Lessons from Unesco Global Forum on media and gender

December 12, 2013

Sometimes policies or laws that are meant to protect certain vulnerable people end up hurting the same people they are supposed to protect. There are nations and societies that have indirectly created more problems for the vulnerable and marginalised through the enactment of policies or laws that are meant to protect vulnerable and marginalised groups but end up achieving the negative.

According to Ms Lamis Andoni, the editor-in-chief of Radio Albadan and a board member of the Community Media Network in Jordan, if a woman is raped in her country, the rapist is given an option to marry her in order to avoid jail sentence by the courts. This law is supposed to protect women and girls from rape and make rapists accountable for their actions by forcing them to own up to their actions and taking care of the women they have violated.

In reflecting on this law, one wonders how this can work in favour of women.

To begin with, if the rapist had no intentions of marrying the girl he has raped, but is forced to marry her and live with her in most cases, that marriage would end up being abusive – physically and mentally. Such marriages usually do not last, and when the marriage ends, the woman has to deal with being a divorcee and having kids to take care of, if the marriage has produced children. In some cases, women end up living in an abusive marriage for all their life, being treated less of humans.

This law also potentially empowers men to unilaterally decide who they want to marry and do so without the girl's consent – a proposal by rape.

If a man wants to marry a certain girl, if the girl does not want to, all he has to do is find an opportunity to rape the girl, and then the state mandates him to marry her. The girl then is subjected to living a life with a man she never wanted to marry, and whom she probably hates for raping her.

In this case, a law that was made with the intention of protecting women and girls ends up hurting and disempowering them.

However, in a country like Jordan where violence against women is considered a private and sensitive matter, and honour-killings (where family members can kill any woman who is considered to have disgraced the family in any way – divorce, pregnancy out of marriage among others), women do not have a voice to speak out for their rights and welfare. This silence surrounding the suffering of women and girls particularly around these issues of family honour perpetuates the status quo.

It is incumbent upon society and policy-makers responsible for developing laws and policies to examine some of the unintended negative consequences on the very people they intend to protect.
If unaddressed, the negative consequences will continue to weaken the weak and strengthen the strong thereby widening inequalities in turn work against the socio-economic development of the very people they should protect.

Inequality and poverty are intrinsically linked and the level of, and changes in, inequality are key determinants of whether countries, especially in sub-Saharan Africa, will meet Millennium Development Goal number 1 (MDG 1) of halving poverty by 2015.

The author is the executive director of PSAf. For feedback, email lilian@panos.org.zm. This is the first of two articles on Lessons from the Global Forum on Media and Gender.

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