

SOIL, WATER AND DIGNITY UNTANGLING GENDER AND POWER IN THE NILE BASIN

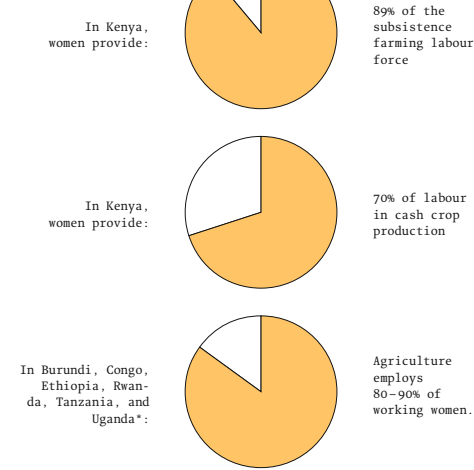
BY Joyce Chimbi, KENYA

In the Nile Basin, women are held back by the unseen ties of tradition and systemic barriers. This poster explores four areas where ancient customs and modern challenges constrain women. Within these challenges lie the seeds of action, grounded in our most basic human needs: Survival, wellbeing, identity, and freedom. The web of struggles and solutions is intricate, each thread pulling on another. This means that wherever we begin, the ripple will spread through the entire tapestry of connections. What matters is to pull at the threads, to begin the unravelling – all of us, now.

Limitations, across 4 key areas

Soil & Sex

Data:



Context

Fertility and soil are linked throughout human civilisations. In the Nile Basin, this manifests in rituals, symbols, and myths. Across the region, farming is traditionally a woman's responsibility, and the land's fertility reflects on her. Despite modern agricultural practices, in communities like the Luo Nyanza in Kenya, the link between agricultural and human fertility is so strong that women are not allowed to plant until they have sex with their husbands. Although women farm the land, it is their husbands that must launch the planting season through *tieko kwer*, which in the Dholuo dialect means sexual encounter.

Testimony by Tessa Ojwang', maize farmer, Bondo County

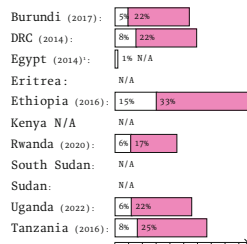
The Issue: "My husband works in Nairobi, and I live in Bondo, over 400 km away. Sex is associated with fertility, so you must have sex with your husband before planting or harvesting to ensure a good harvest. Sometimes, my husband can't come home in time, causing delays that affect our crops. It's easier for those whose husbands live in the village. I also cannot plant before my mother-in-law has planted, and she has to follow the same process, which complicates things even more. Farming is a woman's job, yet we don't own the land and rarely see the money from our labour. We also spend our time fetching water, cooking, and caring for our families without any pay. Women are expected to do it all for free."

The Change: "These practices are outdated. While some cultural traditions enrich our communities, others are barriers. We should not cling to primitive cultural practices that no longer serve us. Our community leadership should include both men and women. When only men lead, they may not fully understand the impact of these practices."

Soil & Death

Data:

Percentage of women vs men (aged 15-49) with sole land ownership in the Nile Basin:



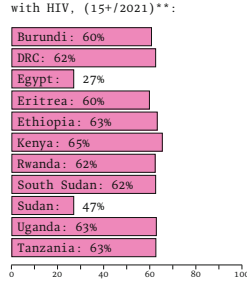
In Kenya, the percentage of land owned: By women jointly with men: 5% By women alone: 1%

Testimony by Prudence Omondi, mama mboga (grocer), Kisumu County

The Issue: "When my husband died, I lost our two acres of land and was kicked out of my home because there is no place for widows in my community. The only option was to agree to be sexually cleansed, a ritual involving unprotected sex to remove the evil spirits surrounding my husband's death. Often, this means being inherited by your brother-in-law, joining his other wives, and staying on the land with his permission only. Your sons will have more rights over the land than you once they are adults. I refused to be cleansed for fear of contracting HIV and was subsequently chased away. Like many other widows in Luo Nyanza, I lost the right to my marital land upon my husband's death. Now, I rent a small room in the Nyalenda slums. When my father died in 2022, his ten acres of land were divided among my five brothers, leaving my sister and me with nothing. The chief and other village leaders, all men, sided with my brothers, as they believe women get married and leave with inherited property, while men remain within the family even after marriage."

The Change: "To address this issue, we must remember that wife inheritance was originally a cultural solution to protect widows. However, it has been misused to promote polygamy, exacerbating the HIV problem. The best solution is for the culture to recognise that a woman married into a family has the right to continue living on ancestral land just as she did before her husband's death. We can ensure that when the widow passes away, the land remains ancestral and is inherited by her sons and daughters, passing from one generation to the next."

Percentage of women living with HIV, (15+/2021)**:



Polygamy is ... - legal in Egypt, Kenya, South Sudan, Sudan, Tanzania and Uganda - illegal in Ethiopia and Eritrea - illegal but still practised in Burundi, DRC and Rwanda - In Luo Nyanza: Nearly 1 in every 4 marriages is polygamous

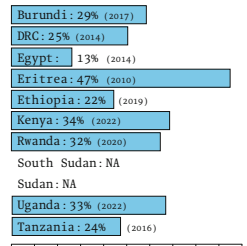
HIV among the Luo Nyanza More than 1 in 4 women live with HIV HIV in women is at 6.6%, twice that in men, which is at 3.1%

There is a high prevalence of HIV infection among widows at 63%

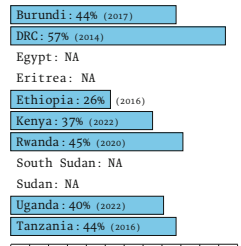
Fish for Sex, Sex for Fish

Data:

In the Nile Basin, the proportion of women heading their households:



In the Nile Basin, the proportion of women (aged 15-49) who have experienced either physical or sexual violence:



In Kenya: Women head 32% of households

In Luo Nyanza: Women head 41% of households

7 out of 10 widows head their households

In Luo Nyanza: 53% of women (aged 15-49) have experienced either physical or sexual violence. Nyanza region has the second-highest rate of sexual and gender-based violence in Kenya.

Context

In the Nile Basin, for instance, in the Luo Nyanza region, men hold significant control over the fishing industry, covering both the catching and management of fish. This control has led to a form of sexual and gender-based violence known locally as 'sex for fish' or 'fish for sex.' Female fish traders in Luo Nyanza are often coerced into transactional sexual relationships with fishermen. This practice is a clear indication of the deep-seated structural and cultural violence, which is further exacerbated by the socio-economic conditions and gender dynamics in the basin. The power imbalance in the fishing industry severely undermines the basic human needs of women and jeopardises their future.

Testimony by Alice Oloo, fish trader in Homabay County

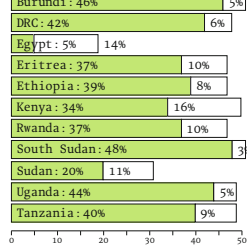
The Issue: "Women own nothing: no land, no property, and they cannot fish. We have to secure fish supplies from fishermen. The fishermen prioritise the big buyers, such as hotels around the Lake Victoria region. The small omena fish, or Lake Victoria sardine, is what fishermen reserve for us to sell in small quantities at the local market. The number of women fish traders is very high, and the fish supply is low. This competition forces us to befriend the fishermen despite the high risk of acquiring HIV. This system is called *Jaboya* in Dholuo, meaning 'customer.' I am currently a victim of *Jaboya*, and I have several friends who are already infected with HIV because of this system. This happens due to poverty. I have been forced to engage in *Jaboya* to secure fish. What else can I do? I have no land and no capital to start a business. I am a single mother of four children. I left my husband because of violence, and I am out here trying to survive."

The Change: "We have Beach Management Units at all fish landing sites, serving as hubs where fishermen gather to depart for fishing and return with their harvest. These units hold significant influence, shaping fishing as a way of life. However, because these units are entirely male, women's issues and challenges are often overlooked or neglected. We aim to include women as members, ensure they occupy at least a quarter of the leadership positions, and make them eligible to run for any leadership roles when they become available."

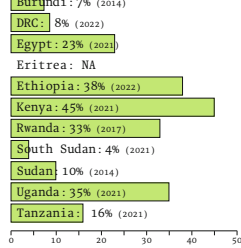
Money & Power

Data:

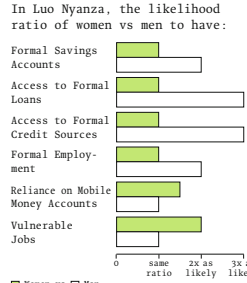
In the Nile Basin, women's labour force share (2023 estimates)**:



Percentage of women with access to a formal account with a financial institution in the Nile Basin**:



In Luo Nyanza, the likelihood ratio of women vs men to have:



In 2023, DRC, Egypt, Ethiopia, Kenya, and Rwanda** have a law prohibiting discrimination in access to credit based on gender.

In all Nile Basin countries: - women can legally open a bank account in the same way as men. - apart from Sudan, criminal penalties or civil remedies for sexual harassment in employment and legislation on the subject exist**. - apart from Sudan, the law prohibits discrimination in employment based on gender**.

Context

Various countries in the Nile Basin region have some laws safeguarding gender equality. However, customary law often takes precedence, wielding more power in local communities than official statutes. Women face significant challenges in accessing and controlling productive assets. Cultural norms, literacy levels, and geographic location further influence their control and resource access. Historically, market and financial systems in the region have been gender-blind, with resources and property predominantly controlled by men. This systemic issue presents a significant barrier to achieving gender equality and social inclusion.

Testimony by Rosa Atieno, businesswoman from Homabay County

The Issue: "I'm a businesswoman running a successful, albeit small, hardware store in Kisumu town. The economy is terrible right now, and the stock cost has risen. I need more money to buy all our stock items but cannot get a bank loan. You have to provide collateral, and banks prefer assets like land or vehicles. I have been denied a bank loan many times. Very few women own land. I have a vehicle, but my husband said I should start looking for a new husband if I use the car logbook as collateral. Men decide how family property is used. If I insist the car is mine, I will get a serious beating. It is tough for women to get a bank loan without the support of a man or husband. Although we no longer need men to accompany us to open a bank account, banks and other credit options still favour men because they hold power over family and community resources."

The Change: "Banks and other lending institutions should evaluate loan applicants individually, ensuring equitable treatment. They should also adapt their requirements to protect women while guaranteeing loan repayment. One way to achieve this is through special loans for women, where the business serves as collateral. This would benefit women who lack other assets. Additionally, obtaining consent from a spouse should not be necessary if the business is solely registered in the woman's name."

Actions, based on 4 basic human needs

Survival

- Establish microfinance programmes and provide grants to reduce women's dependence on patriarchal systems and mitigate coercive sexual transactions.
- Develop alternative livelihood training programmes to diversify income sources for women and reduce economic vulnerability.
- Establish microfinance mechanisms tailored to women's needs and the challenges they currently face to provide accessible financial resources without requiring traditional collateral.
- Facilitate women's access to land ownership through government programmes and community initiatives.
- Implement policies that protect widows' rights to remain on marital land after their husband's death, ensuring their livelihood.
- Promote and encourage the idea that if widows inherit land, it will remain within the family, securing their economic survival.
- Set up mobile health clinics to ensure regular health check-ups and access to reproductive health services.
- Implement community health education programmes to raise awareness about HIV/AIDS and promote safe practices.

Wellbeing

- Establish community-based counselling services to support women dealing with trauma from sexual and gender-based violence.
- Create peer support groups to build community and solidarity among women.
- Provide legal aid services to help women understand and exercise their rights, increasing their protection against violence.
- Initiate affordable housing programmes to provide safe and secure living conditions for single mothers and widows.
- Invest in developing rural infrastructure, such as roads and transportation to enhance market access and improve the overall wellbeing of rural communities.
- Implement community-based financial literacy programmes for women to enhance their understanding of financial management and access to credit options.
- Provide legal aid and support to women navigating inheritance disputes.
- Provide legal aid services to help women understand and exercise their rights, including property rights.

Identity

- Facilitate community dialogues to address cultural norms and practices that perpetuate gender-based violence and discrimination, affirming women's dignity.
- Use media to highlight positive stories, challenge stereotypes, and highlight women's crucial roles in society, reinforcing their self-worth and status in the community.
- Develop and implement policies for women's inclusion in leadership systems, such as the Beach Management Units (BMUs), to ensure women's issues are addressed and they feel represented.
- Promote women's land ownership through government-backed schemes to increase their control over productive assets and reinforce their identity as equal economic contributors.
- Harmonise customary practices with statutory laws to ensure women's rights are recognised and upheld, supporting equity within the community.
- Advocate for stricter enforcement of laws that guarantee equal inheritance rights for sons and daughters, affirming women's identity as equal heirs.
- Work with community leaders to promote the idea that sons and daughters should inherit land and other assets equally, thereby reinforcing the identity of women and girls as equal members of the family.

Freedom

- Advocate for legal reforms to ensure women have the freedom to access credit, eliminate discriminatory practices, and pursue economic opportunities independently.
- Expand adult education programmes to enhance literacy and numeracy skills, thereby supporting women to engage in economic activities freely.
- Offer leadership training programmes to provide women with the freedom to take on roles within BMUs and community organisations.
- Ensure all genders have the freedom to participate in community leadership roles and decision-making processes.
- Encourage community members to freely form groups and cooperatives that amplify their voices and focus on inclusivity.
- Provide educational programmes that equip community members with the knowledge and freedom to engage in equitable agricultural activities and share responsibilities.
- Facilitate community dialogues that offer the freedom to adapt cultural practices in inclusive and equitable ways.

Sources: * The Nile Basin Initiative ** The World Bank NA: Not Available

The Luo of Kenya are a Nilotic ethnic group native to western Kenya and the Mara Region of northern Tanzania. They are Kenya's fourth-largest ethnic group, making up 10.6% of the population. The Luo are part of a larger group found across South Sudan, southwestern Ethiopia, northern and eastern Uganda, southwestern Kenya, and northern Tanzania. Nyanza is one of eight regions in Kenya, inhabited by the Luo people, and other communities such as the Kuria and the Kisii people. The statistics provided here focus on the Luo Nyanza. All statistics about Kenya are sourced from the Kenya Demographic and Health Survey 2022, the Kenya National Bureau of Statistics, and the Kenya Population-based HIV Impact Assessment (KPHIA). Unless otherwise specified, statistics and data for Nile Basin countries are sourced from the respective Demographic and Health Surveys and National Bureaus of Statistics. Statistician Kamau Ndung'u helped narrow the data to the Luo people in the Nyanza region. Additional research and writing by Leila Bendra-Lehnert.