
**COMMUNITY SAFETY
&**

**EMPOWERMENT
PROGRAMME**

**REPORT ON
COMMUNITY PERSPECTIVES ON GENDER BASED
VIOLENCE IN MALAWI**

**A SURVEY OF KNOWLEDGE ATTITUDES
AND PRACTICES**

June 2005



Centre for Human Rights and Rehabilitation

Contents

Community Safety
and Empowerment

LIST OF ACRONYMS3

ACKNOWLEDGMENT4

1.BACKGROUND7

1.1 Overall context7

1.2 Overall progress made in fighting GBV in Malawi8

2 INTRODUCTION TO THE CHRR COMMUNITY PERSPECTIVES ON GENDER-BASE VIOLENCE:
KNOWLEDGE, ATTITUDES AND PRACTICES SURVEY11

2.1 Research Objectives.....11

2.2 Methodology11

2.3 How this report has been compiled.....12

3. RESEARCH FINDINGS13

3.1 Literature Review13

3.2 Findings from the participatory field study.....17

3.2.1 Findings related to knowledge.....17

3.2.2 Findings related to attitudes21

3.2.3 Findings on practices that perpetuate gender-based violence.....23

4 CONCLUSION AND RECOMMENDATIONS30

Annex 1: Description of some practices that perpetuate GBV35

Annex 2: References.....36

acronyms

ACHPR:	African Charter on Human and People's Rights
HIV/AIDS:	Human Immunodeficiency Virus/Acquired Immuno-Deficiency Syndrome
CAVWC:	Centre for Alternatives for Victimized Women and Children
CEDAW:	Convention on the Elimination of All Forms of Discrimination against Women
CHRR:	Centre for Human Rights and Rehabilitation
CRC:	Convention on the Rights of the Child
CSEP:	Community Safety and Empowerment Programme
ELDP:	Evangelical Lutheran Development Programme
FGD:	Focus Group Discussions
GAD:	Gender and Development
GBV:	Gender Based Violence
IEC:	Information Education and Communication
IOM:	International Organisation for Migration
KAP:	Knowledge, attitudes and practices
NAC:	National AIDS Commission
NCA:	Norwegian Church Aid
NGO:	Non-government Organization
NGP:	National Gender Policy/Programme
NSO:	National Statistical Office
MPRSP:	Malawi Poverty Reduction Strategy Paper
RHU:	Reproductive Health Unit
SADC:	Southern Africa Development Community
WLSA:	Women and Law in Southern Africa
UNHCR:	United Nations High Commission for Refugees

acknowledgment

Community Safety and Empowerment

A number of people and institutions have directly or indirectly contributed to the finalization of the research on knowledge, attitudes and practices on gender-based violence.

Firstly, the Centre for Human Rights Rehabilitation would like to sincerely acknowledge and thank the Norwegian Church Aid (NCA) Malawi Office for providing financial resources to carry out this study, which was implemented as part of NCA support to CHRR's Community Safety and Empowerment Programme. Secondly, the CHRR would like to thank Mr. P. Kakhongwe, for reviewing literature on gender-based violence in Malawi, which has contributed significantly to the understanding of the GBV within the context of this report. Thirdly, many thanks go to the staff of the Research and Training Section of CHRR for designing and conducting the field exercise and compiling all necessary field reports. The CHRR also applauds contributions made by a number of stakeholders that attended the national workshop that was held at Sun and Sand Holiday Resort between 15th and 16th December 2004. The CHRR would like to assure them that their views have added significant value to this report.

The CHRR would also like to thank Mr. B. Sibale from the Centre for Development Management for assisting the final report, which has summarized findings from the literature review, the field survey and proceedings from the National Workshop.

Lastly, but not the least, CHRR would like to pay special thanks to the communities, men, women, boys, girls, and their leadership, in all the 8 districts, where the study took place, for their genuine participation in the survey and the energies they spent in focus group discussions, personal interviews and many other survey activities. Without your participation, it was not possible for CHRR to complete the study.

God Bless!

Ollen Mwalubunju
Executive Director
Centre for Human Rights and Rehabilitation

executive summary

Community Safety and Empowerment

Since the Malawi nation attained multiparty democracy in 1994, the observance and adherence to human rights have become important national issue. The evidence of this development is in the creation of a new Constitution, which has created constitutional institutions specifically mandated to uphold and protect civil liberties of citizens. These include the Human Rights Commission, the Office of the Ombudsman and the Anti-Corruption Bureau. In addition to creating a progressive environment for the protection of human rights, government has also ratified a number of international instruments that commit it to protect peoples' rights and freedoms. Gender-based violence is a form of violation of human rights, because it impinges on personal freedoms and rights due to imbalanced power relations and social expectations between men, women, boys and girls.

It is for this reason that CHRR, being one of the NGOs working at national and community level on issues of human rights and good governance, felt the need to study and understand the phenomenon of GBV properly so that it can adequately address the issue in its programmes. To achieve this, the CHRR conducted a KAP study in eight districts in Malawi. In summary the KAP tasks included literature review, field study and a national consultation workshop. The objectives of the KAP study were as follows:

- To raise awareness about gender-based violence in the communities sampled.
- To enable CHRR staff and volunteers understand GBV from the communities' perspective and be able to better organize activities to mitigate the practice.
- To document community and institutional knowledge, attitudes and practices regarding what constitutes gender-based violence, causes and how these attitudes differ between women and men of various age groups.
- To come up with community advocacy strategies that CHRR and other interested stakeholders can use in the fight against GBV.

In addition to supporting programming for CHRR, the study will help to implement NCA's strategic plan, which aims to promote gender equality and empower women, men, and girls with an aim of the eliminating gender disparities and contribute to eradicate of gender-based violence in Malawian society in order to ensure community safety.

As indicated, the study was carried in 8 districts in which CHRR is implementing its programmes. These districts are Chitipa and Karonga in the Northern Region, Mchinji, Lilongwe, Dedza and Salima in the Central Region and Mangochi and Zomba in the Southern Region.

Findings from the KAP have revealed that gender based violence in Malawi is deeply cultivated in the society due to beliefs and customs that generally disfavor women and girls. And because of the differences in cultural set-ups of the country, the type of GBV depends on whether the society is matrilineal or patrilineal. The study has shown that although there is significant knowledge and awareness on gender-based violence, the community does not appreciate many forms of GBV as problems.

¹ Such as the UN Human Rights Charter, the African Human Rights Charter. Nationally these also include the Constitution of the Republic

Community Safety and Empowerment

Reasons to explain this include inadequate information and awareness on the impacts of GBV, such as predisposition to HIV infection. As a result of lack of appreciation, community participation in the fight against GBV is weak. The study has also shown that although there has been some research on GBV, most of it has been localized, no national study has been done to analyze GBV at national level. As a result there is lack of reliable and representative information on gender-based violence at national level in Malawi. Although legislation to deal with GBV is available, many communities and services providers feel it is inadequate and inaccessible to people, especially in rural areas. Based on the findings above, the study has made the following recommendations:

1. In order to have reliable and nationally representative statistics on GBV, a national representative study be done to document and analyse gender-based violence.
2. Institutions involved in justice delivery for victims of GBV need to conduct reforms in their operations to reduce bureaucracy and strengthen efficiency and effectiveness of service delivery.
3. There should be a comprehensive gender based violence IEC programme to educate the public on gender based violence issues.
4. Stakeholders should strengthen mobilisation of communities to improve community participation at grassroots levels on issues of gender-based violence. In most cases service provision is done without putting in mechanism to promote community participation in prevention of gender based violence.
5. Legislation against GBV should be strengthened. Although there has been some progress in reviewing laws that promoted GBV, there are still laws that are urgently needed, for example the domestic violence bill, to protect women and children against GBV.
6. Poverty and lack of economic empowerment of women, which leads to high levels of poverty among women, are important factors that predispose women to GBV. There is need to ensure that women are economically empowered so that they are able to control their own destiny.
7. In order to improve community reporting of GBV, a community-based reporting system for victims of gender-based violence should be developed and used as a basis for reporting the prevalence and incidence of gender based violence in various communities.
8. Support services for victims of GBV are weak. There is need to strengthen services like victim support units, counselling and other support services.

As a way forward the study has identified specific action areas that stakeholders in the GBV sectors can implement. The study has also recommended specific activities that CHRR can implement using resources from the Norwegian Church Aid. These activities are tabulated at the end of this report.

Community Safety and Empowerment

Since the Malawi nation attained multiparty democracy in 1994, the observance and adherence to human rights have become important national issues. The evidence of this development is in the creation of a new constitution, which has created constitutional institutions to uphold and protect civil liberties of citizens. These include the Human Rights Commission, the Office of the Ombudsman and others. In addition to creating a progressive environment for the protection of human rights government has also ratified a number of international instruments that commit it to protect peoples rights and freedoms.

Gender-based violence is a form of violation of human rights, because it impinges personal freedoms and rights due to imbalanced power relations and social expectations between men, women, boys and girls. Before a comprehensive analysis of GBV is presented, it is important to conceptualize what GBV means, globally and locally in Malawi. Firstly, the Declaration on the Elimination of Violence against Women (1993) offers a comprehensive and widely accepted definition of what constitutes gender-based violence: any act... that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life. The Declaration further specifies what kinds of abusive acts fall under the category of gender-based violence, while also acknowledging that GBV is not limited to these acts: (a) physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation; (b) physical, sexual and psychological violence occurring within the general

Facts about Gender-based Violence

In 2000, the United Nations Security Council adopted Resolution 1325, which "calls upon all parties to armed conflict to take specific measures to protect women and girls from gender-based violence, particularly rape and sexual violence".

Interpersonal violence was the 10th leading cause of death for women 15-44 years of age in 1998. Source: Violence Against Women, WHO Fact Sheet 239, June 2000.

Most incidents of sexual violence remain unreported for reasons including shame, social stigma, and fear of reprisals. Source: Sexual and Gender-Based Violence Against Refugees, Returnees and Internally Displaced Persons; Guidelines for Prevention and Response, UNHCR. May 2003.

Source: www.theirc.org/index.cfm/wwwID/2007

community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution and (c) physical, sexual and psychological violence perpetrated or condoned by the State, wherever it occurs.

In Malawi, the definition of GBV has been adopted from the Beijing Platform of Action, which also derived its definition from the Declaration on the Elimination of Violence against Women (1993). The international definition of GBV focus on violence against women, because it is recognised that the majority of victims of GBV are women. However the definition of GBV in Malawi has recognised the paradigm shift from Women in Development to Gender and Development (GAD), hence GBV has been defined as "any unlawful act perpetrated by a person against another person on the basis of their sex that causes suffering on the part of the victim

²Such as the UN Human Rights Charter, the African Human Rights Charter. Nationally these also include the Constitution of the Republic

³International definitions have been sourced from <http://www.theirc.org/index.cfm/wwwID/2007>

Community Safety and Empowerment

and results in among others physical, psychological and emotional harm or economic deprivation. Under this definition, GBV includes economic violence, especially cases of property grabbing that deprive women and children of their basic needs. The GBV concept was agreed among stakeholders in Malawi to recognise the need for dealing with root causes of the problem, which are power relations between men and women in a society, which is largely paternalistic. The concept therefore includes the fact that women and girls can also abuse men and boys, although recent statistics show that 99% of victims are women and girls. In addition to this the concept promotes the participation of men and boys in programmes to address GBV.

In terms of programming, GBV has been referred to as a significant and complex public health problem the world over, and effective and appropriate systems for preventing and responding to GBV are rarely well established. Reports indicate that effective gender-based violence assistance and prevention programs have the following components: (1) prevention, (2) response or survivor assistance and (3) coordination of efforts to prevent and respond to GBV. A coordinated, multi-sectoral approach to preventing and responding to GBV requires ongoing and dedicated teamwork that relies on well-developed referral and reporting systems. These systems, in turn, depend on effective collaboration between various agencies, local organizations, the conflicted-affected (especially women), and all other concerned parties.

Overall progress made in fighting GBV in Malawi

The Malawi Government, supported by its development partners, ushered by the civil society, has shown that it is committed to addressing violence against women by ensuring that Malawi ratifies a number of international and regional instruments that protect women and children against gender based violence. At international level Malawi has ratified the Convention on the Elimination of all Forms of Discrimination against Women. (CEDAW) and uses the CEDAW in formulation of its policies. At SADC level, Malawi along with other SADC member states signed the addendum to the SADC Declaration on Gender and Development on the Prevention and Eradication of violence against women and children. By signing the addendum declaration, Malawi has committed itself to take urgent measures to prevent and deal with increasing levels of violence against women and children and repealing and reforming all laws, amending constitutions and changing social practices which still subject women to discrimination and enacting empowering gender sensitive laws.

The provision of these international and regional instruments is reflected in the Constitution of the Republic of Malawi. At national level, the Malawi Constitution of 1995 section 24 sub section (2) states that "women have the right to full and equal protection by the law and have the right not to be discriminated against on the basis of their gender

⁴Government of Malawi, 2002: National Strategy to Combat Gender based Violence

⁵Model GBV programs, as recommended by UNHCR and GBV experts

⁶Section adopted from Malawi's summary report for Beijing Plus 10.

or marital status ---. "any law that discriminates against women on the basis of gender or marital status shall be invalid and legislation shall be passed to eliminate customs that discriminate against women, particularly practices such as: sexual abuse, harassment and violence; discrimination in work, business and public affairs; and deprivation of property, including property obtained by inheritance."

It is also important to note that Malawi has developed a National strategy to Combat Gender Based Violence (2001-2006). The strategy was developed through a consultative process and its aim is to guide to Government institutions, community based organisations, the civil Society and the donor community on GBV issues. The programme is being implemented by many stakeholders. A combating gender based violence project is being implemented in 4 districts in Malawi and a training manual on Gender Based Violence has been developed. Training of service providers on gender based violence is being done and several NGOs/Civil Society have initiated programs to combat specific aspects of gender based violence like property grabbing, defilement and rape among others. Key activities include information, education and communication and victim support units where victims are counselled and supported and perpetrators are reformed. To date, over 5.0 million individuals have been reached with GBV messages, trained and given various services on dealing with the issue.

Property grabbing is a very significant form of economic, emotional and social gender-based violence in Malawi. It is therefore pleasing to note that progress has also been made in legislation that aims to combating gender-based violence in the context of property rights and inheritance. The entire Wills and Inheritance Act has been reviewed to address the various gender gaps in the provision of the current law. The Wills and Inheritance act has looked at fair distribution of the deceased estate, definition of dependants, immediate family, revocation of a will upon divorce, will writing, property grabbing and its enforcement, administration of deceased states among others.

Awareness and behaviour change on issues regarding GBV is an important intervention that many stakeholders are also implementing. Malawi has been active in national level campaigns against any form of violence against women. For example, since 2000, Malawi has joined the International community, in commemorating in a coordinated manner, the 16 Days of Activism against Gender Based Violence, which starts on 25th November to 10th December annually. Since then, every year groups of people (men and women) are mobilised into action to commemorate 16 Days of Activism against GBV. During this period the Ministry of Gender and Community Services coordinates the implementation of GBV Activities by Government Ministries, Non-governmental Organizations, Private sector and Faith Based Organizations. Several activities are conducted during this period and during the 2000, 16 Days of Activism campaign, a total of 700 Community Action Groups (CAGs) were formed to deal with Gender Based Violence cases. A total of 500,000 community members were reached with face-to-face

Community Safety and Empowerment

interaction and over 2.0 million people were reached together with those covered by the media. In 2001, 63 Community Action Groups from eight (8) Districts were trained on Human rights issues, Gender Based Violence and how to deal with the issues. Victim support units were established in police units in all the 28 districts in Malawi to assist victims of GBV with counselling. In addition, a total of 6 communities were trained on problems of property grabbing and how to deal with the issue reaching a total of 10,000 individuals in proportions of 25% each for women, men, girls and boys. In the same year, the media reached over 2.5 million people.

Advocacy work on GBV has also been implemented. In 1998 a petition on GBV was presented to the President on 8th March at an International Women's Day commemoration that attracted over 3000 decision-making and influential leaders. One of the results of awareness activities currently being implemented has been the drafting of a Domestic Violence Bill draft Act that has been submitted to Ministry of Justice for processing into a bill. The aim is to reduce domestic violence and encourage effective couple communication.

**1 Introduction to CHRR
community perspectives on
gender based violence:
knowledge attitudes and
practices survey**

Community Safety
and Empowerment

1.1 Research Objectives

- ◆ The objectives of the KAP study were as follows:
- ◆ To raise awareness about gender-based violence in the communities sampled.
- ◆ To enable CHRR staff and volunteers understand GBV from the communities' perspective and be able to better organize activities to mitigate the practice.
- ◆ To document community and institutional knowledge, attitudes and practices regarding what constitutes gender-based violence, causes and how these attitudes differ between women and men, various age groups.
- ◆ To come up with community advocacy strategies that CHRR and other interested stakeholders can use in the fight against GBV.

1.2 Methodology

As mentioned above, the study aimed to shed more light on the understanding of gender-based violence in the communities and the work that is being done on the issue by community members themselves or other stakeholders.

As part of the study, therefore, the CHRR recruited the Centre for Social Research (Mr. Paul Kakhongwe) to conduct a literature review on GBV in Malawi, which provided the basis for the field participatory consultation survey. More specifically, Mr Kakhongwe was asked to analyse and review the existing strategic plans in terms of strengths, weaknesses and opportunities in addressing gender-based violence.

The literature review was followed by a participatory field consultation study with the objective of assessing community perspectives (KAP) on GBV. The field survey was qualitative in nature; thereby relied on information gained in in-depth focus group discussions and individual interviews with various community members and leaders on GBV. The selection of districts of focus was based on the districts in which CHRR operates. As outlined in the objectives, one of the aims of the study was to enable CHRR together with the various communities design advocacy strategies and action plans in the area of GBV. In each district, three Traditional Authorities were selected for the consultations. The selection was done at district stakeholder meetings that the organization conducted prior to the research involving the key focal points on GBV in each of the districts. At Traditional Authority (TA) level, the TA, in consultation with CHRR staff selected three Group Village Headmen or women (GHV). At GVH level three village headmen were requested to bring various groups and key informants to the consultations. A team of researchers selected from the same district interviewed these various groups. These research team members were drawn from the various organizations in the districts working in the area of GBV together with one staff member from CHRR and the CHRR District Coordinator from the same districts. Apart from the community interviews, district stakeholders were also targeted for consultations.

Community Safety and Empowerment

1.3 How this report has been compiled

This report has been compiled from the literature review report, the field consultation reports and the report of the national workshop. The purpose of this report is to have one consolidated single-source document that is reader friendly, with specific strategies to combat GBV on which the CHRR and other stakeholders can base the GBV programming. In the course of bringing the three reports together, especially by somebody who did not participate in the research itself, some detail may be lost and readers who are interested in more detail are encouraged to refer to the individual documents, which are available at CHRR.

2: research findings

2.1 Literature Review

Malawi has ratified a number of conventions and instruments that bind Malawi to eliminate GBV, including the Conventions to Eliminate All forms of Discrimination Against Women (CEDAW), the Convention of the Rights of the Child (CRC), the Vienna Declaration Human Rights, the African Charter of Human and Peoples Rights (ACHPR), and the SADC Declaration on Gender and Development. Above all these instruments, Malawi is a member of the United Nations, whose overall mandate is to unite all nations and its peoples. The Constitution of Malawi, which is the supreme Law of the country promotes equality between men and women and contains a bill of rights, which invalidates any practice that discriminates against women. It advocates for the separation of powers, respect of human rights and the principles of popular participation. This way the Constitution has gone far in domesticating the various provisions of international instruments mentioned in the preceding paragraphs.

The Malawi Government's overall policy is addressing poverty through economic and social development. In order to achieve meaningful poverty reduction, the government has developed and approved the Malawi Poverty Reduction Strategy Paper (MPRSP) as the national framework for development planning and budgeting in the country. The overall goal of the MPRSP, launched in 2002, is to achieve sustainable poverty reduction through empowerment of the poor. Government has therefore through the MPRSP and also the Vision 2020, committed to eradicate Gender Based Violence by prevention of occurrence of gender based violence (GBV), establishing and strengthening institutional capacity of all relevant stakeholders. It is also noted that additionally, Malawi has developed and launched its National Gender Policy and National Gender Programme in 2000 and 2004 respectively. In the national gender programme, objective 8 states aims to promote and protect women's participation in politics and decision making, and the rights of women, with a specific objective to deal with gender-based violence. Therefore, both the gender policy and the programme advocate for gender equality and the empowerment of women, with GBV being one of the key issues that need to be tackled head-on. The NGP has been designed to translate the objective and the identified strategies from the National Gender Policy into workable actions that are fully integrated into national objectives and plans.

In terms of the context of gender-based violence, it has also been revealed through the desk study, that there is a lot of diversity in terms of specific GBV issues that are being addresses by stakeholder programmes and strategies. The activities have ranged from those against property grabbing, laws, sexual abuse, rape, defilement to those that fight against cultural and traditional practices that encourage gender-based violence, such as child marriages, forced marriages, access and administration of justice, gender violence in institutions of learning, violence and injustices against women at the workplace and domestic violence. For example, the Centre for Alternatives for Victimized Women and Children (CAVWOC) is involved in campaigns against property grabbing, while community-based organisations such as the Tidziwe Sensitization Group, which is based in Nsanje, where *kulowa kufa* is heavily practiced actively implements campaigns to sensitise people on the dangers of *kulowa kufa*, which includes risk of contracting HIV. The group's strategy is to work with traditional leaders who are the custodians of culture by working on methods of adapting the same practice so that it does not become risky.

Community Safety and Empowerment

Many reports have indicated that domestic violence is the commonest form of GBV. For example, the findings of a study by GTZ demonstrated that domestic violence is the most pervasive form of violence against women in Malawi (GTZ, 1999). Police records for the period 1990-1999 show that the total registered cases of sexual assault against women increased from 500 in 1990 to 12,000 in 1999 (WLSA-Malawi). Between 1997 and 1999, media reports average three cases of violence against women per day. Reported cases of gender-based violence in the media demonstrated the following statistics: rape (37%), incest (18%), defilement (14%), murder/femicide (9%), battery (7%), abduction (3%), infant-cide (2%), suicide (1%) and prostitution (1%) (WLSA-Malawi, 2000). However, it is important to note that in Malawi acts of gender-based violence are grossly under-reported by the women who are major victims of violence and the police, so that these statistics represent information only on the number of reported cases per year. Studies indicate that actual experiences of gender-based violence are much higher. (Malawi Beijing + 5 Report, 2000, (GTZ, 1999).

Between 1995 and 2000, statistics of cases of violence against women handled by the Society for the Advancement of Women, (SAW) revealed that there were a total of 169 cases. Of these, 69 were cases of property grabbing, 28 were cases of domestic violence, 26 cases of maintenance, 9 cases were on rape and defilement, 7 were cases of unjust dismissals, five were assault cases and 3 were sexual harassment cases. The year 1997 had the highest number of property grabbing cases (28), followed by the year 2000 which recorded a total of 15 cases. The years 1996 and 1998 had 10 cases each. 1995 had only one case of property grabbing. The years 1997 and 2000 recorded the highest number of maintenance cases, eight cases each, while the year 1999 had five cases. There were two cases of sexual harassment in the year 1997 and one case in 2000. Cases of unjust dismissal were reported in the year 1997 (2), 1998 (3), and 2000 (2). Rape and defilement cases were reported in four of the six years under review. In 1996 there was one case, 1997 had two cases while 1999 and 2000 recorded three cases each. The year 2000 recorded the highest number of divorce cases (10), the year 1997 had six cases, in 1999 there were five divorce cases and 1998 recorded only one case. Cases of domestic violence were most prevalent in the year 1997 (9). Seven cases were reported in the year 2000, five in 1995; four in 1998 and three cases were reported in 1990. Assault cases were reported in three of the six year period. There were three cases in 200 and one case each in the years 1995 and 1999, respectively. Only cases of property grabbing featured in all the six years. The table 1 below shows a summary of types of GBV as found from literature. As can be seen the findings in the table tally very well with findings in table 2 and 3 below, which presents field level findings from the FGD that CHRR conducted in the 8 districts.

Community Safety and Empowerment

Table 1: Types of domestic violence experienced by women and men

Type of Abuse	Nature of domestic Violence cases experienced by Women and men
Physical Abuse	<ul style="list-style-type: none"> • Being heavily battered, sometimes in front of servants and children • Being striped naked and thrown outside the house
Sexual Abuse	<ul style="list-style-type: none"> • Being forced to have sexual relations with other persons • Being told that as a wife she is sexually undesirable and forced to watch the husband masturbate • Being told that there are other better men/women out there • Being denied sexual intercourse by the wife/husband
Emotional Abuse	<ul style="list-style-type: none"> • The husband sleeping with girl friends in the house • The husband refusing to eat food cooked by the wife but preferring to send children to collect cooked food from a girl friend and eat in the matrimonial home
Economic abuse	<ul style="list-style-type: none"> • The husband locking all food including maize flour in cupboards when going to the office • Property dispossession of the widows. • Being forced to beg for money daily, refused to work and being snatched a salary.
Social abuse	<ul style="list-style-type: none"> • Being denied to mix with friends and relatives • Being denied to visit other people's houses or chatting with others • Being refused to address as one wishes

Source: Ministry of Gender and Community Services Reports 2002; WLSAM, 2002

Table 1 shows that there are five forms of gender-based violence, which have commonly been reported in Malawi. These are physical, which relate to violence, which causes bodily harm to an individual, sexual, which has to do with sexual cases like defilement, emotional, economic and social abuses. Within each type of GBV there are a number of GBV, which can be committed at individual, household, community, institutional and national level. It is also worth noting that these forms of violence are interlinked. For example, a physically assaulted person, will emotionally be affected, which can also result in the person abusing others at work or within the community. Economic deprivation of a family can lead to family members being emotionally depressed and becoming less productive at household and community levels.

The literature review has also shown that wife battery, which is a form of physical abuse, is a serious problem the world over and remains a big huddle in effort to realize women's rights. In Malawi information on domestic violence cases is very scanty. However statistics show that

Community Safety and Empowerment

86% of gender violence reported to WLSA MALAWI involved domestic violence. Messrs Chirwa, M. Munthali, G. Kamanga and V. Chikasanda, V (2002) conducted a study aimed at providing baseline data on the extent of wife battery in Malawi including knowledge, attitudes and practices on domestic violence. There were 794 respondents in the survey and 47% were men while 52% were women. The findings of the study indicated that out of 329 men, 28% accepted of having beaten their wives while out of 402 women, 44% accepted of having been beaten by their spouses. Some of the reasons given for battery included beer drinking. The study indicates that 58% of the women who admitted to have been battered by their husbands, mentioned beer drinking as influencing the beating. Other reasons include unfaithfulness, denial of sex, jealousy, misunderstanding of dowry and lack of knowledge on human right and gender issues. The study also showed that it is not only women who are at fault for battery to occur and even men agree to this. Out of 353 men, 92% did not believe that women are always at fault and 26% of 424 women believe that they play a role in the breeding of battery in a family.

The review of GBV literature has also shown that there has not been any national wide survey to study GBV and get views across the country. Only localised small-scale studies have been carried out in Malawi. For example the research by Saur, M: Semu, L and Nda, S.H (2003) titled 'Nkhanza: Listening to People's Voices - A Baseline Study of Gender Based Violence 'Nkhanza' in three Districts of Malawi was only carried out in 3 districts of Dedza, Mulanje and Rumphi. Understandably the objective of this research was to provide basic line information for a project that was to be implemented in the three districts. The Women's Voice has also carried smaller informative district studies with the objective of informing implementation of project activities. Chirwa, M. Munthali, G. Kamanga and V. Chikasanda, V(2002) also carried out a study titled "Domestic Violence in Malawi: An Evaluation of Knowledge, Attitude and Practices on Wife Battery in Five Selected Districts". As can be seen from the title, the study was also confined to five district, not national. The Ministry of Gender, Youth and Community Services (2000) also conducted a Study on Knowledge, Attitude and Practices on Wills and Inheritance in Malawi, but this study did not cover all issues of GBV as defined by the national strategy on gender based violence. There is therefore an immediate need to conduct national level surveys on GBV in Malawi to enable a more accurate estimate of the scale of gender-based violence in the country. In addition, most of these studies discussed have focused mainly on the most recognized and often reported forms of gender violence. There is, therefore, an urgent need for research to address the scale of other less recognized forms of gender-based violence, such as cultural practices. In addition, research on mainstreaming of gender-based violence in government policies and on the role of the media in exposing gender-based violence in the country, needs to be conducted.

2.2 Findings from the participatory field study

It was not within the scope of this study to come up with a quantitative analysis of the levels of GBV in the communities, but rather to understand better what others have already unearthed. The critical issues explained further in this study were therefore selected on the basis of the repeated mention that the issues attracted and not on the basis of percentage of responses received around those issues. The following sections present findings from the field study.

Community Safety and Empowerment

2.2.1 Findings related to knowledge

2.2.2.1 Knowledge and understanding of GBV

The study sought to seek the understanding of gender-based violence from the interviewees' perspective. Before asking specific questions on the topic therefore, interviewees were requested to give their understanding of the concept. There were wide variations in the understanding of the concept by the communities. Most interviewees understood gender-based violence from the experiences they had had or witnessed. In general GBV is simply understood as "nkhanza" (violence). This is the simple translation of the word gender-based violence as it is applied in Malawi. Communities that were consulted tended to associate anything bad that happens in the communities as "nkhanza" or violence. To most community members it does not really matter whether the violence is gender-based or not. As long as it is something that disturbs the community life, it has to be dealt with so as to improve community livelihood. For this reason a wide array of responses were received on what communities think constitute gender-based violence. Table 3a below outlines these responses. They range from criminal acts, real GBV as defined by the United Nations and general issues of relationships between community members. From the responses it is clear that most communities have varied understanding of the issue of gender-based violence. It is clear that their understanding is based on what they view as unacceptable behavior mostly pertaining to the relationship not only between men and women but also between one another in general. Anything bad or violent between one another was considered as part of gender-based violence.

It was also found out that women, who literature has reported to be the main victims of GBV, do not necessarily view some forms of GBV as GBV. It was observed that women in general were hesitant to classify what they have always regarded as 'normal' treatment from husbands as GBV. For example; many women admitted that marriage squabbles are expected in any marriage. '*Kukangana m'mbanja ndiye banjalo*' i.e. marriage squabbles are part of marriage. Therefore issues of wife battering, use of abusive language towards a spouse, economic exploitation of spouse and woman and child neglect are regarded as normal and never reported to the marriage counselor or the chief in many instances. Generally, it took a lot of explaining for the women to associate their experiences with the forms of GBV that exist.

The study also found out that there were gender differences in the knowledge of GBV. The knowledge of GBV was different among women, men boys and girls. Girls understood GBV mostly as the general bad things that culprits do in a community, for example, theft, jealousy, greedy, witchcraft, promiscuity, forced prostitution, forced marriages, chieftainship disputes, land disputes, property dispossession, use of abusive language, alcohol and drug abuse, sexual harassment, cold war scenarios in homes, favoritism in families by parents, in schools by teachers and in the villages by local leaders, ill-treatment of children, orphans, boys impregnating girls and refusing responsibility, polygamy, just to name a few. Thus, the girls could not distinguish between the general violence which happens and gender-based violence. This can largely be attributed to the socio-cultural perceptions, which shape the general perception of issues that happen to people. Unlike girls, boys' perception of the concept was not very wide although it also encompassed issues that are outside the GBV circumference. Boys understood GBV in terms of masculine crimes like marrying another person's wife, rape, men

Community Safety and Empowerment

neglecting women and children, intimidating others, use of abusive language when drunk, girls not keeping appointments to meet their boyfriends at agreed places, chamba smoking, sexually harassing women, misunderstandings between men and women in marriage.

On the part of the men, it was observed that not many are aware of GBV. Issues of couple fighting are taken as normal by most of the men. For example, a chief was quoted saying, '*pali nkhasa zina zofunikila m'manyumbamu...*' meaning, some acts of violence are necessary especially in the homes. Additionally, in some communities the responses from men actually implied that women incite domestic violence because of what they do. The variety of responses on how communities generalize problems to include other issues of violence other than those that are gender-based shows both lack of awareness on what constitutes GBV, and misconception of the concept.

2.2.2.2 Knowledge and awareness on existing initiatives to combat gender-based violence

Many people are aware of initiatives to end GBV. The most commonly mentioned initiative is community policing, which is being facilitated by the Malawi Police to provide security at village level and complement police efforts. The community are also aware of efforts by Non-Governmental Organisations like CHRR, Women's Voice and NICE which organise GBV workshops and provide civic education to the rural masses. The communities also mentioned that chiefs are always available to provide judgement and punishment to the perpetrators. The church was also mentioned as an institution that provides spiritual support in prevention of GBV. The church provides counseling to perpetrators and also preaches about combating GBV.

2.2.2.3 Knowledge on the causes of GBV

The community reported that the main causes of GBV was said to be culture, which has various norms and practices, which individually or in groups perpetuate GBV. Within each society there are a number of practices that perpetuate GBV against women. Examples found during the study are explained in the table below. This causes GBV to continue occurring even with the knowledge of local leaders. The community also mentioned that inadequate legislation against GBV also promotes GBV. This finding also agrees with what the Center for Alternatives for Victimized Women and Children reported at the national workshop that although there has been some progress in reviewing laws that promoted GBV, there are still laws that are urgently needed, for example the domestic violence bill, to protect women and children against GBV.

Focus group discussions also mentioned that poverty and lack of economic empowerment of women, which leads to high levels of poverty among women, are important factors that predispose women to GBV.

Within each society there are a number of Stereotypes that also facilitate GBV. For example many societies believe that *mwamuna ali ngati mwana* (a man is like a child, so he should be looked after), or that *mwamuna mpamimba* (women are advised to ensure that the husband

Community Safety and Empowerment

has adequate food), or that mwamuna ndimutu wa banja (the man is the head of the family) or that 'mwamuna sauzidwa chochita ndimkazi wake' a man cannot be told what to do by his wife. Other strong stereotypes include banja ndikupilira (in order for a marriage to survive, both the husband and wife should persevere) and yet it is mostly women who have to persevere in majority of marriage relationships; and that Mwamuna salira (men should not cry, i.e. discouraging men not report domestic violence). All these sayings entrench GBV among the society.

2.2.2.4 Knowledge on effects of GBV in the communities

The community cited a number of impacts that GBV has on their lives. These are grouped into health, economic and social impacts.

A. Health impacts

Gender based violence affects the victim in many ways. The research revealed that the various forms of GBV impact on the sexual, reproductive, psychological and physical health of victims in multiple ways. The sexual abuse of girl children exposes them to HIV and STIs, unwanted pregnancies, sexual dysfunction, infertility, and high-risk sexual activity as an adult. The child also loses marriage prospects and turns to prostitution. Unfortunately, many communities are reluctant to talk about such incidences and rarely expose the perpetrators. In Dedza, a mother of a nine-month-old baby, an incest victim was reluctant to talk about what her husband did defiling their child in order for her to save her marriage. Similarly, rape or coerced sex has relatively similar health consequences on health of victims. Sometimes, there are psychological consequences in which the victim is psychologically tortured and may turn bitter about their fate or even be mentally disturbed. Genital mutilation, which happens during initiation ceremonies and is common among the Yao people, also has consequences that are devastating to the health of victims. The immediate effects range from hemorrhage, infection, tetanus, urinary retention and even death. In the long term, the victim is affected with chronic urinary infections, renal failure, pelvic infection, infertility, prolonged and obstructed labour, perinatal mortality and morbidity. The physical and psychological abuse by a spouse exposes a victim to HIV and STI infection since the perpetrator will insist on the non use of a contraception and condoms and this is accepted by the victim due to fear of violence or abandonment. Most women admitted that they are unable to insist on the use of condoms, refuse sex or determine its timing especially when their husbands abuse alcohol. Apart from the diseases, unwanted pregnancies may result. In the privacy of their homes, women are being raped and shockingly, many cases of marital rape are never reported. The women felt that marriage counselors would view reporting about such issues as stupid unless the cases were very extreme. Such issues are labelled "zakuchipinda" meaning that they are bedroom issues and they should remain private never to be discussed in public. This also raises another question on what constitutes the extreme cases in order for a victim to attract attention. In pregnant women, such abuses result in psychological trauma, which can cause complications in the pregnancy cycle. But also, some of the consequences of GBV are, miscarriage, premature labour, stillbirth, maternal mortality and low birth weight. The physical impact ranges from emotional distress to permanent disabilities, miscarriages, broken limbs, cuts and bruises and death.

Community Safety and Empowerment

B. Economic impact

Enormous costs are borne of gender-based violence to the economic, social and cultural development of the society. The government loses millions of Kwachas in redress mechanisms and remuneration of service providers in its institutions as supported by the local newspaper, "Generally gender based violence has high financial costs related to the provision of health and social services, and police and criminal justice system, re-housing and reduced economic productivity and family income." GBV is the one of the major threats to individual's contribution to the development of a country. Communities cited of examples where individuals are robbed of the zeal to succeed or participate in social development work. Victims become more preoccupied with personal problems and stop community participation, which results in low productivity and underdevelopment of an area results, hunger, poverty and low standards of living just to mention a few indicators. The consultations revealed that one such district is Dedza. According to the MASAF II report, Dedza is one of the poorest districts in Malawi, with high illiteracy rates, poor road networks and low productivity within its populace. It is not surprising that GBV has obviously played a part in this. The economic deprivation of a spouse denies them a chance of personal development and economic independence. Communities revealed that exploitation of wives was common. Men selfishly spent money from farm proceeds sales on themselves without considering their families and in Chitipa men actually married many wives to help them work in the fields. The victims of economic exploitation felt helpless, as they could not report their husbands about this abuse because the perpetrators often threatened them with divorce or abandonment. Two women from Dedza and Salima were in a dilemma to report their husbands to the police on child molestation because they were afraid that they could not afford to financially sustain themselves and the children. Most women victims admitted that they were unable to disentangle themselves from abusive husbands because they lacked economic empowerment.

Still on deprivation of economic empowerment, in many communities, husbands physically resist women's work outside the home, for example engaging in small-scale businesses, participating in community projects, since they fear this may lead to women's empowerment. This directly violates the women's rights to work.

C. Social impact

GBV also has a detrimental effect on society. Gender based violence violates, impairs and nullifies the enjoyment by victims of their human rights and fundamental freedoms. Victims are denied their right to freedom of movement, for example, where women are afraid of walking alone at night for fear of sexual assault, harassment and violence. This is very common in all the districts visited, and it is even worse in urban areas. Women suffer from ongoing fear, anxiety, humiliation, low self-esteem and lack of confidence as a direct repercussion of this type of violence. This is a direct threat to the victims' economic rights as it prevents women from engaging in small scale business in towns and therefore hinders one's full advancement and in the process reflects on his/her contribution or participation to community development. As the UN Special Rapporteur on Violence Against Women noted,¹

Community safety and empowerment

Fear is perhaps the greatest consequence. Fear of violence prevents many women from living independent lives. Fear curtails movements, so that women in many parts of the world do not venture out alone. Fear requires that they dress in a manner that is unprovocative so that no one can say that they asked for it if they are assaulted. This can result in a situation of vulnerability and dependence, which is not conducive to women's empowerment. This leads to women's potential remaining unrealized and energies which could be directed positively are often stifled'. In the institutional related violence, women are denied of their right to freedom of expression by not being allowed to speak and being prevented from voicing concerns or rights. Not only does this violate their rights but also imposes subjection to the subordinate social status perpetrating exploitation and oppression. The communication rift, which exists in societies between men and women, cannot be over emphasized as family conflicts can often escalate into tribal conflicts. A good example can be taken from the conflict between T/A Masula and T/A Chiseka of Lilongwe, which is currently perpetrating violence against men and women. Such disputes bring about, not only disunity and hatred but also inculcate the spirit of vengeance and bitterness in the victims, so much so that it is difficult for people at loggerheads to work towards a common goal. All these factors are acknowledged by the communities.

3.2.2 Findings related to attitudes

3.2.2.1 Community attitudes on gender-based violence

In terms of attitudes it was clear that many women and men do not regard marital GBV such wife battery, use of abusive language, economic deprivation as forms of GBV. Their main arguments are that these types of GBV are part of life: "kukangana m'banja ndiye banjalo". A number of such stereotypes are institutionalised and regularly used in the society to deepen GBV. This is an evidence of the deepness of socially acceptable forms of GBV. GBV is legitimate in many societies as one chief from Dedza admitted; '*pali nkhaza zina zofunikira m'mabanjamu*' meaning that there is some form of violence that is necessary in a marriage. Thus violence against a woman or abuse of a spouse is justified because many people believe in the subordination and subjection of women in a marriage. It is not surprising that many people did not recognize that what they were going through was violence until they had been enlightened on the forms of violence during the consultations.

There are also mixed feelings about specific forms of GBV. For example the community has arguments as to whether polygamy or *mitala* is GBV or not. Those in such marriages do not see it as GBV citing as an example that there might be violence in the house with one wife and as a solution men marry a second wife to silence the first one. The community therefore sees *mitala* as good. The second argument the community presented was that if there are no children in the house, instead of sending away the barren wife, which would constitute GBV, a man has to marry the second wife while keeping the first one which they see as a good thing. Even the chiefs see some *mitala* as good hence no need to fight against the practice. They are considered good if the man is well to do and the women are living happily. The practice is never considered from a human rights perspective in the communities. Most people interviewed see no end in sight for the practice as it is so entrenched in their culture. The study team felt that the only solution

Community Safety and Empowerment

would be to make it illegal so that women are protected from wife inheritance, which also brings about other problems like HIV/AIDS. The community however, appreciates that the practice is a stumbling block in the fight against HIV/AIDS in the rural communities.

The negative community's, especially men's, attitude towards GBV was also evident in the fact during the consultations, no male victims were able to come out and comfortably talk about their ordeals. It was just the women willing to come forward as victims and explaining their experiences on GBV. To the study team, the absence of men did not necessarily entail that there are no male victims as far as gender-based violence is concerned; actually there are many male victims of gender-based violence out there. In its paper presented at the National Workshop in Mangochi, the Malawi Police Service also reported that statistics from the police stations have shown that most perpetrators of gender-based violence are men and the victims are mostly women and girls. Very few cases of Violence against men have been reported.

3.2.2.2 Community attitudes and perceptions towards victims of GBV

Community responses on attitudes towards victims were varied. Many responses indicated the normal emotional reaction of people when they see a victim of circumstances. Most participants expressed some of the feelings as pity, empathy and sympathy. Some people also expressed their personal judgments and said that they perceive them as weak, unfortunate, not initiated, stupid, worthless, rude, jealousy, worthless and abnormal. Some communities felt that the victims would be underrating their spouse, or they were being promiscuous, and that they deserved to be laughed at or punished. Some people went ahead and gave the advice to the victims that they should report the matter to the police, chiefs courts. On rare occasions are the victims hailed for their perseverance to stay in an abusive relationship. It should however be noted that most of the answers were off topic because the respondents could not understand the question clearly. This was mainly due to the level of education of the respondents. Nevertheless, the way victims are perceived in the community can have implication on addressing the problem.

3.2.2.3 Community attitudes and perceptions towards perpetrators of GBV

Communities had different answers on their attitudes towards perpetrators. While a good percentage of respondents commiserated with the perpetrators, it is not surprising that a lot of people felt that these people should be reported to the chiefs, police, courts and punished for the crimes committed. On other hand, the answers reveal that perpetrators are associated with a lot of evil, for example they are viewed as wizards or witches, satanic, inhuman, rude, chamba smoking, stupid, promiscuous, murderer, immoral, ungodly, violent or bandits. It should be noted that the views on GBV were coming from communities, which had in adequate information and barely understood what gender-based violence is, its root causes and effects.

Community Safety and Empowerment

3.2.2.4 Community appreciation of the justice delivery system

The legal system is one avenue that can be used in the fight against gender-based violence in Malawi. During focus group discussions, the study investigated the community's knowledge and perception of the justice delivery system in their communities. The table below shows community knowledge on the range of systems that are available.

Table 2: Knowledge on community justice delivery institutions

Old Men	Old Women	Young Men	Young Women	Boys	Girls
Police	Police	Police	Police	Police	Police
Chiefs	Chiefs	Chiefs	Chiefs	Chiefs	Chiefs
Courts	Courts	Courts	Courts	Courts	Courts
Hospitals	Hospitals	Hospitals	Hospitals	Hospitals	Hospitals
Neighbors	Neighbors	Neighbors	Neighbors	Neighbors	Neighbors
Parents	Parents	Parents	Parents	Parents	Parents
Churches	Churches	Churches	Churches	Churches	Churches
Community Police	Community Police	Community Police	Community Police	Community Police	Community Police
Marriage Counselors	Marriage Counselors	Marriage Counselors	Marriage Counselors	Marriage Counselors	Marriage Counselors
Relatives	Relatives	Relatives	Relatives	Relatives	Relatives
				Government	Teachers
				CCJP	

It can be concluded from the table above that the community knows a range of community based justice delivery institutions that are available at their disposal. When they use them or not is another issue. The police, chiefs, Courts, hospitals, neighbours, parents, churches, community police, marriage councillors and relatives are the institutions by almost everybody in the community including older men and women. Boys and girls tended to know additional non-traditional systems like NGOs and government. This is possibly because they are able to learn from school and their peers on other forms of justice systems other the traditional forms that the elders know.

Community Safety and Empowerment

3.2.3 Findings on practices that perpetuate Gender-Based Violence

As has been indicated in literature review, a number of practices exist in the country, which constitute GBV or facilitate occurrence of gender-based violence. This KAP used participatory approaches like focus group discussions to unearth these practices and understand them further. The following section provides these findings.

3.2.3.1 Verbal abuse and use of abusive language

The majority of FGDs reported that verbal abuse to spouse and children, especially after intoxication was the most common form of GBV at household level. In most cases, verbal abuse leads to physical fights and economic depravity. It was reported that main victims of verbal abuse are men and women in matrilineal and patrilineal societies respectively.

3.2.3.2 Physical abuse

Wife battering was mentioned as the commonest form of physical abuse. Women reported that they were battered for petty issues such as being suspected of having an affair with another man, cooking late, late coming from the market, water points, jealousy, just to mention a few. Shockingly, most of the women view this as a normal practice in a marriage since community has also accepted this as normal in the saying, "*kumenya ndi mankhwala a banja*", implying that battering is necessary to sustain a marriage. These findings also agree with findings from an *assessment of Domestic Violence in Mchinji District by the Women's Voice* conducted in 2002 in all 6 Traditional Authorities (TAs) Mchinji district. The study reported that men in Mchinji justify wife battering (physical abuse) as part of cultural beliefs, such as paying "*chimalo*" (paying marriage dowry) "*kumenya ndi mankhwala a banja*" (beating a wife cements marriage) and man is a head of the wife and family.

3.2.3.3 Emotional abuse

Communities reported emotional abuse as another common form of GBV where a spouse chooses to ignore the feelings of a partner on several issues. Emotional deprivation can also be concluded where the husband is having affairs or has divorced their wives. Emotional abuse was dominant in polygamous marriages where husbands cease to play their roles and deny their wives intimacy, care, and attention. The men purportedly detach themselves from the old families gradually in preference of the younger wives. This results in the women and children being neglected as the care and support is also transferred to the new family. Most of the victims in this kind of abuse prefer to suffer in silence than to cry for help, actually they are not aware that they are being abused while perpetrators get away with this.

Community Safety and Empowerment

3.2.3.4 Sexually related abuses

Perhaps the largest incidents of GBV revolve around issues related to sex. In the family, this takes the form of ignoring the wife, not sharing a bed with her, not respecting her views, having extramarital affairs, and marital rape. Promiscuity in men is 'normal' and husbands are expected to have a girlfriend or more during the years of marriage as long as the husband is discreet about it. Women are not expected to do the same and once they do they face serious consequences of GBV. On marital rape, in almost all the districts, men consider it their right to have sex despite the woman not feeling well. Most men consulted argued that the issue of marital rape is a foreign concept, which is will take a lot of civic education for people to acknowledge that it exists. One chief was quoted saying, "*Palibe mwamuna amene angagwillire nkazi wamnyumba mwake limenelo ndibodza.*" Implying that there is no way a man can rape his own wife in the privacy of their home. Marital rape is not known as a GBV issue as women feel that men have the right to sleep with their wives when ever they want hence it is normal for a man to use force to sleep with his wife if the wife presents any form of resistance. Almost all the married women consulted admitted to have experienced marital rape but thought it was normal and there was no point in talking about this to anyone. Women admitted that in most cases it is the men complaining that the wives are denying them their right to sex and not the women reporting about marital rape.

3.2.3.5 Cold war scenarios

This happens when there is a breakdown in communication usually between spouses. A lot of tension builds in the home and consequently there is a situation of anger in the family with either a man or a woman not wanting to talk to the other. If they do speak, they do not speak to each other properly or one party underrates the other party or does not recognize the contributions of the other party. Usually there is no consultation when making decisions and when doing things. Men and women attributed this situation to the lack of love between couples in marriages and also the fact that many people marry hastily, and for the wrong reasons. Subsequently, family members usually lack peace and happiness and confrontations may result in a fight breaking out, hence physical abuse. Most extra marital affairs begin at this stage of conflict to "seek peace" elsewhere.

3.2.3.6 Jealous

Jealous is one big issue that results in family disputes and violence. The women complained that they are shouted at, and or beaten when they come late from the drawing water or when the man finds bicycle tyres marks at the house. Reports revealed it is mainly insecurity and lack of respect for the other person's rights, which causes men to behave in such a way. Thus, the only remedy would be raising awareness on such issues.

3.2.3.7 Economic exploitation

A lot of respondents complained about economic exploitation of spouses, which predominantly exists in both matrilineal and patrilineal systems of marriage. In most cases men usually do not accompany their spouses to the fields during the farming season and regard their wives as

Community Safety and Empowerment

servants who have the duty of working for them in the fields but are not entitled to a share of the farm produce. In Chitipa, it was reported that some men deliberately marry more wives so that the wives can work in the farm for them so as to generate more income. In many areas in tobacco growing households, women do not know the amount of proceeds from tobacco because they do not accompany their husband to Auction Floors.

3.2.3.8 Property grabbing

This was also reported as a common form of GBV. It happens that when a man dies, all the property is grabbed from the widow and the remaining children by relatives of the deceased. The table 2 below shows Common Civil Cases of GBV filed before Misuku, Nthalire and Chitipa Magistrate Courts, 2002-2004.

Table 3: Common civil cases at Misuku, Nthalire and Chitipa.

Complaint	Sex of Complainant	Number of cases	Percentage of total cases (1522)
Divorce	Male	7	0.46
Divorce	Female	431	28.31
Dowries	Male	186	12.22
Dowries	Female	4	0.26
Adultery	Male	45	2.95
Adultery	Female	0	0
Damages	Male	141	9.26
Damages	Female	2	0.13
Separation	Male	1	0.06
Separation	Female	1	0.06
Child maintenance	Male	7	0.46
Child maintenance	Female	2	0.13
Child Custody	Male	19	1.25
Child Custody	Female	0	0
Elopement	Male	33	2.17
Elopement	Female	3	0.20
Feeding compensation	Male	12	0.79
Feeding compensation	Female	2	0.13
Demand to reveal source of pregnancy	Male	1	0.06
Demand to reveal source of pregnancy	Female	0	0
Wife detention	Male	16	1.05
Wife detention	Female	0	0
Redeem of child	Male	1	0.06
Redeem of child	Female	0	0
Separation	Male	0	0

Community Safety and Empowerment

Complaint	Sex of Complainant	Number of cases	Percentage of total cases (1522)
Separation	Female	0	0
Witchcraft	Male	8	0.53
Witchcraft	Female	0	0
Wife chasing	Male	1	0.06
Wife chasing	Female	3	0.20
Wife inheritance	Male	0	0
Wife inheritance	Female	1	0.06

The table above shows that divorce, which represented 28.77% of all cases of civil complaints, was the most common form of GBV at the three sites in Chitipa districts. The majority (28.31%) of these divorces, were cases in which women complained, while men complaints only represented 0.46%, that indicating that most victims of divorced are women. The discrepancy figures may also imply or confirm what is commonly reported that men do normally report cases in which they are abused by their wives to avoid being seen as weak by the general public. Complaints about dowries were also frequent and represented 12.48% of all complaints. As expected, male complaints were more than female complaints, at 12.22% and 0.26% respectively. The explanation for the gender difference is very clear, because Chitipa district is a part-lineal society where negotiation and follow-up of payment of dowry is a responsibility of male relatives from the wife's family. When the husband's family defaults in payment, it is the same relatives who pursue the issue in courts of law. This is also the reason why there are many cases of claim for damages, which is also normally filed by men, as result of defaulting in dowry payment.

Community Safety and Empowerment

3.2.3.9 Occurrence of GBV practices by district

The table below shows a broad picture of issues that communities reported as key issues in their respective districts. An analysis of these issues is presented below the table.

Table 4: A summary of prevalence of various forms of GBV in the five districts

Form of GBV	District where it is most prevalent							
	Chitipa	Lilongwe	Karonga	Dedza	Mangochi	Zomba	Mchinji	Salima
Wife inheritance	X		X					
Polygamy	X	X	X	X	X	X	X	X
Land Disputes								
Favouring men	X	X	X	X	X	X	X	X
Adultery	X	X	X	X	X	X	X	X
Divorce	X	X	X	X	X	X	X	X
Wife eviction	X							
Rape (<i>mgwemulo</i>)	X			X				
Economic abuse	X	X	X	X	X	X	X	X
Alcohol abuse	X	X	X	X	X	X	X	X
Fisi, where old men have sex with young girls				X				
Fisi, where Couples Arrange that the wife has sex with another man if the husband is barren				X				X
Property grabbing	X	X	X	X	X	X	X	X
Wife and Child neglect	X	X	X	X	X	X	X	X
Dowry	X		X				X	X
Wife battery	X	X	X	X	X	X	X	X
Child abuse	X	X	X	X	X	X	X	X

The table above shows that there are a number of cultural practices that reinforce gender-based violence in the five districts in which the study took place. In Chitipa, the most commonly mentioned practice that promotes GBV was said to wife inheritance, a practice which forces women who have lost their husbands through death to remarry to relatives of the deceased. In

Community Safety and Empowerment

the same district, divorce, rape and case of wife detention are very high due to the partilineal system of marriage. All these practices predispose women to HIV/AIDS. Wife detention is also practiced-it is a system where a wife is detained at her fathers place when the husband has not paid the full dowry. Polygamy is also very common in Chitipa and Karonga and in most cases communities argue that it is not a GBV because it silences argumentative wives. Property grabbing was common in all districts but it most emphasised in Karonga and Mangochi. In both districts it was noted that incidences of property grabbing are high because of ignorance about laws that relate to rights of women and child rights. This coupled with the dowry culture, especially in Karonga, which is interpreted as selling a woman, fuels much of the roots for property grabbing. In the matrilineal district of Mangochi the majority of victims of property grabbing are men because the Chikamwini culture empowers the wife to own property amassed by the couple. Other common practices, which facilitate GBV in Karonga, are dowry, the process of paying for marrying somebody daughter and wife battering.

In Dedza and Salima, cases of *fisi* are very high. And there are two types of *fisi* that were reported during the study. One type is practiced when girls have reached puberty. At this point, elders arrange for the girls to sleep with elderly people to remove their virginity in what they call, 'kuchotsa mantha' so that the girls are not afraid of sleeping with men. The other *fisi* involves usually men who cannot bear children. The husbands arrange for a wife to sleep with a friend or another man so that the wife should conceive. The agreement is done in an airtight secrecy between the *fisi* and the couple. The *fisi* tradition promotes promiscuity on the part of both the men and girls. It also predisposes both men and women to HIV/ AIDS.

In Zomba many communities indicated that the main GBV was polygamy, although just like in Chitipa and Karonga and other districts, local leaders feel that polygamy is not necessarily a GBV for various reasons such as the fact that it provides security of the widow and the children, continued moral and economic support.

It can also be said from the table above that generally it is has been found that many of the GBV cut across patrilineal and matrilineal societies in Malawi. For example, in both matrimonial and patrimonial set-ups, divorce, separation and wife neglect are quite common. The major causes of divorce were reported to be 1) lack of laws that protect women in marriage, 2) lack of enforcement of existing laws available, 3) many couples do not know each other well before marrying, 4) little couple communication in the home and 5) bad behaviour while in the marriage. Wife battering is also common, because the society feel that beating a wife is a corrective action for un-cooperating wives. Other crosscutting GBV are land related disputes which are often solved in favour of men, alcohol abuse, where men develop over drinking habits which lead to wife battery and promiscuity, especially reported s in Chitipa and other areas with very limited entertainment facilities.

In addition to the above findings, other reports indicated that incidents of trafficking of women are increasing in Malawi. For example, in 1998/99 14 Malawian girls were deported from Brussels where they had been trafficked to work as sex workers. A report by Jonathan Martens et al of International Organisation for Migration (IOM) revealed that Malawi is the source of the

Community Safety and Employment

girls, South Africa is the transit country and Europe is the final destination. The Government of Malawi is currently putting in place mechanisms to address the issue. Unfortunately there is no law in Malawi to deal with these type of cases. Accordingly, the Law Commission has proposed a new provision into the Penal Code to punish such criminal acts. The proposed law to address trafficking of peoples more especially women and children, has been presented to Parliament and is being considered.

conclusion and recommendations

Community Safety and Empowerment

Gender-based violence is a form of violation of human rights, because it impinges personal freedoms and rights, due to imbalanced power relations and social expectations between men, women, boys and girls. The study has shown that gender based violence in Malawi is deeply cultivated in the society due to beliefs and customs that generally disfavor women and girls. And because of the differences in cultural set-ups of the country, the type of GBV depends on whether the society is matrilineal or patrilineal.

The study has shown that although there is significant knowledge and awareness on gender-based violence, the community does not appreciate many forms of GBV as problems. Reasons to explain this include inadequate information and awareness on the impacts of GBV, such as predisposition to HIV infection. As a result of lack of appreciation, community participation in the fight against GBV is weak.

The study has also shown that although there has been some research on GBV, most of it has been localized, no national study has been done to analyze GBV at national level. As a result there is lack of reliable and representative information on gender-based violence at national level in Malawi.

Although legislation to deal with GBV is available, many communities and services providers feel it is inadequate and inaccessible to people, especially in rural areas.

Based on the findings above, it is recommended that:

1. In order to have reliable and nationally representative statistics on GBV, a national representative study be done to document and analyse gender-based violence.
2. Institutions involved in justice delivery for victims of GBV need to conduct reforms in their operations to reduce bureaucracy and strengthen efficiency and effectiveness of service delivery.
3. There should be a comprehensive gender based violence IEC programme to educate the public on gender based violence issues.
4. Stakeholders should strengthen mobilisation of communities to improve community participation at grassroots levels on issues of gender-based violence. In most cases service provision is done without putting in mechanism to promote community participation in prevention of gender based violence.
5. Legislation against GBV should be strengthened. Although there has been some progress in reviewing laws that promoted GBV, there are still laws that are urgently needed, for example the domestic violence bill, to protect women and children against GBV.
6. Poverty and lack of economic empowerment of women, which leads to high levels of poverty among women, are important factors that predispose women to GBV. There is need to ensure that women are economically empowered so that they are able to control their own destiny.

Community Safety and Empowerment

7. In order to improve community reporting of GBV, a community-based reporting system for victims of gender-based violence should be developed and used as a basis for reporting the prevalence and incidence of gender based violence in various communities.
8. Support services for victims of GBV are weak. There is need to strengthen services like victim support units, counseling and other support services.

Table 5: Specific advocacy activities for stakeholders

Issues	Specific recommendations	Potential stakeholders to take leading role	CHRR's aim in the short, medium and long term
1. No national level research on GBV	Conduct a national level representative survey on GBV	National Statistics Office	Initiate dialogue with the Ministry and NSO
	Disseminate results	Ministry of Gender, Child Welfare and Community Services	Prepare dissemination products and organise meetings
2. Inadequate institutional reform in justice delivery service providers	Conduct reform programmes in the Police, Judiciary, Legal AID, administrator General and other similar institutions	Ministry of Justice/Ministry of Home Affairs	Facilitate discussions with relevant authorities
3. Cultural beliefs and practices that promote gender based violence	Modify and in some cases eradicate cultural practices that promote GBV and predispose women and girls to HIV/AIDS	Ministry of Gender, Child Welfare and Community Services	Support the Ministry by implementing advocacy and communication activities with local leaders in their programme districts
	Mainstreaming GBV issues in the education system	Ministry of Education and Ministry of Gender, Child Welfare and Community Services	Initiate dialogue with the Ministry and NSO

Community Safety and Empowerment

Issues	Specific recommendations	Potential stakeholders to take leading role	CHRR's aim in the short, medium and long term
	Documentation of best practices in cases where action has been taken against GBV	Ministry of Gender, Child Welfare and Community Services	Organise a data base of good practices and conducting regular mapping exercise of best cases
4. Inadequate community participation at grassroots levels on issues of gender-based violence	Mobilise communities to take action against GBV in the same way they action on other development issues	Ministry of Gender, Child Welfare and Community Services and Ministry of Local Government through District Assemblies	Mobilising communities to take action at community level. Advocacy activities at district level so that DAs take GBV as priority issues in district development planning
5. Lack of communication, coordination and sharing of information	Developing an effective monitoring system for GBV and organising regular national forum on GBV	Ministry of Gender, Child Welfare and Community Services	Development and dissemination of advocacy materials against GBV Implement forums to share information and experiences on GBV
6. Limited knowledge of gender-based violence and linkages to human rights and HIV/AIDS	Implementing an innovative public awareness programme	Ministry of Gender, Child Welfare and Community Services, NGO gender Network	Development and dissemination of advocacy materials against GBV Implementation of the campaign in programme districts Training of journalists on issues of GBV
7. Negative attitudes of service providers and opinion leaders on the issue of gender-based violence	Implementing an innovative public awareness programme that targets both awareness and behavioural change	Ministry of Gender, Child Welfare and Community Services, NGO gender Network	Development and dissemination of advocacy materials against GBV Implementation of the campaign in programme districts
8. Culture of silence by victimised men	Implementing an innovative public awareness programme that targets both awareness and behaviour change, especially among men	Ministry of Gender, Child Welfare and Community Services, NGO gender Network	Development and dissemination of advocacy materials against GBV Implementation of the campaign in programme districts

Community Safety and Empowerment

Issues	Specific recommendations	Potential stakeholders to take leading role	CHRR's aim in the short, medium and long term
9. Inadequate legislation on gender-based violence	Government to formulate and review legislation against GBV	Law Commission, Ministry of Gender, Child Welfare and Community Services, NGO gender Network	Advocacy on the need to have laws that protect women against GBV.
10. Lack of economic empowerment of women which leads to high levels of poverty among women	Ensure that economic programmes are gender sensitive and design specific economic development programmes targeting women	Ministry of Economic Planning and Development Ministry of Gender, Child Welfare and Community Services, NGO gender Network	Advocacy with government institutions and NGOs Documentation of best practices
11. Inadequate community-based protection mechanisms for victims	Roll out the victim support units to cover the whole country	Malawi Police and District Assemblies	Provide capacity building for the new VSU in human rights issues
12. Inadequate capacity among service providers	Develop capacity amongst services providers	All	Develop its internal capacity at all levels
13. Limited access to justice system	Improve access by providing knowledge	Judiciary, Malawi Police Ministry of Gender, Child Welfare and Community Services, NGO gender Network	Advocacy with government institutions and NGOs Promoting linkages between service providers

Community Safety and Empowerment

Annex 1: Description of some practices that perpetuate GBV

Practice	Description/ Forms
Fisi	A private man sleeps with a woman to cleanse her before she can have sex with a legal husband, especially a boy, especially a boy absence. A husband can hire another man to have sex with his wife for conception An old man sleeps with a young girl soon after her puberty to clean her (kuchotsa mantha)
Awilo	When some local leader like TA dies, people who wash/prepare his body, go out in the village and do almost everything sex with women and girls to cleanse the funeral
Kupititsa mwana ku mphasa	When a small child is born in a family, parents do not engage in sex, but when time comes, the parents have sex with the child close to them. The objection is to heal the child and to the sex season.
Tsempho	This is when a man goes out and has sex with another woman when he is not supposed to have it
Kuthandula	This practice forbids sex with a pregnant wife

Community Safety and Empowerment

Annex 2: References

1. CHRR, 2004: Developing Community Advocacy Strategies and Action Plans for on Gender based violence
2. Kakhongwe, P; 2004: Baseline Survey Report for Research and Strategic Plans on gender based violence in Malawi done for CHRR.
3. CHRR, 2004: Understanding and addressing gender-based violence from a community perspective-study.
4. Ministry of Health and National AIDS Commission: The Advocacy Implementation Plan for Working Six Key Social Groups in Malawi.
5. Ministry of Gender, Child Welfare and Community Services, 2002: The National Strategy to Combat GBV (2002-2006).
6. National AIDS Commission (NAC) and the Reproductive Health Unit (RHU): The National Behaviour Change Interventions Strategy for HIV/AIDS and Sexual Reproductive Health.
7. Norwegian Church Aid, 2004: NCA Malawi Country Programme Strategic Plan 2005-2009.
8. Ministry of Gender, Child Welfare and Community Services, 2004: Progress Report on Beijing Plus 10
9. Ministry of Gender, Child Welfare and Community Services, 2002: The National Gender Policy
10. Ministry of Gender, Child Welfare and Community Services, 2004: The National Gender Programme.
11. UNHCR. May 2003 Source: www.theirc.org/index.cfm/wwwID/2007