

The Political Implications of Violence Against Women in Africa

LES IMPLICATIONS POLITIQUES DE LA VIOLENCE CONTRE LES FEMMES EN AFRIQUE

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Abstract

Using the primary and secondary tools of analysis, this paper brings out in succinct details, the diverse forms of violence that affect Africa women with greater emphasis, the implications of the phenomenon of violence against women's political participation is discussed. We thus, canvass the elimination of all forms of violence against women through a new continental gender reawakening process. We reasoned that only this would enable women contribute their quota to the socio-economic and political development of Africa.

Key words: Violence; Africa women; Political participation; Implication

Résumé

L'analyse utilise les outils primaires et secondaires, ce document met en évidence dans des détails succincts, les diverses formes de violence qui affectent les femmes en Afrique en insistant davantage, les implications du phénomène de la violence contre la participation politique des femmes est discutée. Nous avons donc, toile de l'élimination de toutes les formes de violence contre les femmes à travers un processus continental du nouveau genre réveil. Nous avons pensé que cela permettrait que les femmes contribuent de leur quota au développement socio-économique et politique de l'Afrique.

Mots clés: Violence; Les femmes en Afrique; La participation politique; Implication

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INTRODUCTION

Violence against women is one phenomenon that is prevalent in Africa. Its attendant implications on the overall development of the women folk and the continent at large through observable, remain diverse. The problem is deepened by the cursory of the slavery and colonialism in the continent. Slavery indeed a dehumanizing enterprise, cuts off generations of women from their African roots as they were transported across the Atlantic ocean to bolster the acquisitive machines of the West. Colonialism succeeded slavery and carried with it numerous unwritten rules of gender inequality. With it, African women were precluded from political participation, denied equal access to economic opportunities and robbed of their social voice. The trend of violence against women in Africa persists in spite of the wave of independence of these African countries. Ever since, Violence against women has consistently manifested in physical, religious, economic, psychological and political facets. Ironically, the trends is sustained by a number of institutional structures in the various African countries with varying degree of intensity, depth and outcomes.

In Africa, women encounter diverse forms of violence, some of the violence include amongst others domestic violence, rape, "honour killing", and trafficking in women. Domestic violence constitutes the single most prevalent form of in human treatment accorded women on daily basis in the continent with little possibility of obtaining justice, owing to institutional meakness and noticeable shrunked access to justice. Similarly, incidences of rape are reported daily without informed consensus for institutional redress. And of recent, owing to the deepening poverty level amongst women, women trafficking became another

added phenomenon of violence against them in the face of their increased powerlessness.

In this piece, I discuss violence against women in Africa as an aggregation of domestic and institutional practices which violates the inalienable rights of women. I also examine its implications on the attitude of women towards political participation. In doing this, I examine the theoretical explanation of the concept of violence with a view to identifying the one that best explains the nature of violence experienced by women in Africa.

VIOLENCE: A THEORETICAL EXPLANATION

Gert (1969, pp. 616-628), argues that violence signifies the breach of any of the moral rules in human society. He observes that it entails such rules as “do not kill”, do not cause “pain” (physical, emotional or psychological), “do not deprive of pleasure” do not deprive of freedom and opportunity”. From this submission, violence against a person, a particular sex or section of the society constitutes a breach of moral rules. Olorode (1999, p.3) sees violence as any act involving threat or actual execution of acts which have actual or potential capacity to inflict physical, emotional, or psychological injury on a person or a group of persons.

Different models have been put forward by scholars to explain the act of violence. The Symbolic Interactionist Theory sees violence as what arises from the interaction between husband and wife. Okeke (1997), Tyoor (2005, p.217), state that wife beating occurs whenever there is misinterpretation of signs in a relationship, which automatically leads to negative reaction.

The Equity and Exchange Theories have also been used to explain violence against women in Africa. This arises from the social relations in terms of reciprocity and the norm of equity. Tyoor (2005:216) states that two people may not adequately reciprocate the services and favour given to each other equally. This can be a source of violence in the relationship.

However, for the purpose of this paper, the aggression hypothesis is adopted. This theory is relevant because, it permeates the macro-level of the society. The theory holds that individuals become aggressive as a result of frustration, which is summarily the product of a perceived failure to achieve certain desire or as a result of the denial of an entitlement. (Dollard, 1939; Berkowitz, 1962). This is described by Gurr (1970, p.24) as the relative deprivation gap between expectations and capabilities.

Lupsha (1971, p.90) Stresses that it is the existing gap in ones life and the rising expectations that leads to frustration, while frustration in turn begets anger that paves way for aggression and violence.

While it is possible to be frustrated in life without recourse to violence, given the socio-economic and cultural situations in Africa, frustration, more often than not, results in violence. This arises partly from deprivation

gap and unfulfilled expectations of the people including failure of social system with dire consequences for poverty level, educational attainment, need fulfillment and political development.

LEVELS OF VIOLENCE IN AFRICA

Domestic Level:

Domestic violence cuts across State frontiers, ethnic, groups and race. It is the type of violence that takes place within the boundary of the home. It may be physical, economic, sexual or discrimination in property and inheritance rights. One noticeable trend of this act is that women are mostly the victims, while men constitute the violators (Pearce, 1992). In Nigeria, as in other parts of Africa, nearly all women suffer one form of violence or the other, due to many socio-cultural, traditional, religious and customary practices yet, opportunity for redress is curtailed.

Most Nigerian tribal groups are patriachar in setting, thus, subjecting women to unquestionable authority of their husbands. The extended family structure that permits the co-habiting of other members of the husbands relatives with him, even after marriage and with authority over the wife also infringes on the right of women. Generally, women continue to suffer violation from their husbands and through overbearing influence of relatives.

Also, the African woman is regarded as property purchased for procreation. This practice subsists amongst the Igbo ethnic group in Nigeria, where exorbitant dowries are being paid depending on the level of education of the bride. It is equally the case in Kenya where women are being equated to the price of cows purchased as property (Human Rights Watch, Oct 25, 2002, p.40).

Arising from this is the discrimination against women when it comes to inheritance of their husbands/fathers properties. In many parts of Nigeria, women’s rights to property are culturally, unequal to those of men. Their rights to own, inherit, marry and dispose of property are under constant attack from customs, law, and individuals including government officials, who believe that women can not be trusted with or do not deserve property. The devastating effect of this violence include poverty, disease, homelessness-harm-to women, their children. For example, the following interviews reveal the extent of which women are being violated and the implications of this on their lives.

When my husband died, I was chased from my home by my husband’s cousin He came with a club and chased me. He said “A woman that has been bought by cattle can’t stay in his homestead”. He said I should go away so that he could till the land. If I had, had a son, he wouldn’t have chased me out of the homestead. (Margaret A: Widow in Western Kenya, Human Right Watch, Nov 2, 2002).

Thus, it is clear that women in Africa experience violence due to their inability to give birth to a male child.

This is regarded as a paramount factor in the continued existence of a lineage. Women are subjected to assaults and even expulsion from their marital homes if they do not give birth to male children, the worst scenario for women is barrenness. Barren women are subjected to humiliation, not only by their husbands, but by relatives as well. Another victim narrated her own ordeal as stated below:

I told my in-laws, I'm sick--- but they took everything. I had to start over ---- they took sofa sets, household materials, cows, goat and land. I said, "why are you taking these things when you know my conditions? They said "you will go look for another husband. (Imelda O. in Kenya, Human Right November 4, 2002)

Discrimination and outright violence against widow persist in African countries. Widows are treated as outcast, while same treatments are not given to widowers. Coupled with this is that widows are being forced to marry their husband's relatives, while men are free to re-marry whoever they like at the death of their wives. Women with no children or only daughters are often considered worthless and undeserving of property as narrated by a widow:

I was thrown out of my home, when my husband died because I had only given birth to girls".

In some cases, having male children do not deter relatives from sending widows and their children away from their husbands property as narrated by widow from Kamba ethnic group from Kenya. After the death of her husband, her brother-law told her and her children to leave, claiming that she was never married and he now owned the land. "He claimed she was not married because not all the customary steps marriage were completed". According to her, the first time anyone said she was not married was a week after the burial of her husband, despite the fact that she had male and female children for her husband.

Widow inheritance is a peculiar factor in Africa. It is an old tradition that has been in use for generations in African countries. Women always succumb to this, even if they are not in love with the man. They use it to retain their property which automatically will be transferred to the men involved. Thus, such marriages are done because of women's economic vulnerability and in certain cases, due to the fact that they are often left with no property or viable means of taking care of their children. The practice often leads to the spread of HIV/AIDS because the women may be HIV positive or on the other hand the men they are to re-marry may be carriers of HIV/AIDS virus.

Religion is also a major factor that aids violence against women in some parts of Africa. Male chauvinists usually misinterpret religious doctrines to violate women. Women are convinced through religious doctrines to be submissive to their husbands without stating the injunction that husbands must love their wives as their ownself.

Any challenge to this is usually regarded as transgression against God's injunction. Sequels to this, some women are completely barred from public gathering. This no doubt hinders their potentials for personal and general development of the society.

The socio-cultural practices that makes the issue of sex sacred further worsen the case of violence against women. African women are subjected to perpetual rapes with limited possibilities of recourse to law or injustice. This is due to two major factors.

First is the fact that the society abhors talking openly about sex. Secondly, the African kinship ties that give room for co-habiting of families equally worsen the case of African women, as relatives are usually involved and thus, it is treated as a family affair to be handled with caution in order not to cause disaffection within the extended family circle. The woman therefore, gradually becomes a recluse as she is denied access to justice. While the worst cases are during civil unrest or war in African countries. Sexual violence are carried out against women without caution as narrated by some of the victim from Sierra Leone.

A fifty-year-old widow, who was raped by teenage rebel narrated in interlia:

I pleaded but 'Commander Don't blame God' said he was going to kill me if I didn't lie down I told him it had been such a long, long time since I had sex. During the rape I was pleading with him saying, "Don't kill me, please do not kill me. (Human Right Watch, March 2, 2000).

She was later amputated by the rebels after being raped. This was the type of violence meted out to most women in war-torn countries. As war crime, rape in both Congo and Sierra Leone has been obscured by inattention and denial. Little or no attention has been paid either nationally or intentionally to this less visible human rights abuse, although sexual violence was committed on a much larger scale than the highly visible amputations for which Sierra Leone became notorious. The underreporting is a reflection of the low status of women and girls in Africa as well as the shame that rape survivors suffer and their fear of rejection by family and communities. Women and girls in Sierra Leone and Democratic Republic of Congo are subjected to structural discrimination by practice, custom and law.

They face discrimination in education and employment, in property ownership, in the political arena, and in other walks of life.

"Honour" killings is another major problem that women are subjected to. As many as five thousand women and girls are murdered by members of their own families, many of them for the "dishonour" of having being raped. Different forms of communally sanctioned violence against women also exist; such "honour" killings are associated with the Community's or the family's demand for sexual chastity and virginity. For instance, in Egypt, a father paraded his daughter's severed head through the

streets shouting”, I avenged my honour”.

Polygamy is a type of marriage that is very common in Africa. Traditionally, men are rated by the number of wives they have, however, this type of marriage is a major source of violence in most homes. It not only breeds conflict between cohabiting wives, but also, men in polygamy resort to physical assaults to settle scores as they try to show love to all wives (Olusanya, 1970, pp. 151-161). Polygamy is a source of trauma for most first wives some are usually abandoned by their husbands without allowing them the right to divorce.

Forced marriage are common in all parts of the African continent especially amongst the Hausa/Fulani ethnic group in Nigeria. Poverty manifests in this type of marriage, as most of the wives are usually left to fend for themselves. One Victim of such forced marriage narrated her experience thus:

My father called me one evening to his living room. I met a man sitting down with him there. He told me he would be my husband, I declined, but I was beaten almost to a state of coma. At the end, I agreed. I gave birth to five children, but he had never asked me how they eat or go to school. (Hafsat, Nigeria)

In essence, women not only experience physical violence but are also denied the right to make choice even in marriage.

INSTITUTIONAL VIOLENCE

Institutional violence structures play vital role in violence against women in Africa. It is essential to understand this because men and women live in institutional environment. This consists of formal structures as legal, regulatory, religious, political and economic institutions. These institutions shape power relations within the family and constraints that determine people’s choices and actions (World Bank, 2002, p.107).

Giving these notions, it is important to note that fundamental lapses of gender inequality created by these institutions promote violence against women in Africa. For example, Rwanda provides an historic regional precedent respecting violence committed against women in the

Context of war because of the extent and forms of sexual violence committed during the genocide. Tutsi women were gang raped over a long period and it is accompanied by introduction of sharp and damaging objects or liquids, such as bayonets, knives, treetrunks, boiling water, acid etc. into their genital organs. It was integrated as a strategy to destroy an ethnic group. And as noted by Forges(2007, p.25), political and military authorities organized and supervised the rapes.

Religious institutions also create wide inequality between males and females. For instance in Nigeria, the Islamic religious Penal Code of Sharia under Sections 128-129 is only applicable to women as the celebrated case of Safiya Hussaini Tungar Tudu revealed. She was

arraigned before the upper Sharia Court in Northern Nigeria on the complaint that she committed adultery; an act which resulted in her pregnancy outside the wedlock. While the man who was alleged to have impregnated her was acquitted, the woman was convicted on the assumption that only woman commit adultery (Audi, 2003, pp. 110-111).

A country’s legal system includes a combination of national statutory laws, customary or traditional laws, religious codes and commitment to all ratified International Conventions (World Bank, 2002, p.113). It is important therefore, to note that International law Supercedes national law especially on the rights of women. For example, the conventions on the Elimination of All Forms of Discrimination Against Women established in 1979 and the Declaration on the Elimination of Violence Against Women in 1993, condemned violence against women without prejudice to custom, tradition or religious considerations. The Beijing declaration and platform for Action of 1995 re-affirmed commitments to international human rights standards, with full recognition of the rights of women and of the girl child as an inalienable, integral and indivisible part of all human rights and fundamental freedom (United Nations, 1997).

However, in spite of the fact that African countries ratified the Conventions, the contents are still being downplayed in National legislators. A clear evidence of the discrimination appeared in Nigeria’s 1999 constitution on the eligibility for citizenship Chapter III Section 26 (2) of the constitution extends citizenship right to the female spouse of a Nigeria citizen without doing the same for a man married to a Nigerian woman (Agina-Ude, 2002, p.102).

African Women and Violence: From the Perspective of Law

From the foregoing, it is clear that women are being violated on daily basis in Africa. From the home front to the institutional level, women face unnecessary violation of their rights. It is however imperative at this juncture to examine the link between women and the law. In essence, it is essential to examine the laid down laws and its practicability as it concerns women.

Although, customary laws are still being used against women, most especially by male chauvinist to divest them of their inheritance at the death of their husbands but this is outrightly against the laid down human rights of women. Article 16 of the human rights of women states that “men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution”. (www.umn.edu/humarts/instree/women/engl-wmn.html). This implies that women have equal rights with men in every marriage and at its dissolution, women are still entitled to their properties or even at

death of husbands, women are the rightful owners of their property. The reverse is however the case in Africa, where relative always cart away the property at the death of the husbands.

Another important factor is the issue of forced marriages most especially of under aged and even of women of marriageable ages. This is outrightly against the law as clearly stated in Article 23 of the International Covenant on Civil and Political Rights which states that “No marriage shall be entered into without the free and full consent of the intending spouse”. It is clear with this, that women and girls are only being violated by those parents who forced them into marriages. This is equally coupled with the ignorance of the women and girls of their right under the law. This is equally against the fundamental human rights of widows that are forced to marry one of the husband’s relatives at the death of their husbands. It is equally against the rights of widows that are being forced to undergo ritual involving sexual intercourse with their dead husbands bodies in Bungoma; Kenya. (Human Right watch, October 20, 2002).

Article 2 (d) of the Convention on the Elimination of All Forms of Discrimination Against Women was put into force in 1981 and it states that “parties undertake to refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with the obligation”.

In some cases, the police, or the courts are ineffective in curtailing these problems since many Africa women do not have means or the information to take a case to court to claim property, they turn to local authorities and traditional means to resolve disputes. Although informal dispute resolution can help limit the financial and social costs of claiming property rights, local officials are more apt to apply customary laws than statutory law, which can disadvantage women. Police corruption in Africa is also a major problem for women. It makes women’s property problems worse (Human Right Watch, May 15, 2007). Women often have little awareness of their rights and seldom have financial means to enforce them, while those who try to fight back are often beaten, rape, ostracized and continuously being arrested by the police once they have being given money by the opposition.

It is therefore imperative to mention that most law is in writing, not in practice considering the statement of Justice R.O Kwach (2002):

It’s idiomatic to say that women can’t get Land in Luo (in Western Kenya) if a Woman says she’s having difficulty getting land, it’s crap. She ought to know that clan land can’t be inherited by a woman. It has been this way since time began.

In essence, the opinion expressed by the justice shows the attitude of Court to women even in certain parts of Africa in spite of the law that stipulate equal right for both sexes, women are still discriminated against using the customary law of the land to disinherit them.

African Women And Violence: What Political Implications

Violence against women, no doubt, have implications on the overall development agenda of any country.

Physically, women who experience the challenges of violence suffer, and are unable to optimally contribute to the development of the society. Their dependants equally suffer social ills like prostitution and robbery; it is evident that if women are given necessary economic boost and conducive environment, they will impact meaningfully on the continent’s development agenda, most especially on its political development. They will not remain passive voters, but active participants in politics. For example, studies from Cote d’Ivoire, Ethiopia, South Africa, Bangladesh etc. indicates that increase in the control of resources by women translate to better living for the family and for the general well being of the children (World Bank, 2002, p.158).

Violence against women which may take the form of curtailing their potentials or denial of freedom of association under the guise of religion not only affects women negatively, it has greater consequences on governance and accountability in Africa since studies have shown that where the influence of women in public life is greater, the level of corruption is lower (World Bank, 2002, pp.12-13). It is discovered, for example that women maintain higher standards of ethical behaviour with greater risk aversion. Violence against women in whatever form it may take, not only affect the psyche of women, but also effect their national aspirations.

STRATEGIES FOR QUALITY IMPROVEMENT

It is imperative at this juncture to mention that for women to be free from all forms of domestic violence in Africa, international conventions that seek to protect women against violent acts must be adequately entrenched in national laws. Policies and laws that make violent behaviours a costlier venture for violators must be put in place by countries in Africa.

All existing national laws must be adequately reformed to ensure that women are not only protected against violence, but are free to report cases without exposure to social stigmas. There is the need to legislate against societal stigma associated with enforcement and assertion of the rights of women in Africa. For instance, rape cases must not be treated with hand of levity or as family affairs as the case may be. Violators must face the wrath of law. In any case, a specified jail term may be inadequate. A review of the existing law to outright castration of rapists is desirable.

Women must be adequately equipped so as to gain access to economic institutions that can empower them equally, the Ministry of Women Affairs and other Non-Governmental Organisations must be strengthened by Government to enable them take up cases that has to do

with women in the law court, while women must also be enlightened so that they will know their rights under the law. Seminars and workshops must be conducted for women on issue of inheritance, HIV/AIDS and how to boost their economy. Equally, women and men must be educated on women's rights and women must be empowered by law, welfare and economic means to claim those rights.

Education in Africa must not only be compulsory for female, but must be qualitative.

It is equally important to tackle the problem of violence from the perspective of men. There must be regular orientations through community-based organizations, jingles in the mass media, teachings by religious organizations etc, to inform men that barrenness or inability to bear a male child is biological and not the fault of women. Thus, marriage must be seen as union of couples in love for companionship and not basically for procreation.

The traditional African communal living must equally be modernized. This is essential to free women from the overbearing influence of husbands' relatives who not only see women as family property but also co-habit with couples and violate women physically and emotionally.

Concrete steps must also be taken to redeem the economic situations of Africa Countries; not only by the African leaders but the Financial Institutions, through debt relief for these African countries to ensure global peace and security even from the home-front. The prevalent unemployment rate that is causing poverty and consequently frustration and deprivation must equally be tackled by different African governments, through provision of basic infrastructures and poverty alleviation schemes, to check the prevailing economic disparity and ensure equitable distribution of resources amongst citizens.

African leaders must also live by example by creating an environment where everybody will live in harmony with one another in spite of ethnic differences; there must be unity in diversity.

CONCLUSION

From the foregoing, it is clear that it is only when women are free from the diverse violence that they face almost on daily basis that they can contribute their quota to the political development of their various countries and thus the overall development of the global world.

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