



## Raising Awareness of Malawian Rights

Eighteen-year-old Sydney Banda left his home in Mulanje, Malawi to take his first job as a domestic worker in Mzuzu, a day's bus ride away. Promised a good wage plus room and board, he hoped to send money to help support his family and save for school. He was never paid.

After seven months he tried appealing to the District Labor Court, which wrote to his employer but his boss ignored the notices. Finally, Banda found help at the USAID-funded Malawi Center for Advice, Research and Education on Rights (CARER). A neighbor had heard about CARER's reputation for resolving legal disputes in the community.

A paralegal advisor met with the youth, and they discussed his rights under the new Employment Act of 2000. Banda again brought a letter of summons to his employer – this time, the employer responded and came to CARER because he had trust in the process.

"We get people to the table, but not by intimidation," explains Pole Namale, paralegal officer for CARER. "We listen to each person involved. We then explain what the law requires, and look for a solution that honors the law, but also respects the needs of the individuals." In Banda's case, the employer agreed to pay back-wages at a reduced rate. Banda realized he had acquired useful training during his employment and decided to keep his job.



Photo: USAID/Malawi

Women attending training on individual rights.

CARER was founded by Dr. Vera Chirwa, who was imprisoned for twelve years by the former government of Malawi. USAID supported the group from its inception in 1995, shortly after Malawi's peaceful transition to democracy. CARER aims to increase knowledge about rights under the Malawian constitution and improve access to justice. CARER's fourteen trained paralegals in ten locations resolved more than 400 cases in the first half of 2003.

In addition to labor issues, CARER resolves many cases that involve women's rights. Their inferior status in society is evident in the common problem of 'property grabbing.' When a husband dies, this culturally-sanctioned practice gives property rights to extended family members -- to the exclusion of the surviving wife and children. Where more than 500,000 people, mostly adults, have died of HIV/AIDS, this practice can be devastating to women. CARER teaches people that the Malawi constitution prohibits the practice, and mediates disputes.

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To reach even more of Malawi's 85% rural residents, CARER works at two levels. In the first half of 2003, 450 new community-based educators were trained, about one third of them women. These volunteers provide free legal advice in their communities, often preventing disputes by teaching about the law in informal conversations. Finally, CARER works through Malawi's existing leadership system, training village chiefs on constitutional and human rights.

