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Feminism from an African and Matriarchal Culture Perspective
How Ancient Africa's Gender Sensitive Laws and Institutions Can Inform Modern Africa and the World

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"The German experience should be regarded as a lesson. Initially, after the codification of German law in 1900, academic lectures were still based on a study of private law with reference to Roman law, the Pandectists and Germanic law as the basis for comparison. Since 1918, education in law focused only on national law while the legal-historical and comparative possibilities that were available to adapt the law were largely ignored. Students were unable to critically analyse the law or to resist the German socialist-nationalism system. They had no value system against which their own legal system could be tested." Du Plessis W.¹

Paper Abstract

What explains that in patriarchal societies it is the father who passes on his name to his child while in matriarchal societies the child bears the surname of his mother? The biological reality is the same in both cases: it is the woman who bears the child and gives birth to it. Thus the answer does not lie in biological differences but in cultural ones. So far in feminist literature the analysis relies on a patriarchal background. Not many attempts have been made to consider the way gender has been used in matriarchal societies. Maybe one of the reasons of this is that matriarchy in itself is viewed by many scholars as being a myth. The purpose of this paper is to demonstrate that not only matriarchal systems really did exist in Ancient and precolonial Africa but also that these societies used the deification of the mother figure as a way to promote women rights in particular and human rights in general.

Key words : matriarchal, patriarchal, gender, queen mother, queendom, maat

INTRODUCTION

The idea of social construction is fundamental to the concept of gender as it shows that gender stereotypes are shaped by society. For that very reason it is important for feminist research to take into account the fact that if, in patriarchal societies, gender stereotypes are a means to promote male supremacy, woman's subordination, and all the other nefarious supremacist and fundamentalist doctrines; in matriarchal societies putting the mother figure on a pedestal and the ensuing gender stereotyping does not give rise to the same rules of oppression.

Notwithstanding the general lack of scientific value of gender stereotyping, it is important to show how in matriarchal societies such stereotyping has been used to promote values associated with maternity and therefore with the female sex: loving care, fairness, generosity, competence in nurturing and protecting all forms of life, courage. Such values have reflected on African matriarchal societies' laws and institutions. Hence, from the legal point of view, it is equally interesting to study laws and institutions which are specifically meant to promote

¹ Du Plessis W. "Afrika en Rome: regsgeeskiedenis by die kruispad" 1992 *De Jure* 289–305.

women rights and a humanistic society. Thus highlighting ancient and precolonial women-centered laws can inform modern Africa and the world.

The paper focuses mostly on Ancient Egypt because it is the most-documented ancient African state.² Besides, comparing ancient Egyptian laws and practices to various African customary laws reveals many similarities that exist. Documenting the existence of an earlier indigenous model can help situate and, indeed, challenge the authenticity of the changes that later occurred³. It also serves as a way of identifying an indigenous African jurisprudence in gender and the law.

In July 1972 a Colloquium on “the Civilization of the woman in African tradition” was organized by the Society of African Culture under the patronage of the government of the Republic of Ivory Coast⁴. From the papers studied in the plenary sessions and in commissions reports were made⁵. The conclusions made in those reports, as well as the arguments developed in the various papers, will be brought to attention in relation with known facts about the ancient Egyptian civilization.

Fables, tales and sayings will also be used as valid tools for understanding African culture, values and laws.

² Cheikh Anta Diop offers a valid explanation of the importance of focusing on Ancient Egypt: “The history of Black Africa will remain suspended in air and cannot be written correctly until African historians dare to connect it with the history of Egypt. In particular, the study of languages, institutions, and so forth, cannot be traced properly; in a word, it will be impossible to build African humanities, a body of African human sciences, so long as that relationship does not appear legitimate. . . . Imagine, if you can, the uncomfortable position of a western historian who was to write the history of Europe without referring to Greco-Latin Antiquity and try to pass that off as a scientific approach.” *The African origin of civilization, myth or reality*, Lawrence Hill books, 1974, p. XIV. According to Diodorus of Sicily, Egyptians came from Ethiopia and retained the customs and manners of Ethiopians. Diodorus of Sicily, *The Library of History*, Books II, 35-IV.58, translated by C. H. Oldfather, Harvard University Press, 2000 (available online at: <http://www.homestead.com/wysinger/strabo.html>, retrieved August 26, 2009): “Now the Ethiopians, as historians relate, were the first of all men and the proofs of this statement, they say are manifest. For they did not come into their land as immigrants from abroad but were natives of it and so justly bear the name “autochthones” (...) *The Aithiopians say that the Egyptians are settlers from among themselves and that Osiris was the leader of the settlement. The customs of the Egyptians, they say, are for the most part Aithiopian, the settlers having preserved their old traditions.*” Herodotus (*History*, 440 BCE, Book 2, translated by George Rawlinson; available online at: <http://classics.mit.edu/Herodotus/history.2.ii.html>) indirectly answers the question of Ancient Egyptians’ skin color (and whether or not they were indigenous Africans or immigrants) when he argues the point of the origin of the Dodona oracle in Greece: “The Dodonaeans called the women doves because they were foreigners, and seemed to make noise like birds. (...) Lastly, by calling the dove black the Dodonaeans indicated that the woman was an Egyptian.” For more details on the ethnic origins of Ancient Egyptians, see: *The African origin of civilization, myth or reality*, Cheikh Anta Diop, Lawrence Hill books; “Aristotle and the Melaninity of Ancient Egyptians” Mubabinge Bilolo, in *ANKH, Journal of Egyptology and African Civilizations*, n°6/7, 1997-1998, pp. 139-160.

³ Advocates of customary laws sometimes characterize them as having been formulated by the great ancestors and handed down, virtually unchanged, from one generation to the next. In reality, customary laws have evolved over time as African societies have changed. These changes reflect shifting sources and structures of power. Between the seventeenth and late nineteenth centuries, African states were undermined as a direct consequence of the intensification of the transatlantic slave trade, causing Africa to sink deeper into political chaos.

⁴ There were 60 delegates and papers. They were from France, the USA and 13 African countries: Cameroon, Chad, Congo (Congo-Libreville), Dahomey (Benin), Gabon, Ivory Coast, Kenya, Nigeria, Senegal, Togo, Upper-Volta (Burkina Faso), Uganda, Zaïre (Democratic Republic of Congo).

⁵ *The civilization of the woman in African tradition*, Présence Africaine, Paris 1975, p. 578.

Matriarchy⁶ does not operate as a mirror image of patriarchy in that it would be a system based on the oppression of one sex by the other. Many authors, unaware of their androcentric and eurocentric bias, deny that Africa has ever experienced such a system. Describing matriarchy as a myth seems to be the opinion of contemporary mainstream anthropology⁷. It is therefore essential to define clearly what is meant by the term "matriarchy", in order to establish that matriarchy is neither a mirroring of patriarchy ("patriarchy's nightmare"⁸, i.e. amazonism⁹) nor is it its stepping stool (based on a concept of evolutionism)¹⁰. Ifi Amadiume explains why matriarchy cannot be defined as the equivalent of patriarchy:

"It is not the direct opposite of patriarchy, or an equivalent to patriarchy, as it is not based on appropriation and violence. The culture and rituals of matriarchy did not celebrate violence; rather, they had a lot to do with fecundity, exchange and redistribution."¹¹

As a matter of fact matriarchal communities are the most convincing illustration of the fact that societies where men are the main leaders and societies where women are the main leaders

⁶ Matriarchy is made up of the Latin word *mater* "mother" and the Greek word *Arkhe* "command", meaning command power belongs to the mother.

⁷ Joan Bamberger, "The Myth of Matriarchy", in *Women, Culture and Society*, Michelle Rosaldo and Louise Lamphere (ed), Stanford, California: Stanford University Press, 1974, pp. 263-280; Steven Goldberg, *The Inevitability of Patriarchy – Why the biological difference between men and women always produces men domination*, William Morrow and Cie, 1973; Donald E. Brown, *Human Universals*, New York, McGraw Hill, 1991, p. 137; S. Goldberg, *Why Men Rule – A theory of male dominance*, Chicago, Open court, 1993; Philip G. Davis, *Goddess Unmasked*, Dallas: Spence Publishing Co., 1998; Cynthia Eller, *The Myth of Matriarchal Prehistory - Why an Invented Past Won't Give Women a Future*, Beacon Press, 2000; Adovasio, J. M., Olga Soffer, & Jake Page, *The Invisible Sex: Uncovering the True Roles of Women in Prehistory*, Smithsonian Books & HarperCollins Publishers, 1st Smithsonian Books ed. 2007, pp. 251–255.

⁸ Tarikhu Farrar defines the eurocentric view on matriarchy: "It is the world turned upside down; a world in which women become ruthless, petty dictators in a family form and a society under their domination. (...) When scholars began to search for actual examples of this type of society, historically and ethnographically, they could not find any.", in "The Queenmother, Matriarchy, and the Question of Female Political Authority in Precolonial West African Monarchy", *Journal of Black Studies*, Vol. 27, No. 5 (May, 1997), p. 581, Sage Publications, Inc

⁹ Cheikh Anta Diop argues that the Amazons described by Herodotus and other classical authors (Strabo, Julius Caesar) belong, geographically and culturally, to the world of patriarchy. Besides, the description of their society shows women who behave exactly like men do in patriarchal societies. The only difference is the gender of victims. The Amazons kill or maim their male children and once they become adults with disabilities they make them their servants and instruments of sexual reproduction. Diop considers the probability that they are women who freed themselves from the yoke of patriarchy and organized with armies fighting the patriarchal states but sparing the states based on matriarchy. He further argues that African "amazons" are female soldiers, they fight not against men but alongside them as a battalion of the state's army. (Cheikh Anta Diop, *L'unité culturelle de l'Afrique Noire – Domaine du patriarcat et du matriarcat dans l'antiquité classique*, Présence africaine, Paris, first edition, 1959, 2nd edition 1982, pp.114-115). Ifi Amadiume traces the origins of the African amazons (i.e. female soldiers back to the militarization of the continent, induced by the slave trade : "Warfare had been made a business enterprise, which meant that there had to be a professional warrior class and a merchant class. In 1850, the King of Dahomey's army consisted of around two thousand men and five thousand women." *Reinventing Africa, Matriarchy, Religion, Culture*, Zed Books Ltd, London & New York, 1997, second impression 2001, p.97.

¹⁰ Johann Jakob Bachofen, *Mother Right: An Investigation of the Religious and Juridical Character of Matriarchy in the Ancient World Myth, religion, and mother right*, 1861; Lewis H. Morgan, *Ancient Society Or Researchers in the Lines of Human progress from Savagery through Barbarism to Civilization*, 1877, available at: http://classiques.uqac.ca/classiques/morgan_lewis_henry/Ancient_society/Ancient_society.html (last visit February, 18, 2011) ; Friedrich Engels, *Origin of the Family, Private Property and the State*, 1884, these 19th century jurist, anthropologist and philosopher spread the myth of a "primal" matriarchy based on the argument that in the past all human societies were matriarchal before, at some point, most shifted to patriarchal.

¹¹ Ifi Amadiume, *Reinventing Africa, Matriarchy, Religion, Culture*, Zed Books Ltd, London & New York, 1997, second impression 2001, p. 196.

will be organized differently and have different, if not opposed, values¹². Amadiume accurately identifies a structure of violence and appropriation established in present day Africa by a colonially imposed monolithic male gendered power structure¹³ in opposition with a traditional female generated social and moral values¹⁴. Her analysis is based on the following definition of matriarchy:

“Patriarchy and matriarchy are social and political ideologies which directly decide the role and status of women in society; how society is to be organized; and how social subjects are to relate to one another. They are also ideologies which decide the degree of violence and abuse of human rights that is permissible in society. Matriarchy as was constructed by African women, had a very clear message about social and economic justice. It was couched in a very powerful goddess-based religion, a strong ideology of motherhood, and a general moral principle of love.”¹⁵

In order to understand how matriarchy came to life, it is essential to first examine the building blocks of the matriarchal system (I). They are the pillars on which the values and institutions characterizing the matriarchal system were built (II).

1. The Building Blocks of the Matriarchal system

1.1. “It is the economy ...!” – The economic foundation of the matriarchal system

1.1.1. Women’s Control of Agriculture and Trade

1.1.2. The equal value attributed to each individual’s contribution

1.2. “At the beginning was Mother” – The spiritual cement of the matriarchal system

1.2.1. God is a Mother

1.2.2. A religion dominated by women

1.2.3. Sacred Art Paying Homage to Motherhood

2. The Political Institutions Arising from the Matriarchal System

2.1. A Telling African Tale: Gender counts

2.2. The African Queen mothers

2.3. Women’s councils

Conclusion - Using Ancient Tools to Fight Fundamentalism and to Promote a Gender Sensitive Democracy in Africa

1. The Building Blocks of the Matriarchal system

A matriarchal society is a society where the maternal values of caring, courage, compassion, nurturance, and fertility (prosperity) are predominant. In this sense, matriarchy stems from respect shown to the female half of the humanity due mainly to their knowledge of plants (medicinal or poisonous)¹⁶ and to the dominant part they played in agriculture. Matriarchy is

¹² Heide Göttner-Abendroth has adequately characterized matriarchy by the sharing of power equally between the two genders, *Societies of peace, second world congress on matriarchal studies*, <http://www.second-congress-matriarchal-studies.com/introduction.html> (retrieved February 28, 2011)

¹³ Amadiume very rightly emphasizes the following facts: “It was not the colonialists who dealt the final blow to the traditional autonomy and power of African women, however, but the elites who inherited the colonial machinery of oppression and exploitation, which they have turned against their own people.” Op. cit, p.177; this point is the topic of “Women and the Law - A Critique of the Senegalese Family Law” *Social Identities Journal for the Study of Race, Nation and Culture*, Volume 13 Issue 6, November 2007, 787-800.

¹⁴ *Reinventing Africa, Matriarchy, Religion, Culture*, op.cit., p. 15.

¹⁵ *Reinventing Africa, Matriarchy, Religion, Culture*, op.cit., p.101.

¹⁶ Diodorus of Sicily, *Library of History*, Book 1: « As for Isis, the Egyptians say that she was the discoverer of many health-giving drugs and was greatly versed in the science of healing.”

therefore a tribute to the ability of women to ensure food security and proper health care for the community.

1.1. “It is The Economy ...!” – The Economic Foundation of the Matriarchal System

Bachofen, Morgan and Engels based their view of a primal, universal matriarchy on an evolutionary theory according which, matriarchy is the primitive, savage state of human societies whereas patriarchy is the evolved state of civilization.

Cheikh Anta Diop put paid to these theories by demonstrating in a book focused on the study of the respective cradles of patriarchy and matriarchy that, instead of having one system evolving from the other, they are two separate systems originating from specific geographic and economic circumstances¹⁷.

1.1.1. Women’s Control of Agriculture and Trade

Using the theory of environmental influences on early social and political forms, Cheikh Anta Diop argues that the patriarchal regime has its origin in harsh nomadic life, where women’s economic contribution is basically non-existent¹⁸. He cites linguistic and archeological research showing that early Indo-European’s communities led a nomadic life in the dry and desert lands of Eurasian steppes. The hardships of that life and the little economic role of women in that context sealed their fate in the Indo-European social systems (they need to bring a dowry to the man who will have them, they live cloistered¹⁹ and their husband and male-kin have life and death power over them).

Conversely, southern regions of the world, particularly Africa, being endowed with fertile lands, favorable to the development of agriculture and sedentary life, made it possible for matriarchal systems to emerge.

From this point of view, it is useful to note that African myths designate women as being the inventors of agriculture²⁰. The way Diodorus reports the legend, Isis and Osiris are both to thank for the invention of agriculture:

“Osiris was the first, they record, to make mankind give up cannibalism; for after Isis had discovered the fruit of both wheat and barley which grew wild over the land along with the other plants but was still unknown to man, and Osiris had also devised the cultivation of these fruits, all men were glad to change their food, both because of the pleasing nature of the newly-discovered grains and because it seemed to their advantage to refrain from their butchery of one another.”²¹

African men were not allowed to forget who they were to thank for the greatest invention for the well-being of humankind (food security). Agrarian religious rites, celebrate the feat of the

http://penelope.uchicago.edu/Thayer/E/Roman/Texts/Diodorus_Siculus/1A*.html (retrieved February 25, 2011), This webpage reproduces a section of The Library of History of Diodorus Siculus published in Vol. I of the Loeb Classical Library edition, 1933.

¹⁷ Cheikh Anta Diop, *l’unité culturelle de l’afrique noire – domaine du patriarcat et du matriarcat dans l’antiquité classique*, Présence africaine, Paris, 1ere édition, 1959, 2^{ème} édition 1982, pp. 27-30.

¹⁸ C. A. Diop, « Africa’s cultural unity » in *Towards the Africa Renaissance, Essays in African Culture & Development: 1946-1960*, Karnak House, 1996, p. 130

¹⁹ Eventually that led to the “manufacture of eunuchs” to monitor women. Citing Engels, Diop indicates that In Herodote’s time, Chios was the main center of the commerce of eunuchs. Cheikh Anta Diop, (1982) op.cit, p. 30.

²⁰ Diop, 1982, op. cit., p.33.

²¹ Diodorus Siculus, Book 1, chapter 8, op. cit.

African Eve (elevated to the status of Goddess). Diodorus of Sicily narrates such an agrarian rite:

“As proof of the discovery of these fruits they offer the following ancient custom which they still observe: Even yet at harvest time the people make a dedication of the first heads of the grain to be cut, and standing beside the sheaf beat themselves and call upon Isis, by this act rendering honour to the goddess for the fruits which she discovered, at the season when she first did this. Moreover in some cities, during the Festival of Isis as well, stalks of wheat and barley are carried among the other objects in the procession, as a memorial of what the goddess so ingeniously discovered at the beginning.”²²

In a paper focused on the economic role of Yoruba women, Dr Awe Bolanle interestingly starts with the highlight of the following facts:

“Underlying their political and social arrangements has always been a sound economy. Living in a region which is fertile, well watered and endowed with other natural resources, the Yoruba had passed the stage of subsistence agriculture and had for a long time been able to produce enough for themselves and a surplus to be traded with others.”²³

In this economy based on agriculture and trade, “there is a definite specialisation based on sex” states Bolanle²⁴. She further notes that women’s major role in food processing (with a lot of surplus) and in the craft’s industry led to their being major traders both at the local level (town and surrounding areas) and at the regional one (Yoruba country and their neighbours). It is so much so that: “The instinct to trade is almost inborn and is nurtured from childhood; a Yoruba girl learns not only to produce a particular commodity but also how to market it.”²⁵

Women traders developed a marketplace economy in which they ruled supreme, holding the monopoly on the trade of many commodities (agricultural surplus, cosmetics, baskets, pottery, tie-dye and batik, beads ornaments, hairdressing, manufacture of salt, food catering industry²⁶, etc.²⁷). The market women organized in order to promote and protect their interests. Awe Bolanle gives the example of the Yoruba women market organization:

“For the convenience of their trade, these market women usually form themselves into associations of people selling the same commodities, and through these associations they inform one another of sources of supply and demand and also decide prices.”²⁸

²² Diodorus Siculus, Book 1, chapter 8 (Beginning), http://penelope.uchicago.edu/Thayer/E/Roman/Texts/Diodorus_Siculus/1A*.html (retrieved February 25, 2011)

²³ Dr Awe Bolanle, “The Economic Role of Women in a Traditional African Society, the Yoruba Example”, in *The civilization of woman in the African tradition*, op. cit., p. 260.

²⁴ Op. cit. 266.

²⁵ Bolanle, op. cit. p. 268.

²⁶ Bolanle, op. cit., p. 266.

²⁷ Amadiume gives a list of the wide variety of products women traded on the many marketplaces they created and controlled: “The internal trade was an autonomous economy based on agricultural and craft products, such as salt, grain, cloth, cotton thread, textiles, shea butter, dried fish, kola nuts, tobacco, iron and gold, spices, scents and perfumes, dyes, medicinal herbs, roots and fresh steroids from certain trees, medicinal and mystical knowledge, secrets, etc.” op. cit., p. 96. She concludes: “European had nothing to do with this extensive network of distribution and trade. Consequently, when historians refer to European in Africa as traders, we wonder what they mean, since the evidence shows that what the Europeans exchanged for land and slaves were no more than gun powder, muskets, alcohol and sometimes amber and coral beads. These were goods directed at the local rulers. They were therefore exchanging nothing that was of benefit to African people; on the contrary, by the time the Europeans were through with their mission, they had appropriated the people’s lands, flooded the place with European consumer goods, undermined the agricultural economy and colonized Africans.” Amadiume, op. cit. p. 96.

²⁸ Bolanle, op. cit. p. 269

The central place of women in the economy is also emphasized by Amadiume, describing African women's role she notes:

“Their economic role was not confined to the household and wider kin-corporate units. They managed and controlled a very extensive market network where they were selling and buying. These market places were also social places where outings were held after life-cycle ceremonies involving birth, marriage and death. Markets and marketing were not governed by pure profit values, but the basic need to exchange, redistribute and socialize. That is why traditional African systems were not capitalist economies. They have variously been described as subsistence, communal and redistribution economies.”²⁹

Another institution through which women gather capital for economic venture is the “Esusu institution” called “tontine” in Senegal, where it is also managed by women. This is an institution that is so embedded in African culture that it was transported by the women who were sold as slaves. Studying the life of freed slaves in Turkey in 1909, Garnett notes a social organization among black women that has all the trademarks of the traditional African women associations: the tontine system, the solidarity network they extend to men, the associations headed by women who are also responsible of religious rituals for the well-being of all³⁰.

In a paper with a revealing title, “The myth of the inferiority of the African women”, Thelma Awori states:

“African women have always been an economic asset to both their husbands and their fathers and this single factor made her subjugation and domination a little more difficult. (...) Amongst agricultural people her work in the fields was responsible for much of what was the family wealth (...) It is not unknown in traditional African society for women to achieve great independence through their own economic activities.”³¹

African women's economic independence was based on a strong internal trade of agricultural surplus and craft goods they produced and sold themselves. This power base was undermined first by the slave trade and then by the colonial economy of mono-culture and eliminating local crafts with the importation of Western manufactured products.

Although they dominated the economy, women did not use the genderized division of labour as a way to oppress men and belittle their input. On the contrary, matriarchal societies generated a principle of the respect of each individual's contribution to the community's welfare.

1.1.2. The equal value attributed to each individual's contribution

Although gender and gender stereotypes play a role in the social and economic organization of matriarchal societies, they are not used to establish a hierarchy between men and women. Isis is celebrated but so is her brother-husband Osiris. The role of the latter in spreading the technique of agriculture and civilizing mankind is underlined in the legend related by Diodorus. The First couple works as a team and the love they bear one another reflects on all of humanity. Isis, Osiris and their offspring, Horus, represent love in all its forms: marital love, maternal love, filial love, brotherly/sisterly love extended to all human beings like the rays of the sun.

²⁹ Ifi Amadiume, *Reinventing Africa, Matriarchy, Religion, Culture*, Zed Books Ltd, London & New York, 1997, second impression 2001, p.102

³⁰ Lucy M. J. Garnett, *The Turkish People, Their Social Life, Religious Beliefs and Institutions and Domestic Life* (London, 1909), p. 224-228, in annex in, *Race and Color in Islam*, Bernard Lewis, Harper and Row, 1971.

³¹ In *The civilization of woman in the African tradition*, p. 35, 36.

This idea of a gendered pair working as a team of equal partners (as equal as twins), and not on a master/mistress-servant basis, is rendered by the symbols associated with Isis and Osiris, as noted by Diodorus:

“Now the men of Egypt, he says, when ages ago they came into existence, as they looked up at the firmament and were struck with both awe and wonder at the nature of the universe, conceived that two gods were both eternal and first, namely, the sun and the moon, whom they called respectively Osiris and Isis, ...”³²

As stated in the Cultural commission report of the colloquium on the Civilization of Woman in the African Tradition: “In Africa, the hierarchy is not based upon sex but upon the family and the age.”³³. Oyeronke Oyewumi’s argument that biology as a rationale for organizing the social world is a Western construction not applicable in Yoruban culture where social organization was determined by relative age³⁴ is not entirely exact. Gender does play a role, only it is not the same as the one it plays in patriarchal societies. In the latter it is used as a means of enslaving women (by appropriating their bodies, their time, their work), whereas in the former it serves as a way of ensuring that each sex feels valued and participates to the best of their abilities in the community’s economic welfare.

For instance, in African agrarian communities, the traditional division of labor is genderized. Ki Zerbo describes women as being the ones who selected seeds, planted crops, and processed the raw material into edible food, while men cleared the fields and participated in harvest. He gives the following explanation to the way tasks were distributed along gender lines:

“Seeding was done by women because they were symbols of fertility. Of course they were overwhelmed with work. Throughout the day they had to do a myriad of tasks. But the division of labor was such that the tasks requiring more physical strength were reserved for men, for example clearing fields. Harvesting and transporting grain were women’s responsibilities.”³⁵

One African tale is very popular, although the details may vary, the core story is always the same: individuals manage a feat by putting together their respective talents and skills³⁶. At the end of the tale, children have to choose which of the three individuals deserve the reward and that brings up an endless argument, the answer being that without each individual’s specific talent and skill the extraordinary result that has been achieved would not have happened. With this tale, children, of both sexes, are taught, from an early age, to recognize and value each individual’s contribution to the community’s well-being.

In Senegal, various Wolof sayings state the equality of, and respect due to, both sexes: “*Goor baax na jigéen baax na*” (“To have a boy is good, to have a girl is good”); “*Benn loxo du*

³² Diodorus Siculus, Book 1, chapter 8 (Beginning).

³³ *The Civilization of Woman in the African Tradition*, op.cit., p. 579.

³⁴ *The Invention of Women – Making an African Sense of Western Gender Discourses*, University of Minnesota Press, Minnesota, 1997.

³⁵ *A quand l’Afrique ? Entretien avec René Holenstein*, Joseph KI ZERBO, Editions de l’Aube 2003, édition de poche 2004, p. 121.

³⁶ Version of the tale I was told as a child: “This man had a mirror which allowed him to see into the future, his friend had a stick which had the power of bringing the dead back to life if they were touched by it minutes after their death, another friend had a carpet that could travel great distances in a blink of an eye. One day the one holding the mirror saw that, in a far away kingdom, a king would soon be lamenting the sudden death of his beloved child and promise to leave his kingdom to whomever could bring his daughter back to life. He told his friends what he had seen. The one with the carpet agreed to take them on his magic carpet so they could get there on time for the friend with the magic stick to touch and revive the dead princess with it.” At the end of the tale, listeners were asked to designate which of the three friends was the worthiest. A modern version of that tale is published in *Contes africains*, Maria Kosova, Gründ, Paris, 1970, in that book the tale is called “Lequel avait été le plus utile ?” (“Who had been the more useful?”).

tàccu” (One hand does not clap); “*Ñaari loxo ñooy tàkk tubéy/sër*” (it takes two hands to knot a loincloth/wraparound skirt).

In Yoruba country (“territory stretching from the town of Atakpamé in Togo eastwards across Dahomey (Benin) into most of southwestern Nigeria”³⁷), women’s participation in all the vital sectors of the economy is sanctioned by positive values. Bolanle testifies to that fact:

“There are many Yoruba sayings commending industry in a woman and emphasizing the distinct nature of a woman’s contribution. A woman without a trade is regarded as a danger to the society. (...) There is also the general acknowledgement of the fact that both men and women are expected to contribute to the economic weal and a woman’s contribution is looked upon with as much favour as that of a man”.³⁸

She cites a Yoruba proverb summarizing that view:

“It doesn’t matter who kills a snake, be it a man or a woman, so long as the snake does not escape.”³⁹

African women are still the main providers that they were in the past⁴⁰. However with colonialism imposing its patriarchal economy and outlook, women’s economic contribution has been rendered invisible.

In 1999, the Director for Regional Services in the Department of Agriculture, Land and Environment of the Northern Province of South Africa, Ms Tsakani Ngomane, exposed in vigorous terms the devaluation of women’s work:

“Women, especially resource-poor rural women, are important stakeholders. In the agricultural sector alone, their productive roles surpass by far their reproductive role. As invisible actors in development, their contribution to socio-economic development and poverty alleviation is poorly understood and most often deliberately under-estimated.”⁴¹

In sub-Saharan Africa, the patriarchal blindness to the value and bulk of women’s work is even more impressive:

“Globally, women produce more than half the food that is grown. In Sub-Saharan Africa and the Caribbean they produce up to 80% of basic foodstuffs but receive less than 5% of extension resources. The importance of targeting the real clients in agricultural development whether on primary production, resource conservation, training, technology development, land matters and access to credit cannot be overemphasized.”⁴²

Mamane Boukari notes the same situation in a specific West-African country:

“The extent to which women constitute the motor of economic and social development in Senegal is matched only by an equivalent lack of social gratitude. This cruel paradox is

³⁷ Dr Awe Bolanle, “The Economic Role of Women in a Traditional African Society, the Yoruba Example”, *The civilization of woman in the African tradition*, Présence Africaine, Paris, 1975, p.260.

³⁸ Op. cit. p. 262.

³⁹ Op. cit. p. 262.

⁴⁰ “We gain much more by investing in women than in men!” This is a favourite World Bank refrain. This reasoning is justified by a number of established facts. In Sub-Saharan Africa, *60 to 70% of agricultural work is performed by women*. “Women in African society : the struggle ahead” by Aminata Traoré (Sociologist, former Malian Minister of Culture) and Philippe Engelhard (Researcher at Enda), *Woman and African cutting both ways, Environmental studies and regional planning bulletin*, n°39/40, vol. X, 3-4, Enda, Dakar, 1999, p. 8.

⁴¹ « Gender issues : not a power struggle », published in *African environment* n°39-40, vol. X, 3-4, Enda-Dakar, p. 161.

⁴² « Gender issues : not a power struggle », op.cit., p. 161.

nourished by a kind of masculine fundamentalism which has always confined women to secondary roles.”⁴³

The “masculine fundamentalism” noted by Boukari is a product of colonialism and of the imported patriarchal religions which do not let women play the leading roles they have in the indigenous African religion.

To entrench their position as leaders of their communities, women put forward their unique skills, responsibilities and abilities as mothers. They “milked” for all its worth the fact that they are the sex who bears life and gives birth.

1.2. “At the beginning was Mother”⁴⁴ – The spiritual cement of the matriarchal system

Rashidi argues that, in the earliest times in Africa, religious concepts were developed in which the female deity played a major role. He describes her the following way:

“[S]he had an all encompassing influence and was universally acknowledged as the greatest and ultimate seat of power. She was both the giver and sustainer of life.”⁴⁵

The concept of a Supreme Mother is also documented by Rosalind Jeffries, who, in a paper entitled “The Image of Woman in African Cave Art”, successively studies: “The Primal Mother in Cave Painting” and “The Supreme Mother in Sculpture”⁴⁶.

1.2.1. God is a Mother

In its conclusions, the Colloquium on *The Civilization of the Woman in African Tradition* notes:

“According to ancient myths, the creation of the woman is linked to the origin of death. It is when death appeared in the world, that God created the woman so that life would not die for ever. Since this time, says the legend, men die but life still goes on. The African woman appears as the giver of life, the saviour, the nurse and she only gives mankind its possibility to survive in history.”⁴⁷

The Ancient Egyptian legend of Isis and Osiris relates the same myth of Woman (Isis) being the Saviour and the one to guarantee resurrection from the dead (of her twin brother and husband, Osiris) and protection from the evil forces of Chaos, Disorder and Sickness (their brother, Seth). Accordingly, the Ancient Egyptian faith is totally and unequivocally non misogynistic. There is no Fallen Woman in its sacred myths, and the female is first in the order of Creation according to the Ancient Egyptian genesis:

“In a papyrus dating from the time of the Ramesside dynasty (13-12th century BC) God proclaims: ‘I am the one who has made the primeval waters in order for the Celestial Cow to

⁴³ In his review of Evelyne Sylva, Lili Juteau and Awa Sarr’s *Guide des femmes du Sénégal* (Guide book of Senegalese women), Dakar CECI, 1995, in *African environment* n°39-40, vol. X, 3-4, Enda-Dakar.

⁴⁴ In the beginning was mother” (Anonymous) cited by Mutiso: “Mother was always there before we were! I suppose we all know that but for us in East Africa-Kenya specifically – there are areas of the role of the African woman in the pre-colonial period which are not part of the knowledge of the wider public.”, *The Civilization of the Woman in African Tradition*, “Rural Women in the Socio-Political Transformation”, p. 527.

⁴⁵ Runoko Rashidi, p. 72, “African Goddesses: Mothers of Civilization” in *Black Women in Antiquity*, edited by Ivan Van Sertima, Transaction Publishers, New Brunswick (USA) and London (U. K.), tenth printing, 2002, pp. 72-88.

⁴⁶ in *Black Women in Antiquity*, op.cit., pp. 98-122,

⁴⁷ *The civilization of the woman in African tradition*, op.cit., p. 597

come into existence. I am the one who has made the Bull for the Cow in order for the joy of love to come into the world.”⁴⁸.

In the African Creation stories, the Primordial Mother created woman then man. They are the First Twins (like Isis and Osiris), hence, the special status of twins and their mothers in many African communities.

In the ancient Egyptian genesis, *Nut* is the Cosmic Mother who gives birth to Moon and Sun. In the Sereer⁴⁹ religion also, God is a “She”. Babacar Sédikh Diouf, a researcher, author of articles on the culture and religion of the Sereer rejects the term animism to describe African religion. To make his point, Diouf cites Gravrand:

African religion, seen through the Sereer religion, has most of the traits of a religious trend: it has a theory, latent, but coherent, oriented toward sacred transcendence as source of life, communication and participation. An ethics proposed by the old tradition, with a sense of right and wrong. A popular cult. Places of worship. A corpus of prayers. A mystical life, reserved for initiates. A well-prepared staff, from Pangool [ancestors’ spirits] priests, seers, healers and leaders of religious worship, the Saltigi, not to mention a multitude of celebrants dedicated to family and local cults. A whole life based on the religious experience. It is a true religious path, whose central theme could be formulated as follows: the divine in man.”⁵⁰

Diouf exposes the strategy used by women to impose themselves on the theological front. He writes:

“It is quite clear, imaginations had to be struck. And that is why in Egyptian antiquity, goddess NT (NuT) gave herself the title of “Mother of the Universe” while, today still, ROOG, the name which Sereer gives to God reveals itself as meaning “Blessed Virgin”.”⁵¹

In Diouf’s interpretation, the etymology of “*Roog*” (Sereer for God) is “*Toog*” (the virgin). This femininity of God is confirmed in the everyday language when the Sereer say speaking about men: « *Nqoox Paal, Yaay um Roog* ” (“the black bull, his mother (is) God”). In order to tighten his demonstration that for the Sereer *Roog* is a female entity, Diouf gives as further proof the following prayer little boys offer to *Roog* when they go to bed at night⁵²:

<i>Danaas</i>	I am going into sleep
<i>Nqoox paal</i>	(me) black bull
<i>Yaay um Roog</i>	My mother is <i>Roog</i>
<i>Daapaam lanq</i>	Earth is my bed
<i>Hakandu bil</i>	Roc is my pillow
<i>Hulwa Roog</i>	Sky is my blanket
<i>Dingoor juwaam</i>	Ocean is my fence

⁴⁸ Al Assiouty, *Origines égyptiennes du Christianisme et de l’Islam, résultats d’un siècle et demi d’archéologie*, Letouzey et Ané (éd.), Paris, 1989, p. 239-240.

⁴⁹ The Sereer are an ethnic group present in Senegal (West Africa), they trace their origins back to Ancient Egypt.

⁵⁰ Henry Gravrand, *La Civilisation Sereer–Pangool*, NEA, Dakar, 1990, p.142.

⁵¹ « La dimension genre dans le vivre ensemble africain » (Gender in the African way of Life), March 2007, unpublished presentation at the Forum for a law on gender parity in electoral assemblies, organized March 13, 2007 by the COSEF (Conseil Sénégalais des Femmes/Council of Senegalese Women) and CREDILA (Centre de Recherches, d’Etudes et de Documentation sur les Institutions et les Législations Africaines) at Cheikh Anta Diop university.

⁵² B. S. Diouf, 2004, op. cit., pp. 210-211

It is not only God who is a “She”, in Ancient Egyptian theology as well as in other African theological discourse, the main guardian spirits and sacred principles (goddesses) are of the female gender.

1.2.2. A Religion Dominated by Women

In Senegal, the guardian spirits of the main cities are female. Most of them live in rivers like *Maam*⁵⁴ *Kumba Bang* in the city of Saint-Louis and *Maam Kumba Lamb* in Rufisque. *Maam Kumba Kastel* watches over Gorée island, *Maam Mboose* is the tutelary guardian of the city of Kaolack, while the capital city of Dakar belongs to two guardian spirits, a male (*Lëk Daawur*) and a female (*Maam Kumba Cupaam*).

Adna Kumba Njaay is the name the Sereer give the Earth. *Adna* means earth in a global sense, *Kumba Njaay* is a very common name in Senegal (*Kumba* is the first name, *Njaay* is the family name). The Sereer faith grants the earth a sacred status which makes it obligatory to all to treat it with care and respect. As a matter of fact, it is nature as a whole which is, in the eyes of the traditional Sereer, a multiform manifestation of *Roog Seen* (“Seen” means “Who is everywhere and nowhere”⁵⁵). Consequently the Sereer developed a very sure knowledge of nature conservancy.

By giving the earth a female gender and by housing in rivers the communities’ guardian spirits, the two most important elements in agrarian societies, water and earth, are explicitly entrusted to the care of women. Hence the predominant place of women in the indigenous religion’s “clergy”. They usually perform the most important rituals and prayers for prosperity, fertility and protection from disasters, as priestesses.

As stated in the colloquium in Abidjan in 1972:

“The woman presides over fetish convents, initiation rites, and agricultural rites for fertility. She orders the moon, the sun and the rain.”⁵⁶

Gidbon Mutiso summarizes the process by which women took control of the spiritual field and used it to extend their political power:

“There is enough oral history from the old people to suggest that the agriculturalist peoples who migrated from area to area gave women extremely significant places in the rituals connected with the settling of new areas. The woman was the one to appease the Gods so as to seek favour for the productivity of the new area. By extension following this line of logic, one can hypothesise that since women were the intermediaries with the Gods and furthermore since self-sufficiency in crops was necessary, it is possible that they utilised this structural position to

⁵³ B.S. Diouf, “Le Sérère, paganisme polythéiste ou religion monothéiste ?”, in *Pouvoir et Justice dans la tradition des peuples noirs*, F. K. Camara, L’Harmattan, Paris, 2004, p. 210-211,.

⁵⁴ *Maam* means grandparent in Wolof. The grandparent is a figure of unconditional love. The Wolof who are very close to the Sereer, have the following saying: “*Maam du yar dey reewal*” (A grandparent does not educate his/her grandchildren he/she spoils them). So the female guardian spirits are not at all fearsome entities but lovable ones who respond to kindness and care, contrary to *Lëk Daawur* (the male guardian spirit, who takes the form of a one legged or five legged horse who robs anyone who sees him of his sanity).

⁵⁵ Meaning given by Issa Laye Thiaw, author of many articles and of one book on Sereer culture and religion, *La femme seereer*, L’Harmattan, Paris 2005 .

⁵⁶ *The civilization of the woman in African tradition*, 1975, p.597.

acquire more socio-political rights (and duties) than has been suggested by colonialism research.”⁵⁷

In view of the way the patriarchal structures of the Muslim and Christian Religions are largely used against women’s rights on the African continent⁵⁸, effective secularity is a must. Until the September 11th tragedy, fundamentalism was widely seen as a women’s concern more or less overblown; whereas assaults on women’s rights should be seen worldwide as assaults on what (literally) makes our humanity. These writings from DAWN (Development alternatives with women for a new era) sound in this light like an unheeded alarm bell:

Fundamentalism is not an isolated Southern phenomenon but a global issue. Apart from its specific religious, cultural and political bases, certain features are common to fundamentalism across all world regions. It is always constructed around a notion of purity and impurity in which ‘the other’ is perceived as intrinsically evil and must be eliminated or ‘cleansed’. Fundamentalist discourse naturalizes the family, sexuality and gender relations and excludes women from the public sphere. Everywhere, fundamentalism uses women’s bodies as a battlefield in its struggle to appropriate state power. Fundamentalism is not religious, but a political phenomenon with impacts at national and international levels.⁵⁹

But it is not enough to denounce fundamentalism. It is equally important to actively promote secularity. Secularity means the respect of all religious beliefs and an equal treatment from the State towards all religions and their followers. Asia does not turn its back on Buddha, Hinduism, Brahmanism, Confucianism, Shintoism,... just because there are mosques and churches on Asian soil. To prevent the “attempt to colonise the souls” of Africans, Diop made this interesting suggestion, in a book based on essays written at the eve of independence from Western colonial rule:

Christians and Muslims have a liturgy, are organised and can engage in religious propaganda. Both groups are making feverish efforts at converting the 85 millions Africans whom they call pagans! Thus, the final westernisation or easternisation of Africa depends on which one of the groups is successful in the final analysis. It is reasonable to think that an African federal government will provide equal chances to members of the traditional religion by calling an ecumenical council and its high priests, in order to encourage the creation of a hierarchy, of a better adapted liturgy, the formation and training of a caste of priests on the continental level, the deepening and normalisation of a dogma based on ancestral Monotheism.”⁶⁰

The African religion is a non totalitarian, non misogynist monotheism. It is a non totalitarian monotheism in the sense that its message is that all beliefs, all cults, all spirits deserve respect. It is a true monotheism because it is founded on the belief of a Unique Goddess Creator⁶¹.

⁵⁷ « Rural women in the socio-political transformations », *The civilization of the woman in African tradition*, op.cit., p. 528.

⁵⁸ In the case of Senegal, see: “State and Religion in West Africa: Problems and Perspectives”, in *Law and Religion in the 21st century – Relations between States and Religious Communities*, edited by Silvio Ferrari and Rinaldo Cristofori, November 2010, Ashgate publishing, UK, 406 p. ; « Le Code de la Famille du Sénégal ou de l’utilisation de la religion comme alibi à la légalisation de l’inégalité de genre », in *Genre, inégalités et religion. Actes du premier colloque inter-Réseaux du programme thématique Aspects de l’État de Droit et Démocratie*, Paris, Éditions des Archives Contemporaines - AUF, 2007, 459 p http://www.refer.sn/rds/article.php3?id_article=327

⁵⁹ Sonia Corrêa (in collaboration with Rebecca Reichmann), *Population and reproductive rights, feminist perspectives from the South*, Zed Books Ltd 1994 p.3.

⁶⁰ *Towards an African Renaissance – Essays in African Culture & Development 1946-1960*, Karnak House, Britain & the USA, 1996, p. 126.

⁶¹ Babacar Sédikh Diouf, « Le sérère, paganisme polythéiste ou religion monothéiste », in *Pouvoir et Justice dans la tradition noire*, Fatou Kiné Camara, L’harmattan, Paris, 2004, pp. 205-221.

The ancestral Monotheism, Diop points at, was engraved in African men and women souls with graphic, sculpted and painted images of the Supreme Mother giving birth to the universe or with statues and figurines of a bare-breasted woman with a suckling infant on her knees.

1.2.3. Sacred Art Paying Homage to Motherhood

Indigenous African theology relies on the mother figure to convey the idea of a caring, compassionate, generous, all loving and all powerful God. Associating God to the image of motherhood is also a way of enhancing the status of the female sex. The essentialism so abhorrent to mainstream Western feminism – as it has proved a limiting stereotyping in patriarchal culture - is the basis of the African matriarchal ideology. Amadiume points it out:

“For us African women, matriarchy – that is, African women’s construct of motherhood – was a means of institutional and ideological empowerment.”⁶²

Amateurs of African art are quite familiar with sculptures portraying a black woman, totally naked or bare breasted, holding on her knees a suckling infant (in Ancient Egypt’s art that image is famous as Isis and infant son Horus). Those sculptures emphasize on purpose the role of mothers as the prime nurturers who lavish on their children a love that is similar, as much as such a comparison can go, to the love God has for the whole Creation. It is in that sense that the indigenous African Creator-God is a Mother.

Ancient Egypt, "one of the countries of Africa where the matriarchal system was the most evident and most enduring"⁶³ offers an iconography of goddesses in the nude with breasts and pubic area clearly marked. Obscene, lewd, disrespectful?

Theological education seeks to highlight with images the essence of the speech. Thus the concept of a Supreme Mother is used to translate the concept of a creative principle that has literally given birth to the universe. An illustration of this theological concept is given by the “open women” in African cave art. The Mother God’s elongated legs are wide apart over the opening of the caves. This type of staging shows reproductive African myths where woman (or feminine principle) is the origin of the universe and of beings⁶⁴.

In his study of the Basaa myth (Cameroon), which locates humanity’s birth place at *Ngok li tuba*, "Pierced Rock", Oum Ndigi analysis the hole in the rock as symbolizing the womb. He concludes that *Ngok li tuba*, "Pierced Rock", is the euphemistic description of the female as "mother of men". Ndigi also stresses that "Mother of Men" is one of the Egyptian names of the uterus, mwt-rmt.⁶⁵

Religion does not only mark the woman as being "the mother of men" but, more importantly, it elevates the sexual organs of women to respect and veneration. The solar breast provides another example. The hieroglyph for Ra has long been described as a centered sun. A woman Egyptologist exposed, without naming it, the bias of some Egyptologists. She states:

⁶² Ifi Amadiume, *op.cit.*, p. 198.

⁶³ Cheikh Anta Diop, *L'unité culturelle de l'Afrique Noire*, *op.cit.*, p. 56.

⁶⁴ Millennia later, the French painter Gustave Courbet (1819-1877) friend of the philosopher Proudhon, caused a scandal when he presented his version of the "open woman", a canvas painted in 1866, featuring a close-up of the sex and opened thighs of a naked woman, he entitled "The origin of the world."

⁶⁵ Oum Ndigi, « Notes sur les mythes basaa du Cameroun et la préhistoire saharienne » *Cahiers Caribéens d'Égyptologie* n°3/4 février/mars 2002, p. 203.

"Here are the facts. For decades, following, as did my colleagues, the teachings of our masters, I referred to the hieroglyph of the Sun, represented by a perfect circle marked at its center with a point as, a "Centered sun"⁶⁶.

As a matter of fact, it was not a sun with a dot in the middle, it was more accurately the representation of the frontal view of a breast with its nipple. Desroches Noblecourt explains how her eyes were unsealed:

"The problem began to tickle me the day I looked more carefully how the Sun (Rê, Râ) was carved in stone and was in the spelling of the name of a king of the Fifth Dynasty of the Old Empire; Sahurê. The shape of the sign was very visible and the center point of the projection appeared to be indeed a "nipple". I'm finding myself staring at a front view representation of a breast."⁶⁷

The account of how the Egyptologist concluded that there was a breast, where her male colleagues had always seen the solar circle, is quite instructive. It underlines how certain "facts", stated and repeated by scholars (Egyptologists, historians, anthropologists, ...) who are nonetheless humans with cultural bias (here it is the androcentric bias characteristic of patriarchal cultures, Amadiume calls it the "masculinization of data"), deserve to be looked at, literally, more closely.

The juxtaposition of the symbol of the breast and that of the sun leads Desroches Noblecourt to name it: "the solar breast." The image is extremely eloquent because it highlights the fact that breast milk is a source of life and strength as well as solar energy. God is again likened to a nurturing mother.

In Benin, the Fon and the Akan believe in a Supreme Mother. Her name is Nana-Daho and her anthropomorphized representation is called *Tokpodoun*, "multiple breasts." Jeffries noted that one to seven breasts can be carved on Akan drums⁶⁸.

Women (queen, priestesses) with bow and arrows were also painted and sculpted by African artists as a means to show them as the life givers. It was a way to point out the belief that female power (the shooter/the owner of the bow and arrows) is the basis of male force (the sun/bow and the sunrays/arrow). In Senegal, the Wolof have a saying which explains the meaning conveyed by a queen and/or a priestess holding a bow and arrow "What makes it move is stronger than what moves" (*Li yëngu li ko yëngël a ko ëpp doole*). The female energy (active in the universe) and the female human (active on planet earth) are literally in both realms the ones who call the shots.

Matriarchal societies convey a positive image of women, without any need to demean and oppress men. Women impose themselves without violence by putting forward their ability to give and nurture life⁶⁹. They shamelessly use their bodies as "posters" of an "ideological

⁶⁶ Christiane Desroches Noblecourt, *Lorsque la nature parlait aux Egyptiens*, éd. Philippe Rey, collection Point seuil, Paris, 2005, p. 13.

⁶⁷ Christiane Desroches Noblecourt, *op.cit.*, p. 13.

⁶⁸ Jeffries, Rosalind "The Image of Woman in African Cave Art", *op.cit.*, p. 103,

⁶⁹ In patriarchal societies it is through their power to kill, terminate life, that men impose their supremacy. The right to grant pardon is symbolic of that patriarchal principle – the man in power is the man who has the power to "grant life" in the sense that he is free to put you to death or not. It also explains why in patriarchal societies suicide – to take one's own life - is so strongly condemned.

message generating the notions of a collectivism of love, nurturance and protection derived from womb symbolism."⁷⁰

While retracing the history of Africa in school books and in history classes, children should be taught about the African religion, the religion of the Mother God, the faith that shaped African civilisation and its institutions.

2. The Political Institutions Arising from the Matriarchal System

African lawmen and lawwomen had, very early in time, captured, summarized and simplified the most complex laws and principles into short stories, fables, sayings or familiar paintings and sculptures. Such is the case with the principle of the dual-sex governing system⁷¹ which justification is encapsulated in a tale.

2.1. A Telling African Tale: The Fox and the Stork

Upholding the principle that all human beings are created equal does not mean that differences should be overlooked. Indeed, in our modern patriarchal world, even in democratic states who uphold the rule of law, gender-blind systems systematically under represent women because of societal inequality that undermines women candidates. The Ancient African tale of the Fox and the Stork, brought to the Western world by the Ethiopian, Aesop⁷², is a good illustration of how gender-blind laws can mask profound and systemic inequality:

At one time the Fox and the Stork were on visiting terms and seemed very good friends. So the Fox invited the Stork to dinner, and for a joke put nothing before her but some soup in a very shallow dish. This the Fox could easily lap up, but the Stork could only wet the end of her long bill in it, and left the meal as hungry as when she began. "I am sorry," said the Fox, "the soup is not to your liking."

"Pray do not apologise," said the Stork. "I hope you will return this visit, and come and dine with me soon." So a day was appointed when the Fox should visit the Stork; but when they were seated at table all that was for their dinner was contained in a very long-necked jar with a narrow mouth, in which the Fox could not insert his snout, so all he could manage to do was to lick the outside of the jar.

"I will not apologise for the dinner," said the Stork:

One bad turn deserves another."⁷³

⁷⁰ Ifi Amadiume, *op.cit.*, p. 153.

⁷¹ "In trying to distinguish traditional African political systems from Western systems, Kamene Okonjo (Okonjo, K., 1976, « The dual-sex political system in operation. Igbo women and community politics in Midwestern Nigeria", in N.J. Hafkin and E.G. Bay (eds), *Women in Africa: Studies in Social and Economic Change*, Stanford University Press, Stanford, Calif.) had used the concept of a 'dual-sex' system to characterize the African system, using the Igbo example. She described the European system as 'single-sex'. According to Okonjo, in the 'dual-sex' systems, 'each sex manages its own affairs, and women's interests are represented at all levels'. In contrast, in the European 'single-sex' system, 'political status-bearing roles are predominantly the presence of men... women can achieve distinction and recognition only by taking on the roles of men in public life and performing them well." Ifi Amadiume, *op.cit.*, p.110

⁷² J.A. Rogers states that we are indebted to Planudes the Great, a monk of the fourteenth century, for Aesop's life and fables in its present form. Planudes wrote that Aesop was a native of Phrygia, in Asia Minor, and described him as "flat-nosed with lips, thick and pendulous and a black skin from which he contracted his name (Esop being the same with Ethiop)." J. A. Rogers, *World's Great Men of Color, Volume I: Asia and Africa, and Historical Figures Before Christ, Including Aesop, Hannibal, Cleopatra, Zenobia, Askia the Great, and Many Others*, John Henrik Clarke (ed), Touchstone, New York, 1996 (originally published in 1946), pp. 73-79,

⁷³ Retrieved at: http://www.pagebypagebooks.com/Aesop/Aesops_Fables/The_Fox_and_the_Stork_p1.html (February 26, 2011)

What is the lesson the Stork gives the Fox? For each meal equality is respected. Each time the Fox and the Stork have been served the exact same food in the exact same dish. Yet when seated at the table, "strangely", one has unfettered access to the meal but not the other. The fable illustrates the African concept of democracy: the meal being the society's resources and access opportunities; the people in their diversity are represented by the fox and by the stork.

African democracy is a recognition and celebration of difference and variety. Leadership is not about one person determining what is right for everyone else. Leadership is about making sure everyone has a say in the matter and that a general consensus can be reached. Consequently, a common feature of ancient and pre-colonial African political structures from the local levels to the higher ones are assemblies where all social groups are present, according to age, gender and profession (caste). As stated by Ifi Amadiume:

"The democratic principles governing these assemblies meant that all social groups were present, including the youth, who were usually organized in age-grades or age-sets. Every human being had the right to voice an opinion. Those who showed a gift of oratory became very popular or spokespersons. The system was geared to work by consensus."⁷⁴

Cheikh Anta Diop gives the following account of the political system in the empire of Ghana:

"Now, Ghana was not a beginning but a continuation: the level of political organization involved (constitutional monarchy) implies an older system. The emperor governed through a council of ministers made up of representatives of the diverse classes of society, that is to say the castes."⁷⁵

The queen mother, a political function so typical of Africa, is only the "tip of the iceberg". There is an organization along gender lines at all levels.

In Senegal, the Wolof have female mothers (*yaay*, the biological mother and her sisters) and male mothers (*nijaay*, literally "the one who is like a mother"⁷⁶, the maternal uncles); male fathers (*baay*, the biological father and his brothers) and female fathers (*bàjjan* – contraction of *baay-jigéen/père-femme*)⁷⁷; male husbands (*jëkker*, the "real" husband and his brothers) and female husbands (*njëkké*, the sisters of the husband). At the political level the monarchy is represented by a *buur* (elected king) and a *linger* (queen-mother, senior female in the *buur*'s matrilineage). The gender lines in the matriarchal system are flexible enough to never let any member of the opposite sex locked out of a function because of its sex. Moreover, African languages are gender neutral in general, there are no indicators for gender as a rule, more importantly man does not represent humanity in the language as it does in Western languages ("mankind" in English, "l'homme" in French, "Menschheit" in German) Amadiume explains how that worked:

"... the peculiarity of the African gender language system was such that men and women could cross gender boundaries, and also share roles and status through genderless terms and pronouns. Gender was therefore a means of dividing, but also a means of integrating and co-opting."⁷⁸

⁷⁴ Amadiume, *op. cit.*, p.97.

⁷⁵ *Towards an African Renaissance*, *op.cit.*, pp. 120-121.

⁷⁶ This etymology of the term "nijaay" (*ni yaay* – like mother) is given by Saliou Kandj, a Senegalese journalist specialized in African civilization. He did not agree with the meaning Cheikh Anta Diop gave to the term "nijaay" (*na jaay* – "let him sell", meaning that maternal uncles had such complete authority over their nephews they could even sell them into slavery).

⁷⁷ This etymology is given by Saliou Kandji.

⁷⁸ Ifi Amadiume, *op.cit.*, p. 94

From the base to the top, gender duality is acknowledged in a way that guarantees both sexes equal rights and opportunities: girls and boys undergo separate initiation rites⁷⁹, a man presides over the training of men initiates, and a woman takes over the training of women. National coordination is ensured at the top by a female head of state (the queen mother, *lingeer* in Sereer and Wolof monarchies) and by her male counterpart (*maad* or *buur* in Sereer monarchies, *buur*, *teeñ* or *dämmel* in Wolof monarchies).

Tarikhu Farrar explains the rule in Akan society:

“Every office in the Akan political hierarchy (in all its variants) has female and male counterparts. This practice of maintaining separate, parallel political hierarchies for the female and male sections of the population is a fundamental and presumably ancient feature of Akan political organization. In the day-to-day affairs of government in precolonial Akan society, women did not normally come under the authority of men. All issues pertaining primarily or exclusively to women (and there were many political, economic and cultural) and all conflicts between women were addressed within the context of this female political hierarchy. Furthermore, issues involving both females and males – issues like adultery, rape, marital conflict, and so forth – were also handled by female stool-holders.”⁸⁰

B. S. Diouf gives an example of how those gendered organisations ensured a society where women had the means to uphold peacefully their rights to respect and fair treatment:

Suka Mbul was married to Njem Selbe Naadi (the mother of Coumba Ndongue Diouf II, king of Sine – Sereer kingdom in pre-colonial Senegal - from 1898 to 1924). The couple had irreconcilable differences and in order to solve them, Njem Selbe Naadi took up residence at the village's well where the women of “Ngulook” (the association of women initiates) joined her, out of gender solidarity. For three days and three nights, they danced and sang, deserting their homes completely. Then the men of the “Kasak” (the association of men initiates), with Suka at the head, came to ask for reconciliation with the “Ngulook”. They brought an ox as a peace offering. And peace returned in the homes when the ox was cut up and cooked, the couscous of renewed alliance and mutual respect was consumed while the drums were beating.”⁸¹

Matriarchal societies are societies of peace and justice. In Ancient Egypt, this very principle was elevated to the status of a female sacred principle, the goddess Maât.

Maat is figured as a bare-breasted woman⁸², crowned with an ostrich feather⁸³. Queens are the flesh and blood women who embody the sacred principle of Maat. Pharaoh's official titles are the following; "son of Ra" and "brother of Maat"⁸⁴. Ma'at is also called "daughter of Ra"⁸⁵.

⁷⁹ The Sereer call it ngulook for the girls and ndut for the boys.

⁸⁰ Tarikhu Farrar, “The Queenmother, Matriarchy, and the Question of Female Political Authority in Precolonial West African Monarchy”, *Journal of Black Studies*, Vol. 27, No. 5 (May, 1997), p. 588, Sage Publications, Inc

⁸¹ « La dimension genre dans le « vivre ensemble » africain » (Gender in the African way of life) op.cit.

⁸² The Goddess is dressed as was the fashion in Ancient Egypt at the time of the Pharaohs. It was important for women to leave their breasts uncovered as they were the symbols of their Goddess-like status. Due to this status, in indigenous African law, women could go about freely (un)dressed as they pleased without fearing rape. Amadou Hampaté Ba relays a telling anecdote about the status of women in [a West African Muslim kingdom, The Peul Empire in Macina \(in the actual Mali\), in the 19th century](#): “It is told that an Ardo (a nobleman in the Peul community) one day found himself in the presence of a Peul woman who was about to receive a few whacks with a rope. He asked who had decided to mistreat a noble woman so. He was answered that it was according to Qûran law. The Ardo pointed his spear towards the executioner and said: “if you raise your hand on this woman, I’ll send you to sleep at the “village of the small flat-roofs” (the cemetery). Then he ordered his men to deliver the convict and he declared to the Muslim clerics who were attending the scene: “Avoid from now on to cross my path and tell your Qûran that I won’t obey him as long as it doesn’t give noble women the respect that is their due.” *L’Empire Peul du Macina - 1818, 1853*, Amadou Hampaté Bâ and J. Daget, NEA, Abidjan

As a matter of fact, women organized a sociopolitical system based on the ideals of Fairness, Kindness and Harmony. Those ideals were to be achieved with the participation of everyone in the decisions that have a direct impact on their life and on the well being of their community.

Cheikh Anta Diop argues that the acceptance of the matriarchal system by men is based on the very fact that matriarchy is a harmonious dualism, which promotes the well-being of both sexes and not just one (as illustrates the fable of the Fox and the Stork). He rightly insists on the fact that it is not a system based on the “absolute and cynical triumph of woman over man”⁸⁶. However, Amadiume is equally right to point out that this balance of power between the sexes could tilt to the advantage of one or the other according to time and circumstances⁸⁷. After all, nothing is ever static.

A Wolof saying explains how the leadership of women was geared towards fairness, kindness and equal love towards all:

Njiit ndey ji réew la njaxanaay ley tédde, it means, A leader behaves as a mother of twins who lies down on her back to give her children equal access to her breasts.

Hence, in African tradition the true leader is a mother.

2.2. The African Queen mothers

The African queen mother is a female title-holder placed in the highest level of the political order. The office of queen mother marks the indigenous African political systems, from the Meroitic Kandake of Kush⁸⁸ to the linger of the Sereer and Wolof in Senegambia⁸⁹, the

1984, p. 48. [Ki-Zerbo](#) confirms [that in that African Muslim kingdom it was forbidden to beat women. When condemned to corporal punishment, the sentence was performed not on their body but upon the roof of their homes. That everyone would know about it was considered shameful enough for the condemned woman.](#) *Histoire de l'Afrique Noire*, Paris-Hatier 1972, p. 140.

⁸³ The feather is the symbol of the principle of equality of all before the Law. On each dead person's judgment day, their actions will be weighed on a balance: a feather is put on one of the scales and the heart of the deceased is put on the other scale. To be judged pure of heart and worthy of eternal life by the divine tribunal, the deceased's heart must be as light as feather. The scale of Maát was balanced after the recitation of the 42 Declarations of Innocence. The dead person swears that he has not done any evil deed that he cites one after the other. Example: “I have not caused misery; nor have I worked affliction” (excerpts from *The Book of the Dead, The Papyrus of Ani*, translated by, E. A. Wallis Budge, 1895, text available at : <http://www.sacred-texts.com/egy/ebod/ebod35.htm> (retrieved March 1st, 2011). In African moral philosophy not doing evil precedes doing good: the end cannot justify the means:

⁸⁴ A. M. Ali Hakem, « La civilisation de Napata et de Méroé » in *Histoire générale de l'Afrique*, tome II, édition abrégée, Présence Africaine / Edicef / Unesco, 1987.1987, p.233.

⁸⁵ « In British Museum papyrus No. 10471 the scene of the presentation of the deceased to Osiris is unusual and of interest. On the right the scribe Nekht and his wife Thuau stand with both hands raised in adoration of Osiris. Behind them, upon a cubit-shaped base, is a house with four windows in its upper half, and upon the roof two triangular projections similar to those which admit air into modern houses in the East. Before the door are a sycamore (?) tree and a palm tree, with clusters of fruit; on the left is the god Osiris on his throne, and behind him stands "Maat, mistress of the two countries, daughter of Ra," above whom are two outstretched female arms proceeding from a mountain and holding a disk between the hands.” In, *The Book of the Dead, The Papyrus of Ani*, translated by, E. A. Wallis Budge, 1895 available at : <http://www.sacred-texts.com/egy/ebod/ebod16.htm> (retrieved March 1st, 2011)

⁸⁶ *L'unité culturelle de l'Afrique Noire*, *op. cit.*, p. 114.

⁸⁷ “This is the crux of the difference between my own and Cheikh Anta Diop's formulation of African matriarchy. Diop said that it was a “harmonious dualism” between men and women. I, on the contrary, argue that it embodied two oppositional or contesting systems, the balance tilting and changing all the time, that was the gender politics.” Ifi Amadiume, *op.cit.*, p. 93-94

⁸⁸ Hakem A.A., 1981, The Civilization of Napata and Meroe, in G. Mokhtar (Ed.), The General History of Africa, Volume 2, pp. 298-325.

Maigira of Bornu⁹⁰, the Mafo of the Bamileke (Cameroon)⁹¹, the *ohemma* (literally, “female ruler”) of the Akan⁹². Far from being a mere ceremonial figure, she was the true center of political power.

Matriarchy means that women are necessarily the ones who fashioned the laws that ruled their communities. According to Diodorus of Sicily, Goddess Isis, the original African queen mother (once dead she was elevated to “goddesshood”⁹³), was praised for having given mankind its first laws and for having taught them to practice justice and banish violence from their midst⁹⁴. Sereer tradition hold the very same beliefs.

According to Babacar Sedikh Diouf a Sereer legend says that women were the sole monarchs until the reign of Siga, who remained famous in history as the result of an extravagance which made her lose the throne. The Sereer tradition teaches among other things that besides having given life to mankind, women have organized the society and designed the concept of state. B. S. Diouf notes that this teaching is saved in a drummed message, performed at the beginning of all public festivities as a means to recall the primacy of women's sovereignty:

⁸⁹ Gaspard Théodore Mollien, *L'Afrique Occidentale en 1818*, Calmann-Lévy, Paris 1967, p.69; Henry Gravrand, *La civilisation sereer – Cosaan*, Les Nouvelles Editions Africaines, Dakar, 1983, 267; Boubacar Barry, *Le royaume du Waalo*, Karthala, Paris, 1985, pp. 263, 275; Jean Boulègue, *Le grand Jolof - XIII^e-XVI^e siècle*, Ed. Façades, diffusion, Karthala, Paris 1987, pp. 61-62 ; Bassirou Dieng, *L'épopée du Kajoor*, Agence de coopération culturelle et technique (A.C.C.T.) - Paris, Centre africain d'animation et d'échanges culturels (C.A.E.C.), éditions Khoudia – Dakar, avec la collaboration de l'IFAN Cheikh Anta Diop, 1993, p. 15. In the Wolof and Seereer kingdom of the Senegambia, the effectiveness of the *lingeer's* political power was noted with surprise and spite by the French colonial governors who, in the 19th century, encountered the resistance of the kingdom of Waalo in their conquest of what later became the colony of Senegal. Governor Soret wrote the following: “Fara Penda, blind old man, brak (king) of Waalo, is king of name only, it is Princess Ndyômbôt, married to the king of Trarzas, who now rules ...” *Mémoire du gouverneur Soret*, 14 avril 1839 (Barry, 1985, 263). Governor Thomas, who replaces governor Soret, makes the same bitter conclusion, the brak has changed but the power is still in the hands of the *lingeer*: “[It] is to the princess Ndyômbôt, the *de facto* ruler, that the colonial authority is obliged to turn to when it has claims or when it seeks compensation for some losses.” *Memoirs left by Thomas*, Saint-Louis, 11 décembre 1845 (Barry, 1985, 275)

⁹⁰ “Heinrich Barth, who traveled through the Bornu empire in the early 1850's, described the maigira as a very powerful individual in the Bornu governmental structure. Her role was apparently more than ceremonial, and a particularly strong-willed maigira could come to dominate the state structure. At least two were so powerful that they were included in king lists, in Barth's own words, even in those compiled by the local Muslim jurists/scholars, the *ulama*, who normally were not inclined to give this kind of recognition to women (Barth, *Discoveries in North and Central Africa*, New York: Harper, 1857, Vol.2, p. 29)” “The Queenmother, Matriarchy, and the Question of Female Political Authority in Precolonial West African Monarchy”, *Journal of Black Studies*, Vol. 27, No. 5 (May, 1997), note 2 p. 595, Sage Publications, Inc

⁹¹ Colette Houeto, “The Woman Source of Life in Traditional Africa”, *The Civilization of the Woman ... op. cit.*, p. 63

⁹² “the Akan queenmother, more properly, the *ohemma* (literally, “female ruler”), wielded true political power and could, under certain conditions, assume full control of central authority; she could become the “king”, the *omanhene*.” Tarikhu Farrar, *op.cit.*, p. 583.

⁹³ Diodorus of Sicily, *Library of History*, Book 1: “Isis, they say, after the death of Osiris took a vow never to marry another man, and passed the remainder of her life reigning over the land with complete respect for the law and surpassing all sovereigns in benefactions to her subjects. 2 And like her husband she also, when she passed from among men, received immortal honours...” (retrieved February 25, 2011) at: http://penelope.uchicago.edu/Thayer/E/Roman/Texts/Diodorus_Siculus/1A*.html

⁹⁴ Book1, Section 1, VIII: “Isis also established laws, they say, in accordance with which the people regularly dispense justice to one another and are led to refrain through fear of punishment from illegal violence and insolence”, available at: <http://remacle.org/bloodwolf/historiens/diodore/livre1.htm> (retrieved February 28, 2011)

« *Siga Basal, ten eetu maat, maat a guutin a roof* » that is to say "Siga Basal (Siga is a first name, Basal according to B. S. Diouf means "Wide hips") founded the state and the state has improved after her."⁹⁵

B. S. Diouf also underlines the fact that the word "maat", fossilized in the drummed message about Siga Bacal, is still active in the Sereer language with the same sense of participative governance on the basis of four essential "harmonious living together" principles: Love, Truth, Justice and Peace, the four children of Freedom and Accountability.

Female heads of state derive their power from the unwritten but not less binding constitution of the land. Indigenous African queendoms⁹⁶ were constitutional monarchies. The monarch was not a king by divine right, he was elected to the highest office of the state by an electoral college made up of the representatives of the country's main lineages. The Constitution provided for the appointment of a woman alongside each elected king. She comes to the office by hereditary rights through her maternal line. Usually, she would designate the male ruler with whom she would represent the monarchy. A male ruler and a female ruler at the head of the state is the ideal embodiment of the principle of the creative pair of female and male working together as a team for the prosperity of all.

Diodorus of Sicily gives an account of the Egyptian theological justification of gender parity as a principle of government:

“These two gods [the Moon and Sun, Isis and Osiris], they hold, regulate the entire universe, giving both nourishment and increase to all things by means of a system of three seasons which complete the full cycle through an unobservable movement, these being spring and summer and winter; and these seasons, though in nature most opposed to one another, complete the cycle of the year in the fullest harmony. Moreover, practically all the physical matter which is essential to the generation of all things is furnished by these gods, the sun contributing the fiery element and the spirit, the moon the wet and the dry, and both together the air; and it is through these elements that all things are engendered and nourished. And so it is out of the sun and moon that the whole physical body of the universe is made complete”⁹⁷

However, in troubled times she will then appear as the sole ruler of the state.

Queen Poku who was elected supreme leader of her community at a time of crisis, in the 18th century (she was literally their Moses)⁹⁸. On the death of Poku, power was passed to her niece Akouah Boni.⁹⁹

In the 17th century in Angola, it is again a queen who leads the successful resistance against the advancing Portuguese troops. Her name is Ana Jinga (or Zingha)¹⁰⁰.

⁹⁵ « La dualité de genre dans la tradition africaine » (Gender Duality in African Tradition », unpublished presentation at the Forum for a law on gender parity in electoral assemblies, organized March 13, 2007 by the COSEF (Conseil Sénégalais des Femmes/Council of Senegalese Women) and CREDILA (Centre de Recherches, d'Etudes et de Documentation sur les Institutions et les Législations Africaines) at Cheikh Anta Diop university

⁹⁶ “Queendom” term used by Ifi Amadiume to characterize the typical African monarchy, op.cit., p.97

⁹⁷ Diodorus Siculus, Book 1, chapter 8 (Beginning).

⁹⁸ Jean-Noel Loucou et de Françoise Ligier consacré à la reine Pokou *La reine Pokou*, 1977 ABC, Paris / NEA Dakar-Abidjan, p. 14.

⁹⁹ Cf. *Authentique histoire de l'Afrique*, tome II, p. 49, par Dembo Kanouté, édité à compte d'

¹⁰⁰ « Jinga, reine de Ngola et de Matamba » Castro Soro Menho, *Revue Présence Africaine*, 3^e trim. 1962, p. 47 s. ; J. Ki-Zerbo, *Histoire de l'Afrique noire*, Hatier 1972, p. 331.

In Niger, queen Sarraounia leads an epic resistance against both her Islamists neighbors and French colonial troops in the late nineteenth century.¹⁰¹

Mary Sivomey adds to the list the following names: "In Lovédou north-eastern Transvaal, three women: Moudjadji I Moudjadji II, III Moudjadji have succeeded as sole head of the kingdom they govern. (...) In West Africa smaller states, such as Mampong and Wenchi on the Djouaben are founded by Ashanti women."¹⁰²

In Senegal, oral tradition holds that the kingdom of Waalo had 52 brak (title of the male leader whose alter ego is the Lingeer) from 1186 to 1855, eight of these brak are women who ruled starting from the year 1202 for some historians while for others, these female brak ruled starting from the year 1337. The names and surnames of these eight ruling queens have been retained by the guardians of our oral history (Lofno Youmaïga, Fraena Youmaïga, Tiapati Youmaïga, Fadouma Youmaïga, Mbagne Wade, Fidio Wade, Doundou Wade, Wade Dafo).¹⁰³

The innumerable number of queens in African history from ancient time to pre-colonial one, attests to the reality of an indigenous African tradition of women leadership, an embodiment of a matriarchal system that was much a social reality as the imported patriarchal system now is. It is indeed the colonial conquest, and the upheavals it brought; that put an end to the women power in Africa. In Africa Patriarchal rule was not a natural process it was, still is, imposed by guns and violence (both at the domestic level and state level).

Queens and other women of noble blood are not the only women who have a say in the decision making processes of their community. Ordinary women are also involved in public affairs.

The queen mothers were only as strong as the women's organizations were. The existence of queen mothers is therefore closely linked to that of women councils.

2.3. Women's councils

In Ancient African culture, the need to give woman all her rights and to involve her in all decision taking processes at all levels was quite specifically addressed. Two Wolof sayings stress the importance of women's representation at all levels as representation *Jigéen ku ko sooraaléwul ndi nga yekk ñamu mbaam* ("If you don not involve women in what you are cooking, you will serve a dish only fit for pigs"). *Jigéen ay suñu asamaan fu ñu xiinul du taw* ("Women are our clouds, it does not rain where they are not assembled in great numbers").

The Charter of Kurukan Fuga, the orally transmitted ruling principles governing the empire of Mali states in its article 16: "Women, in addition to their daily occupations, must be associated with all our governments." Simi Afonja provides confirmation of the effectiveness of this constitutional law, in Nigeria, by stating that in cities and villages women were

¹⁰¹ *Sarraounia*, Abdoulaye Mamani, L'Harmattan.

¹⁰² « Vers la révolution culturelle de la femme noire » *The Civilization of the Woman*, op.cit.p. 494 s.

¹⁰³ B. Barry, op. cit. p. 311 s.

represented in the council of leaders in the executive and the judiciary¹⁰⁴. She also states that in each Ibo village, women had their own council¹⁰⁵.

In the kingdom of Dahomey (Benin) there was a women's assembly and a men's assembly. Both assemblies sat separately but had the same prerogatives. In a historical instance, women ordered mobilisation and war against the invading French army after the men had decided it was best to surrender. After the women's assembly convened, the men's assembly accepted the women's decision¹⁰⁶.

In Ivory Coast women acted as supreme court judges in the sense that they were in charge of stating what the law ultimately was. Besides, not one official act, from granting asylum rights to collecting taxes, was legally perfect without their consent. Any transaction would be void if they did not approve of it.¹⁰⁷

CONCLUSION

Ancient practices in which women were more fully included in governmental decision making can be called upon to promote legal reforms when implementing a gender-equal democracy.

Recognizing this, the Protocol to the African Charter on Human and People's rights on the Rights of Women in Africa in article 9 poses the right for women to participate in the political and decision-making process as well as their right to be represented equally with men at all levels in all electoral instances. Article 9 specifically calls for states parties to ensure increased and effective representation and participation of women at all levels of decision-making processes. This provision of the Protocol sounds like a distant echo of article 16 of the Charter of the Mandé.

However, if gender and the law in African tradition teaches us one thing it is that women's empowerment has to take place on various fronts at the same time: economic, religious, political and artistic. A feminist discourse and feminist principles have to dominate in all these fields. One of the way of achieving such a feat on the African continent is to aggressively promote the alternative institutions established in matriarchal societies (dual sex political system, women's assemblies with veto power, organised Indigenous African religion clergy, ...)

Promoting alternative religious and cultural institutions, disseminating ancient African myths, laws and traditions honouring the role of women will serve as a reminder to all that another society is possible and that by basing it on gender equity we will not lose our African identity, on the contrary we will be embracing it.

¹⁰⁴ Afonja, 1975, p. 371

¹⁰⁵ Afonja, 1975, 373.

¹⁰⁶ C. A. Diop, 1987, p. 33.

¹⁰⁷ Madeleine Hiba et Joséphine Dikéblé, « The woman in the traditional political life of societies in the center, east and south-east of the Ivory Coast States » *The Civilization of the Woman in African Tradition*, Présence Africaine, Paris, 1975, p. 383.