

Mapping Family, Community and Societal Challenges and Strengths in Coping with Domestic Violence in Kenya.

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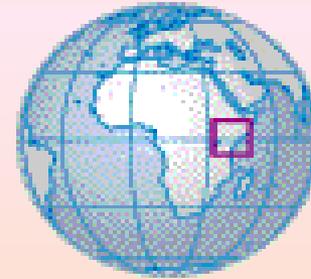
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Introduction

- Domestic Violence in general refers to any abuse that takes place among family members living in the same household.
- Encompasses abuse of spouses, children by parents or domestic caretakers, and the abuse of the elderly in the family context.
- For the purposes of this paper, domestic violence refers to violence between intimate partners in particular that which is inflicted by men on women and girls.

Map of Kenya in Africa



Official name: Jamhuri ya Kenya Swahili); Republic of Kenya (English).

Form of government: unitary multiparty republic with one legislative house (National Assembly [224]).

Population (2010) 36 Million

42 Ethnic groups



Upon independence from Britain (Dec. 12, 1963), the Kenyan flag became official. It was based on the flag of the Kenya African National Union. Black is for the people, red for humanity and the struggle for freedom, green for the fertile land, and white for unity and peace. The shield and spears are traditional weapons of the Masai people.

Statistics

- WHO (2013) report that up to 60% married or ever partnered women in Kenya have experienced violence in the course of their lives.
- Prevalent of Domestic violence is 37% (physical violence), 17% (sexual violence), 30% (emotional violence) (WHO, 2013).

Context of Domestic Violence

- In this paper, the authors argue that societal attitudes and prevailing cultural values and practices provide the context for the perpetration of domestic.
- To understand the social and legal dimensions of domestic violence it is necessary to examine the familial and societal contexts within which it occurs

Kenyan Family Structure

- Pre-colonial family structure
 - Population relied on subsistence farming
 - Men inherited and owned land and grew cash crops giving men more access to money and
 - Women grew staples for family use
 - Women's status and power were tied to their roles as gardeners and childbearers

Pre-colonial family structure

- Traditionally marriage was a contract between two kinship groups which gave the husband both rights and duties (Were 1967, cited in Kimuna & Djamba, 2008)
- The individual benefits of marriage were seen as secondary to those of the community, thus staying married was paramount to community stability (Kameri-Mbote, 2000)
- Bride price, paid to the wife's family and kinship group granted the unconditional sexual access to his wife as and other services from the wife's extended family

Pre-colonial Family Structure...

- Conflicts between a husband and wife therefore involved their kinship groups and communities, and were not considered private family matter
- Men were allowed to beat their wives to discipline them so long as the beating did not cause physical harm, that could prevent the wife from performing her duties (Kameri-Mbote, 2000)

Pre-colonial and Kenyan family Structure

- Women lost power and status
 - Urbanization, monetization of cash crops, and Christian values rendered the polygynous household dysfunctional (Kilbride & Kilbride, 1990, 158)
- Traditional practices of early marriage, arranged marriage, and widow inheritance all lowered women's power and status
- The tradition of the bride price relegated women to the status of property

Colonial and post-colonial Kenyan family Structure

- British colonial rule reinforced patriarchy because common law placed the man as head of the household and as owners of family property, including women and children
- British common Law did not recognize marital rape and made no provision against violence towards women

Contemporary Factors Associated with Domestic Violence

- Gender Disparities
 - Men have a choice to be in a monogamous or polygamous marriage
 - Women's choice is affected by bride wealth payments, age at marriage, education, and acceptance of wife beating
 - Women have lower rates of wage employment resulting in decreased economic power
 - Illiteracy and school dropout rates are higher for women
 - Women face legal and social discrimination in family laws including marriage, divorce, child custody, inheritance, and succession

Contemporary Factors Associated with Domestic Violence

- Urbanization
 - Macro-level factor that separates nuclear and extended family members
 - Results in less familial and social support for those who leave the village as those who are left in the village
- Poverty
 - Over half of the population lives below the absolute poverty line
 - Inflation, shortfalls in agricultural production, and climatic issues have cause this number to rise
 - These people lack access to opportunities, health, education, and markets for their goods or labor

Contemporary Factors Associated with Domestic Violence

- Alcohol Abuse
 - A common addiction of public health concern in Kenya
 - 65% of households have a member who drinks illicit alcohol
- HIV/AIDS
 - Prevalence >5% since the 1990s
 - Families economic and social gains are most impacted by the epidemic
 - Reduction of resources to meet healthcare costs, loss of work hours, and failure to play their role in the family system

Spousal and Quasi-Spousal Abuse

- In 2003, 49% of women had experienced violence, mostly from husbands or relatives (Global Coalition, 2006)
- Women tend to underreport violence
- Kenya has the highest male approval rating of intimate-partner violence against women (62%)
 - Women were more likely to condone wife beating than men (Uthman et al., 2010)
 - Women who marry before age 18 are more likely to experience domestic violence and believe that it is justified (United Nations International Children's Emergency Fund, 2005)

Public Policy & Domestic Abuse

- In 1966, the Kenyan government set up a Commission on the Law of Marriage and Divorce to address the status of women following British common law
 - A proposed bill criminalizing wife beating was rejected
- In 1997, a constitutional amendment introduced the prohibition of discrimination based on gender
 - Did not declare women's rights be included within human rights
- There are social policies that indirectly reduce the prevalence of domestic violence
 - Ban on early marriages, an alcohol act, and poverty reduction programs

Kenya Sexual Offenses Act No. 3

- The act criminalizes a wide range of sexual offenses such as rape, incest, sexual trafficking, and sexual exploitation
 - Protects children, disabled persons, and other vulnerable individuals
- The act punishes deliberate transmission of HIV or any life-threatening infections
- The impact of the policy on marriages is still yet to be seen

Family Resiliency

- The main premise of resiliency theory is that that crises and challenges are inherent elements of human life family has the capacity to overcome them using available resources and support networks at its disposal;
- The main focus of resiliency process is to reduce risks and increase protective factors that promote recovery, repair and growth in families that are undergoing critical challenges

Family strengths Model

- The model focuses on how families and individuals succeed in the face of life's inherent difficulties
- According to this model, strengths can be found within the individuals family, community, and culture in which the individual lives.
- It intersects with the Resiliency theory in that the resources that a family uses to reduce risks and increase protective factors in promoting growth and recovery are found in individuals family, community, and culture

Family Strengths Models

Figure 1 Concentric Circles

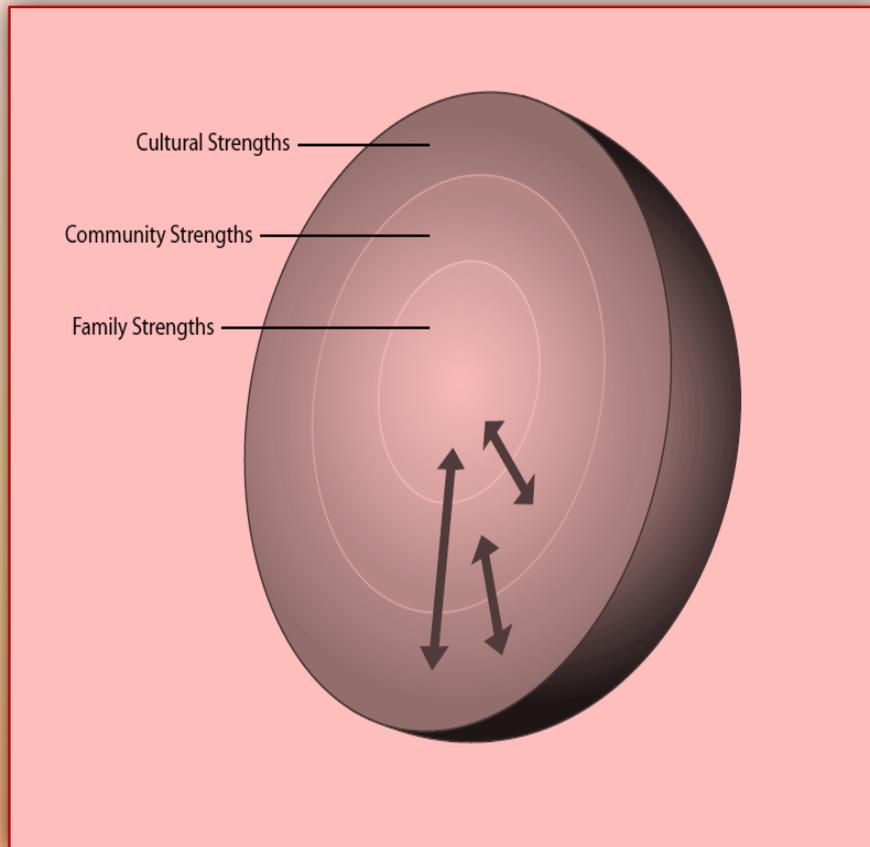


Figure 1. Venn Diagram



Characteristics of Strengths at Three Levels

Family Strengths	Community Strengths	Cultural Strengths
a) An appreciation and affection	a) A supportive environment that genuinely values families.	Cultural heritage that define a) A rich cultural history
b) Positive communication	b) An effective educational delivery system	b) Shared cultural meanings
c) Enjoyable time together,	c) Religious communities for families	c) A stable political process
d) A sense of spiritual well-being	d) Family-service programs developed by government and NGO For families who need help outside the family	d) Viable economy
e) Commitment to the family	e) A safe, secure and healthful environment.	e) An understanding of the global society
f) Ability to manage stress and crisis effectively		

Strengths and Resiliency Perspectives

- Resiliency theory and family strengths perspective intersect
- Resources that a family uses to reduce risks and increase protective factors in promoting growth and recovery are found in individuals, family, community, and social structures in the society in which families reside.

Methodology

- Case study with purposive sampling
- Three women from Kisumu and four from Nairobi were interviewed
- Recorded and transcribed by interviewers
- Goal: identify the individual, family, community, and cultural strengths used to deal with domestic abuse

Findings

- Silence and Secrecy
 - Husbands demanded silence through battering
 - Some women would lie or hide bruises & scars
 - Friends and families would share their own domestic abuse experiences, normalizing and silencing domestic violence
 - Friends tended to be ambivalent about violence

Findings

- A culture condoning domestic violence
 - Elders role in young couples relationships is diminishing
 - All women used strategies to sustain their marriages despite the abuse
 - Groups in the community “supported” them by encouraging them to stay in the marriage.
 - Lack of economic power for women, men’s perceived right to be abusive, lack of women’s say in the home, & the stigma against the unmarried/divorced contribute to the culture of abuse

Findings

- A culture condoning domestic violence
 - Recently women have gained the constitutional right to inherit land
 - It is unknown how this change will be accepted into the patriarchal design of property ownership
 - Women are seen as weak, less intelligent, and helpless
 - This demonstrates an inherent inferiority and powerlessness to men
 - This is contradictory because women must have *resiliency* and *strength* to stay in an abusive marriage

Findings

- Higher Education Allows an Exit
 - These 4 women's experiences indicate that higher education helps allow an exit
 - This does not mean that women with higher education do not experience domestic violence
 - Mary has a doctorate and navigated the system easily and received child custody and support.
 - Esther completed only high school and decided to stay in the marriage for the sake of the children.
 - Women with education beyond high school had increased feelings of power and competence

Findings

- Reasons for Getting Married
 - Financial security
 - Social mobility
 - Love
- Religiosity
 - Church contributed to some women's resiliency while rendering others helpless while waiting for a miracle
 - Some women attributed harmony and good marriage to Christianity

Findings

- Mistresses
 - All women indicated the men had mistresses
 - Some mistresses bore children resulting in the women being kicked out of the house to make room for the mistress
- Privileging of Male Children
 - Sons are valued more than daughters because they sustain the legacy and give continuity to the lineage
 - This resulted in some of the women and their daughters being neglected

Findings

- Interethnic Marriages
 - Rates are on the increase as towns grow and more people migrate to the cities
 - Interethnic couples can experience a culture clash that can contribute to domestic violence
- Solutions Suggested by Participants
 - Education for women about their rights and how to deal with abuse
 - Access to places of refuge
 - Enactment and enforcement of government policies facilitating the reporting of perpetrators

Application of the International Family Strengths Model

- Individual Strengths
 - Spiritual well-being sustains hope for a better future while they receive more education and seek ways to escape
 - The ability to manage the stress and crisis effectively
 - Adaptability and openness to change in their lifestyle
 - They see abuse as a challenge and opportunity for change
 - Resiliency
 - Coping skills and determination to survive

Application of the Family Strengths Model/Resiliency

- Family Strengths
 - Characteristics of the relationship rather than something a person possesses
 - In domestic violence, relational strength is lacking
 - Some family members showed sympathy towards the abused women
 - Family members may fail to show care due to extenuating circumstances (i.e. finances)
 - Friends who showed support exhibited compassion, caring, and a belief in the oneness of humankind

Application of the International Family Strengths Model

- Community Strengths
 - Living in the city placed women farther away from extended family, but provided closer access to the justice system
 - There was a lack of awareness of some available resources or an inability to reach them
- Cultural Strengths
 - Most Kenyan cultures support marriage but are ambivalent towards domestic violence
 - Women receive mixed messages about how to handle abuse
 - Departure from a husband could be interpreted as a desire to be sexually promiscuous

Government Response to Violence

- The Kenyan government has made changes to support all citizens through legal changes
 - The importance of resources for the abused is recognized
 - Funding is lacking to make resources available
 - Most support has been directed to victims in urban areas
- Resources
 - Nairobi has an all-female police station for victims of sexual violence
 - The Gender Violence Recovery Center (GVRC) was established to provide medical treatment to survivors of rape and abuse
 - Shelters have been established in Nairobi for victims

Conclusions

- Individual strengths/resiliency outweigh the community and family strengths used for dealing with domestic violence.
- The government has embraced a written policy regarding the protection of human rights, but the achievement of these goals is lacking.
- Domestic violence is recognized as a social problem but laws against it are not strictly enforced and uniformly enforced law even though that is continuing to improve-*
- Activism related to domestic violence involves both short- and long-term goals including education for the masses about the negative impact of domestic violence and working toward social change at the community and family level.