is mainly through head loading, and are predominantly performed by women and girls. Sometimes they have to walk long distances to collect these items. Once again, the tendency is for men to get involved when improved technology, such as ox-carts, is applied.

Cooking meals and sharing food among family members, governed by cultural norms and taboos on food consumption, which, yet again, operate in favor of males, is done by women and girls.

Cleaning the house and surroundings (ensuring environmental hygiene) is a female responsibility.

Care-giving, which covers a number of aspects including: childcare (minding, growth monitoring at under-five clinics); education (moral education, providing survival skills); caring for sick family members (within the home, bedside nursing, preparing patients' food and feeding them) is predominantly a female responsibility.

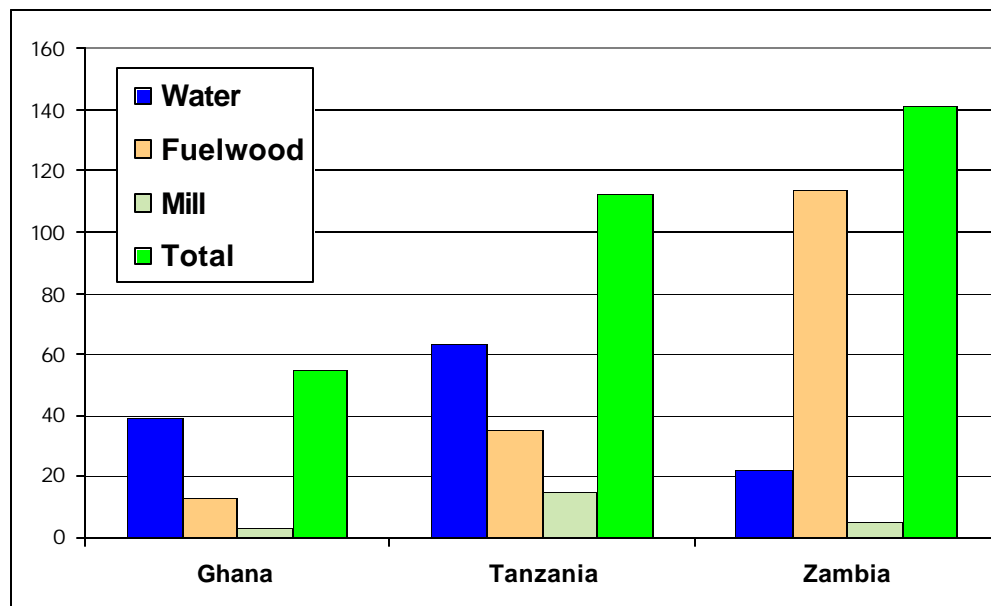
Time poverty. Data for Zambia suggest that women spend substantial amounts of time on their domestic tasks. A study in Kasama, Northern Province, tells us that women spend more than two hours/day on water and wood collection, and traveling to the grinding mill, substantially more time than is required in some areas of Ghana or Tanzania (Figure 1).

Gender roles in urban households

45. Urbanization does not radically alter the dominant division of labor within the household. What gets altered is the nature of household tasks. Findings of earlier urban based studies touching on gender roles also indicate that household chores are predominantly performed by women, in addition to their participation in income-generating activities to support their families (Barduoille 1982; Schyter 1988). In urban households, chores that men tend to be involved in include 'buying foodstuffs from stores', 'buying children's clothes', 'buying school requirements' (Munachonga, 1986:353). This division remains dominant (JUDAI, 2002).
46. Previous studies have revealed that, in general, both men and women in Zambia regard housework as women's/girls' work, and many women disapprove of men's involvement in it. This is more prevalent among women with low levels of education who also tend to marry under customary law. For example, in the studies referred to above involving urban couples, 60.5% of couples in customary marriages (relatively less educated) disapproved of the idea of a husband doing housework, compared to only 25% of couples in civil marriages (relatively highly educated), suggesting that high levels of formal education positively influence changes in the traditional system of sexual/gender division of labor within the home. Reasons advanced for opposition to the idea of men sharing household tasks with women include: 'It

brings indiscipline in the home', 'It indicates a man's surrender (or loss) of his power/control over his wife', 'The husband has been bewitched (given a love potion) by his wife', and 'It is un-Zambian'.

Figure 1: Comparison of Time Allocation for Key Domestic Tasks



Source: Malmberg-Calvo 1994.

47. Thus, although care-giving within the home and, especially, childcare has been acknowledged even by men as being important but also time-consuming, ambivalence marks men's attitudes with regard to their involvement in care-giving work, as reflected in one man's account of his experience while his wife was abroad for training.

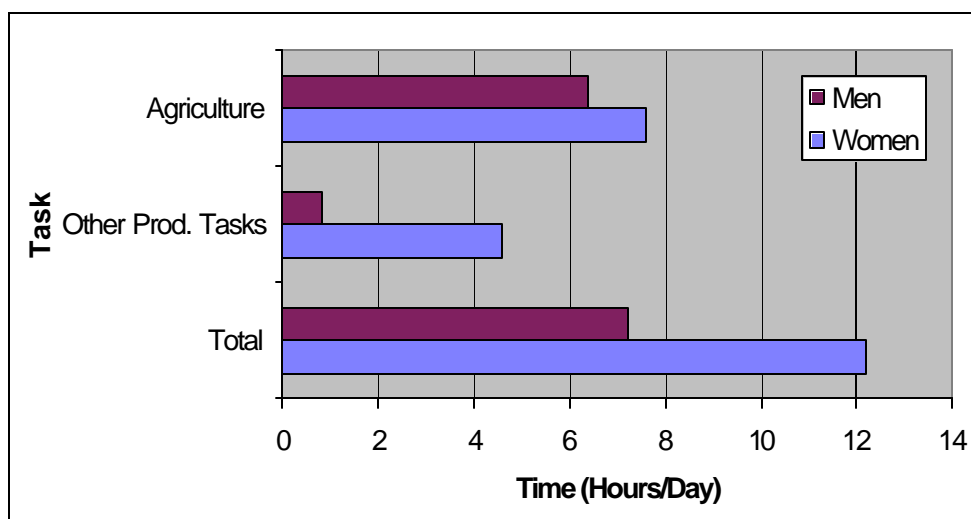
'I guess I have to sacrifice. But it is a lot of work and had I known this, I wouldn't have allowed her. I have to see that the children go to school on time. When they come back I have to wash them, give them supper and put them to bed. I am not the kind of person who is good at telling the best kind of food for the children. I try as much as possible to do exactly what my wife does. At the hospital I have to queue (line) up in the same way as women do. I also have to wake up in the night to give the children medicines if I am instructed to do so. I don't know if I would allow her for the second time but you never know. The sacrifice I am making must bear fruit. I would be sad if she came back with nothing. This time I have to be lenient so that we keep peace in the house. I find it very difficult to go out because of the children.' (Munachonga, 1986:254).

Gender roles in agriculture

48. Due and Mudenda (1983), in their study of labor inputs by men and women during the farming season in Mazabuka District (Southern Province), Mumbw a District (Central Province), and Mpika District (Northern Province) found that there were gender differentials in terms of participation rates by men in household chores and farming activities. They found that women worked substantially longer hours than men, once agricultural and non-

agricultural tasks are added up; similar studies in the 1990s confirm the validity of these findings (Figure 2).

Figure 2: Zambia Time Allocation



Source: Saito 1992

49. Data from the Northern Province also show variations in terms of labor inputs according to type of agricultural activity and crop. Men tend to allocate more time than women to soil preparation for all crops and ridging for maize and cassava. Men generally allocate less time than women to activities relating to planting/sowing, weeding and harvesting (Table 1).

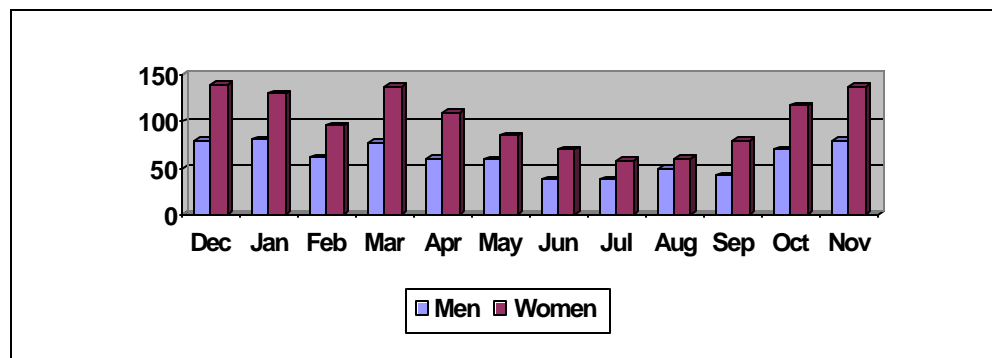
Table 1: Division of Labor by Crop and Activity (Values in hours per Lima)

Activity	Maize		F/millet		Cassava		Beans		G/nuts		Total	% labor
	M	F	M	F	M	F	M	F	M	F		
Soil prep.	32	2	102	12	70	10	23	3	63	23	340	35
Ridging	39	20	-	-	30	11	14	-	-	-	128	13
Planting & sowing	4	5	4	5	9	-	-	16	4	20	76	8
Basal dressing	3	2	-	-	-	-	-	-	-	-	5	1
Top dressing	2	1	-	-	-	-	-	-	-	-	3	0
Weeding	9	17	1	12	6	20	2	11	6	33	120	12
Harvesting	10	-	-	121	-	-	5	9	61	82	298	31
Total labor	99	57	110	150	115	50	44	53	134	158		
% labor	63	36	42	58	70	30	45	55	46	54		

Source: Keller-Hertzog and Munachonga (1995), *Gender and the Micro-Meso-macro Linkages of Structural Adjustment: Zambia Case Study*, page 40. Adapted from Adaptive Research Planning Team (ARPT), Table 10, page 18.

50. Table 1 also shows that female/male labor constraints occur in different parts of the growing season. For example, soil preparation and ridging to which men allocate more time than women are undertaken in early season, while weeding and harvesting to which women allocate more time than men tend to be done both during the early season and at the end of the growing season, showing that women experience time constraint twice, while men experience labor time constraint once during the farming season.
51. In terms of seasonal labor inputs, statistics show that women face labor time constraint throughout the year (see Fig 4)

Figure 3: Zambia Average Monthly Hours Worked in Eastern Province, 1991



Source: Kumar 1994

52. Within the disproportionate sexual/gender division of labor, against females, men and women allocate their labor time to both subsistence and market-directed production. However, women have to allocate labor time to additional household activities. This suggests that women's lack of access to labor-saving technology has important implications for achievement of both household food security and national economic growth and development. In the agricultural sector, cash crop production, in which modern technology has been applied, has been monopolized by men, while women continue to rely largely on simple technology (the hoe) and their traditional knowledge, which contributes to low productivity among them. The usual arrangement is that a husband allocates a plot to his wife for growing food crops, for which she is almost completely responsible. However, she also provides her labor time to the family plot, which is meant for cash crops and under the control of the husband.
53. Agricultural production is generally dependent on women's labor input of over 70% (ZARD 1985; Munachonga 1988b). Findings show that technological innovations have not been directed toward women's activities, which result in their spending more time than men in agricultural work, for example, 53% of total hours in agriculture compared with 47% by men (Due and Mudenda 1983). Blackden and Bhanu (1999) also observe that women spend 6 hours on productive work compared with 2 hours by men.
54. Expansion of acreage for cash crop production has tended to lead to an increase in the number of hours women spend in the family plot which, in

turn, has resulted in low productivity in their own plots (meant for food crops). Increase in the incidence of men taking additional wives when they start commercial farming is indication of the importance of women's labor.

Key gender issues in agriculture

55. The dominant ideology (patriarchy) is quite powerful in this critical economic activity, almost guiding the roles and work patterns of men and women. Below we summarize some important and in our view debilitating gender issues in agriculture:
- Government policy has not effectively supported women farmers despite the fact that they grow a wider variety of crops than men, for example local maize, sorghum, millet, beans, groundnuts, cow peas, which do not depend on chemical fertilizer and are grown for household food security (ANNEX 2).
 - Agricultural marketing policy and interventions have not supported women farmers in terms of marketing their crops, and thus women's crops are restricted to small local markets characterized by low returns, although the crops have potential to provide a source of cash income for women and their families.
 - Prevailing socio-cultural norms with regard to 'crops and gender' have the effect of constraining women from selling their surplus crops due to the fact that their crops are meant for food. This undermines women's economic rights and, therefore, human rights to work and earn cash income in the market/national economy.
 - Women's time allocation to household based care-giving activities (childcare, wood and water provisioning, nursing sick family members, etc), though critical to operations and outputs in the market economy, has not been documented and, therefore, not reflected in national statistics that feed into policy, planning, and budgeting processes.
 - However, although linkages exist between the household/care economy and the market economy through the labor time allocation of men and women, and particularly women, these important linkages are not officially recognized and supported. *This hides the critical indirect and direct contributions women make in both the household and market economies, and which reinforce their interdependence.*
 - When interventions focus on traditionally 'female crops' for purposes of commercializing them, men appropriate such crops and get involved in growing them, for example groundnuts in Eastern Province, to the disadvantage of women farmers.
 - The persistence of the official and general perception that views men as 'farmers' and women as 'wives of farmers' reinforces the tendency to marginalize women and to restrict them to care-giving related production.

Gender roles in industrial (urban) economy

56. In urban households, married couples do not necessarily work as a team economically as is the case in subsistence farming systems. However, although a man's economic or productive role is more emphasized than a

woman's, increasingly, women are participating in both formal and informal income generating activities, but predominantly in the informal sector, and are combining domestic and market roles (JUDAI 2002). Constraints urban women face in terms of opportunities to engage in meaningful cash-earning activities include: societal negative attitudes toward women who are seen as competing for jobs with men; discriminatory labor laws; low educational levels compared to men, heavy domestic responsibilities; and male-dominance within marriage.

57. In 1996, women's share of formal employment was 20% but declined to 12% in 2000, compared with men's share which increased from 80% in 1996 to 88% in 2000, (ILO/Jobs for Africa, 2000; JUDAI, 2002). In the area of business, the banks and micro-finance institutions (MFI) tend to see men and women in the informal and small and micro enterprises sector differently in terms of their economic roles and the services they provide. Although women's work is to reinforce the care economy and earn income to sustain the household (food security), men earn more because they are in activities that are directly part of the market/national economy. This frustrates achievement of household food security and poverty reduction at that level.

Gender implications of the system of division of labor

58. The system of sexual/gender division of labor (or gender ideology) still emphasizes a man's 'instrumental or breadwinning role' and a woman's 'expressive or care-giving role'. This negatively affects women in terms of access to and control over productive resources a household, which in turn gets translated into women's disadvantage at national level.
59. Women and girls overwhelmingly perform activities relating to housework and childcare. In general, both men and women do not consider childcare as work (Munachonga 1988a; Schlyter 1988). Usually, childcare activity is done simultaneously with other domestic tasks (Blackden and Bhanu, 1998), which adds to the physical strain women and girls experience.
60. Women's work in the care/household economy, though in support of the market economy, is not included in national statistics. There is need to put value to the household/care work and, therefore, economy.

B. Female/male access to and control over resources

61. All activities and tasks undertaken by men or women at both household and market levels require use of productive resources to generate benefits (economic and non-economic). However, available data indicate that gender is used as a criterion to deny access to/control over resources to the advantage of men.

Rural household level

62. In agriculture, productive resources include: natural resources such as land, water, forests; capital/equipment; animal draft power; labor; agricultural

education and training; extension services; decision-making power. However, gender analysis of farming households indicates that women are disadvantaged and lag far behind men in terms of access to and control over the basic resources needed for agricultural production, for example land, equipment, inputs, etc .

Matrix 1: Men and Women’s access to & control resources in rural households

RESOURCES	ACCESS		CONTROL	
	Women	Men	Women	Men
Land	L	H	L	H
Labor	L	H	L	H
Machinery (tractors, etc)	L	H	L	H
Oxen (Animal draft power)	M	H	L	H
Tools (e.g. hoes)	M	H	M	H
Time	L	H	L	H
Inputs (hybrid seed, fertilizer, etc)	M	H	L	H
Education & information	L	H	L	H
Technical skills	M		L	H
Management skills	L	H	L	H
Credit/loans	L	H	L	H
Finances	L	H	N	H
TOTALS: H	0	11	0	12
M	0	1	1	0
L	8	0	10	0
N	0		1	0

H = high (68 – 99%); M = Medium (34 – 67%); L = low (1 – 33%); N = none (0%).

NOTE

The agricultural extension staff involved in the assessment of male and female access to and control of household resources came up with three categories/values which were divided into 100% to arrive at the average percentage for each category. Also note that women’s access to/control over labor is low since men, especially husbands, control women’s time and labor

Source: Ministry of Agriculture Food and Fisheries (2000), Gender Analysis Workshop Report, Eastern Province.

Urban household level

- Urban-based study findings indicate that, as in the rural households, men in urban households have more access to and control over the most critical resource (i.e. money or cash income) than women. For instance, findings on financial management and control within the home indicate that where the wife is also earning cash income, husbands tend to reduce contributions towards housekeeping. This results in most of the women’s earnings being channeled to the household economy (food, health care, children’s clothing, funerals, etc) (JUDAI 2002). Extreme control over money (i.e. where the husband keeps all his earning) seems to occur where the wife does not make any cash contributions. Matrix 2 gives definitions of different allocation systems and their gender implications.

Matrix 2: Definition and gender implications of the allocation systems

Allocation System	Gender Implications
Doling Out System	Husband keeps all the money and gives his wife small amounts she requests for specific purchases. She has no personal spending money or access to family income, and her husband strictly controls her movements outside the home through his control of the family purse. The attitude of husbands under this system is that women cannot be trusted with money.
Allowance System	Husband gives his wife a fixed amount every month when he gets paid; the wife has access only to household expenditure money. Each partner also has certain responsibilities regarding the spending of the main family income; the wife takes care of food needs and the husband is in charge of major household needs such as furniture. The amount given does not take into account market prices.
Separate Spending System	Neither spouse has exclusive access to family income. Husband and wife spend their respective earnings independently, sharing financial responsibilities for certain items. The system is associated with high levels of income particularly for the wife. However, it is also characterized by suspicion and conflict, which is heightened by ignorance particularly on the part of the wife about the actual earnings of the spouse.
Pooling System	Husband and wife combine their earnings into a common pool (bank account); both have responsibility for managing the bank account. However, this is the least practiced system though also the most egalitarian.

Table 2: Income Allocation System By Employment Status Of Couples

System	Total couples	Wife unemployed	Wife Employed
Doling out	19	18	1
Allowance	67	47	20
Separate spending	12	-	12
Pooling	2	-	2
Total	100	65	35

Source: Munachonga, M. (1988a), 'Income Allocation and Marriage Options in Urban Zambia' in Dwyer & Bruce (eds.), A Home Divided: Women and Income in the Third World

64. In general, the data suggest that the household does not necessarily constitute a harmonious unit, as economists tend to assume, but rather that it is an arena of gender-based conflict marked by inequality and negotiation over income expenditure decisions.

Access to and control over land: national level

65. Data available on men's and women's access to land at national level indicate that scales weigh heavily against women. Thus, women's lack of access to productive resources at household level tends to be translated into their lack of access to resources at national level, where the State machinery, on the basis of the Land Act (and not traditional rulers or family elders) allocates land.

Table 3: Access to land in Government Settlement Schemes by men and women

Name of Settlement Scheme				Total
	Men	Women	Joint between husband & wife	
Chitina, Mkushi, Central Province	45	4	-	49
Big Concession, Mumbwa, Central Prov.	68	2	-	70
Lubombo, Mazabuka, S. Province	63	2	-	65
Lukulu North, Northern Prov.	74	-	-	74
Lusaka	101	9	5	115
Milombwe, Mkushi, C. Province	117	1	-	118
Mumba, Mumbwa, C. Province	53	5	-	58
Mungwi, Kasama, N. Province	144	6	-	150
Ngwezi, Mazabuka, S. Province	128	2	-	130
Total	793	31	5	829
% of total	95.7	3.7	0.6	100

Source: Himonga, C.N. & Munachonga, M. (1991), 'Women's Access to Agricultural Land in Settlement schemes in Zambia: Law, Practice and Socio-Economic Constraints', in Journal of Third World Legal Studies

Factors contributing to inequalities in access and control over resources

66. Many socio-cultural factors operate to the disadvantage of women, mainly because men are perceived as the heads of households, which also confers upon them positions of leadership and decision-making at both household and national levels, while women are perceived primarily as housewives and sources of labor or wealth. This prejudices women's access to and ownership of productive resources such as land. Below are two sayings that demonstrate how ingrained such perceptions are:

“Mwalumi ngo mutwe wa ng’anda” (Tonga saying), or ***“Umwaume e mutwe wa ng’anda”*** (Bemba saying) meaning, ***“A man is the head of the household and decision-maker”***. Consequently, productive resources are channeled through men as heads of households, which has contributed to increased poverty levels among female-headed households. In general, household property and family income are regarded as belonging to and are actually controlled by the husband.

“Bana basimbi ndubono”, a Tonga saying, meaning *“Daughters are wealth”*, or means to acquisition of wealth. Females are valued for the wealth they bring to both their natal family (fathers and other male relatives) and the conjugal family (husband) through their marriage payments and labor. They are not expected to own or control their own labor nor the benefits of that labor.

67. In terms of access to and control over various types of productive resources and benefits derived from personal work and that of other members of the family and community, available data emphasize gender inequalities, against women. Many complex factors relating to the broad environment place constraints particularly on women’s access to and control over productive resources and other key assets.

Matrix 3: Summary of Factors Contributing To Inequalities In Gender Roles, Access To And Control Over Resources

Type of resources & benefits	Individual level	Household level	Causes of inequalities in Society
Economic or productive resources – e.g. land, property, capital, finances, equipment, loans/credit, employable skills, etc	<p>Women lack access to banks and other finance institutions;</p> <p>Women relegated to economic activities which produce low or marginal returns;</p> <p>Women have heavy domestic workload which competes for their time in productive activities</p>	<p>Men control family income and apply expenditure patterns that operate against women and household food security.</p> <p>Unequal gender division of labor; unequal access to and control over land, labor, inputs, credit, loans; unequal control of joint household production & cash income – all against women</p>	<p>Men perceived as the breadwinners, controllers of money both at household and market levels while women are perceived as housewives and mothers, financially dependent on men</p> <p>Women are concentrated in low paying jobs, petty trading, growing food crops;</p> <p>Stereotypes of men & women’s roles at household and the market favor men;</p> <p>Women’s lack of access to markets for inputs and outputs – for farming/business</p>
Political/legal resources – e.g. education, information, leadership, status, decision-making power	<p>Women’s lack of access to political resources – i.e. education due to gender biases in the curriculum and high school drop out rates;</p> <p>information and knowledge to claim their human rights, leadership skills; self-confidence, decision making power, etc.</p>	<p>Women’s lack of effective legal rights to jointly own farms and household property;</p> <p>Prevalence of violence against women due to lack of respect for women’s human rights</p> <p>Marriage payments give husbands power and authority over their wives, and wives’</p>	<p>Article 23(4) of the Constitution allows discrimination against women in matters of personal law;</p> <p>Socially ascribed subordinate position of women in society;</p> <p>Women’s lack of rights to household assets/property;</p>

		earnings/produce	Tendency to treat women as property to be inherited (under customary law); Women are under-represented in national decision making structures
Time resource	Excessive demand on women's time due to their simultaneous involvement in multiple roles.	Men control women's labor in production for both household maintenance and for the national market, as well as proceeds from women's labor	Household work, care giving, and production of food crops perceived primarily as women's work, aggravating heavy workload & time constraints of women.

68. In both rural and urban economies, generic and gender-specific factors have been identified as affecting men and women's access to and control over productive resources. However, the data also indicate that women face more constraints than men. Examples:

- The segmented and discriminatory labor markets for which women have become more ill-prepared in the last decade;
- the persistence of powerful family/kinship systems that tend to use women as instruments of patriarchal interests;
- persistence of discriminatory laws, customs, and traditional practices that undermine women's economic and financial rights;
- norms that restrict women's roles to subsistence production; nurturing of dependents; provision of home based care for sick family members, leading to their heavy workloads; and
- cultural beliefs and practices relating to sexuality, fertility, sexual and reproductive rights that undermine the rights of and choices for women, placing them in vulnerable positions vis-à-vis HIV and AIDS.

CHAPTER 3:

GENDER PROFILE: HUMAN DEVELOPMENT INDICATORS

69. Human development encompasses many indicators that are key to poverty reduction and economic growth. According to the United Nations Human Development Report (1995), human development is a process of enlarging people's choices. In principle, these choices can be infinite and can change over time. But at all levels of development, **the three essential ones are for people to lead a long and healthy life, to acquire knowledge and to have access to the resources needed for a decent standard of living.** If these essential choices are not available, many other opportunities remain inaccessible (United Nations, 1995).
70. This chapter focuses on four critical human development indicators, namely education, health care, HIV/AIDS, and decision-making. Human development is impossible without gender equality. As long as women or men are excluded from the development process, development will remain weak and unsustainable. Sustainable human development, therefore, implies engendering the development paradigm (U.N. 1995).

A. Education

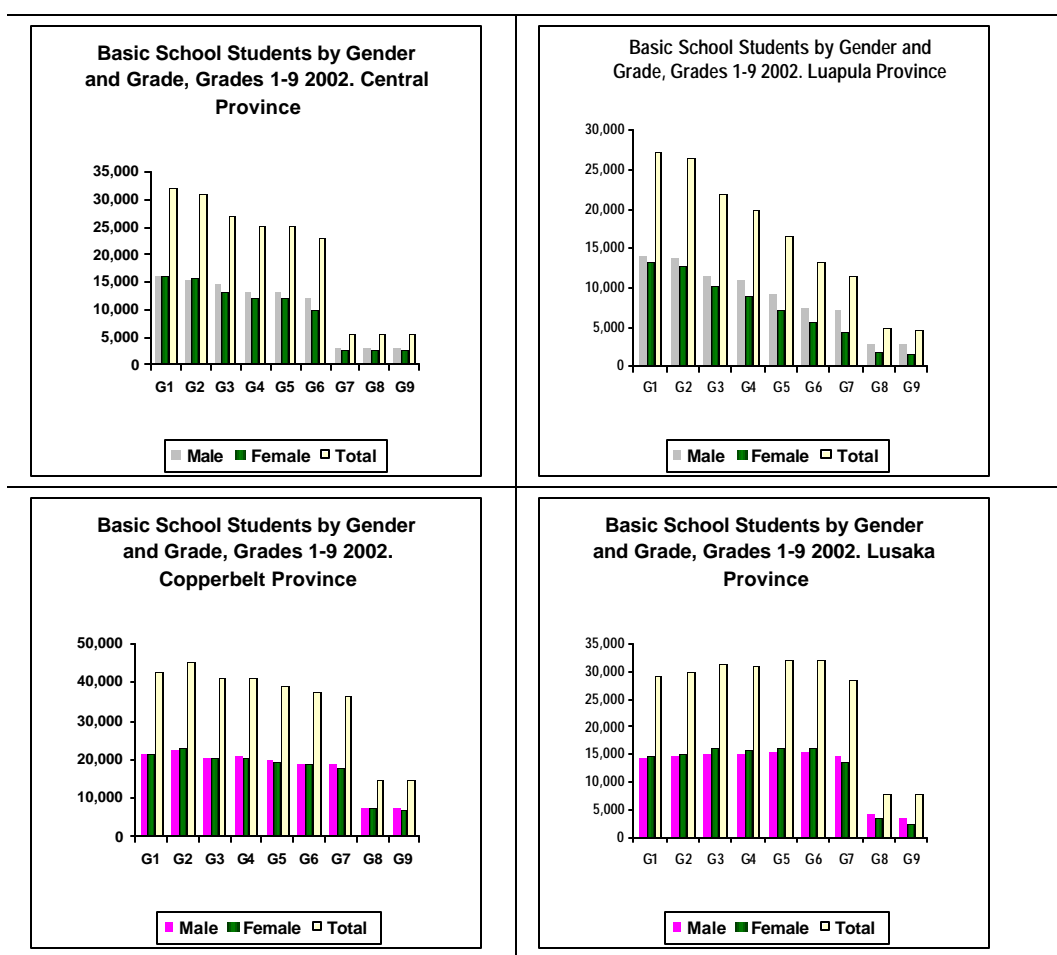
71. The level of education attained is an important indicator of well-being and is key to ensuring access to other human development indicators such as employment and earnings, health, nutrition and reduced poverty levels generally. An education system that can provide high quality education to all those entitled to it is one of the most important pre-conditions for development. Development would, however, be impossible to attain without gender equity in the education system. It is for this reason that many international instruments such as the Convention on the Elimination of Discrimination Against Women (CEDAW, 1979), the Vienna Declaration on Human Rights (1993), the Beijing Platform of Action (1995) and the Declaration on the Millennium Development Goals (2000), emphasize the need for gender equity in all spheres of life, including education.
72. Recent data indicate that there are gender disparities in favor of males at nearly all levels of education in Zambia. This is the case at basic, secondary and tertiary levels of education. Figure 5 shows gender disparities in basic school enrolments in all the nine provinces of Zambia.
73. According to the 2000 Census of population and housing, **literacy rates** at all ages are higher among males than females. This is also the case in all the provinces of Zambia. Although there was a slight increase in the literacy rates of adult females between 1990 and 2000, male literacy is still much higher at 76.6 percent compared to 58.3 percent for females as shown in Table 4.

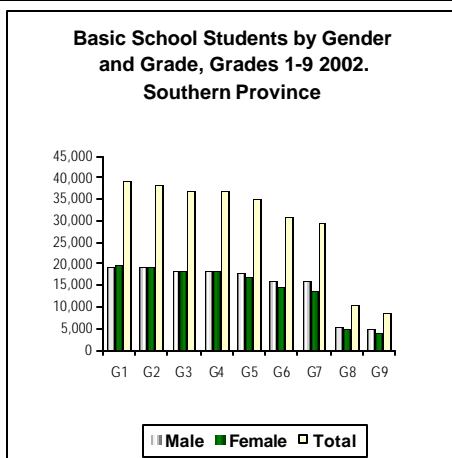
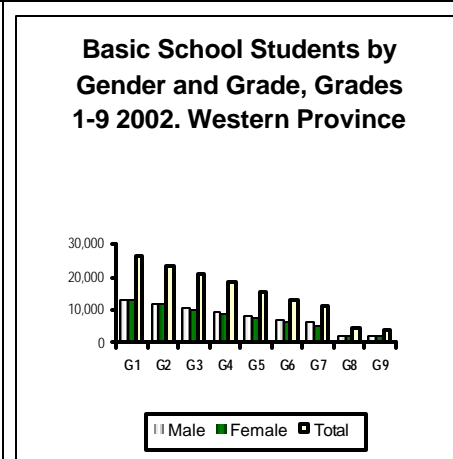
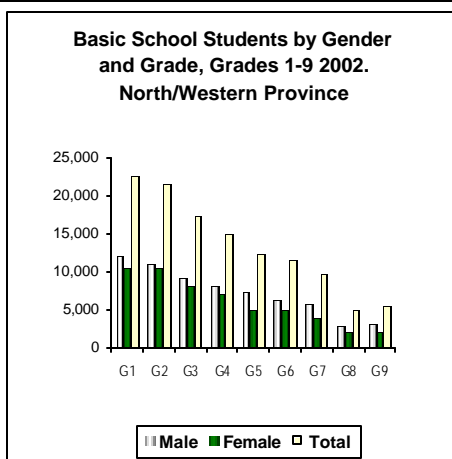
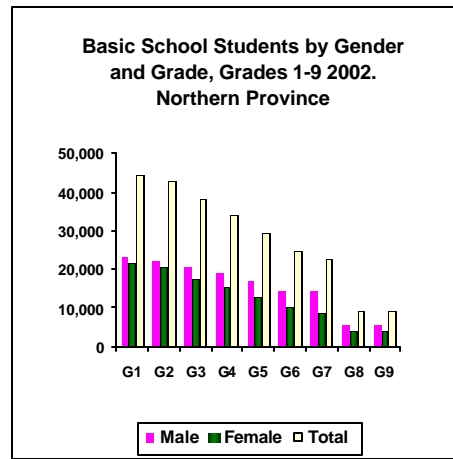
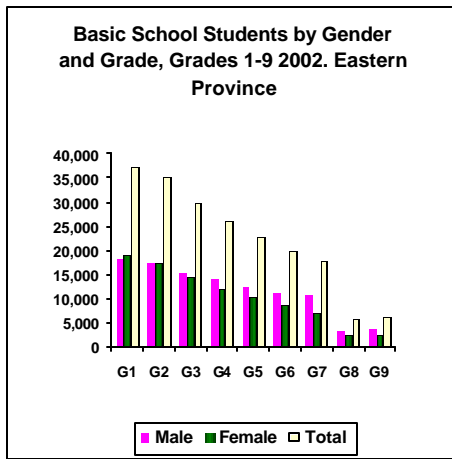
Table 4: Literacy Rates By Age Group, Sex And Residence, 1990-2000 (Percentage)

Characteristics	1990			2000		
	+5	15-24	15+	+5	15-24	15+
Zambia	55.3	74.8	66.0	55.3	70.1	67.2
• Male	61.6	78.8	76.3	61.1	75.4	76.6
• Female	49.2	71.1	56.4	49.8	65.5	58.3
Residence:						
• Rural	44.7	64.7	56.4	44.9	59.4	56.7
• Urban	71.4	88.7	83.6	73.3	86.1	56.7

Source: Compiled from CSO (2002), 2000 Census of Population and Housing: Presentation of Selected Indicators

Figure 4: Basic School Enrolment Rates By Sex, Level And Province, 2002





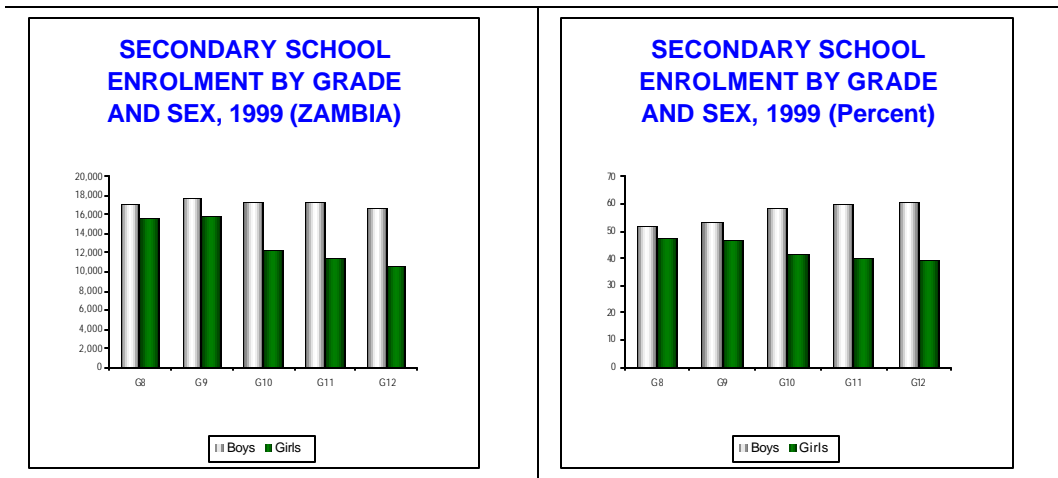
Source: MOE 2002: *The BESSIP Core Performance Indicators Trend Report, 1999 – 2002*

74. With regard to **enrolment rates**, Figure 4 shows that there is near parity for girls and boys at primary school level especially at grades 1-3. This is due to deliberate government policy to enroll 50 percent of girls and boys at Grade 1 level. In some cases, more girls than boys are enrolled for grade 1. The results of the 2000 Census of population and housing shows more girls than boys aged 7-13 years attending primary school in Zambia. If the statistics are

correct, this would be an improvement over the pre-census (1996-1999) enrolment figures which show more boys than girls attending Grades 1-7.

75. Disparities between boys and girls increase as one goes up the education ladder. At secondary school level, the numbers of girls decrease sharply compared to boys. According to the 2000 census results, there were more boys than girls aged 14-18 years attending secondary school in Zambia in that year. In 2000, 33.3 percent of boys of secondary school age were in school compared to 28.7 percent of girls of the same age group.

Figure 5: Secondary School Enrolments By Grade and Sex, 1999

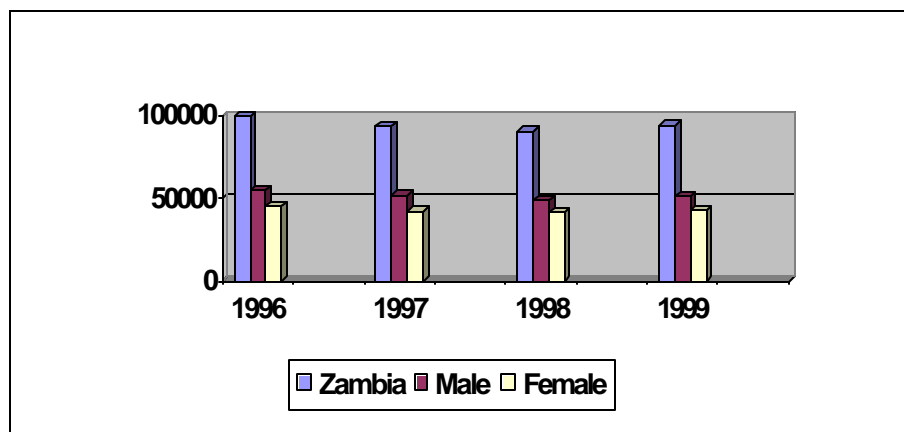


Source: MOE, 2001

76. Females are under-represented at nearly all institutions of higher learning. They constitute less than 20 percent of the total student population at Copperbelt University (CBU) and are less than 33 percent at the University of Zambia, Lusaka. The representation of females is slightly better in colleges than at university, where they constituted 42 percent of the student population in 1999.
77. Gender disaggregated data indicate that the number of pupils dropping out of school at grades 1–7 level are equally high for girls and boys. In 1999, 25,831 boys dropped out of school compared to 25,582 girls. A similar situation existed in 1998 when 28,051 boys dropped out of school compared 26,132 girls. Between 1996 and 1999, therefore, more boys than girls dropped out of school at primary school level. This would be partly due to the fact that the available data is confined to primary school level where girls are least affected by issues such as pregnancy and marriage. More girls than boys tend to drop out of school at secondary and tertiary levels. The higher number of boys dropping out of primary school could also be due to the fact that there are more boys than girls in school, especially after Grade 3. This is confirmed by further evidence, which shows that the retention rate is much lower for girls than for boys. Between 2000-2002, the **retention rate** for girls in grades 1-7 was 56 percent compared to 69 percent for boys (MOE, 2002a).

78. In terms of opportunity to repeat, statistics show that boys have more opportunities to repeat grades after failing than girls. On average, there were more than 10,000 boys repeating per year than girls between 1996 and 1999, as shown in Figure 7. Possible reasons are: low value for girls' education, economic/poverty, early marriages, pregnancy.

Figure 6: Repeaters by Sex, Grades 1 to 7



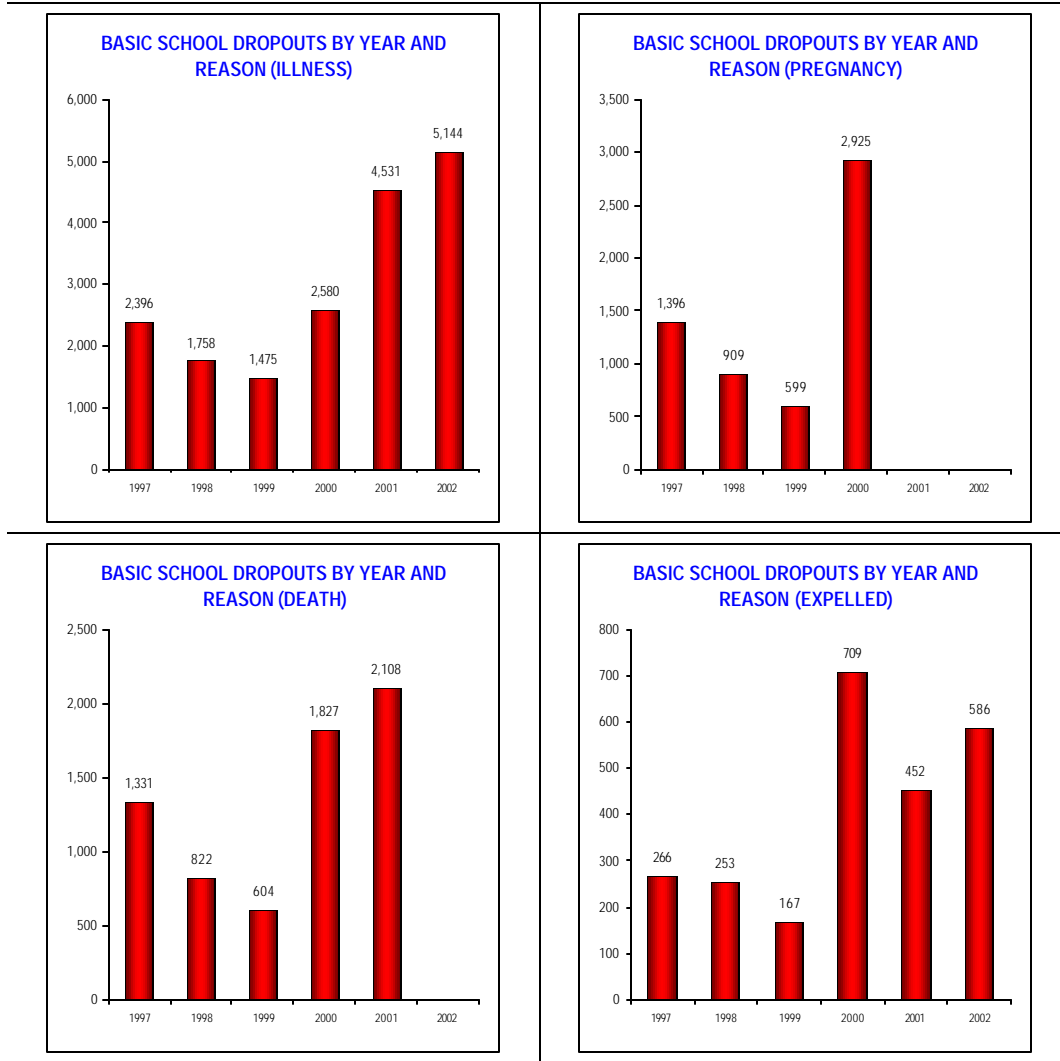
79. Gender disaggregated data on progression rates were not readily available except for the year 2002 for the Grades 9-10 level. Progression rates for this level for the period 1997-2000 were consistently below 30 percent for the country. The rates for 2002 were, on average, higher for girls (26.21) than for boys (25.56). Regionally, the progression rates for girls ranged from 15.96 percent for Southern Province to 45.14 percent for Luapula Province. Those for boys varied from 14.81 percent in Lusaka Province to 41.86 percent in Luapula Province. Although girls seem to be doing better than boys (at Grades 9-10 level) with regard to progression rates, in real terms more boys than girls proceed from Grade 9 to 10 by virtue of their superior numbers at the lower level. Information on **learning achievement** is scarce except for Grade 5. The National Assessment Survey (2001), for Grade 5 level on learning achievement established that the achievement levels in Grade 5 were somewhat low and that learning achievement was lower for girls than boys and that the scores were lowest for girls in rural schools (MOE 2002a).
80. According to information from the Ministry of Education (MOE,2002a), factors that hinder children from accessing education in Zambia include: poor performance; illness; death; pregnancy; economic; and expulsion from school.
81. A study by Ngáandu and others (1999), established that more than any other, economic factors negatively affect access to education. The study further indicates that these factors negatively affect the education of both boys and girls in Zambia, although in the sample of 300 dropouts, economic factors affect boys more than girls (Figure 7).
82. Girls' education is further affected by gender-specific factors such as pregnancy, which seems to be a major factor responsible for the high attrition rates among girls. Between 1997 and 2000, 5829 girls left school because of

pregnancy. In 2000 alone, 2925 girls dropped out of school due to pregnancy. Culture and tradition affect the education of girls negatively. Evidence from other studies indicates that socio-cultural variables tend to have a greater impact on the participation and performance of girls than of boys in school. Studies found that the roles and duties allocated to the girl child in the family tend to be routine, over burdening and time consuming compared to those of the boy child who infrequently performs one or two functions in the home. This is in line with the findings of Ngáandu and others, which demonstrate statistically that more girls arrive late at, or are absent from, school because of household chores. Household chores constitute the major reason for lateness to school, while they are only second to illness as a factor causing absenteeism. Further evidence indicates that some parents prefer to send the boy child to school because education for the girl child is perceived as preparation for marriage. Such attitudes, however, are more prevalent among rural parents and those with limited education as well as those households in which girls perform such economic roles as selling at the market and/or along the streets. In such households, the traditional view that investing in the boy child is more profitable than investing in the girl child remain quite profound.

83. One of the main reasons for inadequate progression from one level to another is insufficient education facilities such as class rooms, teachers and learning materials. Insufficient school places by far account for the largest number of out of school cases. The education system can only accommodate a fraction of seven year olds who wish to register for Grade 1 each year. Moreover, an estimated 700,000 children in the age range of 7-13 years were not in school in 2000 (MOE 2002b). A major reason for inadequate education facilities is poor funding for the education sector. Thus, most of the children out of school are from low income families or orphans. Public expenditure on education has been quite low in the course of the past two decades. The proportion of public expenditure devoted to education, for example, fell from 13.8 percent between 1981–85, to about 9.8 percent between 1989 and 1991. It rose to about 18 percent by 2003, which is also quite low. Inadequate financial resources have made it very difficult for government to increase education facilities to acceptable levels, and to enable students to proceed from one level to the other.
84. Insufficient school facilities affect children of both sexes and of different socio-economic backgrounds as evidenced by the low progression rates. Inadequate funding, however, seems to affect girls more seriously than boys. Government has tended to provide more school places for boys than girls since independence in 1964. One technique for doing this has been the provision of more single sex schools and colleges for boys than for girls. Prior to 1993, nearly all technical colleges were for boys. Data from Lusaka Province, for example, indicate that government built far more single sex schools for boys than for girls. Out of twelve conventional government schools originally constructed as single sex schools, only three were for girls. This greatly contributed to the superior enrollment numbers for boys relative to girls. Single sex schools are an effective way of increasing the access of girls or boys to education since it ensures 100% enrollment rates per school. The Ministry of Education has, since the Mid-1990s, converted some boys only

schools into co-educational institutions. Enrollment figures, however, show that there is still a preponderance of males relative to females in these schools.

Figure 7: Reasons for dropping out



Source: Ministry of Education

85. Available data, as noted above, indicate that boys, on average, tend to perform better than girls in schools. Most studies on factors limiting access to education in Zambia do not deal with **achievement** from a gender perspective. The study by Sinyangwe and Chilangwa (based on the situation in some Lusaka and Chipata schools) has established the existence of sex-role stereotyping in schools as a major cause of differential achievement by girls and boys (Sinyangwe and Chilangwa, 1995). Stereotypes exist in terms of teachers' expectations, classroom interactions, roles assigned to pupils and so on.
86. In the study, some teachers are reported to have low expectations of their female pupils because of the many factors deemed to work against their

progression from one grade to the next. Teachers, for example, feel that girls, especially older ones, are not serious with schoolwork, they are distracted by men, and that they might get pregnant or married at any time.

87. The Sinyangwe and Chilangwa study further identifies sex-role stereotypes in classroom interactions between teachers and pupils. Girls are generally found to interact less with teachers than boys. This is particularly the case in rural schools (Chipata) “where boys were invited to answer questions even when they did not raise their hands whilst at the same time, some girls who had their hands up were ignored”. This could give the impression that boys are more important than girls and that they are better achievers than their female counterparts.
88. Boys on the other hand are thought to have chances of progressing to higher levels as they do not have as many forces working against them, as girls do. Teachers’ expectations play an important role in the performance of pupils. Studies on schools from other parts of the country, for example, have demonstrated that pupils tend to fulfill what their teachers expect of them in school performance.

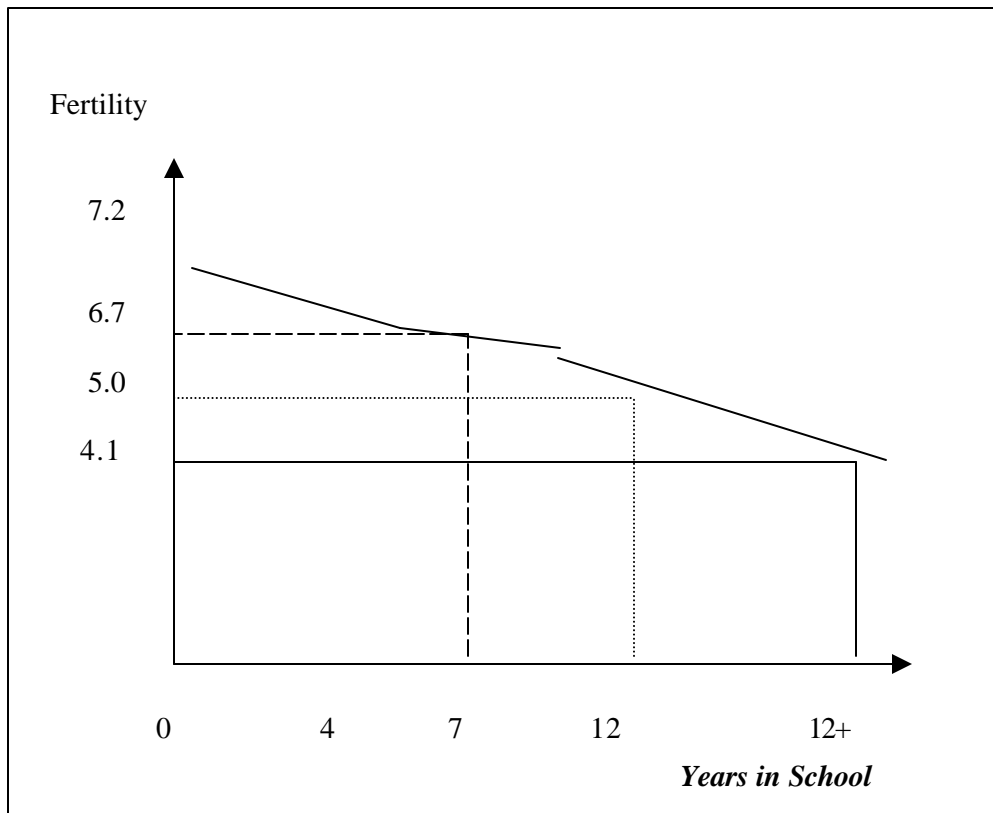
Summary of disparities in female and male education

89. The foregoing analysis has shown that factors which negatively affect rates of access, retention, dropout, progression, and achievements vary and include both generic and gender-specific variables. Generic factors include: poverty; insufficient school places; and inadequate government funding. Gender-specific factors include: cultural division of labor at household level, which results in overburdening of girls; pregnancy; parental preference for the education of boys; sex-role stereotyping in classroom interaction; and teachers’ negative expectations of girls.

Strategic Impacts of Education on Women and Society

90. Education is key to women’s empowerment and to reducing many of the problems that face a developing country like Zambia. Female formal education, especially beyond 12 years of schooling, has been proved to have specific benefits for individual women and for the nation, as facilitating:
 - Enhanced earning abilities of women;
 - enhanced reproductive rights of women;
 - increased national development due to high levels of literacy among women;
 - reduced fertility rates/population growth (Figure 8);
 - improved health and nutritional status of children;
 - eagerness of their children to learn;
 - enhanced women’s decision-making in the home; and
 - stronger social status of women in society.

Figure 8: Fertility Rates By Number of Years in School



Source: ZDHS 1992

91. Evidence also shows that education increases women's self reliance in economic matters as well as social acceptance. In particular, education enhances women's economic independence and improves both access to and control over productive resources; it also enhances women's ability to rely on themselves, rather than on their, especially male, children or husbands, to attain social status.

92. Evidence further indicates that there is a correlation among gender, education, poverty and growth. In Zambia, poverty levels are much higher among women, especially female heads of households, than among men. A study on the evolution of poverty in Zambia between 1991–1996, established that *“the incidence of poverty (was) higher for female headed than male headed households throughout the period 1991–1996.”* The study further indicated that *‘extreme poverty, depth of poverty and severity of poverty were higher for female headed households than male-headed households,’* (CSO, 1997a). Why do women bear the higher burden of poverty in Zambia? Several reasons have been identified, and they include:
 - Unequal and inadequate education and training opportunities for women;
 - women's limited access to productive resources;
 - high illiteracy rates among women;

- women's heavy workload (which includes care giving), arising from the traditional system of sex/gender-based division of labor, which negatively affects women's productivity; and
 - unequal power relations within the household and marriage relationship, which deny women access to household assets.
93. Education is a critical capability for poverty reduction. Evidence shows that women who have been empowered through education are better able to engage in productive activities, find formal sector employment and earn higher incomes and greater returns to schooling than their male counterparts who are uneducated. Investments in female education, therefore, tend to increase the incomes of families with benefits for men, women and children. The investments also help to increase a country's total economic output (see chapter 5).
94. Secondly, education is regarded as a cornerstone for women's empowerment because it enables them to respond to opportunities, to challenge their traditional roles and to be in control of their lives. Feminization of poverty in Zambia, therefore, is likely to continue for many years to come as long as women who constitute more than 51% of the population lag behind at all steps of the educational ladder. Moreover, education is a basic human right. It can thus be said that women have been denied their rights because of the gender-based inequalities in education which favor men.

B. Health Care

95. Access to quality health care is a basic human right. Women and men have the right to enjoy the highest attainable standard of physical and mental health. The enjoyment of this right is vital to their life and well-being. Women face special needs in terms of reproductive health. Reproductive health refers to the need for people to have a satisfying and safe sex life and that they have the capability to reproduce and the freedom to decide if, when and how to do so (UN, 1995b). Implicit in this is the right of women and men to be informed and to have access to safe, effective, affordable and acceptable methods of family planning, as well as other methods of their choice for regulation of fertility which are legal, and the right of access to appropriate health-care services that would enable them to go safely through pregnancy and child-birthing. Such services ought to provide parents with the best chance of having a healthy infant.
96. Available data on health care, particularly pertaining to women's reproductive health, reveal a very depressing situation in Zambia. Zambia's fertility rate of 5.9 births per woman remains one of the highest in Sub-Saharan Africa (SSA). It ranks fifth among sixteen selected SSA countries with high total fertility rates (TFR). The high rate of fertility is partly due to non-use of contraceptive methods by the majority of women in Zambia. Sixty-six percent of married women are reported not to be using any contraceptive methods by the latest Zambia Demographic Health Survey (ZDHS) (CSO, 2002b). Only 34 percent of women are using a contraceptive method (CSO, 2002b). Contraceptive use is also very low among adolescents in Zambia. 25.5 percent of girls aged 15-

19 years are using any method in 2002. A similar situation persists among youths aged 20-24 years. Generally, few women use a contraceptive method before having their first child (CSO, 2002b).

97. One of the main factors for limited contraceptive use is the low level of education among women in Zambia. Studies conducted in Africa and other parts of the world have established a positive relation between female education and contraceptive use. These show that female education is a key determinant of contraceptive use. By virtue of their greater decision-making capabilities, educated women are in a better position than those who are less educated to make decisions, while their ability to operate outside the home enables them to access services better. Educated women also tend to have a wider knowledge of contraceptive methods. This helps them to make better informed decisions with fewer chances of subsequent discontinuation or failure of the contraception method.
98. Available data from Zambia tend to prove these assumptions correct. More educated women use contraception than those with little or no education. In 2002, 49.2 percent of women with secondary education were using a contraceptive method compared to 30.9 percent of women with primary and 23.2 percent of those with no education. Fertility rates also tend to be lower among educated than uneducated women. In 1996, the total fertility rate for women with no education was 6.8 children per woman compared to 6.6 for those with secondary education (CSO,1996). It is much lower for women with tertiary education. Higher education is, therefore, an important determinant of contraceptive use and low fertility rates, which enhance women's health.
99. Zambia also has one of the highest maternal mortality ratios (MMR) in the Southern African region. The MMR in Zambia has been pegged at 649 per 100,000 live births for almost a decade (CSO 2002). More recent data from micro-studies indicate much higher ratios at district level. A survey that was undertaken to establish accurate maternal mortality statistics in Kaputa District, Luapula Province, in 1996, established an alarmingly high MMR for the area, at 1,549 maternal deaths per 100,000 live births, while there were close to 900 deaths per 100,000 live births in Mongu District, Western Province. Such micro numbers suggest an average that is possibly higher than the currently estimated national one of 649.
100. Infant and under-five mortality has have remained above the 1980 level. Currently in Zambia, 110 children per 1000 die before their first birthday compared to 99 in 1980 (CSO, 2000a). The number of children that die before their fifth-birthday also increased between 1990 and 2000 by about 7 percent. Currently, 1 in 6 under-five children die before their fifth birthday compared to 1 in 7 previously; about 162 children per 1000 die before their fifth birthday compared to 121 in 1980 (CSO, 2002b). The ZDHS rate for 2001–2002 is higher, at 168 children per 1000.

Table 5: Response to Maternal Health Services by education level

Education level	% who received anti-natal care from professional	% delivered by health Professional	% delivered in a health facility
No Education	83.9	17.3	17.4
Primary	93.6	37.8	38.1
Secondary	98.0	77.8	77.7

Source: Compiled from CSO (2002), ZDHS 2001-2002 Preliminary Report

101. Several factors contribute to the high maternal and child mortality rates despite the relatively high number of women receiving maternity care in Zambia. Many women die due to hemorrhage and sepsis resulting from lack of medical care at the time of delivery. Most deliveries are performed at home with the assistance of untrained relatives. The number of women being delivered by health professionals is very low. Education of women plays an important role in the use of health facilities where these are available and accessible (Table 4 above). Less than 45 percent of women deliver in a health institution in Zambia. According to the most recent ZDHS report, about 43.6 percent of pregnant women deliver in a health facility. A similar number (43.4%) are delivered by a health professional. The findings of the three Demographic Health Surveys conducted in Zambia between 1992 and 2002 (CSO 1992; 1996a and 2002b) show declining trends in the percentage of medically assisted deliveries. These fell from 51 percent of births in 1992 to 43 percent in 2002. Earlier studies indicate much higher percentages for the pre-1991 period. Eighty-one percent of pregnant women were being attended to by trained health personnel (including doctors, mid-wives and nurses) around 1990. A further 19 percent were being attended to by trained traditional birth attendants (TBAs) (Central Bureau of Statistics, 1995).
102. Factors such as poor nutrition contribute to high levels of child mortality in Zambia. Forty-seven percent of Zambian children are stunted due to poor nutrition or malnutrition. About 22 percent of the affected children are severely stunted. Stunting levels in Zambia do not vary greatly with the sex of child or the mother's age (CSO, 2002b). This implies that forces other than gender are mainly at work. More children from rural than urban areas are stunted. Stunting varies markedly from 36 percent in Lusaka to 59% in the Eastern Provinces. It also varies according to the educational level of the mother. Children of mothers with secondary or higher education tend to be less stunted than children whose mothers achieved only the primary level or never went to school. For example, 32.9 percent of children of mothers without education, 28.7 percent of those whose mother have primary education and 23.2 percent of children of mothers with secondary education are severely under weight for their age (CSO, 2002b).

Linkages among gender, health, education and poverty reduction

103. Recent data persuasively demonstrate that there is a linkage between women's health and economic growth. Evidence indicates that investments in female health can help to increase a country's total economic output. This is

particularly the case if there is also investment in both the education and health of women. Education and health are closely linked. Healthy, educated women are better able to engage in productive activities, find formal sector employment and earn higher incomes and greater returns to schooling than their counterparts who are uneducated or suffer from poor nutrition and health, (Schultz 1998; World Bank 2001; World Bank 2002).

104. Further, education, particularly that of females, improves child nutrition and children's health and survival. It also lowers the rates of population growth. In low-income countries, reduced population growth helps to increase savings and investment rates and also lowers the stress on natural resources and the environment (World Bank 2001, Chapter 2; World Bank 2002).
105. Available data on Zambia tend to prove some of these assumptions correct. Fertility rates tend to be lower among educated than uneducated women, but the difference is minimal. For example, in 1996, the total fertility rate for women with no education was 6.8 children per woman compared to 6.6 for those with secondary education (CSO, 1996). It tends to be much lower for women with higher or tertiary education. As already noted, more educated women use contraception methods than those with little or no education. Higher educated women are delivered by medical professionals (79%) than those with primary (38%) or no education (17.3%). Higher educated women also tend to deliver in a health facility (78%) than those with primary (38%) or no education (17%). Furthermore, women with secondary education (71%) seek treatment from a health provider for their children than those with primary (64%) or without education (56%) (CSO 2002b). A major reason for these differences is that women with at least secondary school education are able to make decisions about their own health and that of their children. They are also likely to be less poor and thus able to be engaged in formal employment or other viable income generating activities than their uneducated counterparts. This enables them to pay for health services whenever necessary. Education, therefore, is a key factor in improving women's reproductive health, poverty reduction and economic empowerment, all leading to enduring development.
106. A recent United Nations Fund for Population Activities (UNFPA) report indicates that better access to family and sexual health services for women, is a key to fighting poverty across the world. The report further indicates that some of the largest gaps between the world's rich and poor are in reproductive health. It also tries to show a relationship between low fertility rates and economic growth. Since 1970, developing countries that have lowered their fertility rates and slowed population growth have registered faster economic growth, and demonstrate that allocating funds to health, education and advancement of women and girls is a crucial part for achieving that fall. (UNFPA 2002 cited in Times of Zambia, November 2002).

C. Gender and HIV/AIDS

107. Acquired Immune Deficiency Syndrome (AIDS) is one of the most serious public health and development challenges faced in Zambia today. The most recent information put the HIV infection rate at 16 percent (CSO, 2002b).

HIV prevalence rates differ between women and men at nearly 18 percent for women and 13 percent for men (CSO 2000b). This indicates that the infection is spreading more rapidly among women than men. The rapid spread of HIV/AIDS must be assessed within the specific cultural context of Zambia, in particular the attitudes towards sexual relations between men and women. A perception, in this regard, that is generally shared among ethnic groups in Zambia is reflected in the saying reproduced below.

108. *“Ubuchende bwa mwaume tabonaula ing’anda”*, which means “A man’s promiscuity (or involvement with multiple partners) cannot break up a marriage”. This message, which is reinforced during initiation ceremonies and preparation for marriage, is in direct conflict with HIV/AIDS educational messages, emphasizing need to stick to one partner. Women are socialized to tolerate and accept their husband’s extra-marital affairs.

Table 6: HIV prevalence by sex

Age group	Infection rates (Per cent)	
	Female	Male
15-19 years	6.6	1.9
20-24 years	16.3	4.4
45-49 years	13.6	20.2

Source: compiled from CSO (2002b). ZDHS, 2001-2002: Preliminary Report

109. The table above indicates that for both the 15-19 years and 20-24 years age groups, the HIV prevalence rates are higher among females than males, but that the pattern changes as males and females grow older, with the prevalence rates being higher for males than females at age group 45-49 years (CSO 2002). What this means is that there is a vicious circle, i.e. older men infect young women who marry and infect young men of their age group. These grow into older men and infect young women and girls.
110. Several factors, largely arising from cultural norms, account for the differential prevalence of HIV infection among males and females in Zambia. Available data for 2002 show that there is quite a high level of awareness of the HIV/AIDS pandemic among both females (99.3%) and males (98.6%) (CSO 2002b). Condom use, for example, seems to be higher among men than among women, particularly married women among whom the problem appears to be most serious.

Table 7: Use of condoms by type of partner (for Women)

Use of condoms by type of partner						
Among women who have had sexual intercourse in the past year, percentage who used a condom during last sexual intercourse with spouse or cohabiting partner, with non-cohabiting partner, and with any partner, by background characteristics, Zambia 2001-02						
Educational Background characteristics	Spouse or cohabiting partner		Non-cohabiting partner		Any partner	
	Percent	Number	Percent	Number	Percent	Number
No education	2.7	646	8.5	82	3.4	724
Primary	5.6	2,913	22.9	534	8.0	3,389
Secondary	9.7	1,144	48.4	369	18.8	1,501
Total	6.2	4,702	31.2	985	10.3	5,613

Source: compiled from CSO (2002b). ZDHS, 2001-2002: Preliminary Report

Table 8: Use of condoms by type of partner (for Men)

Use of condoms by type of partner						
Among men who had sexual intercourse in the past year, percentage who used a condom during last sexual intercourse with spouse or cohabiting partner, with non-cohabiting partner, and any partner, by background characteristics, Zambia 2001-02						
Educational background characteristics	Spouse or cohabiting partner		Non-cohabiting partner		Any partner	
	Percent	Number	Percent	Number	Percent	Number
No education	7.0	70	26.9	34	11.2	92
Primary	8.9	631	31.5	362	15.3	892
Secondary	10.6	527	59.9	325	25.3	743
Total	9.5	1,288	44.1	721	19.4	1,727

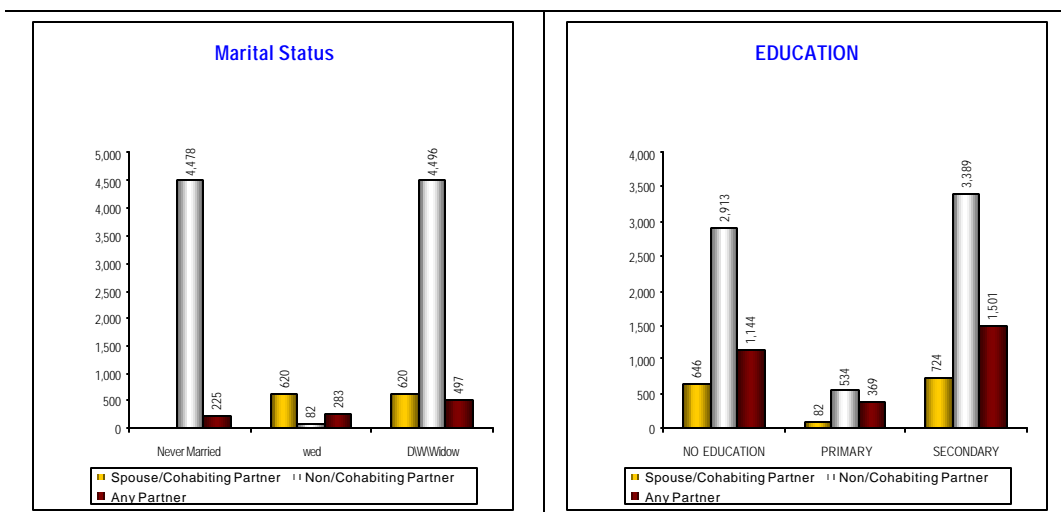
Source: Compiled from CSO (2002b). ZDHS, 2001-2002: Preliminary Report

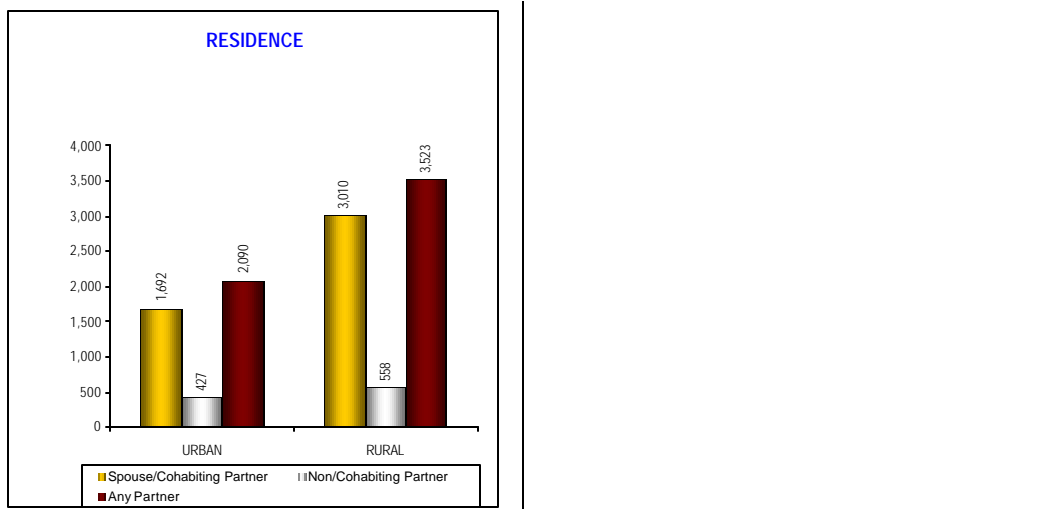
111. A number of underlying factors are responsible for the relatively higher levels of unsafe sexual behavior among women than men. In all the various types of partnerships (spouse, cohabiting, non-cohabiting and other hetero sexual partnerships) men tend to make decisions in matters of sexuality including use of condoms or any other form of protection. This is due to the fact that traditionally in all Zambian cultures, both matrilineal and patrilineal societies, men are regarded as the heads of households. Since men pay the bride price, major decisions, particularly those pertaining to sexual behavior, are expected to be made by them.
112. Further, older men tend to have sexual relations with much younger females, while older women hardly do the same with boys, although few such cases have been mentioned in the media. This explains the higher rates of infection among girls than boys. Females also tend to start sexual activity quite early, partly due to influence of older males. A study on adolescent pregnancy and decision-making established that female adolescents start sexual activity as early as 11-13 years compared to 15-16 year among boys.
113. Recent data, however, give a ray of hope. Information from four clinics in Lusaka, for the period 1992, 1993 and 1998, reveals declining trends in HIV prevalence among pregnant 15-19 year olds. In Chilenje, the rate has declined from 30 percent in 1993 to 28 and 15 percent in 1994 and 1998 respectively; Chelstone shows a decline from 28 percent in 1993 to 22 and 15 percent in 1994 and 1998 respectively, while that in Matero has fallen from 27 to about 12 percent. Sensitization of pregnant mothers to HIV/AIDS by health staff during antenatal and post natal visits partly accounts for the drop. The anti-HIV/AIDS campaigns and government programs have also started to bear fruit. There is need, however, to carry out a study to determine the contributory factors to this situation.
114. The low levels of women's education also work against them. Women with higher levels of education are more likely to make decisions about their own sexuality than those with little or no education. Only 8.5 percent of women with no education, for example, use condoms with non-cohabiting partners compared to 22.9 percent among those with primary education and 48.4 percent for those with secondary education. The figures are even higher

among men; 26.9 percent of men with no education use condoms with non-cohabiting partners, compared to 31.5 percent for those with primary level and almost 60 percent among those with secondary education [CSO, 2002 (b)]. The fact that fewer non-educated men than those with some education use condoms confirms that education is an important factor in matters of sexuality and decision-making. More men than women use condoms by virtue of their ability to make decisions about their own sexuality. Investment in women's education is therefore one of the keys to combating HIV/AIDS. Education enhances women's ability to make decisions about their own sexuality.

115. Differences also exist between rural and urban areas. More women in urban areas (45.4%) than those in rural areas (20.4%) use condoms to protect themselves against STDs/HIV/AIDS. The same applies to men among whom more urban (52.1%) than rural (37.2%), use condoms (CSO,2002b). Education levels are much lower in rural areas. This tends to negatively affect people's attitudes towards safe sex practices. Inadequate access to health services and facilities is also a major reason for the low numbers of rural people using condoms. High levels of poverty in the country are a major contributory factor to the high prevalence rates of HIV/AIDS, particularly among women. Some women depend on prostitution as an income generation activity, because of poverty and lack of employment opportunities. At the national level, government is not able to source and provide life-prolonging drugs such as ARVs due to poverty and inadequate financial resources. The Government, for example, is only able to provide ARVs to a limited number of people, less than 2000 in 2003, due to inadequate funds. Because of high levels of unemployment and poverty in the country, the majority of the people are not able to source such drugs privately.

Figure 9: Condom Use By Marital Status, Residence and Education





Source: CSO (2000). 2000 Census of Population and Housing: Preliminary Report

116. The problem of HIV/AIDS has serious implications for national development in Zambia. The epidemic affects all sectors of the economy and the costs that are incurred as a consequence of the disease are not just financial in nature but fundamentally social and psychological (UNECA/UNAIDS, 2000a). It attacks each component of the Human Development Index; reduces life expectancy, as well as income per capita. It undermines the very concept of human development (UNECA/UNAIDS, 2000c).
117. In terms of social costs, the most immediate impacts of HIV/AIDS are felt at the individual and household levels. This is especially the case for women who are already overburdened with their reproductive functions. Since women are the health-care givers in their households, the pandemic increases their workload, while, as already stated, they lose possible sources of income, as they pull out of the informal sector to devote more of their time to caring for the sick. Health-care giving tends to confine women to the home at the expense of economic activities.
118. HIV/AIDS is, therefore, also strongly related to poverty because of the negative impact it has on the ability of individuals and households to earn an income. Since poverty levels are already much higher among women than men in Zambia, the situation is likely to be worse for the women particularly female-headed households. An analysis of the impact of the epidemic on young widows, in three districts in Uganda, for example, found that the epidemic contributes to an increase in female-headed households and the feminization of poverty (Topusis et.al. 1994; in UNECA/UNAIDS, 2000a). In Zambia, the proportion of female-headed households increased by 2 percent between 1990 and 2000. In some provinces female-headed households constitute more than 25% of the population (CSO 2000a). The increases are closely related to HIV/AIDS. The social costs of HIV/AIDS include care of orphaned children. Care for these children often falls on the extended family. However, this responsibility is increasingly falling on older women, usually grandmothers. They would be heads of the households whose members would be mainly young orphans.

119. Gender-based violence has escalated in the last few years, fuelling the spread of HIV. Much of this violence is perpetrated by family members who rape or otherwise sexually abuse girls under their custody: daughters, nieces, fostered children. Two groups of girl children are at greater risk of sexual assault: orphaned children and those from poorer family members who are fostered out to better-off relatives. Such children are taken on by uncles, brothers, cousins, and are then sexually abused by their guardians. Often, such abused children are afraid of reporting their abusers to the authorities for fear of losing what they see as long-term protection. The myth that has swept through Southern Africa which claims that sex with a virgin is a cure for HIV/AIDS has made girl children particularly vulnerable, although a few cases of boys being raped have been reported. Schools are proving dangerous for young children as male teachers have been reported to abuse girl pupils including through rape. The number of cases of children who contract HIV through rape/forced sex are on the increase, while a few deaths from rape have been reported in the local papers. The girl children's vulnerability has been exacerbated by insufficient legal protections on the one hand and family pressure on the other, including from the wives of the perpetrators. Often, the burden is placed on the victim, further pressuring children into not reporting the abuse (Human Rights Watch, 2002; Rennie, 2003)

D. Decision-making

120. Decision-making encompasses many dimensions of power (influence and authority or legitimate power derived from social and legal norms). Decision-making power plays a central role in the distribution of resources and benefits among various sections of the population whether these are defined by age, sex, gender, or ethnicity, and is influenced by many factors including gender attitudes and values.

Decision-making at household level

121. Decision-making is applicable at various levels, including the micro/household level. Household dynamics include power struggles between the genders, for example over issues of division of labor, sexual and reproductive rights, employment, control over productive resources that enter the household, and benefits derived from personal work, as well as work of other family members. Studies have revealed that household decision-making is dominated by men, and that the basis of power (for men) and powerlessness (for women) largely lies in socio-cultural factors.
122. Data from the ZDHS Preliminary Report (CSO 2002) shows that the husband has final say in making certain specific decisions, for example on wife's health care (58%), large household purchases (63%), visits to family/relatives (57%), and how many children to have and when (50%). The CSO/ZDHS findings indicate the relationship between a woman's financial position and her ability to participate in decision-making. Thus, of wives who have no say in household decision-making 36% are not employed, 30% employed but not for cash, and 18% from among the employed (see **Annex 3**, for more details). Previous studies have identified other sources of male dominance in household

decision-making, including husband's status as traditional head of the household, age which is a basis of authority in African societies (NB: Zambian men tend to marry women who are much younger than themselves), rules of etiquette which require the wife to pay deference to her husband, and official policy that assumes that a man is the decision maker within the household (Munachonga 1986, pp 333-334).

Decision-making at national level

123. Persons in decision-making positions determine policies and development programs at various levels: national, local and community levels. At national level the major decision-making organs include:
 - Parliament (the Legislature)
 - Cabinet (the Executive wing of government)
 - The Judiciary
124. Authorities at the local government level deal with lower echelons of decision-making. Local government is divided into wards represented by elected councilors. Equally important are decisions made at the household level.
125. Available data indicate that there are gender-based disparities at all levels of national decision-making in Zambia. There is a preponderance of men in all the major decision-making organs at the national level. Women are grossly under represented in Parliament, Cabinet and the Judiciary (see **Annex 4**).
126. After the landmark elections of 1996 and 2001, women continued to constitute a tiny minority in both parliament and cabinet despite some increase in numbers elected to Parliament. They constituted 10 percent of parliamentary seats in 1997. This increased to 12 percent after the 2001 elections. There has been a notable increase in the number of female cabinet ministers from 4 percent in 1997 to 15 percent in 2002. In the Judiciary only eight of the thirty-six judges were women in 2002. In the same year (2002), men constituted 88 percent of parliament, 85 percent of cabinet, 91 percent of deputy ministers and 78 percent of the Judiciary.
127. At **Local Government** level, men predominate, as councilors (93%), mayors (94%), deputy mayors (94%) and town clerks (100%). Gender gaps also persist in favor of men in **provincial government**. After the 2001 elections, no women were appointed as deputy ministers or permanent secretaries in charge of provincial administration.
128. A similar situation has persisted in the civil service. Women constituted 19% of permanent secretaries and 18 percent of directors in different ministries, .in 2002. Among the various commissions, only the Electoral Commission had an equal number of female and male commissioners in 1997. There are very few women on all the other commissions. The Anti-corruption Investigations and Drug Enforcement Commissions had no women on board in 1997, while the Human Rights, Public Service, and Police and Prisons Commissions had seventeen (17%), fourteen (14%) and twenty (20%) percent respectively [See

Annex 4j. Since 2002, three women have been appointed on the Anti-Corruption Commission making it the only body in this category with more than fifty (50%) percent women.

129. A major factor contributing to poor representation of women in decision-making organs at national level is inadequate participation in elections. In 1998, for example, 3,145 candidates participated in local government elections that took place in that year. Only 194 were female candidates. Of these, 81 candidates (41.7%) of the women who stood won the elections. Overall, women constituted 6.2 percent of the successful candidates.
130. Similarly in 1996, out of the 146 candidates who stood for Parliamentary and Presidential elections, sixty were female candidates. Fifteen or 25 percent of the female candidates won the elections and constituted about 10 percent of the House. The fact that almost 42 percent of women who stood for local government elections and 25 percent of those who stood for parliamentary elections were successful is a good indication that if women stood for elections in larger numbers than is currently the case, they could constitute a reasonable proportion of successful candidates.
131. Several underlying factors tend to hinder women from participation in elections in good numbers. A main reason for this is that very few women are nominated for parliamentary seats. In 1996, for example, 200 women registered with the National Women's Lobby Group to contest for the 146 elected seats during the parliamentary elections that were to be held that year. After nomination of candidates by the various political parties, only sixty women were adopted as candidates (RAZWA, 1997). Of the fifteen women who won the election in 1996, thirteen were from the ruling MMD party. Poor funding for opposition candidates was a major factor for the poor performance of opposition candidates generally. Corrupt practices and election rigging also cost women candidates votes. During a meeting of forty-four losing female candidates, to share experiences, several malpractices were outlined. Many candidates particularly those from the ruling party, spent significant sums of money on voters. They bought food, clothes, shoes and uniforms for school going children and "literally took-over the financial responsibilities of the constituents during the campaign period" (RAZWA, 1997:5). Corrupt practices also included tampering with ballot boxes, use of more ballot papers than the number of voters, distribution of money on voting day and presiding officers openly telling (illiterate) voters who needed assistance to put a cross next to the clock (the ruling MMD party symbol) (RAZWA, 1997). Women candidates were also harassed and portrayed as prostitutes to the constituents.

Factors contributing to gender inequalities in decision-making

132. Socio-cultural constraints pose the main underlying factors to women's participation in decision-making. Cultural expectations are very stereotyped and tend to affect women's involvement negatively. Politics and public life are viewed as a man's world. Men are viewed as heads of households in both patrilineal and matrilineal societies and are expected to be the major decision-makers at home. This situation is further reflected in proverbs such as those in

Matrix 2. Proverbs such as '*a kaume takachepa*' meaning 'a man can never be too young or small' are used to portray men as better decision-makers than women. It implies that leadership roles can be assigned to males by virtue of their sex irrespective of their age or ability, and males are more likely to be listened to than females, irrespective of their age. The proverb "***Kwapa tacila kubeya,***" (see **Annex 1**) conveys a similar message of women's subordination to men. These proverbs can be applied to all levels of decision-making, from the national to household decision –making, to depict the inferior status of women in public life.

Matrix 4: Portrayal of women and men in decision-making through proverbs

Proverb in local language	Meaning in English	Portrayal of women and men in decision making
<i>Akaume takachepa</i>	A male can never be too young or small	Leadership roles can be assigned to males by virtue of their sex irrespective of their age. This means a male is more likely than a female to be listened to irrespective of age.
<i>Kwapa tacila kubeya</i>	The armpit (woman/child) can never be higher than the shoulder (man/adult)	Women can never be higher than men in status, Hence, leadership and decision-making are seen as the preserve of men

133. Social cultural constraints tend to negatively affect the attitudes of voters towards women candidates resulting in **voter discrimination**. Because of socialization, society expects women to stay at home and look after the family. Further, women are perceived as non-controversial, peacemakers and it is not expected of a woman to engage in an argument in public. Because of these stereotyped views of women, some people would not vote for female candidates at elections.

Implications of gender based Inequality in decision-making

134. The continued under-representation of women in decision-making at various levels has serious implications for democratic governance, human well-being and economic growth. In Zambia, women constitute 51% of the population and yet there are less than 15% of them in the National Legislature, the Executive and the Judiciary. This indicates that good governance is still a pipe dream in Zambia.

135. There are many reasons why both women and men should be adequately represented on the governing and decision-making organs of the country. Although women, for example, are not homogeneous, they form a distinct group that deserves representation according to the normal tenets of democratic governance. Further, women have special interests and needs that may not be properly represented in organs where the majority are men.

136. Good governance is critical for sustainable development. A growing body of evidence suggests that gender equality in rights and resources is associated with less corruption and better governance. Evidence from attitudinal data from 43 countries suggests that women tend to view corrupt practices more negatively than men do [World Bank, 2002]. This finding is strengthened by data from Zambia and other Southern African countries, which indicate that there are more crimes committed by men than women. In 1990, more than 94% of prisoners in Zambia, Swaziland, Namibia, Lesotho and Botswana were men (Central Bureau of Statistics, 1995). This is an indicator that women are less likely to be involved in corrupt practices.

137. In Zambia, out of hundreds of public officials implicated in corrupt practices during President Chiluba's regime, only one woman has been charged with

corruption. It is believed that Zambia lost billions of dollars between 1991-2001 through corruption. This money could have been invested in programs that boost economic growth and improve human well-being by reducing disease, hunger and poverty.

138. Evidence from other countries indicates that gender equality may help to promote growth by improving governance [World Bank 2002]. Increasing the numbers of women on governing and decision-making organs of a country could result in increased levels of good governance. Gender equity in decision-making could thus reduce the loss of the much-needed resources for national development.
139. In summary, this chapter confirms the findings of many other studies on Zambia that gender-based disparities exist in all the human development indicators that have been examined namely, education, health, HIV/AIDS and decision-making. These indicators are key to poverty-reduction and economic growth, if gender equity is recognized as a key ingredient for sustainable development.
140. One of the major conclusions drawn is that gender gaps lead to Zambia's slow economic growth and poverty reduction, and that human development, critical to productivity, is hard to achieve without gender equality. The high rates of illiteracy among women, for instance, largely account for the high levels of poverty among them. In Zambia, high poverty levels directly correspond with the low levels of education. Education for women is, therefore, key to reducing poverty in the country. It is also key to reduction in fertility, infant and child mortality rates. Available data on Zambia show that these problems hit more persistently women with little or no education, and these constitute the majority in the nation. Education empowers women by enabling them to make independent decisions on matters that affect their welfare, as that of the family, especially children.
141. Poor health is also related to poverty and lack of economic growth. In Zambia, women face more health problems than men by virtue of their reproductive functions. These problems have been exacerbated by the HIV/AIDS pandemic, which is more prevalent among women than men. The high rates of HIV infections, maternal and infant mortality are likely to lead to deeper levels of poverty and low economic growth. Healthy women and men are more likely to engage in productive activities than those who are not. Since women are the care givers and are also the ones who are more affected than men by HIV/AIDS and by female-specific reproductive problems, their productive activities are likely to be drastically reduced. Moreover, this can slow down agricultural production and affect food security negatively, since in Zambia more women than men are involved in the production of food for the household.
142. Gender equality in decision-making can help to promote growth by improving governance. Good governance is critical for sustainable development. Existing evidence suggests that gender equality in rights and resources is associated with less corruption and better governance. In Zambia, where those in decision-making positions in the public sector, are overwhelmingly men,

corruption is quite rampant. Available data show that very few women are involved in criminal activities as is evidenced by the small numbers of women prisoners compared to men. Gender equality in positions of power and influence could reduce corruption and promote good governance, key to sustainable development.

143. Because of the close relationship between education, freedom to participate in decision-making, health on one hand and gender equality, poverty reduction, economic growth and sustainable development on the other, related recommendations and interventions are intended to eliminate factors that impact negatively on this relationship.

CHAPTER 4:

GENDER PROFILE: LEGAL AND INSTITUTIONAL FRAMEWORKS

144. This chapter provides a profile and critical analysis of laws, institutional frameworks, norms and practices that lead to gender discrimination. Laws and institutional arrangements derive from values, norms and practices of society, and determine or influence the legal status of women and men.

A. The dual legal and judicial systems

145. Zambia has a dual legal system comprising civil and customary law, inherited from the British colonial government. A brief historical background on the development of the dual system is helpful at this point.
146. Under the colonial administration and in line with the policy of indirect rule, Africans were governed by their various customary laws administered by their respective chiefs, while Europeans were governed by British laws. When the mines opened up around 1927, thousands of Africans from different ethnic groups migrated to provide labor. This brought new pressures on local chiefs around the mines who now had to handle cases that involved people from ethnic groups with different customary laws. Migrant workers from other parts of the mining area had no traditional structures for conflict resolution, but resorted to their own kin. To ensure that conflict resolution was done in an orderly manner, the colonial Government appointed district officers to sit with assessors, constituted as courts. By the 1930 Native Authority Ordinance, a district commissioner was empowered *“to appoint in any part of the territory one or more chiefs of the native tribe(s) in that part of the territory who could determine whether and to what extent any particular chief would be in charge of a tribe or a section of a tribe and determine the tribal area of any chief.”* (Section 3 of Chapter 57, The Native Authority Ordinance of 1930). These arrangements later became known as Native Courts under native commissioners who sat as magistrates. Thus, from 1930, two parallel systems emerged: one of the traditional chiefs who administered their customary laws and one of the native commissioners responsible for Native Courts established primarily to maintain order and good governance among the natives of their areas, as well as to enforce any native law not repugnant to natural justice and morality. Later, Native Courts became part of the judicature, while the traditional chiefs courts remained outside. This is the situation to date.
147. The traditional chiefs’ courts affect the majority of people in their jurisdictions, mainly because these courts administer customary laws with which people identify; they are easily accessible; they do not charge for summons; procedures are simple and so more widely understood; resolution is quick, and there are often no adjournments; while there is no appeal.

148. An exception to the above was Barotseland (now Western Province), which under the colonial Government enjoyed a special status. By the Barotse Native Authority Ordinance and the Barotse Native Courts Ordinance, Barotseland had distinctly defined and well coordinated system of local government. There was a Native Supreme Court (called the *Saa Sikalo*) presided over by the Litunga (most senior servant of the Lozi King) or his representative, which acted as a superior native authority and promulgated rules and orders enforceable in the courts.

B. The option between civil and customary laws

149. Examples of options individuals make between either the civil or customary law systems exist in specific areas such as in marriage, inheritance, property rights, and access to and ownership of land. However, it should be noted that although the existing legal framework is based on the premise that Zambian men and women have a choice of law, in actual practice customary laws still influence their behavior, as demonstrated from the examples below.

150. **Marriage:** In rural areas, the majority of people marry under customary law, not as a matter of choice but because that is the only law they know and identify with. In urban areas, the majority of people still marry under customary law, despite an increase in inter-ethnic marriages. Those who choose to marry under civil law, mostly the Western educated elite, also observe customary procedures and practices necessary for a valid customary marriage, for example parental consent, marriage payments, use of a negotiator, making it difficult to distinguish between a civil and a customary marriage. Factors that influence choices under the different systems include the following:

Civil marriage:

- Educated men and women who wish to fulfill societal expectations about their lifestyles, which are associated with Western way of life;
- women's perceived economic security provided for under civil marriage, for example maintenance especially after divorce, and property settlement at divorce;
- women's security against divorce, based on more rigorous requirements for dissolution of a marriage; and
- it is monogamous and, therefore, enhances women's status because of being the only wife.

Customary marriage:

- Norms are widely understood by men and women;
 - lack of legal education about the alternative system of marriage (civil) especially with regards to women;
 - the structures involved are informal (families only); and
 - inaccessibility of formal structures (district offices) that deal with civil marriage.
151. The gender implications of the dual system of marriage relates to the fact that whereas the civil law is specific on minimum marital age for girls, customary

law is not, but uses puberty as a determining factor. This is detrimental to girls in cases where puberty occurs at a tender age of say 10, 11 or 12. While customary law has encouraged the practice of marrying off girls at tender ages, even withdrawing them from school, civil marriage allows girls to mature and/or attend school before marriage. Secondly, although the Marriage Act seeks to enhance the socio-economic status of women, it is actually unpopular even among lawyers and judges (male) who are expected to implement it.

152. Statutory marriage is not the preferred option by other elites and professional men, exactly because patriarchy is embedded with them and they see this marriage as giving women/wives status which they feel threatens their superiority. On the other hand, customary law is more, if not totally, biased against women. Moreover, statutory marriages have complex formalities and consequences, and could lead to criminal liability (an example: the Chitambala case, a widely publicized bigamous case against a cabinet minister four years after the country's Independence, following which there was a drop in statutory marriages, from 282 in 1968 to 229 in 1969). These marriages are also more difficult to dissolve, are time consuming, cumbersome and expensive. The risk of publicity is high and the elites and professionals, including judges, see this as humiliating. Under customary law, a letter to the spouse (wife) suffices.
153. **Inheritance:** In 1989, two laws were passed: the Intestate Succession Act (Chapter 59 of The Laws of Zambia) and the Wills and Administration of Testate Estates Act (Chapter 60 of The Laws of Zambia). The former harmonized, replaced and codified all the customary laws, while the latter simplified and replaced the British Wills Act of 1837 which applied to Zambia until then. This means that by codifying customary laws, dualism of the legal system with respect to inheritance ceased. Since then, choices are between the Intestate and the Wills Acts, which are civil laws.
154. However, majority of the people, especially in rural areas, are still ignorant of these laws and follow their respective customary laws of inheritance whereby a widow does not inherit from her deceased husband's estate and vice versa. In terms of inheritance rights of children under customary laws, there are variations, determined by social norms, as demonstrated by the following groups:
 - Among the patrilineal Ngoni of Eastern Province, sons are the heirs;
 - both sons and unmarried daughters have rights among the bilateral Lozi of Western Province; and
 - among the matrilineal groups, which are in the majority, children have no rights to inherit from their parents. They inherit from their maternal uncles.
155. **Divorce:** The dual legal system has confusing implications for grounds for divorce and entitlements such as property settlement, maintenance and financial provisions.
156. Under customary law, there are variations regarding women's entitlements to property on divorce. For example, as in *Mwiya v Mwiya (1977 ZR 133)*, the court held that in Lozi customary law, upon being divorced, a woman is not

entitled to any share of the matrimonial property nor to maintenance, although the woman herself may believe that she is entitled. In contrast, as in *Chibwe v Chibwe (Appeal No. 60/99)*, the Ngumbo customary law entitles the wife a 50% share of matrimonial property in recognition of her contribution to its accumulation. In general, customary law impacts negatively on women in terms of access to and ownership of property.

C. International Conventions and Instruments

157. The international community has endorsed several plans of action arising out of conventions for the full, equal and beneficial integration of women in all national and international development activities. The conventions that Zambia has ratified are:

- The United Nations Charter (1945)
- The Convention on the Political Rights of Women (1953)
- Convention on the Nationality of Married Women (1957)
- The Convention on Consent to Marriage, Minimum Age of Marriage and Registration of Marriages (1962)
- The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) (1979)
- The African Charter on Human and People’s Rights (1981)
- The United Nations Charter on the Rights of the Child (CRC) (1989)
- Chapter 24 of Agenda 21 – Global Action for Women Towards Sustainable and Equitable Development Programme (1992)
- The SADC Declaration on Gender and Development and Protocol (1997).

158. The status of domestication and implementation of the above Instruments is presented in the matrix below.

Matrix 5: Status of domestication & implementation of International Instruments

Instrument	Status: Domestication, implementation, monitoring	Institution responsible
The United Nations Charter (1945)	Not applicable, in the sense that there is nothing to domesticate, as it lays basis for more specific instruments.	GIDD/Government
Convention on the Nationality of Married Women (1957)	Not domesticated	GIDD/Government
The Convention of Consent to Marriage, Minimum Age for Marriage and Registration of Marriages (1962)	Domesticated through the Marriage Act (Cap 50), but the dual system allows customary laws (which do not provide for minimum age and registration of marriage) to operate parallel to civil law.	Registrar of Marriages (for implementation of civil marriages only), and Judiciary for enforcement.
CEDAW (1979)	Not domesticated	GIDD/Government
African Charter on Human and Peoples’ Rights (1981)	Not domesticated	Government

UN Convention on the Rights of the Child (1989)	The importance of the interests of the child has been incorporated into existing laws on maintenance.	The Judiciary for enforcing the law. Ministry of Sport, Youth and Child Development is responsible for monitoring,
Chapter 24 of Agenda 21 – Global Action for Women Towards Sustainable and Equitable Development Programme (1992)	Not domesticated	Government, GIDD and Ministry of Tourism Natural Resources and Environment.
SADC Declaration of Gender and Development and The Protocol (1997)	Not domesticated	GIDD/Government

159. Although Zambia has ratified conventions and instruments that are relevant to gender discourse, there has been little political will to domesticate them, and thereby making them integral parts of national laws. Zambia submitted its last CEDAW Report in November 1999. At the same time, NGOs also submitted their Shadow Report for the period 1995-1999.

D. The Constitution

160. The Constitution of Zambia acknowledges the customary and statutory legal systems as primary. Consequently, Article 91 of the Constitution provides for two parallel court systems: the traditional courts and the judicature. This means that the Constitution provides for choices between either of the systems. The gender issue here is that the choice would depend on the prevailing gender relations of power in cases of personal relationships.

161. In the case of gender-discrimination, the Constitution protects individuals for matters governed by civil law. However, one may not invoke the Constitution for protection against gender discrimination in matters governed by customary law (for example marriage, divorce, devolution of property on death, etc) (see Mushota, 2002). Whereas Article 11 of the Constitution guarantees protection against gender discrimination, Article 23(4) (c) and (d) cancels out the guarantee. The Constitution is silent on women’s freedom of movement (*Sara Hlupekile Longwe v Intercontinental Hotels 1992/HP/765*). In this case, Longwe was not allowed into the Luangwa Bar of the Hotel on the grounds that she was not accompanied by a man. She sued the Hotel for contravening Articles 11 and 23(1) of the Constitution of Zambia. The High Court ruled in her favor, holding that the hotel’s regulations discriminated against women on their own in terms of freedom of movement within the hotel premises.

162. For more details on the development of the legal framework in Zambia, which dates back to 1843, and the associated gender concerns and issues, (see **Annex 5**).

E. Statutory law in Zambia

163. **Intestate Succession Act:** In terms of the provisions of the Intestate Succession Act of 1989, surviving spouse and children are classified as beneficiaries, as well as parents and dependants of the deceased. The distribution is as follows:

- Children 50%;
 - surviving spouse 20%;
 - parents 20%; and
 - dependants 10%
164. However, gender inequalities persist even under this Act. Although the Act entitles spouses to an equal share of the deceased spouse's estate, women are disadvantaged in that where there is more than one wife, women share the 20%, while the man enjoys 20% from each of the wives.
165. The codification of customary laws into one unified law represents some progress in this area. It should be noted here that this Act was passed as a result of continuous and intense women's activism dating from 1972 to 1989.
166. ***The Wills Act:*** This Act is intended to provide for individuals who wish to decide on how their estate will be distributed upon their death, which is taboo under customary laws. However, both the 1837 Act (see Colson, 1950) and the current one have not been favored and used by the majority of Zambians, particularly those in rural areas. A number of factors may explain this situation, for example:
- The distribution of an estate under customary laws is predetermined by custom. It is taboo to predetermine the distribution of one's own property upon their death;
 - members of the extended family are potential beneficiaries to the exclusion of the spouse and her relatives (WLSA, 1997); and
 - lack of legal awareness and education among the majority of the people, particularly women, about the existence of this law.
167. The Wills Act tends to be used by individuals who are knowledgeable and have substantial property. Though the Intestate Succession Act is intended to apply to all people who have not made Wills, it is used more in urban areas where the structures for administration of the Act are accessible.
168. ***Land Act:*** Dualism applies to land tenure system, which means that both customary and civil laws apply in terms of access, acquisition, use and control of land. Traditional rulers who administer customary laws control about 94% of the land in the country, which leaves about 6% to the Ministry of Lands. In general, all land is vested in the President of the Republic of Zambia.
169. While customary laws, which vary according to ethnic groups, apply patriarchal norms, the Land Act does not have discriminatory provisions in the sense that both men and women can use it to acquire land. There is also an affirmative policy in the Ministry of Lands which has reserved 30% of all land on offer to women. In spite of this, there are still gender disparities against women in terms of access to and ownership of land. The reasons for this include the following:

- Women’s lack of access to information on their rights to ownership and availability of land;
 - complex, long and cumbersome procedures, which operate against women because of their multiple roles;
 - centralized allocation system, because of which people have to travel to either Lusaka or Ndola. This disadvantages men and women because it is costly and require absence from home for long periods.
 - negative attitudes on the part of allocating authorities, both under traditional and statutory systems, especially towards women of marriageable age and married women as allocating land to these categories of women is perceived to undermine the marriage institution.
170. The above examples show that the dual system operates to the disadvantage of women.

F. List of statutory laws with gender-discriminatory provisions

171. The supreme law is the Constitution of Zambia, from which all other laws derive their legitimacy. As illustrated above, the Constitution itself contains discriminatory provisions, notably in Article 23(4) c and d, which allows discrimination in the areas of personal law (marriage, divorce, inheritance, etc). The subsidiary laws which contain discriminatory provisions or whose effects are discriminatory include:
- *Intestate Succession Act* (Cap 59), where widows in a polygynous marriages share 20% of their deceased husband’s estate;
 - *the Employment Act*, which provides for gender-differential retirement ages (55 years for women, 60 years for men);
 - *marriage Act* (Cap 50) – e.g. Section 17 which requires consent for a party below the age of 21 to be given by the father, unless he is dead or mentally incapable or absent from Zambia in which case consent may be given by the mother;
 - *the Local Courts Act* (Cap 29) and *Subordinate Courts Act* (Cap 28), which apply customary laws. As explained earlier, customary laws discriminate against women;
 - *the Penal Code* (Cap 87), which does not provide for protection of women and girls against domestic violence, spousal rape, and willful infection with HIV/AIDS. It also does not provide adequate protection against gender-based violence such as defilement, abduction of young girls, trafficking in women, incest, and indecent assault.
172. On the issue of domestic violence against women, statistics (CSO/ZDHS, 2002) show that women more than men feel that a husband is justified in beating his wife under certain circumstances if she:
- Goes out without telling him (78% women; 68% men);
 - neglects the children (61% women; 47% men);
 - argues with him (62% women; 40% men);
 - refuses to have sex with him (47% women; 24% men);
 - cooks bad/late food (46% women; 24% men); and

- at least one specified reason (86% women; 69% men).
173. This poses a real challenge to the Women's Movement and other interested in addressing gender and women-specific issues.

G. Customary law

174. Customary laws are unwritten and vary according to the 73 ethnic groups of Zambia. This is a major source of conflicts both within marriage and other socio-economic aspects of life. However, there are both positive and negative practices, which affect men and women differently, but there are more negative than positive aspects as indicated below.

Positive aspects: Customary laws are grounded in the extended family, which provides the traditional social safety net, particularly for vulnerable groups.

Negative aspects:

- Sexual cleansing in the event of death of spouse, which places men and women at high risk of HIV/AIDS infection;
- in terms of inheriting surviving spouses, younger widows of reproductive age are under more pressure than older women and widowers from both their natal and deceased husband's families to be inherited;
- in the event of divorce, women (especially those from matrilineal groups) together with their children are expected to go back to their natal families, leaving behind everything they have contributed to acquisition during the marriage; and
- after divorce, customary law does not provide for maintenance of women, and in some cases of children. Their natal families are expected to assume responsibility for them, which is a source of hardship for women and children given the fact that the extended family system has been weakened by many factors including poverty and urbanization.

Legal Reform Process

175. The need to address gender inequalities and imbalances in development process resulted in the establishment of the national gender machinery and institutional framework in 1996 (i.e. Gender In Development Division at Cabinet Office, and Gender Focal Points (GFPs) in line ministries and at provincial level). GIDD grew from a Women's Unit (1984) and a Women In Development Department (WID), 1992, located in a sectoral ministry.
176. The establishment of the machinery and its subsequent elevation to GIDD was as a result of advocacy by the Women's Movement. The machinery was set up to provide a link between women non governmental organizations (NGO) and community based organizations (CBO) and the Government. However, constraints facing the gender machinery persist, including:
- Lack of adequate financial and material support from the government;

- the structure goes down to provincial level only, and does not reach the district and lower levels;
- there is no formal structure for effective collaboration between the women NGOs and GIDD. They tend to work together on an ad hoc basis – e.g. to observe International Women’s Day; and
- there are low capacities in terms of gender analysis and mainstreaming on the part of GFPs in both line ministries and at provinces. Some GFPs are below the level (i.e. senior level) recommended by GIDD through Circular No. 7 of 1996,

H. Legal literacy/education and improved access to legal/judicial services

177. The majority of Zambians, particularly women, lack legal literacy and therefore access to legal/judicial services. Women do not have the capability to access these services because of the deep rooted customs and traditions in societies. For example, there are cases where the legal framework is adequate, but law enforcement agents trivialize women’s issues. A case in point is the Penal Code that under Section 133 proscribes life imprisonment for rape. Today, rape cases are prevalent, but such a punishment has never been imposed. Section 134 prescribes life imprisonment for attempted rape. No one has ever been sentenced accordingly. In some cases, women and men simply do not know what is available out there that could protect them.
178. A number of civil society organizations, mainly women NGOs, and some government and quasi-government institutions have undertaken activities, including advocacy, lobbying and training, in order to increase legal literacy/awareness and access to services by especially poor women. In addition, the Women’s Movement has, among other things, encouraged its members to become part of national decision-making structures (Parliament and Local Councils). For example, the immediate former Chairperson of NGOCC is now an MP. Other members of the Movement are sitting on the on-going CRC.
179. In terms of specific legal literacy programs, a number of NGOs/institutions are involved, and among them:
- Women and Law in Southern Africa (WLSA), which is involved in action research and uses findings to provide legal education and paralegal training and services;
 - Women in Law and Development in Africa (WiLDAF), which provides legal literacy;
 - Zambia Association for Research and Development (ZARD), also involved in research and legal education;
 - National Legal Aid Clinic for Women (NLACW), which provides legal representation at no or minimal cost. Some of its funding comes through LAZ;
 - Young Women’s Christian Association (YWCA), which has lawyers who link women with legal problems to legal practitioners, and meets some of their legal costs;

- Women’s Legal Rights Committee of the Law Association of Zambia (LAZ), which provides legal education and represents clients in court;
 - Legal Resources Foundation and Catholic Commission for Justice and Peace, both of which provide generic (i.e. not gender-specific) legal education. The former also represents clients in courts;
 - Zambia Institute for Advanced Legal Education (ZIALE), a quasi-government institution, which trains lawyers for practice and also offers short courses to promote gender awareness within the law;
 - Legal Aid Department (government), which provides legal services to vulnerable groups who cannot afford lawyers. However, the Department is poorly staffed and funded.
 - Law Association of Zambia (LAZ) has a policy, which requires each law firm to take up at least one case from the Legal Aid Department for free;
 - Law and Development Association (LADA), based in Southern Province, which provides legal education and links people with legal problems to lawyers and NGOs focusing on law;
 - National Council for Catholic Women (NCCW); and
 - Catholic Commission for Justice and Peace (CCJP).
180. Some governmental ministries and departments have units specifically to empower women through knowledge and information: The Ministry of Community Development and Social Services has a department which, among others, provides various services such as counseling and sensitization on the rights of the disadvantaged. In addition, within the Ministry of Home Affairs, the police have established a Victims Support Unit for the victims. Staff are required to undergo training on gender. Periodically, GIDD undertakes some assessment and analysis of the situation, and shares these with relevant organizations and groups, as needed .
181. Below is a summary of gender and law in Zambia:
- Legal dualism and the resultant two court systems operate to the detriment of women;
 - the Zambian Constitution does not guarantee gender equality;
 - Zambia has not domesticated most of the international instruments which seek to address gender inequalities;
 - the legal status of women under the existing marriage systems is ambivalent;
 - the grounds for divorce differ, and are more uncertain under customary law. Entitlements to matrimonial property are largely unavailable to women under customary law, which is the predominant system;
 - in spite of the Succession Act which applies the principle of gender equality in terms of share of the estate, women are however disadvantaged because of the polygynous nature of the customary marriages; and
 - although the Land Act is gender-neutral, in practice women do not have equal access to land and to resources to develop land allocated to them within the short period (18 months) stipulated by the Government.

CHAPTER 5:

ECONOMIC COSTS OF GENDER INEQUALITIES, IMBALANCES, AND LEGAL DISCRIMINATION

182. This chapter brings together issues relating to gender inequalities identified in previous chapters. It examines and analyzes economic costs of gender inequalities, imbalances and discrimination against women caused by the persistence of the patriarchy, negative attitudes, traditional norms and practices and discriminatory laws. The costs are discussed and highlighted under the three broad themes of the country profile: socio-economic roles and access/control over resources; human development indicators; and legal and institutional frameworks.

A. Economic costs of gender inequalities in socio-economic roles, access to and control over productive resources

183. As has been demonstrated in Chapter 2 above, men in Zambia dominate the market economy while women are primarily in the household or care economy. Further, due to entrenched patriarchal structures, the market economy is highly monetized with segmented labor, male dominated and governed by law. In addition to this, productive resources have systematically been appropriated and are concentrated in the market economy. On the other hand, the care or household economy is characterized by labor immobility (valued at about 30-50% of GDP), unpaid and non-monetized activities, female dominated and often governed by traditional customs and regulations. This situation has brought about gender based asset inequalities and has contributed to increased poverty among women.

184. In addition, gender disparities in access to employment/cash income, information communication technology (ICT), agro-inputs, markets and other factors of production may affect the ability of women to increase the productivity of their agricultural, domestic or entrepreneurship activities and thus reduce economic growth. According to the findings of a 1992 time allocation study (Saito), women in Zambia spend 12.2 hours/day as compared to men who spend 7.2hrs/day in agriculture and other productive tasks. In most parts of the country, women do not have control over their own labor, because that labor is also income for men. Coupled with their lack of access to modern technology and inputs, this lowers their productivity.

185. Much of female labor, particularly housework and many subsistence activities, is not well-captured and recorded in Zambia's National Statistical System. Greater access to employment opportunities outside of the home will lead to a substitution of unrecorded female labor in the home with recorded female labor in the formal economy. This will make women's labor visible for the first time and, as a result, increase measured economic output.

186. Gender inequalities in roles, access to and control of resources has led to low investment in the human and physical capital of women and girls in Zambia. (If women had the same capital investment as men, the production of maize would go up by more than 15%). The institutionalization of gender inequalities, and the functioning of markets (imperfect) have exacerbated the situation. The inequalities affect economic growth through:
- Inefficient allocation of labor;
 - time poverty due to poor infrastructure;
 - gender differentiated use of income and capital; and
 - quality of governance.
187. The economic cost of inequalities has contributed to low economic growth of the nation, reduced well-being for women, men and children and has led to higher poverty levels.

B. Economic costs of gender inequalities in human development indicators

188. The profile under the theme 'human development indicators' included discussion of four types of indicators - i.e. education, health care, HIV/AIDS and decision-making. Human development is central to successful national development, which starts with education, the latter being the springboard of all professional and technical training as well as acquisition of a wide range of industrial and life skills. Therefore, equal educational and training opportunities between females and males can substantially augment the human resource potential that may be mobilized for accelerated economic development. The discussion on human development indicators has emphasized that sustainable human development cannot be achieved without women's equal access with men to education and training. Given that education is a key human development indicator with strong links to the other indicators (e.g. enhanced health status and participation in decision-making, poverty reduction, low fertility rates), the economic costing relating to human development indicators focuses on relationship between education and the economic development of Zambia.
189. Educational statistics presented above show that Zambia exhibits considerable inequalities between males and females in education. Despite having a 50:50 enrolment rate at Grade 1, there is a high attrition of girls as they climb the education ladder. This high attrition of girls results in less than 40% female representation at secondary and tertiary levels of education. Although there have not been comprehensive studies that have explicitly considered the impact of gender inequality on economic growth, poverty reduction and well-being in Zambia, studies that have been carried out in other parts of the world have linked gender gaps in schooling to economic growth and poverty reduction (Barro and Lee, 1994; Barro and Sala-i-Martin, 1995).
190. The computations in this case illustration seek to prove that there are considerable benefits to the nation that could be derived from pursuing gender

responsive policies in education and other key sectors such as employment. The illustration makes the following assumptions:

- Higher earnings contribute to high household disposable income;
 - higher earnings lead to high effective demand and thus increase net direct taxes;
 - education or years spent in school determine current wage in the labor market;
 - education as an investment is key to better jobs, higher incomes and increased output per head; and that
 - formal sector jobs are available to about 85% of graduates.
191. In Zambia, however, establishing a relationship between gender inequalities in education, poverty reduction, well-being and economic growth is seriously affected by a number of factors. Some of the key factors are: the unavailability of formal sector jobs, factor distortions in access to income, paucity of gender-disaggregated data on all the variables in the assumptions and others.
192. However, whilst making certain assumptions, computations on the impact of education could still be calculated. Using the number of years spent in school against the remuneration available on the market, such calculations show a very significant relationship between the number of years spent in school and income.
193. Using the Income approach to calculate Gross National Income, i.e.

C. Disposable Income of H/holds + Non distributed profits + Net direct taxes= National Income

194. Based on this formula and given that the major source of disposable income in Zambia would be a wage or salary and given that there are different types of prices given to different types of labor (often determined by literacy levels, number of years spent in school), and the fact that more men than women are skilled, National income can be reduced through the lower price of wage given to unskilled labor, which is usually that of women.
195. Therefore, if women get less wages and have no access to non distributed profits, this lowers their effective demand for goods and services consumed at household level. Less expenditure at household level reduces the amount of net Indirect taxes collected and this lowers the National Income.
196. Hill and King (1995) studied the impact of gender differences on education in an empirical growth context. Instead of trying to account for growth of GDP, they relate levels of GDP to gender inequality in education. They find that a low female-male enrollment ratio is associated with a lower level of GDP per capita, over and above the impact of levels of female education on GDP per capita.
197. Available literature suggests that gender inequality in education has a direct impact on economic growth and poverty reduction. It lowers the average quality of human capital (productive investment embodied in men and women

which include skills, abilities, ideals and health resulting from expenditures on education, on-the-job training programs and medical care). Available statistics estimate that between “0.4-0.9 % of the differences in growth rates between East Asia and Sub Saharan Africa, South Asia, and the Middle East can be accounted for by the larger gender gaps in education prevailing in the latter regions.”

198. Zambia’s development has been slow and gender inequalities and gaps have gradually increased. In fact some countries in East Asia were far below Zambia’s growth in the 1960s when per capita income was well above \$600. This trend reversed in the mid 1980s and today the country is one of the poorest in the world with less than \$300 GDP per capita. Several factors have contributed to this trend some of which could have been gender inequalities, the quality and quantity of the labor force etc. The contribution or benefits of quality labor force to economic growth is usually assumed to take the form of:
 - Increased productivity;
 - increase in earnings of graduates from college and university;
 - fringe benefits; and
 - increased effectiveness.
199. On the other hand, the costs associated with remaining in school for a longer period are:
 - income forgone while students remain in school;
 - costs of books, fees, personal needs of students;
 - capital costs including costs of buildings and equipment; and
 - costs of academic/research personnel and their salaries.
200. Using the age-earnings profile, available data in Zambia show a very strong relationship between earnings and education. The average lifetime earning of educated workers are higher than the average earnings of illiterate workers or those with lower levels of education.
201. Using average earnings from the public service in Zambia, Table 9 below shows that there are more benefits than costs associated with retaining students beyond secondary level. Given that the 1990-2000 gender status for Zambia showed that only 31% of tertiary level of education comprised females and that both secondary school and tertiary graduates work up to 55 years in the public service there are costs to the nation as computations on Tables 9 and Figure 10 show.
202. The first column of Table 8 shows, for each level of education, the expected compensation package, including fringe benefits, representing the value government places on the contribution of graduates to the public service.

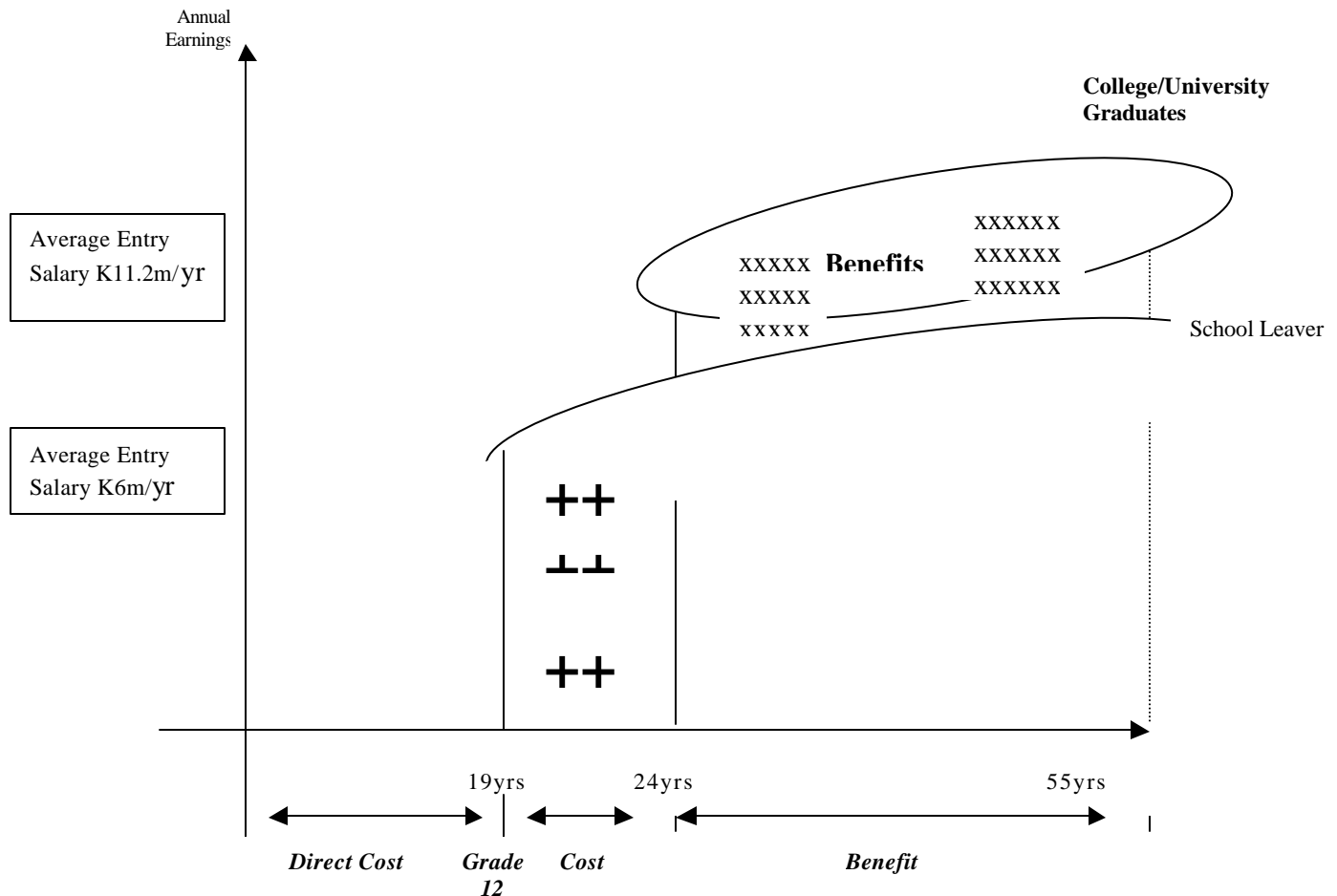
Table 9: Expected compensation of Graduates by level of Education and Opportunity Costs Incurred while in School (2002 Zambian Kwacha per year per graduate)

Level of Education	Expected compensation after graduation	Opportunity costs during School
Tertiary	11,157,222	6,000,000
University	11,385,552	3,500,000
College	10,928,892	2,500,000
<u>Secondary</u>	6,080,800	n.a.
<i>Primary</i>	<i>na</i>	

n.a. = Not applicable. **Source: Computation by Nelson Nyangu**

* There was no explicit differentiation in level of earnings between college and university graduates in the 2002 Collective Agreement for Civil Servants. The amount of K11,157,222.00 is average entry point for University graduates who spent 4, 5, 6 and 7 yrs at University and those with ACMA, ACCA and CIS qualifications from colleges (Source: PSMD Circular No. B4 of 2003).

Figure 10: The Benefits of Educating Males & Females Beyond Secondary Level



The benefit of increasing the number of students at tertiary level would be the incremental productivity of each additional graduate. By increasing the quantity and quality of university and college graduates, the researcher expected an increase in the productivity of the labor force. Despite Zambia's inefficient labor market and employment situation, it can safely be concluded that the graduates' incremental earnings would be a good measure of the value of their incremental productivity.

Due to lack of age-earnings profile data to estimate the increased productivity of the additional graduates, the average compensation package of different types of workers at a given point in time was used and this is compiled and appear in Table 8. Furthermore, it is estimated that tertiary and secondary level graduates spend 36 and 31 years respectively in active employment before reaching the retirement age of 55 years in the public service.

203. Higher literacy levels, enhanced skills and socialization affect how individuals participate and benefit from economic growth, poverty reduction and development. Under normal circumstances, an individual's education leads to increased access to information, broader perspectives, market and non market efficiency, improved socio-economic status, changed attitudes and behavior patterns. These effects contribute to individuals' well-being. However, due to gender inequalities in the provision and access to education in Zambia, the result has been limited access to information and other productive assets, narrow and pre-determined perspectives, domination of non market or household economy, limited market opportunities, low socio-economic status and acceptance of subordinate position among females.
204. Studies have, however, shown that there are more externalities and positive spill-over effects of educating more females than males. Due to the gender socialization process, it has been found that educated women have more positive spill-over effects than men as reflected by differences in nutrition status of female and male headed households, intergenerational effects and others. At the individual level, educated women experience direct benefits such as access to income and other productive resources, control over their lives, area of residence, to mention but a few. These are important constituents of human well-being. The cost of depriving women of appropriate education has not been fully assessed, but certainly Zambia would have done much better if gender inequalities in education were less than what they currently are.
205. In addition to the above, female education has more positive externalities to society. These include reduction in crime, social cohesion and integration, technological change, reduction in school drop-outs among their children, reduction in their daughters bearing children as unmarried mothers, and reduction in children's probability of being economically inactive as young adults.
206. If one believes that boys and girls have a similar distribution of innate abilities, gender inequality in education must mean that less able boys than girls get the chance to be educated, and, more importantly, that the average

innate ability of those who get educated is lower than it would be the case if boys and girls received equal educational opportunities. This would lower the productivity of the human capital in the economy and thus lower economic growth. It should also lower the impact male education has on economic growth and raise the impact of female education, as found by Dollar and Gatti (1999).

D. Analysis

207. Based on the above situation, for every additional student who proceeds to tertiary level, the country would gain an amount equal to the full difference between the compensation package that the student would receive after graduation. For tertiary level graduates, this would amount to K6,157,222.00 per year per graduate.

Table 10: Expected compensation of Graduates by level of Education for entire working life (At 2003 ZK nominal)

Level of Education	Expected compensation after graduation	Opportunity costs during School	Compensation Package/year per graduate	31 Yrs of work before retirement
<u>Tertiary</u>	11,157,222	5,000,000	6,157,222	190, 873,882
University	11,385,552	6,500,000	4,885,552	151,145,211
College	10,928,892	3,500,000	7,428,892	230,109,950
<u>Secondary</u>	6,080,800	n.a.	-	
Primary	n.a.	n.a.	-	

208. Assuming that, on average, tertiary level graduates remain in the labor force for 31 years, their net contribution to the country, valued at graduation, would be equal to the present value of their incremental earnings during 31 years. The benefits, B, in any one year are calculated according to the formula below:

$$B = (N)(PV\{IE\})(U)$$

Where N stands for the number of graduates, PV{IE} for the present value of the incremental earnings, and U for the employment rate.

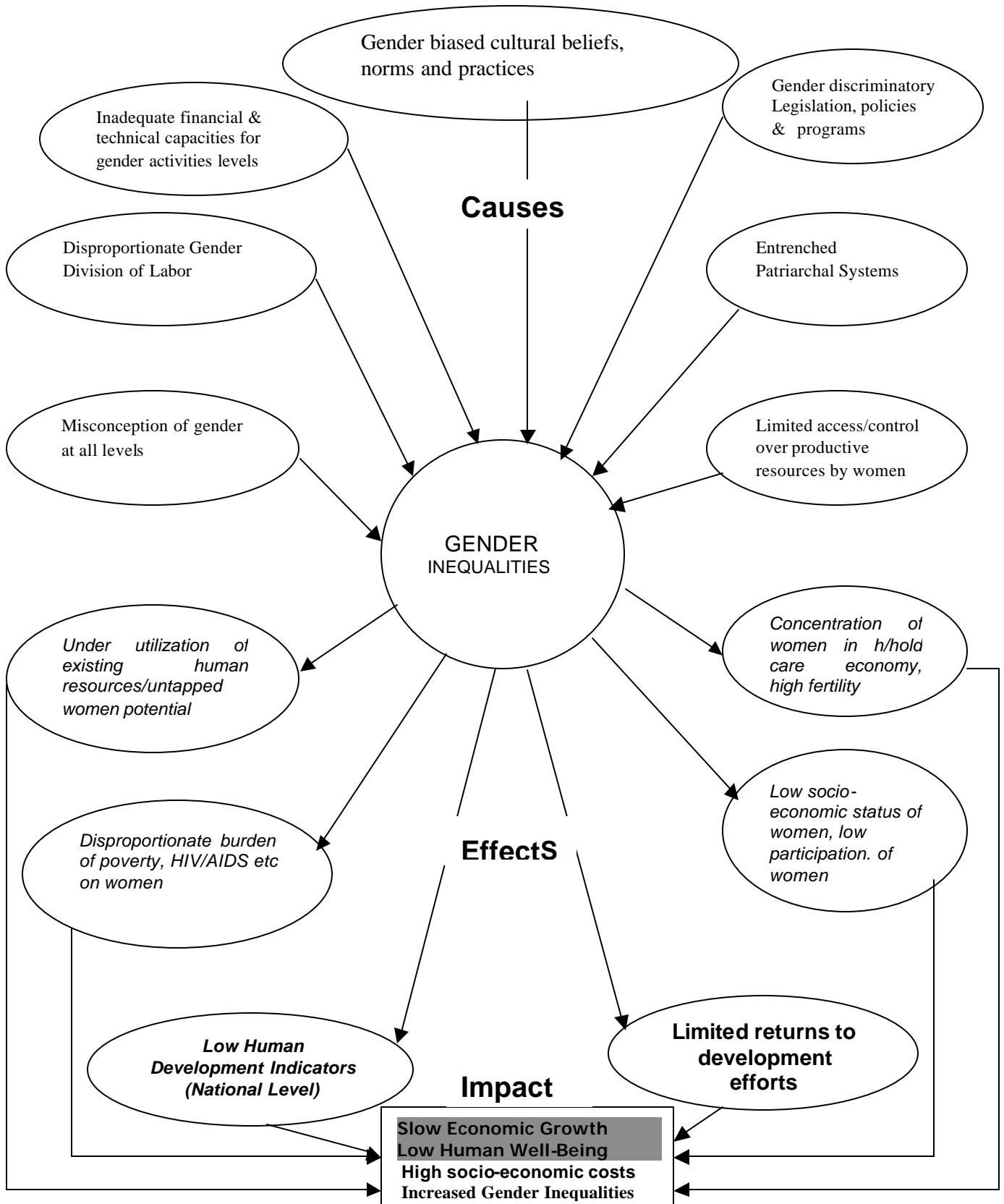
209. Discounted at 15 percent, the benefits, adjusted for the employment rates are calculated at K 6,157,222 for each tertiary graduate. The yearly contribution of each graduate to the nation would then equal the present value of the incremental contribution of every graduate times the number of graduates. The benefits for the 31 years of service that the graduate will contribute to the nation appear in table 9 above. The yearly benefits need to be discounted again to estimate their present value as of a common date.
210. According to the 2002 CSO data, for every 100 tertiary graduate students in Zambia there are only 31 females. Compensation or wage is a national resource that should be accorded to all. Given that Zambia's population comprise 51% female and of these, much fewer have opportunities to proceed to tertiary level of schooling, this could affect the growth of the economy. Simple calculations show that out of ZK190,873,882.00 calculated at 2003

compensation during the working life of a graduate only 31% is accessed by females. The other females that do not have opportunities to attain tertiary education usually find their way in low level employment and other social vices that are also a cost to the country.

E. Economic costs of gender inequalities relating to legal and institutional frameworks, societal norms and practices

211. To establish a specific linkage between discriminatory legislation and economic impact is difficult and becomes more complex when the gender variables included in the equation. However, it is generally known that people's human rights are linked to their well-being, socio-economic status and poverty position.
212. Therefore, if a situation that does not promote gender equality ensues at the Republican Constitution level as has been discussed above, it is likely that women's human rights will not be respected.
213. The economic impact of this will be that disparities will surface and be perpetrated at various levels of the socio-economic operations of the country. In Zambia, for instance, gender discriminatory legislation has led to:
 - Depriving women of credit facilities because they are viewed as risky borrowers who have no legal support in terms of access to family assets in the event of divorce or death of the spouse;
 - stripping women of assets due to limited or poor protection of their rights under the law; and
 - unequal and ineffective participation of women in both the political and economic governance process of the country. Good governance is, however, very essential for sustainable socio-economic development.
214. The causes, effects and impacts of gender inequalities in the different aspects of life are summarized in Figure 11.

Figure 11: Causal, Effect and Impact of Gender Inequalities on Economic Growth, Poverty & Human Well Being in Zambia



CHAPTER 6: CONCLUSION AND RECOMMENDED INTERVENTIONS

A. Conclusion

215. This country gender assessment has looked at gender as a development tool that needs to be appreciated for its strategic position within the country's poverty reduction and development framework. It pays particular attention to the PRSP and sectoral policies as entry points for gender mainstreaming. The PRSP has acknowledged gender as a cross-cutting issue, while some policies make reference to it. The assessment has argued and demonstrated that despite this recognition, the PRSP, that offers the country's overarching poverty reduction framework, and many sectoral policies in fact do not integrate gender in a meaningful manner. It suggests ways to overcome this.
216. The assessment acknowledges the power of culture in influencing and shaping responses to economic opportunities, to people's human rights and generally to individual well-being. Patriarchy remains dominant across ethnic groups, rural and urban communities, educated and non educated, and it clearly influences personal relationships, intra-house interactions and guides responses to poverty, including informing household or national strategies for reducing poverty. Language, expressed through proverbs and other sayings, is a very powerful means of sustaining cultural norms that, in the case of Zambia, are found to be gendered against women and girls, at times as cause and at others as effect of gender-based discrimination. Thus, the impacts of the socialization emerging from this may be seen in many ways as described below:
- The roles of men and women in household and market economies where women work twice as many hours as men, and shoulder almost all household responsibilities (the care economy), leaving them with little time for more productive work and for themselves. At the same time, their capabilities are restricted by systems that guide access to and control of productive resources. The assessment highlighted the implications of this for agricultural productivity, for example.
 - Human development indicators are gendered, and socialization has a role in how this is played out. Education which starts off on an equal basis for boys and girls ends up tilted against girls, as much because poverty forces parents to make choices that often favor boys; girls' performance and retention are affected by their household responsibilities, while societal expectations fall more heavily on them than on boys, thus encouraging girls to marry earlier than boys, for example. Reproductive health, as reflected in maternal mortality ratios and total fertility rates, undermines women's health status. On the other hand, life expectancy for men is lower than women's although we do not know reasons for this. HIV/AIDS is highly gendered in risks and vulnerabilities, in prevalence rates and in impacts. Patriarchy has placed men and women in risky positions differently, but most disturbingly has been the

acceleration of gender-based violence involving girl children, which seems to be tolerated by families and the laws of the country.

- Many women are not able to participate in decision-making at the household, community and national levels, including concerning their own health, time and labor. This has challenged the notion of good governance and of human rights. The laws that are supposed to protect the vulnerable and abused have been shown to be inherently discriminatory against women. In the few cases where they can protect them, either women are not sufficiently aware of them or those with the responsibility of interpreting the laws (judges and magistrates) are themselves reluctant to do so. Exemption of personal laws found in the Constitution gives one such example.
- The cost to poverty reduction and development of unequal access and ownership to productive resources and to the constituents of well-being—education, literacy, health, participation, legal protections—is high. By contrast, the benefits to individual, family and national well-being of equal access and ownership have been shown to be substantial.

B. What then? Recommended Interventions

217. In consultation with stakeholders, through workshops and one-on-one discussions, this SCGA has come up with six interventions or actions that the team feels need to be acted upon in the short and medium term, because gender is critical to poverty reduction, and poverty affects about 80% of the population. The first challenge is to help the country go beyond rhetoric to really integrate gender at the policy and action levels. The first of the recommended interventions is directed at the World Bank and other development partners to help lift gender from the trivial stance it has often been assigned, so that it may play its rightful role. The second is directed toward the PRSP because, as said, it provides the overarching framework for poverty reduction in the country.

Engendering Key instruments of development

218. Gender issues and concerns are often trivialized in key negotiations between the Bank and client countries. This is translated in the little space that is created for gender in policy, planning and programs. In order for gender to be appreciated as a development tool, the Bank and other development partners can help in the following ways:
 - Ensure that CAS and other assistance programs capture gender in a meaningful way and this SCGA could be a reference point for improving gender programming and mainstreaming in core macroeconomic activities.
 - The role of the Bank and other development partners in flagging off programs such as the PRSP needs to be more gender responsive. They could help Zambia achieve its equality goals by collaboratively providing benchmarks for achieving gender mainstreaming in the activities they support.

Engendering the PRSP implementation and review process

219. The PRSP could be a powerful instrument in gender integration into the development agenda, especially poverty reduction. The following are recommended:

- The PRSP secretariat needs to work with GIDD and sector gender focal points to ensure that gender is captured during the implementation and review process. In consultation with the PRSP secretariat, GIDD needs to develop some benchmarks by which to measure gender inclusion in the PRSP implementation process.
- GIDD and the PRSP secretariat will need to put in place a monitoring and evaluation mechanism. Participatory evaluations would need to be carried out periodically.
- Preparations need to be initiated for meaningful gender inclusion in the PRSP review planned for 2006.

Equality in access and control for increased production

220. Household livelihood security, as demonstrated in food security, income and general well-being is dependent on access to and ownership of productive resources and assets. Education, literacy, health and ability to have control over one's life all contribute to human well-being and need to be fostered. This SCGA has demonstrated inequalities in all key factors of production and productivity enhancement. The following interventions are recommended:

- Revisit the conditions attached to the land reform to make access and ownership by women possible.
- Through civic education, train small-scale men and women farmers in how the market operates and thus prepare them for effective participation in agricultural production and marketing for household food security and national economic growth.
- Provide or increase credit access and availability to women farmers and put in place mechanisms to ensure that they are aware of the terms and are able to generate sufficient returns for timely repayment.

Ease women's time poverty

221. The assessment has demonstrated the burden placed on women as they fulfill their productive and reproductive responsibilities. The following two interventions are recommended:

- Invest in appropriate technology aimed at easing women's food, water and fuelwood provisioning responsibilities (boreholes, deep wells, agro-forestry, woodlots). This would not only increase female labor productivity, but also improve the health status of families including of women themselves.

- Conduct more comprehensive documentation of time use by women under community driven initiatives.

Ensure integration of gender dynamics in HIV/AIDS programs

222. HIV/AIDS has emerged as one of the country's greatest development challenges. Perhaps patriarchy is demonstrated at its worst in HIV/AIDS where male domination in sexual matters is posing threats to their own safety and that of women and girl children. By the same token, patriarchy dis-empowers women to protect themselves. There is need to:

- Review all HIV/AIDS programs and activities for their gender inclusion and facilitate this integration into those programs where they are missing.
- Broaden the gender integration program supported by the Bank in scope, to bring on board other partners from the donor community, and geographically to embrace the districts.
- Amend the penal code to make willful infection of women or men with HIV a criminal offence.
- Increase minimum sentences for child abuse, especially where this involves rape.

Align national laws to gender-based protections

223. This assessment has highlighted discrimination against women that is inherent in the Constitution and laws that derive from it. Customary law is particularly unfriendly to women in matters of divorce, inheritance, and access and control of assets. This frustrates women's ability to optimize their potential. The following intervention is recommended:

- There should be put in place a Gender Act so that all gender related issues, both economic (access and control) and social (personal laws) can be dealt with under one legislation. Enforcement mechanisms: the courts, the police, Director of prosecutions, traditional rulers, would need to be coordinated by an apex body established by the proposed Gender Act for implementation and monitoring.

Matrix 6: Interventions/Actions

Issue	Recommended intervention	Who responsible	Collaborating partners	Expected result, Output
1. Engendering key instruments of development	<ul style="list-style-type: none"> ▪ Capture gender in CAS and other assistance programs ▪ Provide benchmarks of development. 	GIDD	World Bank Dev partners MoFNP	Gender responsive plans and activities Capacity for gender inclusion built
2. Engendering PRSP implementation and review	<ul style="list-style-type: none"> ▪ Establish benchmarks for gender inclusion ▪ Establish monitoring and evaluation mechanism ▪ Put in motion preparations for full participation in the Review in 2006 	GIDD MoFND	NGOCC Line ministries World Bank	Engendered PRSP and subsequent programs
3. Unequal access and control of productive resources	<ul style="list-style-type: none"> ▪ Review land reform conditions ▪ Provide civic education on market operations to small-scale farmers ▪ Accelerate provision of credit especially to women farmers 	GIDD	MoL MoFNP Prov. admin. NORAD ACDF World Bank	Household food security attained Increased agricultural productivity
4. Women's time poverty	<ul style="list-style-type: none"> ▪ Document women's time use ▪ Invest in household technology 	GIDD	MoCDSS MoFNP UNFPA World Bank	More of women's time directed toward productive work Women able to create time for themselves
5. Gender and HIV/AIDS	<ul style="list-style-type: none"> ▪ Review HIV/AIDS programs for gender inclusion ▪ Intensify protection of girl children through legal provisions ▪ Amend penal code to make wilful infection a criminal offence 	GIDD NAC	MoCDSS GFPs WILSA NGOCC	Gender-responsive programs Safer girl children A more responsible society
6. Insufficient gender-based protections	<ul style="list-style-type: none"> ▪ Parliament to promulgate a Gender Act 	GIDD Parliament MoLA	ZNWLG WILSA WILDAF NGOCC MoCDSS Traditional rulers	Better protection offered to women and girls Equality before the law recognized

Annex 1: Working Definitions And Sex-Role Stereotyping In Local Language Sayings

Working Definitions

Access: The opportunity to make use of a resource (or something) instrumental to production of goods and services, but without having control to decide on output or exploitation methods.

Control: The authority to decide about the use and output of resources.

Culture derives from the functions, traditions, economic and other resources, codes and rules (written and unwritten), as well as sex and class composition of societal institutions – all of which combine to create gender roles and relations. Of significance to this study is the fact that all cultures are dynamic (they are constantly changing), and so there is no reasonable argument for any culture’s inability to adapt to the explicit implications of gender.

Decision-making: a complex process, which includes other dimensions of power – e.g. *‘influence’* (formal or informal pressure that is successful in imposing an individual’s or grouping’s point of view); *‘authority’* - legitimate power which derives from socio-cultural and legal norms of society; *‘power’* - the ability to make one’s interests count even when others resist.

Economic growth: A steady process by which the productive capacity of the economy is increased over time to bring about rising levels of national output and income. Both men and women are input resources as well as beneficiaries of economic growth.

Economic costing: The process of identifying, measuring and valuing the costs to society associated with gender inequalities in terms of economic growth, poverty reduction and human development.

Gender: identifies social differences (activities, roles, forms of behavior) between men and women. It is a socially constructed relational category that carries with it expectations and responsibilities that are not biologically determined.

Gender mainstreaming: incorporating gender equality concerns and issues into policy formulation, planning, program or project objectives and activities to deal with obstacles to equal participation and benefit between females and males.

Poverty reduction: Increasing incomes, reducing vulnerability, improving household food security, and sustainable use of natural and other resources.

Role: Pattern of behavior, which includes specific rights and obligations, as well as social status and power associated with it within a given cultural context. A role changes according to changes in economic, social and cultural aspects of society.

Gender role: A concept related to that of ‘gender division of labor’, which is a central aspect of gender relations. While ‘gender division of labor’ looks at the socially and economically determined assignment of activities to men and women, the term ‘gender roles’ has broader scope and emphasizes activities, norms and sets of values associated with activities for each gender, as well as attitudes and behavior connected to each role. Gender roles are different but mutually dependent on each other.

Human development: The process of enlarging choices. Variables that contribute to human development include long and healthy life, being knowledgeable, decent standard of living, political participation, equity, sustainability, security, and cultural diversity.

Human rights: Entitlements in the form of protection of human worth and dignity – i.e. opportunities that contribute to human and social development such as security of employment, income-generating activities, education, training, decision-making power, legal protection.

Sex-Role Stereotyping

Saying in Local Language	Meaning in English	Associated gender issues
<i>Akaume takachepa. (Bemba)</i>	A male is never young or small.	Leadership role assigned to males irrespective of their age. This means a male is more likely to be listened to irrespective of age than even an old woman.
<i>Ubuchende bwa mwaume tabonaula ing’anda. (Bemba)</i>	A man’s promiscuous behavior cannot break up a marriage.	Encourages men to have multiple sexual partners, which places both men and women at risk of contracting HIV/AIDS.
<i>Mwalumi ngo mutwe wa ng’anda. (Tonga)</i> & <i>U mwaume e mutwe wa ng’anda (Bemba)</i>	A man is the head of the household/family.	Headship of a household is a role assigned to men who are viewed as natural leadership and decision-makers at household level, even in cases where men may not be knowledgeable. Social norms require wives who actually make decisions in the home to keep this ‘deviation’ from the norm secret.
<i>Amuna ni pamimba (Ngoni and Chewa)</i>	A man should always be well fed	Promotes inequalities in terms of access to balanced diet in favor of men. Women can be divorced for failure to feed the husband according to expectations.
<i>Bakaintu tabajisi mitwe. (Tonga)</i>	Women do not have brains.	Undermines women’s participation in decision-making. Women are expected to defer to men.
<i>Sina musali ki mutu? (Lozi)</i>	Is a woman/girl a person (human being)?	Contributes to low self-esteem and low self-worth among females.
<i>Abanakashi mafi ya mpombo. (Bemba)</i>	Females are like droppings of a duiker (i.e. they are many and all over)	A man does not have to be faithful or stick to one woman because they are plentiful. It encourages men to be promiscuous and to have multiple

		sexual partners, contributing to rapid spread of HIV/AIDS.
<i>Bana basimbi ndubono. (Tonga)</i>	Daughters are wealth.	Daughters valued not as individuals but in terms of the wealth they will bring to the family (through marriage payments by their husbands). Encourages parents to marry off daughters early thereby disrupting their education
<i>Musali kilishete. (Lozi)</i>	A woman is a granary (of children).	Reinforces men's control over women's sexuality and contributes to high fertility rates and, consequently, to maternal mortality rates in the country.
<i>Kwapa tacila kubeya (Bemba)</i>	The armpit (representing a woman) can never be higher than the shoulder (representing a man)	A woman can never assume leadership or hold higher position than a man. Hence, leadership and decision-making are seen as preserves of and are dominated by men.

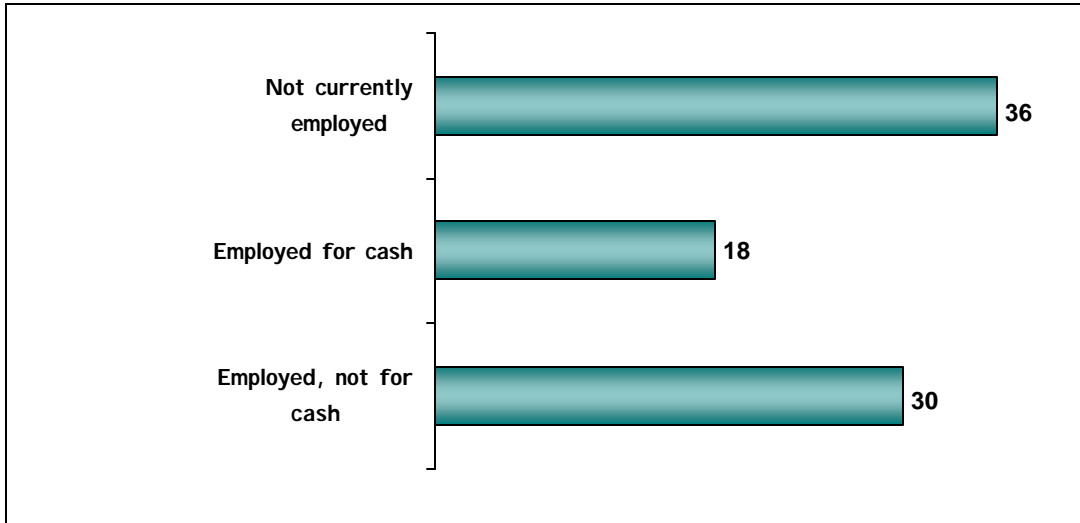
**Annex 2: Crops By Sex, Need For Fertilizer Use, Drought Resistance & Use
(Choma, Southern Province)**

Crop	Grown by men	Grown by women	Needs fertilizer	Drought resistant	Grown for food	Grown for cash
Maize	Y	Y	Y	N	Y	Y
Tobacco	Y	N	Y	N	N	Y
Vegetables	Y	Y	Y	N	Y	Y
Groundnuts	N	Y	N	N	Y	Y
Bambara nuts	N	Y	N	N	Y	N
Cassava	N	Y	N	Y	Y	N
Bulrush millet	N	Y	N	Y	Y	N
Sorghum	N	Y	N	Y	Y	N
Millet	N	Y	N	Y	Y	N
Beans	N	Y	N	M	Y	Y
Sunflower	Y	Y	N	Y	N	Y
Sunhemp	Y	N	N	Y	N	Y
Velvet beans	Y	Y	S	N	N	Y
Irish potatoes	Y	Y	N	N	N	Y

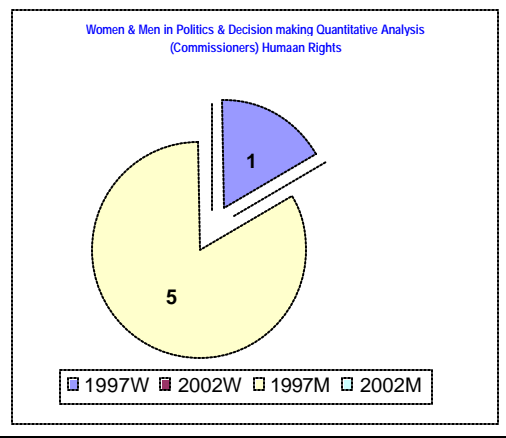
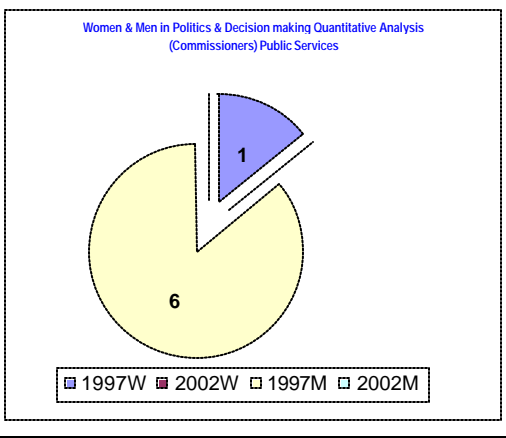
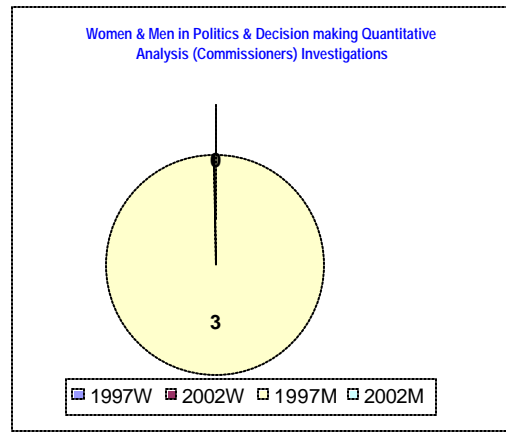
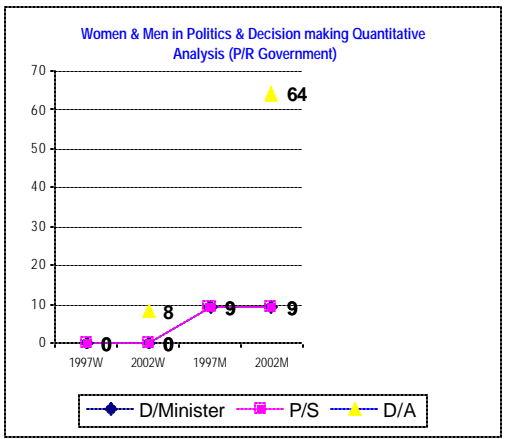
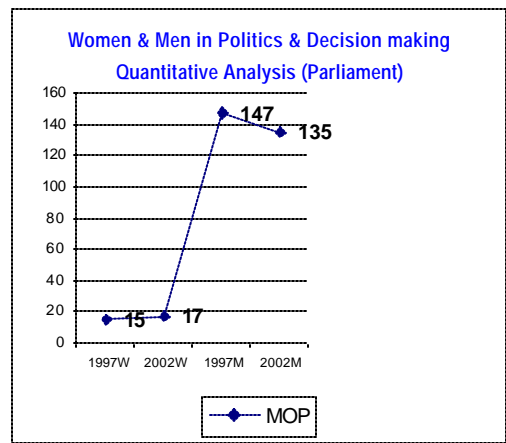
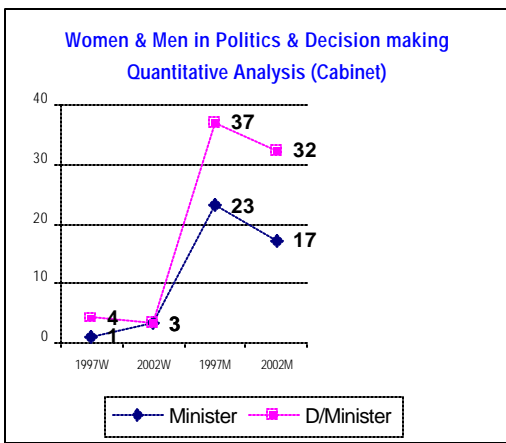
NOTE: Y=Yes; N=No; M=Medium; S=Some

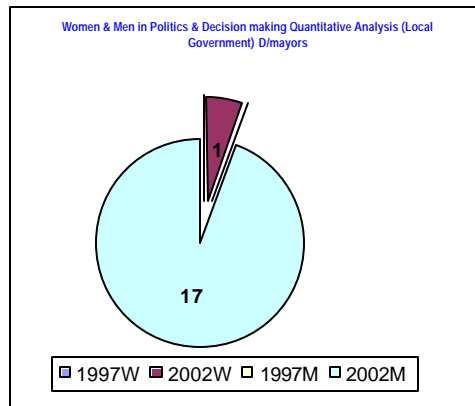
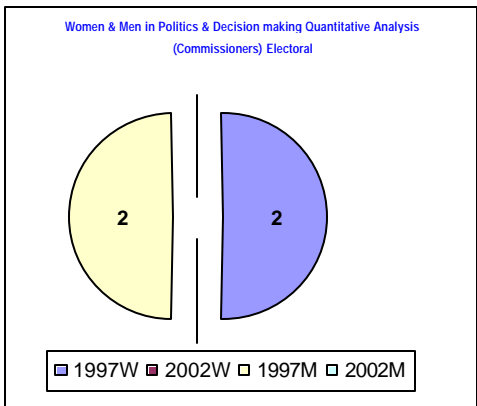
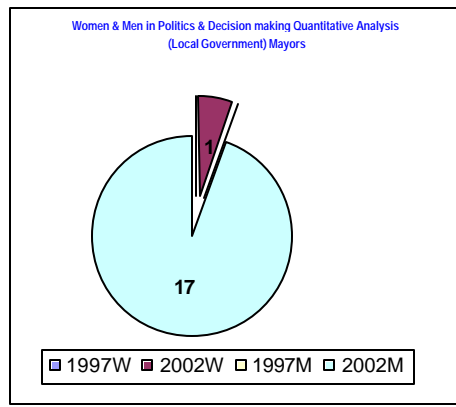
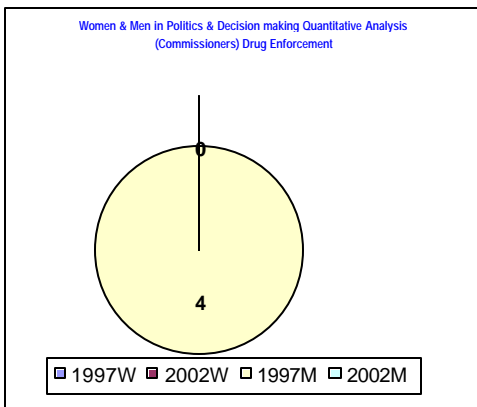
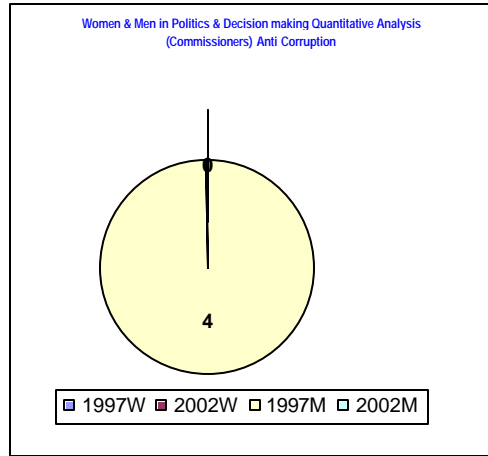
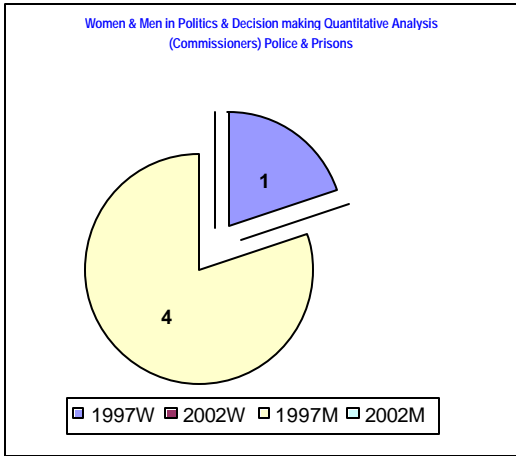
Source: Keller-Herzog and Munachonga (1995), Gender and the Micro-Meso-Macro Linkages of Structural Adjustment: Zambia Case Study

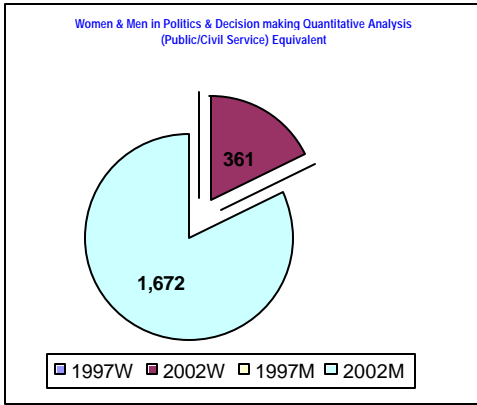
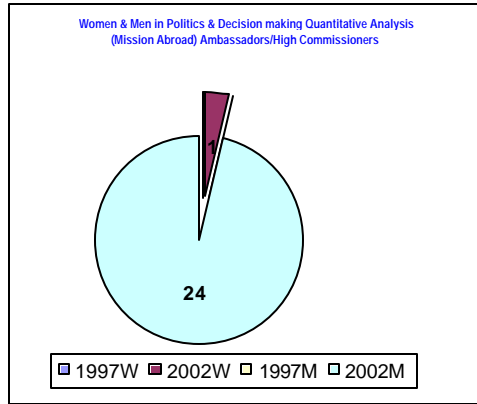
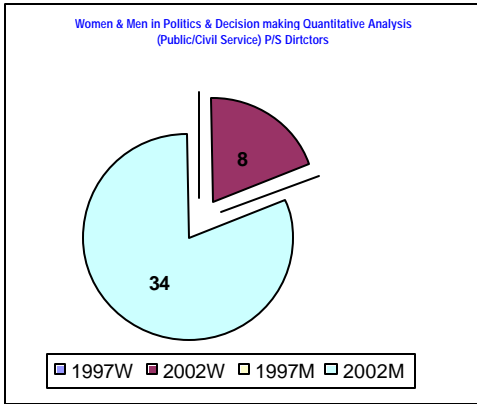
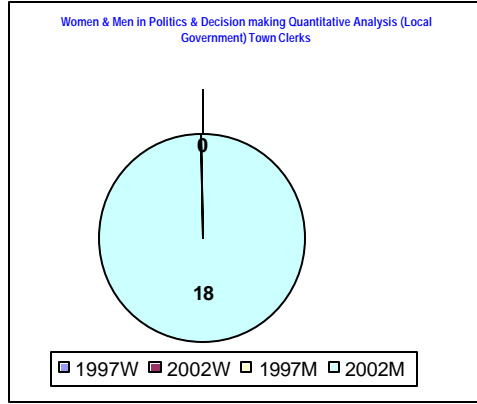
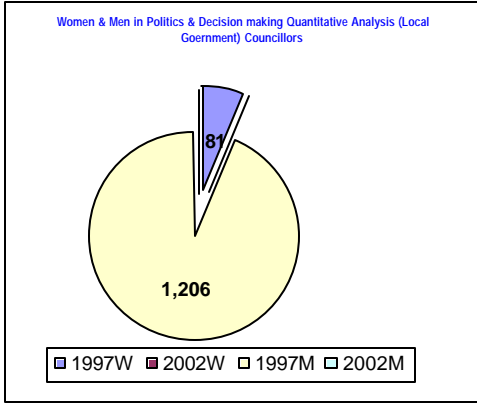
Annex 3: Percent Of Women Who Have No Say In Household Decisions By Employment Status.



Annex 4: Men And Women In Politics And Decision Making







Annex 5: Development Of The Legal Framework In Zambia

Period	Legal Framework	Major social/gender issues	Interventions to address gender issues	Gender analysis
1843-1899	Foreign Jurisdiction Act (of England) and Berlin Conference – Royal Charter granted to British South Africa Company (BSA Co) to govern territories of Central Southern Africa.	By Article 14 of the Royal Charter, African Customary Law applied to indigenous people with respect to marriage, divorce, succession, legitimacy, holding possession, transfer and ownership of land. Generally, customary law treats women as minors.	Nil	Customary law is based on patriarchy – i.e. there is no provision for gender equality. Secondly, under this legal framework, race seemed to be the main determining factor in protecting political and economic interests of whites.
1899-1910	Country now a British Protectorate – Concessions were linked largely to mineral rights of the colonizers	The Royal Charter, which emphasized application of customary law for indigenous people continued.	Nil	Same as above
1911-1963	Orders in Council: Amalgamation of territories into Northern Rhodesia (NR) – Adoption of Clauses governing the reception of English Law into NR.	Received law continued to apply on racial lines gender blind.	Nil	Colonial government maintained a non-interference approach in dealing with social/cultural matters, which hurt women more than men given the patriarchal nature of customary law.
(1924)		Same as above	Nil	Same as above
(1953-63)	Colonial Office took over the administration of NR from the BSA Co. Application of entire English Statute up to 17 th August 1911. Also the Imperial Acts Extension Ordinance made 25 economic related English Statutes passed after 17 th August 1911 operative in NR.	Same as above	Although the Government maintained the status quo, indigenous women began agitating for not only political independence but also for partnership in running the	The women's half-naked demonstration made Lord MacLeod, the British Secretary for Colonies to see

	Federation of Rhodesia and Nyasaland formed with limited power to enact statutes, the British Parliament remained the sovereign legislature with absolute power to pass Orders in Council except on social/cultural related matters		country – e.g. women’s demonstration led by Julia Chikamoneka against oppression. ‘Chikamoneka’ was a pseudo-name because whenever she was asked about the purpose of her activism, she always replied “It will be seen.”.	the need for giving indigenous people their political independence.
1964-72	The Independence Constitution made in Lancaster, England. The Constitution was drawn by the British Government and adopted by the Nationalists.	The delegation of Nationalists who went to London excluded women, activists like ‘Chikamoneka’. Fundamental human rights and freedoms of indigenous people remained subject to customary law, which discriminates against women.	The political party that took over power from the British (i.e. United National Independence Party – UNIP) allowed the establishment of the Women’s League.	The UNIP Women’s League was an auxiliary arm of the ruling party, which means that it was implementing party policies that supported patriarchal values. The Independence Constitution imported Article 14 of the Royal Charter, which provided for the application of customary law in matters of personal law and land ownership, and it continued to apply to the disadvantage of women..
1972-73	The Government made a decision to have a One-Party State. It appointed the Chona Constitutional Review Commission to provide modalities for the One-Party State Constitution.	The Commission was overwhelmingly male, which means that women’s issues continued to be marginalized.	Nil	The application of customary laws persisted and the laws were reinforced by the Local Courts Act (Cap 29) and the Subordinate Courts Act (Cap 28), which allow these courts to observe customary laws that are not repugnant to natural justice (i.e. positive), but the term ‘repugnant’ has not been defined to date. Secondly, the

				Constitution was more focused on political interests, in particular, UNIP's monopoly in power. There was no focus on social issues which would have brought out the gender dimensions.
1990	The Mvunga Constitutional Review Commission set up by the UNIP Government, in response to public pressure for change, to recommend the type of Constitution that would be suitable for a multiparty democracy	This Commission was also overwhelmingly male dominated. Although the people had overwhelmingly submitted in favor of a Constituent Assembly for the adoption of the Constitution, the Chairperson did not support it in his recommendations to the President.	Nil, as the Government agreed with the Commission Chairperson. However, the draftsmen sneaked the word 'sex' into Article 11 in Part III of the Constitution, as one of the attributed against which a person may not be discriminated.	In terms of grounds against which a person may not be discriminated, there was now equality of sexes before the law, except in matters of personal law. However, the effectiveness of Constitutional provisions must be measured against their actual or practical application.
1993	The Mwanakatwe Constitutional Review Commission, to recommend a constitution befitting an open, transparent and democratic society, and one that would stand the test of time. This resulted in a substantial revision of the 1991 Constitution, which became known as The Constitution of Zambia (Amendment) Act No. 18 of 1996. However, the Bill of Rights in Part III was not reviewed.	Key gender issues were raised and submitted through a systematic and collaborative process by the Women's Movement. Women/gender focused NGOs identified issues and channeled them to the Commission through their members who sat on the Commission. One of the women's advocacy issue was for the amendment of Article 23(4) c and d in Part III of the Constitution, as a means of enhancing gender equality.	This Commission had a higher number of women Commissioners than previous ones, including 5 from the Women's Movement based on consultation The Commission recommended the adoption of the Constitution through a Constituent assembly, but the recommendation was rejected by the Govt. on account of perceived costs. Conditions for changing Part III include conducting a national population census and a referendum.	Clearly, gender was now firmly placed on the national agenda, but lack of political will and general resistance to change persisted. It should be noted that alterations to Part III are critical to promotion and protection of gender equality and equity in national development.
2003	The Willa Mung'omba Constitutional Review	Demands by civil society organizations and women NGOs for amendments to Part	Although the Government has indicated that it will amend the Inquiries	The Government has clearly ruled out amendment of Part III on the

<p>Commission (ongoing)</p>	<p>III are higher than under previous Commissions.</p> <p>There is also a higher demand by civil society and women NGOs for both the gathering of information and for the adoption of the Constitution through a Constituent Assembly.</p>	<p>Act under which the present Constitutional Review Commission (CRC), it has not yet done so. Meantime, the CRC process is continuing.</p>	<p>argument that it is too expensive. This argument is detrimental to vulnerable groups, women in particular.</p> <p>With respect to the process of making a constitution, while civil society is very clear that both the gathering of information and adoption of the constitution should be through a Constituent Assembly, the Government is ambivalent.</p>
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