Human Rights Discourse, Gender and HIV and AIDS in Southern Malawi

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Abstract: This article explores how the proliferation of poorly translated human rights discourse has increased the vulnerability of Malawian women and girls to HIV. In southern Malawi, "traditional" gender roles taught during initiations lay the foundation for women's sexual submission to men, while encouraging men to think that they are entitled to sexual gratification. In the wake of the recent democratic transition, young men have begun using imperfectly translated human rights rhetoric to rationalize formerly tabooed sexual behaviour and reinforce initiation gender norms. Women, meanwhile, are prevented from exercising their own rights because it is their responsibility to preserve "culture."

Keywords: human rights, gender roles, initiation, sexuality, HIV and AIDS, Malawi

Résumé : Cet article explore comment la prolifération de propos mal traduits sur les droits humains a augmenté la vulnérabilité au VIH des femmes et des filles malawiennes. Dans le sud du Malawi, les rôles sexuels « traditionnels » enseignés durant l'initiation établissent le terrain de la soumission sexuelle des femmes envers les hommes, tout en encourageant les hommes à croire qu'ils ont droit à la gratification sexuelle. Dans le sillage de la récente transition démocratique, les jeunes hommes ont commencé à utiliser une rhétorique de traduction approximative sur les droits humains pour rationaliser des comportements sexuels autrefois tabous et renforcer les normes d'initiation relatives au genre. Entretemps, on empêche les femmes d'exercer leurs propres droits en soutenant leur responsabilité de préserver « la culture ».

Mots-clés : droits humains, rôles sexuels, initiation, sexualité, VIH et SIDA, Malawi

Introduction

In this article I discuss the collision between "culture," gender roles, human rights discourse and HIV and AIDS in southern Malawi. In Malawi, ideas about "tradition" and human rights intersect with gender roles imparted in male and female initiations. During their initiations, girls learn that it is their role to be submissive and to please men sexually. Conversely, boys learn that sex is their prerogative and that women's displays of disobedience should be met with sexual aggression. Gendered ideas about appropriate sexual behaviour have consequences for both Malawi's high rates of HIV and the empowerment of women and girls. Unfortunately, the widespread dissemination of human rights educational materials in the wake of the democratic transition in 1994 may actually have compounded these problems.

I argue that the haphazard introduction of an impoverished form of human rights discourse has allowed young men to recast sexual intercourse as a right, thus rationalizing sexual behaviour that would once have been forbidden. Women and girls, in contrast, have been prevented from claiming any rights by political discourses that position women as the preservers of "culture" and that declare human rights to be the enemy of "culture." In this paper, I draw attention to two uncomfortable aspects of human rights promotion. First, when carelessly implemented and incorrectly translated, the introduction of human rights rhetoric can actually *undermine* the rights of disadvantaged sectors of society. Second, under certain circumstances men can use human rights discourse to justify the sexual exploitation of women. For these reasons, in southern Malawi, the proliferation of human rights rhetoric has unfortunately reinforced the complex array of cultural factors that leave women and girls particularly vulnerable to HIV.

Orientations

Malawi is a small country in South Central Africa that shares a border with Zambia, Mozambique and Tanzania. My research was confined to Blantyre and Chiradzulu Districts, located at the western edge of the Shire Highlands in the Southern Region, an area noted for population pressure, soil erosion, land degradation and deforestation. It is estimated that over 17 per cent of women and 11 per cent of men are HIV positive in Malawi's Southern Region, with rates particularly high among the Lomwe (17 per cent) and Yao (13 per cent), the two groups among whom I mainly worked (NSO and ICF Macro 2011:198). In addition, despite the matrilineal and matrilocal practices of the region's inhabitants, where descent is traced through women and couples are expected to live in the wife's village upon marriage, women in southern Malawi are less well-off than men according to most indicators. For example, 32 per cent of women in this region are illiterate compared with 18.5 per cent of men (NSO and ICF Macro 2011:28–29). Moreover, 21 per cent of women employed in nonagricultural labour are not paid for their work, while comparable figures for men are substantially lower, at 13 per cent (NSO and ICF Macro 2011:36–37). Finally, the Malawi Demographic and Health Survey 2010, reports that "Malawi's cultural traditions have long condoned most forms of domestic violence" (NSO and ICF Macro 2011:239). This paper is based on eight months of volunteer experience in 2000 and 2001, and ten months of participant observation, focus groups and interviews conducted in 2006 and 2007.[1]

Gender Socialization

Girls' Initiation

Historically, notions of sexuality and the code of conduct surrounding it were imparted separately to boys and girls during initiation rites. These rites continue to be widely practiced in the rural areas. Among the matrilineal peoples of Malawi, girls' initiation is a process that often takes years. There are three distinct phases of female initiation: prepuberty rites, puberty rites, and pregnancy rites, collectively known as *chinamwali* in the Chichewa language. Below I shall focus on the prepuberty rites, called *chiputu* by the Yao, among whom I primarily lived and worked.

During the chiputu rites, the girls, generally between the ages of 9 and 14 years old, are secluded from the rest of the community for a period of five or six days. One of the primary tasks of the *anamkhungwi* (singular, *namkhungwi*), senior women who are in charge of initiation rituals, is to provide sexual instruction (Morris 2000:94). Malawian graduate student Chimwemwe Umboni Kalalo writes that, during initiation a girl is told that sex is an important part of family life and that even if she is "sick or tired, a woman should not refuse her husband sex" (2005:84). In addition, girls are taught that they should try to anticipate their husbands' desires and "help" them in the sex act. This is enforced through a dance that teaches the girls to move their hips rather than to lie passively on their backs. In the initiation rite that I witnessed, the dance was quite graphic as anamkhungwi and the exclusively female spectators stripped down to their underwear to mime sexual intercourse with one another for the benefit of the initiates. Frequently the senior namkhungwi took the role of a man, tying an erect clay phallus to her hips and exaggerating her movements to make the phallus jump up and down.

In the chiputu rites the anamkhungwi frequently induce a state of psychological distress to drive home messages of respect for elders and men. On the second or third night of the initiation, men gather outside the initiation hut making realistic lion and jackal calls while the anamkhungwi admit masked dancers dressed as wild animals. The dancers are armed with thorn claws and attack any girl the anamkhungwi identify as troublesome or ill-behaved (Morris 2000:101–102). A common element of church-sponsored initiations exposes initiates to a scene in which a philandering man who is locked out at night by his angry wife is mauled by wild animals and appears before the girls covered in blood (Fiedler 2005:37; Minton 2008:78). The aim of this frightening scenario is to encourage obedience to husbands. Despite the psychological distress experienced by the initiates during the course of their initiation, they are highly motivated to participate in the ritual. Malawian researcher Rachel Nyagondwe Fiedler (2005:19–21) reports that girls who do not attend initiations are made fun of by their peers and, regardless of their actual age or experience, are seen as sexually incompetent and are not allowed to participate in several valued local customs.

Boys' Initiation

Boys' initiations, called *lupanda* among the Yao, are also widespread. Lupanda lasts several weeks longer than girls' chiputu, generally about one or two months, although in the past it could take up to three months (Stannus and Davey 1913:120). Boys are initiated between 10 and 14 years of age (Bonongwe 2004:8; Stannus and Davey 1913:119). Among the Yao, circumcision happens on the first day of the rite and is followed by a lengthy period

of healing and instruction; whereas, among the Lomwe, instruction happens first and circumcision, where practiced, does not happen until the fourth day (Bonongwe 2004:13–14; Morris 2000:119; Stannus and Davey 1913:120). It should be noted that the neighbouring Chewa, Nyanja and Mang'anja do not practice circumcision and that circumcision is not present in all Lomwe communities (Bonongwe 2004:14).[2]

An important feature of boys' initiations is instruction in the behaviour and customs that are appropriate to a man. In particular, boys are taught the ritually significant times they will need to abstain from sex in their married lives. In addition, they are tutored in male activities such as basket and mat weaving, the construction of animal traps, agriculture, dancing and wrestling. Like girls, they are also subject to corporal punishment for inattention and disobedience. Moral instruction occurs via songs, riddles and chants (Bonongwe 2004:5–22; Morris 2000:120; Stannus and Davey 1913:120). Note that boys do not receive as much practical instruction about sexual intercourse as girls.

When lupanda instruction is deemed complete, the boys are returned to their community with new clothes, demonstrations of new skills and a great deal of singing, dancing and eating. Among the Yao, there is a closing dance involving masked dancers and representations of animals that have been constructed by the boys in the initiation lodge, the same ones that are used to scare the girls in the chiputu ritual (Morris 2000:128).

Women as Pleasure Givers; Men as Sexual Aggressors

Men and women in southern Malawi are socialized to have very different approaches to sex, which appears to be defined purely in terms of vaginal penetration. The cultural ideal is that the man lies on top of the woman. One of the songs recorded by Fiedler in the church-sponsored initiation for girls emphasizes this position:

> Jejemera, your head is falling
> Your breast is the pillow
> Your stomach is the mattress
> Your waist is shaking
> Your genitals should take it in. [2005:34][3]

The girl is taught to think of herself as the mattress upon which her husband lies while he penetrates her, rocking her hips to enhance his pleasure. The purpose of another song which purports through its actions to demonstrate the variety of positions a woman may find her legs in during sexual intercourse is intriguingly interpreted by Fiedler, a Malawian, as "to teach the children that a man does not have oral sex, but that sex is in the vagina" (2005:69).[4] Girls, therefore, are socialized to recognize appropriate sexual positions and sex acts during initiation.

Recall that girls are also taught not to refuse their husbands' requests for sex even when they are sick or tired. As a result, men feel entitled to demand sex from their wives or partners and when women refuse, there are negative consequences. According to the 2004 Malawi Demographic and Health Survey, over one-third of Malawian women believe that a man has the right to beat his wife when she refuses sex (Saur, Semu and Ndau 2005:12). The words of a traditional song, transcribed by researcher Marion Baumgart dos Santos, illustrate men's sense of sexual entitlement:

> When a wife refuses
> Kweche kweche kho!
> Pull her against a stone
> Kweche kweche kho!
> When you do it with her
> Kweche kweche kho!
> So that she should be made to feel it
> Kweche kweche kho! [2006:61][5]

Because sex is a man's prerogative, he may disregard his partner's refusal. In fact, in this song, sex is used as a reprimand.

The aggressive and punitive dimensions of male sexuality are reinforced by contemporary slang referring to the penis as *chida* or "weapon" (Moto 2004:344). Culturally, men are compared to daring, powerful and sexually aggressive wild animals: "The all powerful image of *chilombo* (beast) which ... represents power, authority, dominance and a certain amount of violence and calculated aggression, for all intents and purposes, is the construct of male and expected behavior of males towards females in Malawian society" (Moto 2004:350). The idea of the chilombo (or *chirombo*), the "beast," derives from the custom of the *gule wamkulu* (big dance), which is performed by the male secret *nyau* society among some groups in central and southern Malawi. The dance encodes messages of aggressive sexuality in which the male masked dancers chase women who flee the masks in partially simulated fear (Moto 2004:351). Similar masked dances take place in girls' initiations among the Yao (Morris 2000:101–105). As mentioned above, the animal masks, created during boys' initiations, are also used to frighten and punish girls who have not lived up to the code of conduct demanded of them during initiation. Girls, then, are socialized to understand that deviation from feminine ideals of subordination and respect will be punished with displays of animalistic male sexuality. Presumably boys, who

learn how to create and animate the masks during male initiations, take this message to heart as well.

Breakdown of Sexual Restrictions

According to the early accounts of the region in the late 19th and early 20th centuries, matrilineal groups in the region held life in high esteem and honoured fertility by strictly regulating sexual conduct (Linden 1978; Schoffeleers 2006; Van den Borne 2005). This is not to suggest that sexual transgressions did not occur in the past or that transgressions occurred less in the past than they do now, for that would be impossible to prove given the paucity of pre-colonial data; however, it does mean that there were serious consequences for certain types of sexual misconduct that are not similarly punished today. Among the matrilineal groups living in the region, land, animal and human fertility were considered mutually interdependent and human heterosexual relationships were closely implicated in the creation and maintenance of fertility in all three domains. Fertility could be secured through the strict adherence to a moral system that promoted social harmony and minimized discord (Van den Borne 2005:49).

One of the key tenets of the moral code was appropriately channelled sexuality. Sex, so long as it occurred within marriage, was highly valued and considered necessary for health as well as fertility. However, sex outside marriage was considered a serious offence because it violated principles of social harmony by causing fights between the interested parties. In the scale of criminal acts, Malawians in the early 20th century felt that adultery was on the same moral level as theft, witchcraft, sorcery and murder (Van den Borne 2005:49). When one of the parties to adultery was a married woman, it was considered a *mlandu* (prosecutable offence) for both parties. It was also a mlandu for a married man to engage in sexual intercourse with an unmarried woman of childbearing age. A first-time offender was likely to have to pay damages; a repeat adulterer was liable to be sold into slavery or sentenced to exile (Lwanda 2005:121).

Like sex outside marriage, sex before marriage was historically forbidden in southern Malawi. In the immediate pre-colonial eras, it was illegal for an uninitiated girl to engage in sexual intercourse among both the Yao and the Chewa. Any man who had sex with such a girl was subject to prosecution on the grounds that he had "ruined" her. A woman who had sex with an uninitiated boy faced a similar fate (Lwanda 2005:122).

The breakdown of sanctions against adultery and premarital sex is widely discussed in contemporary southern Malawi and the pace of change is perceived as particularly rapid. When I asked Gertrude, a young woman working for a church-based NGO in Blantyre, whether she thought sexual behaviour had changed in the past 100 years, she dismissed my question with mild outrage: "Don't even talk of 100 years! Or even 15! It has tremendously changed." She went on to explain that in the past people abstained from sex until marriage, but "these days" sex is a prerequisite for any "relationship." Similarly, Benjamin Malota, a 64-year-old farmer and village headman, laughed and explained to me that, in the past, when a young couple was interested in one another, the two might engage in a few shy conversations in an attempt to "*kudziwana mtima*," or get to know one another's hearts. These days when a couple says they want to "get to know one another's hearts," it means they are having sex.

My Malawian informants identify the recent democratic transition as a catalyst of this seeming sea change. The advent of multiparty democracy in the mid-1990s was viewed by most Malawians with whom I spoke, as the single most significant event to occur in Malawi in recent history. Malawi was under the oppressive rule of Hastings Kamuzu Banda from independence in 1964 until the onset of multiparty democracy in 1994. Dixon, a student at the Catholic University of Malawi, characterized the transition to multiparty democracy in 1994 as a turning point because "everybody felt liberated." Prior to this, Malawi was "disciplined, totally disciplined, because of fear." Once democracy arrived things that were previously restricted were suddenly available. For instance, in the past people did not go out at night for fear of the Malawi Young Pioneers, the paramilitary arm of Banda's Malawi Congress Party (MCP). Dixon noted that, once this threat dissolved, women began to go out and people began buying cars and going places. Businesses opened and bars, locally referred to as "bottle stores," sprang up around the country. Dixon's recollections were echoed by others who had lived through the Banda years.

Mphatso, a Blantyre-based NGO employee, cited the onset of democracy as one reason for changing "behaviour patterns." He said that the "democratization process opened our eyes" to the rest of the world, an oblique reference to the heavy censorship that existed during Banda's government. Malawians under Banda were subject to the strict Decency in Dress Act, which banned Western fashion trends deemed likely to "corrupt" youth, such as miniskirts, long hair on men, and trousers on women. According to Malawian physician and historian John Lwanda, Banda's 1968 Censorship Act was "draconian" in its restriction of "intellectual, cultural and curricular fields" through wide-ranging censorship of films, books, videos and journals (2005:103).

Things are different now. Kevin, Dixon's classmate at Catholic University, declared: "We are living in a situation" wherein "there are a lot of things coming from the West"—which was not the case when all forms of media were heavily censored. Moreover, in Malawi these days, "you copy the things that your friends are doing," including becoming sexually active at a young age. Amayi Chimala, a rural woman in her seventies from Chiradzulu District, told me that contemporary youth scorned the advice of their elders because they felt it was outdated. She said that children no longer want to be like their elders but prefer to copy the behaviour of people from other places who are deemed more modern. Again and again when I spoke to village elders, they told me that if they remonstrated with youth over "promiscuous" behaviour they were dismissed out of hand: "What can you tell me? I will do whatever I want!" In the late 1990s, anthropologist Amy Kaler also noted tension between elders and juniors in Malawian villages over "conflicting moral claims focused on sexuality" (2001:533). Elders claimed that in their youth, sex was conceived of as a kind of social contract inextricably linked to social norms, values and beliefs—as described above. They contrasted this with contemporary society, wherein, according to one man, "'Sex among the young folks is like buying a bottle of Coke and drinking it'" (Kaler 2001:534).

The danger of accepting elders' panegyrics on the halcyon days of yore is that the golden age of sexual fidelity and family stability is a moving target. As Kaler notes, while the elders of the 1990s lamented the moral laxity of contemporary youth, elders of the 1940s felt the same way about youth in their time. In the 1940s, elders complained that youth were failing in their responsibility to support elderly relatives and furthermore were disrespecting them by using the newfound financial independence associated with then widespread labour migration to make frivolous (and independent) decisions about marriage and divorce. The intergenerational tensions of the 1990s and 2000s focused on the sexual irresponsibility of contemporary youth, which elders blamed on the effects of modernization and globalization in the wake of the democratic transition. It should be noted that the elders of the 1940s and 1950s had legitimate grounds for their complaints, as they were largely shut out of income earning opportunities in the new wage economy of the day. Similarly, it seems to me that the elders of today are accorded little respect in the modern sexual economy. Contemporary elders, however, cannot hold themselves entirely blameless. After all, the elders of today are the very same people whose "irresponsible" behaviour was lamented by *their* elders in the 1940s and 1950s.

Lest it seem that I am relying too heavily on the assessments of elders, note that in addition to the young men and women quoted above discussing the changes brought about by democracy, many youth actually agreed with elders' evaluations of contemporary sexual behaviour. Hoping to spark discussion, I typically asked young informants what they thought of elders' beliefs that the spread of HIV and AIDS was primarily due to the "promiscuous" behaviour of youth. Somewhat to my surprise, about half of them agreed with this sentiment. Those who disagreed did not dispute elders' negative portrayal of their behaviour; they simply noted that contemporary elders are also engaged in "misbehaviour." Specifically, they reported the sexual irresponsibility of older men in seeking sugar daddy relationships with girls and young women (Hayes 2011).

In the rural areas, changing sexual norms are explicitly connected with the introduction of human rights discourse in the wake of the democratic transition. Nora Shaibu, a rural, 37-year-old widow living openly with HIV/AIDS, explained to me that, "since democracy" men say it is their right to have as many women as they choose. Albert, a young man in his mid-twenties who works for a Community Based Organization (CBO) in a peri-urban area near Blantyre, concurs. He believes that "freedom" is a contributing factor to the spread of HIV in Malawi because young men in particular abuse their rights, declaring, "It's my right to have a girlfriend. It's my right to have five women."

This is a sharp break from the recent past when people were subject to arbitrary arrest and torture. People who lived through the Banda years told me in casual conversation that the level of paranoia was extreme, as one never knew who was listening. In fact, one not only needed to take care that one was not overheard making seditious remarks, one needed also to ensure that one did not inspire any personal grudges. For instance, any woman who was angry with her husband for suspected infidelity could retaliate by telling the authorities he had refused to let her dance at a Banda rally and the man would quickly find himself in jail. According to a female informant quoted by researchers Maria Saur, Linda Semu and Stella Hauya Ndau in their study of gender-based violence in Malawi, people felt the influence of Banda's spies even in their most intimate acts: "'The problem with men nowadays is drunkenness and taking on wives anyhow. This is compounded by the current freedoms unlike when we were under Kamuzu's rule, men were scared and thus did not behave irresponsibly'" (2005:29).[6]

When I first came to Malawi as a young volunteer in 2000, democracy was only six years old and Banda was a

widely reviled figure. When I returned in 2006, I found a disturbing number of people looking back on the Banda days with nostalgia. Some middle-aged and older Malawians fretfully opined that at least in Banda's day there was not so much "misbehaviour." Social anthropologist Harri Englund (2006) has also noted a tendency among older Malawians to complain, frequently unrealistically, about the so-called "freedoms" of democracy. That these perceived behavioural changes are cloaked in human rights discourse is no accident. Since the end of the Cold War, Malawi's status as a potential recipient of foreign aid has waned because its support of the West is no longer a source of strategic significance in the region. One of the few ways the transitional government was able to attract donor attention was "by projecting an image of movement toward democratic consolidation" through the promotion of human rights rhetoric (Englund 2006:5). In Malawi, *human rights* came to be defined as *ufulu wachibadwidwe* (freedom that a person is born with) despite the availability of other constructions that better express the English term *rights* (Englund 2006:49). This poor translation was facilitated by the narrow focus of politicians and activists on individual civil and political freedoms at the expense of social or economic rights. The privileging of civil liberties over other rights is not unique to Malawi, as Paul Farmer (2005) has so cogently argued in *Pathologies of Power: Health, Human Rights, and the New War on the Poor*; yet, Malawi's case illustrates how this emphasis can have unintended effects in the midst of an HIV pandemic, as I discuss below.

Since the advent of democracy in Malawi in the 1990s, various organizations have been engaged in translating human rights documents into Chichewa. However, because this has not been a donor priority, translation has often been linked to larger civic education programs, leading to "haphazard" top-down translations (Englund 2006:54). The poor translations that are available to Malawians restrict local understanding of human rights and limit the types of claims they can make about human rights abuses (2006:60). Moreover, the translation of *rights* as *freedoms* has led to a favouring of individual freedoms over collective rights and responsibilities. While some human rights activists have retroactively attempted to insert the concept of *udindo* (responsibility) into the discourse of ufulu, the fact that the two concepts were not introduced simultaneously means that, for the time being, there is little recognition of the fact that rights and responsibilities are interdependent (2006:68).

While widespread premarital sex, adultery and sexual relationships with multiple partners are not entirely new phenomena in Malawi, the introduction of human rights discourse has had the unintended effect of providing a socially appropriate set of justifications for sexual transgressions (see Chirwa 1997, 1999; Kaler 2001). As is often the case with the many guises of global capitalism, the democratization process, including the introduction of human rights rhetoric, has delivered more benefits to men than women. In fact in some cases democratization has been linked to a demonstrable increase in sexual violence against women (Moffett 2006:142). Note that only men are quoted above as stating that it is their right to have multiple sex partners. This is not to say that women are not also engaged in multiple sex partnership behaviour, just that they are prevented by "tradition" and "culture" from using human rights discourse to justify it.

While Banda often used "culture" as a rationalization for political decisions, including human rights violations, his democratic successors distanced themselves from Banda by casting "culture" as a barrier to modernity and human rights (Ribohn 2002:169). Interestingly, both Banda and his successors viewed "culture" and human rights as opposed to one another; however, Banda privileged "culture" while the transitional government that followed him focused on human rights. Both the democratic government and those who oppose them in this regard define culture "as a static, reified entity" that can be used interchangeably with the term "tradition" (Ribohn 2002:170). While ordinary citizens appear to have accepted longstanding assumptions about the opposition between human rights and "tradition," they do not entirely support the new government's way of looking at things. The transitional government's human rights discourse was perceived by many Malawians, particularly men, as introducing a new "culture" that was at odds with the old one, a culture in which "criminals can do what they want, where individualistic values are preferred to community values, where women do not show respect to men and where young people do not listen but rather use drugs, have sex and lack respect for elders" (2002:171).

As women are seen as the keepers of "tradition," many people object to any change in women's status as a loss of "culture" (2002:171). Thus, while most Malawians accept the civil and political freedoms that come along with democracy, they reject the notion of gender equality. As Malawian historian Elias Mandala (1990) makes clear throughout his *Work and Control in a Peasant Economy*, the cultural construction of women as inferior to men in southern Malawi is actually a recent historical development that has more to do with colonialism, capitalism and Christianity than with "tradition." Nevertheless, most Malawians *believe* that women's

junior status is traditional and many men and some women use this as grounds for denying rights to women. Women collude in their exclusion from equal rights because there are benefits to be obtained by doing so: "In Malawi the majority of the people who argue that women are the keepers of tradition are men. However, women's positions are reinforced by the respect and status they receive from other women if they behave according to local value standards" (Ribohn 2002:174). This was borne out for me when, somewhat to my surprise, an elderly woman who acted as the traditional head of a group of several adjoining villages publicly opined that gender education was one of the problems with contemporary Malawian society. She went on to explain that gender focused human rights education was teaching girls to be disobedient and that boys were using it as a lever to encourage girls in bad behaviour. The result is a gendered double standard:

> By arguing that human rights and "culture" are in opposition, and at the same time that women are the keepers of 'traditions,' they [men and some women] exclude women from human rights and gender equality. In other words, men feel they should get human rights while women should maintain 'culture' and only get those rights that do not interfere with the existing gender structure. [Ribohn 2002:176]

As I discovered in 2000 when, as a newly minted young volunteer in Malawi, I was sent out to conduct focus groups on gender-based human rights abuses, it is not only elderly or rural men and women in positions of power who oppose women's rights. In one memorable focus group I was angrily confronted by a group of urban high school boys before I could even open my mouth. They wanted to know why I was destroying their culture by giving women ideas about gender equality. Culture, then, is highly valued by most Malawians, but it is generally seen as something that women rather than men are responsible for preserving.

Popular belief in the opposition between human rights and culture explains why, even after the transitional government's enthusiastic adoption of human rights rhetoric, very little was actually accomplished in terms of establishing conditions of gender parity in Malawi. In fact, for all that the protection of human rights was guaranteed by the new constitution of 1994, the status of women in Malawi actually *declined* in the years following the democratic transition. The Southern African Development Community (SADC) Regional Human Development Report of 2000 shows that, to a greater extent than in any other SADC nation, Malawi changed for the worse in its performance on gender-related indicators such as life expectancy, education and income (Kanyongolo 2004:73).

The emerging view of sex among young men is that it is a right to be demanded and a statement of their openness to modern influences. Nevertheless, young men do not expect women to exercise their own rights by refusing men's advances. Former values of social order and fertility expressed through appropriately channelled sex have given way to a focus on sex as one among many individual freedoms available to men that can no longer be dictated by one's family or the larger community. New ideas about the clash between human rights and "culture" have combined to put women in the untenable position of having to choose between culturally prescribed gender roles and gender equality. Men are not placed in the same position because contemporary masculine gender roles dovetail with the exercise of democratic freedoms.

Some Consequences

The perpetuation of sexual norms, in which women are constructed as subservient pleasure givers and men as powerful sexual aggressors, has set the stage for alarming levels of HIV prevalence in southern Malawi. As mentioned above, in the Southern Region of Malawi, over 17 per cent of women and 13 per cent of men are HIV positive (NSO and ICF Macro 2011:198). Malawi is not unique in this regard as these figures are comparable to rates of HIV prevalence elsewhere in the region. For instance, HIV infection in neighbouring Zambia and Mozambique are both approximately 15 per cent (Republic of Mozambique National AIDS Council 2010:14; Republic of Zambia Ministry of Health and National AIDS Council 2010:23). All three countries introduced free antiretroviral (ARV) therapy for AIDS patients within a year of each other: 2003 in Mozambique and 2004 in Zambia and Malawi, and while all three countries have shown a levelling off in HIV prevalence rates since that time, none have shown statistically significant decreases. Moreover, throughout the region growth curves of the epidemic had actually begun to level off before the widespread introduction of ARVs, suggesting that in this region the epidemic has simply matured rather than responded to ARV therapy. These figures are discouraging in light of the UN's claims that HIV infections have dropped by 21 per cent globally due to increased access to ARV treatment, as reported by Mabvuto Phiri in *Africa News* on 22 November 2011. What I focus on below is how human rights rhetoric interacts with gender roles taught during initiations

to form part of the landscape of the HIV epidemic in one small part of this territory, the Southern Region of Malawi.

In southern Malawi, opportunities for HIV transmission are magnified by cultural constructions that limit sex to vaginal penetration and characterize male sexuality as aggressive and punitive. Women are unable to protest men's treatment of their bodies or suggest alternative sexual practices because they have been told they must neither refuse their partners' sexual demands nor openly express their own desires. One of the women interviewed by Kalalo explains:

> My husband just behaves as if it were a fight. But it is especially problematic when a person is married and finds that the husband is not the real thing ... Also, you cannot say anything; it is disrespectful. Besides, he will ask, 'Where did you learn these things? And where did you watch these styles? You are sleeping with other men, eh?' [2005:86][7]

Women who protest a partner's painful approach to sex therefore risk either being accused of infidelity or, as mentioned earlier, being reprimanded through correctional beating or forced sex.[8]

In addition, sexual roles imparted during initiation have intersected with contemporary human rights rhetoric in unexpectedly dangerous ways. Young men conceive of themselves as sexual aggressors who are able to castigate women who transgress gender roles. They have also been taught an impoverished form of human rights discourse that defines *rights* solely as *freedoms*. The result is that men say sex is their right, and no one can stop them from having as many sexual partners as they choose. On the other hand, the association made between "tradition" and women's sexual submission has ensured that human rights, sexual or otherwise, are not fully extended to women. Because women are perceived to be the keepers of "culture," which entails that they are subordinate to men, any attempt by women to attain gender equality is interpreted as a loss of "culture."

Men are therefore in a position wherein they can demand as much sex as they want from whomever they want as many times as they want, while women find it difficult to refuse. For example, according to a household-based survey of 4,031 Malawian youth aged 12 to 19, 40 per cent of sexually experienced girls reported that they were not willing the first time they had sex (Guttmacher Institute 2006). Anne Conroy and Alan Whiteside, noting that initiations have a profound influence on sexual behaviour among youth, explain that men initiate sex in most of sexual relationships in Malawi and that "girls often feel powerless to refuse sex or to negotiate for safer sex" (2006:59). The collision between "tradition," gender roles and human rights rhetoric has allowed men to abdicate their responsibility to observe sexual taboos for the safety of the larger community, while simultaneously requiring that women remain sexually available. This situation has reinforced patterns of premarital sex, marital infidelity and multiple partner sex that have already had such a devastating impact on southern Malawi's rates of HIV infection.[9]

Conclusion

In southern Malawi, the overlap of recently introduced human rights rhetoric with "traditional" gender roles taught during initiation rites has had the unintended effect of buttressing women's and girls' already substantial vulnerability to HIV. Initiation ceremonies instruct women that they must please and entertain their partners in bed even when they are not willing. Conversely, initiation teaches boys that they are entitled to sex at all times and that a partner who refuses them deserves to be punished, often through forced sex. Meanwhile, the definition of *human rights* accepted in Malawi in the wake of the democratic transition of the 1990s, is one that emphasizes individual civil and political freedoms over collective, social and economic rights. The relationship between rights and responsibilities has been obscured by the translation of *rights* as *freedoms*. Young men have responded by claiming formerly taboo sexual relationships and sexual behaviours, such as premarital sex, adultery and multiple partner sex, as their right. This construction of sex dovetails with masculine discourses of sexual aggression. Women, however, are denied rights because they are seen as the keepers of "culture," and contemporary political discourse casts "culture" as the enemy of human rights. To preserve "culture," then, women must show deference to men and acquiesce to their sexual demands even when these violate their human rights. In southern Malawi, human rights education has allowed men to justify abandoning their former responsibility to protect the community from unchecked sexual impulses. At the same time, it has failed to empower women to protect themselves from exposure to HIV.

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Acknowledgments

It gives me great pleasure to acknowledge the contributions of Charles Lindholm, Nancy Smith-Hefner and

Parker Shipton, whose excellent suggestions were invaluable in shaping early drafts of this paper. I would also like to convey my gratitude to Andrew Lyons, Harriet Lyons, Rhoda Howard-Hassmann and Julia Seirlis, whose comments on later drafts were critical to the refinement of the arguments I present in this paper. In addition, it is with a deep sense of obligation that I acknowledge the contributions of Benedicto and Elizabeth Malota and Stanzio and Ruth Nambuzi, who took me into their homes and made my research possible. Thank you also to Jane Alvarez and Menno Welling for providing a port in the storm and to Benedicto Malota, Tony Malota and Miriam Supuni for their research assistance. This research was funded by Boston University's Graduate Research Abroad Fellowship.

Notes

1 Prior to each interview or focus group I asked all participants whether they wanted to be identified by name in any writing that might result from my research. In this article I have therefore adopted a mixed policy toward divulging the identities of my research participants. A number of individuals with whom I spoke asked me to use their real names and where this is the case I give their names in full. Where I do not have a person's permission to use his or her name I have assigned a pseudonym and do not offer a surname.

2 Interestingly, although recent studies associating male circumcision with lower rates of HIV, in Malawi the trend is actually in the opposite direction. The Malawi Demographic and Health Survey 2011 reports that men who are circumcised actually have a higher prevalence rate than those who are not. Nationally, 10 per cent of circumcised men are HIV positive versus 8 per cent of uncircumcised men (NSO and ICF Macro 2011:206).

3 Translation mine.

4 The only time I ever heard of oral sex in Malawi was when I was asked by a group of educated young men whether it were true that Westerners engaged in oral sex. They were surprised and revolted when I said that I thought it was a pretty common practice. All forms of oral sex seemed repugnant to these particular young men, but they were especially disgusted with the idea of cunnilingus and stated firmly that no Malawian man or woman would ever consider it trying it.

5 Translation mine.

6 Kamuzu is Banda's Malawian given name.

7 Translation mine.

8 While I focus on the Malawian case here, it should be understood that culturally condoned domestic violence and forced sex are characteristic of Central and Southern Africa (Bennett 2001; Green 1999; Juma and Klot 2011).

9 This is not to suggest that the interaction between human rights discourse and traditional gender roles is exclusively responsible for patterns of premarital sex, sexual infidelity and multiple partner sex in Malawi. The issue is a complex one, and I have written elsewhere about the multiple inducements to risky sexual behaviour that both men and women experience, including discourses of masculinity that valorize sexual insatiability, and conditions of poverty and income inequality that compel women to use sex as a source of livelihood (Hayes 2011). Additionally, Malawi's history of slavery, colonial plantations and labour migration mean that some of these patterns have been in the making for a very long time (Hayes 2011; Van den Borne 2005). An interesting parallel case is provided by Mark Hunter's (2002) research of the *isoka* phenomenon in KwaZulu-Natal, South Africa.

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