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UNIVERSITY OF NAIROBI

**SOCIETAL PERCEPTIONS OF SEXUAL VIOLENCE:
THE CASE OF WESTLANDS DIVISION, NAIROBI.**

By:

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REG NO: N50/P/7710/05

Submitted to the University of Nairobi in partial fulfilment of the requirements of a Masters of Arts degree in Gender and Development Studies

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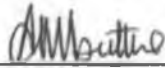


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DECLARATION

This Project is my original work and has not been presented for a degree in any other university.

ANNE. N. MBUTHIA



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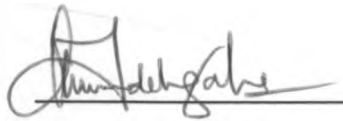
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This Project has been submitted for examination with my approval as the University Supervisor.

Owuor Chungah



22/11/07

NAME

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DEDICATION

This project is dedicated to my husband, Kibunja, and my children Rochelle and George for their perseverance throughout the study. I would also like to thank my mother Magdalene Mbutia for her moral support.

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I would like to extend my sincere gratitude to all those who assisted me in the completion of this project. Firstly, I am greatly indebted to my Supervisor Dr. Owuor Olungah for his continuous encouragement, useful criticism, availability and guidance throughout this research project. I would also like to thank my colleague at the University of Nairobi, Edna Mutua for her assistance throughout the course. Tabitha Njeri and Hudson Eboso also require special mention for their immense contribution to this project through typing the final work. Finally I owe a special thank you to all my family and friends for their moral support throughout the course of the project.

LIST OF ABBREVIATIONS

CEDAW	Convention On The Elimination of All Forms of Violence
COVAW	Coalition of Violence against Women
CRADLE INTERNATIONAL	The Child Rights, Advisory, Documentation & Legal Centre
CRC	Convention on The Rights of The Child
CREAW	Centre for Rights, Education and Awareness
DEVAW	Declaration on the Elimination of Violence Against Women
FGM	Female Genital Mutilation
FIDA	International Federation of Women Lawyers
HIV/AIDS	Human Immunodeficiency Virus/ Acquired Immune Deficiency Syndrome
ICPD	International Conference on Population and Development
KENWA	Kenya Network of Women with AIDS
NGOs	Non-Governmental Organisations
PTSD	Post Traumatic Stress Syndrome
STDs	Sexually Transmitted Diseases
UN	United Nations
UNAIDS	Joint United Nations Program on HIV/AIDS
UN-HABITAT	United Nations Centre for Human Settlement
UNHCR	United Nations High Commissioner For Refugees
UNIFEM	United Nations Development Fund for Women
WRAP	Women's Rights Awareness Program

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ABSTRACT

There has been increasing concern about sexual violence against women in general in both developed and developing countries. Not only has sexual violence against women been acknowledged worldwide as a violation of the basic human rights of women, but an increasing amount of research highlights the health burdens, intergenerational effects, and demographic consequences of such. Sexual violence occurs across all socioeconomic and cultural backgrounds, and in many societies, including Kenya, women are socialized to accept, tolerate, and even rationalize domestic violence and to remain silent about such experiences. Violence of any kind has a serious impact on the economy of a country; because women bear the brunt of violence, they bear the health and psychological burdens as well. Victims of domestic violence are abused inside what should be the most secure environment—their own homes.

This study sought to explore the reasons behind the increased cases of sexual violence and the levels of public awareness on the issue in Kenya with specific focus on the Westlands division. In addition the study also looked into the various types of sexual violence occurring in Kenya, the societal perception of sexual violence, the measures an individual can take before, during and after sexual violence and finally the role of society in the fight against sexual violence.

A sample size of 45 people was selected from three locations in Westlands division namely Kangemi, Kitisuru and Highridge. Kangemi is a low-income area; Kitisuru is a high-income area whereas Highridge is a middle-income area. For a further insight and knowledgeable opinion on the subject matter, four key informants were interviewed from the Center for Rights Education and Awareness(CREAW), International Federation of Women Lawyers-Kenya Chapter(FIDA), Pendekezo Letu and Women's Rights Awareness Program(WRAP).

Findings from this study indicate that despite the good awareness on the consequences of sexual violence, the vice is on an upsurge in Kenya. This is aggravated by the fact that it occurs in the places we deem most secure and the culprits are mainly close acquaintances and relatives. Although there exists numerous forms of sexual violence, sexual rape is the only

well known form among the majority of the respondents who happen to be less educated and located in the slum area (Kangemi). The respondents from Kitisuru and Highridge are however more knowledgeable in terms of the various types of sexual violence. The government which is indebted with bringing the much desired change seems not to be coping with the situation on the ground as far as issues of sexual violence are concerned. This was indicated by respondents in the study who mentioned corrupt police officers and lack of laid down structures to deal with the situation.

CHAPTER ONE: INTRODUCTION

1.1 Background of the Study

Violence against women has been defined as “any act of gender-based violence 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 private life.”¹

Sexual Assault is any touch or act that is sexual in nature or is used for the sexual gratification/ stimulation of the perpetrator(s) by force, threat of force, trickery, coercion or bribery between two or more people where an imbalance exists in age, size, power, development or knowledge. Sexual assault includes rape. A rape occurs when one person is forced by another to engage in sexual intercourse against his/her will.²

UNHCR (2003) describes five more common forms of sexual violence which includes: rape and marital rape; child sexual abuse; defilement and incest; forced sodomy/anal rape; sexual abuse; sexual exploitation; forced prostitution; sexual harassment and sexual violence as a weapon of war and torture.

Sexual violence is not confined to social or ethnic boundaries or age; anyone can get raped, sodomized, and defiled at any time. It is also not confined to the third world countries but occurs worldwide in all strata of society. On almost a daily basis, we find stories in the local print and electronic media of women who have been killed, brutalized, defiled, raped, battered and assaulted. A large majority of these women are assaulted by people who are known to them; spouses, fathers, brothers, uncles and sons. Others are targeted by total strangers. In addition, all these men have one thing in common; they view sexual assault as a game of power. Some men choose to assert their power through violence (SECASA, 2004).

¹ UNIFEM. 2003. *Not a minute more*. Print of NJ, Inc. pg 19

² Frequently Asked Questions About Sexual Assault. http://www.metrac.org/new/faq_sex.htm. 21/3/07.

There have been incidences of physical, sexual, and psychological violence occurring in the family including sexual assault of female children by fathers, grandfathers, uncles and brothers, and marital rape.³

This is a violation of women's rights. Rape constitutes of an act where the victim is forced into sexual activity involving sexual penetration, against the victim's will, through the use of physical force, threat of injury, or other duress. It is also considered rape if the victim is unable to give consent to intercourse due to the effects of drugs or alcohol.⁴

Historically, the system of patriarchy was responsible for female subordination. During childhood, a woman belonged to her father or any other male relative in the absence of her father. After marriage, she belonged to her husband. Men were considered to be heads of households and made decisions on all aspects of the family life. "Among the historical power relations responsible for violence against women are the economic and social forces, which exploit female labour and the female body."⁵ Women were therefore expected to be subservient to men and to quietly accept their role in society as second class citizens.

In Kenya, violence against women in general and rape in particular, has become widespread and a cause for alarm. Almost on a daily basis, there are reports in the media about women and children being raped, some by close family members. Some of the perpetrators claim that economic status and financial constraints are instrumental in forcing them into acts of violence, including sexual assault. In addition, some of the rapists claim that drugs and alcohol are responsible for their heinous actions. According to statistics held by the organization: The Child Rights, Advisory, Documentation and Legal Centre (CRADLE INTERNATIONAL), in Kenya, rape has surpassed the age barrier. The youngest rape victim was five months old and the oldest over eighty years old. The young child was raped by her biological father!

Poverty and economic hardships have lead to rural-urban migration in many parts of the country. Men as well as women leave their rural areas in search of better jobs in the towns. This phenomenon has also contributed to the high level of rape cases. There are more than eighty cases of rape, sodomy and defilement pending at the Naivasha law courts. Sexual abuse in the flower farms in this area is rampant and the people targeted are mainly the jobseekers.

³ Gitonga, A. Town With Two Faces. Daily Nation . 3/2/07. pg 25

⁴ Causes of Rape. http://en.wikipedia.org/wiki/Causes_of_rape. pg 6

⁵ Violence Against Women in Kenya. <http://www.ielrc.org/content/w0001.pdf>. pg 1

Myths about sexual assault and sexual violence have also compounded the problem. “Violence is used to control female sexual behaviour and this is why violence against women often find expression in sexual forms. Masculine construction requires manhood to be equated with the ability to exert power over others, especially through the use of force.”⁶ According to data compiled by the University of Minnesota Duluth, these are the myths as opposed to the realities or facts on the ground:

MYTHS	FACTS
Rape is sex.	Rape is experienced by the victim as an act of violence. It is a life threatening experience.
Women incite men to rape.	Research has found that a large majority of rapes are planned. Women, children, and men of every age, physical type and demeanour are raped.
Sexual assault usually occurs between strangers.	By some estimates, the large majority of victims know their attackers. The attacker may be a relative, friend, co-worker or other acquaintance.
You cannot be assaulted against your will.	Assailants overpower their victims with the threat of violence or with actual violence.
Only bad women get raped.	Most people want to feel that the victim is responsible because she puts herself in an unsafe position by being out late at night, drinking alcohol and dressing in a certain manner. The basic fact however is that without consent, no is no, no matter the circumstances.

Source: University of Minnesota, Duluth

This project aimed at finding out whether we as a society are playing our role in the fight against sexual violence, or whether we have turned a blind eye to the vice. We need to take more responsibility as citizens and report sexual violence as and when it occurs. The project also aimed at finding out whether culture and socialization are contributing factors to the increase in sexual violence cases in Kenya. There appears to be a gap in what we, as a society talk about concerning the fight against sexual violence, and what is actually happening on the ground. This gap needs to be bridged so that our girls and women can live in a safer, more humane society

Rape is a serious, complex public health problem, which is more common than many physicians realize. Health professionals need to recognize sexual violence as an important public health

⁶ Violence Against Women In Kenya. <http://www.ielrc.org/content/w0001.pdf>. Pg 2

issue, to be aware of its prevalence, presentation and effects and develop skills in a wide range of interventions.”⁷

The government needs to be more involved in ending this trend as “There can be no retreat from the understanding that women’s rights are human rights, or from the fact that women have the right to live in equality and dignity, free from violence.”⁸

Marital rape has become a hotly contested debate in Kenya today almost dividing the male and female members of parliament on two divides. Due to our culture and traditions, marital rape was unheard of. A woman became a man’s property to do with as he pleased the moment he paid bride wealth. Despite the fact that in April 1994 the Attorney General of Kenya, Amos Wako, indicated that marital rape was a crime and considered introducing legislation to protect married women from this violation, the idea was vehemently rejected by the majority of the male members of parliament and shelved (FIDA Kenya, March 2002).

In Kenya, sexual harassment is not considered such a serious problem and it occurs in all walks of life. From men who harass their house girls to sexual harassment of potential women jobseekers and women employees, including women and girls in public places, no one is safe from sexual harassment.

What the society thinks of this vice has also led to its continuity. There is a lot of complacency and an unwillingness to be involved in matters concerning sexual violence. This project therefore, hoped to explore the cultural and socio-economic factors that have contributed to the growing phenomena of sexual violence. Due to the fact that Westlands Division encompasses residential areas that have people coming from the different social classes, the researcher was able to get information from respondents in different socio-economic classes.

1.2 Problem statement

Sexual violence has persisted over time but lately it has increased in intensity, frequency and viciousness. Both on the electronic and print media, there are reported cases of utmost bestiality perpetrated against women and girls including infants. The stories are horrifying and outrageous. What is even more worrying is the fact that the victims are becoming younger and younger. Even

⁷ FIDA, Kenya. 2002. Domestic Violence in Kenya. FIDA, Kenya.

⁸ UNIFEM, 2003. Not a Minute More. John S Swift. Print of NJ, Inc. pg 25

the elderly are not spared. There have been several cases in the media of women over eighty years old being raped, sometimes by their own sons!

Though religious groups, NGO's and other community-based organizations in Kenya have come out to condemn sexual violence, the vice still continues to be on the increase. This issue has even been brought to parliament by a Kenyan nominated MP, Njoki Ndung'u, debated upon, and a Sexual Offences Act passed by Parliament in 2006, yet sexual violence in Kenya is not abating. In traditional African society, acts of sexual violence, especially incest, were not tolerated and were punished. However, traditional values are no longer held in high regard. In some instances, they have even contributed to the continuity of the vice. In cases where perpetrators are handed paltry fines by tribal elders after rape or sexual assault, there is no justice, and the victim is not assured of safety from the same perpetrator.

There is a gap between what we believe in as a community today and what is actually being enforced on the ground. Sexual violence against women has not been taken as seriously as it should in our society. The silence is deafening. Women continue to suffer physically and psychologically due to this vice. More often than not, the community is often the site for denial of women's rights due to its varying practices and social attitudes which may be discriminatory or demeaning. The system of reporting sexual violence is even worse. According to a survey carried out by UN-HABITAT, filing complaints against abusers by the victims in Kenya is not easy. One must get a P3 form (medical report) from the police that must be filled in by the doctor. Most often than not, these reports are not available at the police stations or anywhere else, or the police demand payment for the form. This compounds the problem for the victim who may decide not to report the sexual violence after all (UN-HABITAT, 2002). Areas like Kangemi in Westlands Division are also said to be crime-prone areas where sexual assault and rape is common. Residents either residing or passing through such low-income areas are more likely to be victims of sexual assault than those in areas like Kitisuru and Highridge. On the other hand, it could be said that people living in low-income areas are more visible to the public eye and acts of assault and sexual violence are reported more in these areas as compared to higher-income areas where a lot is hidden from the public due to high walls, security and public standing. All facts considered, it is important to explore the reasons behind the increased cases of sexual violence, and the levels of public awareness on the issue in Kenya. With this information, one should be able to come up with viable suggestions and recommendations that can be used to eradicate this vice.

1.3 Justification of the study

The issue of sexual violence has become a very serious problem in Kenya today. The perpetrators are becoming more daring and are targeting the very young and the aged. These perpetrators are usually not strangers but people who are well known to the victims. Myths surrounding sexual abuse have played a part in the increment of sexual violence cases in Kenya. Even with the introduction of the Sexual Offences Act in Kenya, the number of sex offenders has continued to increase.

By undertaking this study, the researcher was trying to explore the ways in which our society can be integrated in the fight against sexual violence. Girls and women are being terrorized by the phenomenon of rape and marital rape, sodomy and anal rape, sexual exploitation and sexual harassment up to date. The government can therefore be involved in alleviating the problem by incorporating the women's perceptions and points of view which have been garnered from this project into city planning and management, as it is mainly women who experience the fear of sexual violence more than men because of their exposure to sex crimes.

By undertaking the research the researcher was able to identify the different perspectives that different individuals hold in a community and the issues that needed to be tackled and streamlined at the policy level, so as to lower the rates of sexual assault. These perspectives can be beneficial to the government in finding ways to eradicate sexual violence in our society. Religious institutions, NGO's, the civil society and community-based organizations will also be able to use the information gathered from this study for advocacy purposes, to plan and implement public awareness campaigns about sexual violence in the print and electronic media and through skits and short plays in the areas where the print and electronic media are rare. By undertaking this study, the researcher hoped to contribute to the fight against sexual violence in Kenya.

1.4 Objectives of the Study

1.4.1 General Objective

The main objective was to explore the societal perceptions of sexual violence in Kenya, specifically in Westlands Division, Nairobi, and the levels of public awareness on the issue.

1.4.2 Specific Objectives

The specific objectives of the study were:

- To explore the various types of sexual violence occurring in Westlands Division, Nairobi.
- To explore the societal perception of sexual violence in Westlands Division, Nairobi.
- To explore the measures an individual can take before, during and after sexual violence.
- To explore the role of society in the fight against sexual violence.

1.5 Research Questions

- What are the various types of sexual violence occurring in Westlands Division, Nairobi?
- What are people's perceptions on sexual violence?
- What measures should an individual take during, before and after sexual violence?
- What role does the society play in the fight against sexual violence?

1.6 Hypothesis/Assumptions of the study

- There are various types of sexual violence in Westlands Division, Nairobi.
- Societal perceptions have contributed to the increase of sexual violence.
- There are measures that an individual can take before, during and after sexual violence.
- The society has a role to play in the fight against sexual violence.

1.7 Limitations of the study

The following were the limitations of the study:

The study was limited to one area of Nairobi, Westlands Division. For a more conclusive report, all areas in the country should have been studied. This was not possible, however, due to time and financial constraints.

Some people selected to take part in the study expected monetary rewards for their participation which was not possible. The researcher therefore had the difficult task of convincing the

participants, especially in Kangemi, to participate without monetary rewards. In the end the talking paid off. The respondents in Kitisuru were also quite difficult to interview. Due to their high level of security, the researcher was forced to wait at most of the gates for the owners of the homes to verify that this was a genuine research. In this case again, patience was necessary to convince the respondents to participate in the research.

The topic was very sensitive and some respondents initially declined to do the interviews. They felt that the government had conducted a lot of studies but no positive results had come out of them. However, the researcher managed to convince them that the research was a scholarly one and not a government initiated study.

The timing was also problematic as the interviews were conducted at the respondents' homes yet some people leave very early in the morning to go to work and come back very late in the evening. The researcher was forced to come back again and again in order to get in touch with the intended participants.

CHAPTER TWO: LITERATURE REVIEW

2.1 Different types of sexual violence

According to reports made by UNIFEM (2002), "One in three women through out the world will suffer violence in her lifetime, she will be beaten, raped, assaulted, trafficked, harassed or forced to submit to harmful practices such as female genital mutilation (FGM)"⁹

In a report filed by Sam Ogola in the FIDA journal, He described sexual violence as follows, "Sexual violence constitutes a violation of a woman's reproductive rights, particularly her right to bodily integrity and to control her sexuality and reproductive capacity" (FIDA, 2006:31).

According to the Battered Person's Advocacy Group, there are several types of sexual violence. Child sexual assault is between a child and an adult or an older or stronger child. The source of power in this situation can be size, authority, strength or position.

Incest is another type of sexual violence. This is the same as child sexual assault. The only difference is that the perpetrator is a member or pseudo-member, such as a live in boyfriend or a step parent, of the family.

Rape is the most common aspect of sexual assault and is described in the uncounted and forced sexual penetration. The Indian Forum against the Oppression of Women has enumerated nine distinct types of rape: Institutional rape, communal rape, gang-rape, rape of minors, marital rape, army or police rape, political rape and rape in economically dependent circumstances.¹⁰

Sexual violence is, and has been a serious and growing problem in societies all over the world. Even as a superpower, America has recorded rape as a serious problem in the country and has the highest rape rate as compared to other countries that report such statistics. America's rape rate is "four times higher than that of Germany, thirteen times higher than that of England and twenty times higher than that of Japan. Women are the most vulnerable and are more likely than men to be victims of sexual assault."¹¹

⁹ UNIFEM. *Not a minute more*. John Swift of NJ, Inc.

¹⁰ *Treaties and Reports to Treaty Bodies*. www.hri.ca/fortherecord1997/vol3/india.htm. 27/6/07.

¹¹ *Sexual Assault Statistics*. <http://sa.rochester.edu/masa/stats.php>. pg 2.

According to statistics, between April and May 2005, 55,114 cases were reported to the police in South Africa. This country is seriously plagued by the issue of sexual assault and the incidents of reported rape in the country are amongst the highest in the world. Bearing in mind that a large majority of rape incidents go unreported, this figure is quite astounding.¹²

In recent times, sexual violence incidents have taken a turn for the worst. It is as though there is a silent war against women and children. "In South Africa, rape happens every 26 seconds and it is alleged that a woman born in that country has a greater chance of being raped than learning how to read."¹³

Women are an integral part of society. Due to this factor, the rape of women and girls has been used as an effective tool of war against opponents. Reports from war zones like Liberia, Sierra Leone, Congo and Darfur attest to this fact. Women are exposed to atrocities and savagery beyond imagination and comprehension. In addition, there are stories of horrific gang-rape, and objects being inserted into private parts leading to medical conditions such as vaginal fistula, severe pain and debilitating incontinence.¹⁴

FIDA, Kenya was involved in monitoring women's rights violations in Nairobi, Western Province, Nyanza and Coast Provinces in Kenya. According to the reports they received between January and November 2006, sexual abuse comprised 10.3 per cent of all violations with the most prevalent form being the denial of conjugal rights. There were also 73 cases of defilement in these provinces and 59 cases of rape. In 75.8 per cent of the reported cases, the locale was the home and the main perpetrators were family members, mainly the husbands. Despite the fact that many of those abuses took place in the home, many women found it difficult to leave their partners and continued to suffer in silence. The impact of the sexual abuse was damaging. 7.7 per cent of the women were infected with HIV/AIDS. 18.7 per cent were infected with STDs. 32.6 per cent were hospitalized and 0.6 per cent died (FIDA, 2006).

Heyzer asserts that power imbalances between men and women are the main contributors to the vice of sexual violence. "Traditional attitudes by which women are regarded as subordinate to

¹² South Africa: Sexual Assault hidden in culture of silence. <http://www.irinnews.org/print.asp?ReportID=51986>. 6/2/07

¹³ Okungu, V. Culture of Sexual Violence Pervades Continent. <http://www.peacewomen.org/new/news%20archive/2003/August/c>. 12/2/07. pg 1

¹⁴ Martens, J. Congo rape victims seek solace. <http://newsvote.bbc.co.uk/mpapps/pagetools/print/news.bbc.co.uk/1>. 23/1/07.

men or as having stereotyped roles perpetuate widespread practices involving violence or coercion.¹⁵

In another survey carried out by FIDA, it was discovered that “Despite the provision in the Children’s Act that define a child as one under the age of eighteen, adolescent girls and some children of about eight years, are randomly married off to older men in some Kenyan communities”¹⁶ Some of these Kenyan communities include the Maasai, The Boran and the Rendille. According to a survey carried out by UN-HABITAT, it was found out that fifty countries in the world allow marriages at sixteen years and below with parental consent (UN-HABITAT, 2002). Ouattara et al (1998) were also against early childhood marriages and attributed the practice of child marriage to a widespread of experience of sexual abuse. It was, in effect, the socially legitimized institutionalization of marital rape of young girls. They further added that in many deprived rural areas in west African countries, many ten or eleven year olds were exposed to a bleak future as domestic servants, commercial sex workers or child brides (Sweetman, 1998). It is therefore important for us to note that “Childhood marriage must be understood as a situation of danger for girls characterized by rape and a life of servility”¹⁷

2.1.2 Myths about sexual violence

In many instances, a large majority of girls and women have been exposed to one type of sexual assault or another in their lifetime. Girls of school going age and women are particularly vulnerable especially in public places like crowded buses where perverts are at liberty to fondle and touch them under the guise of being squeezed in the bus.

Myths about rape and sexual assault have also been instrumental in the increase of the phenomenon. According to research conducted by the University of Minnesota Duluth, myths exist for many historic reasons. These include inherited structural conditions, expectation on gender roles and the fundamental exercise of power in a patriarchal society. Most of these myths place the blame on victims for their victimization. Others encourage men to have sex with young girls in order to be cleansed from a curse, or to seek a cure from disease such as HIV/AIDS.

¹⁵ Heyzer, N. Working towards a world free from violence against women: UNIFEM’S contribution. In Sweetman, C. (ed). 1998. Violence against Women. Oxfam GB. pg 19.

¹⁶ FIDA, Kenya. 2006. Women’s Rights A Mirage or Reality? FIDA, Kenya. Pg 35

¹⁷ Ouattara et al. Forced Marriage, forced sex: the perils of childhood for girls. In Sweetman, C.(ed). 1998. Violence Against Women. Oxfam,GB. Pg 30

According to Dr. Antonio Cumano of Maputo, Mozambique, “some healers still tell people to sleep with pure girls, which only spreads AIDS.....Because people with incurable AIDS are desperate and will do anything, the only deterrent is jail”.¹⁸

The men who are more likely to rape are those who believe in rape myths. Such beliefs have contributed to the upsurge in the rape cases involving children and infants as young as five months.

Men are turning to younger and younger girls because they believe that the latter are free from sexually transmitted diseases and AIDS. In the process, they are infecting these young children with the virus. UNAIDS confirms that there is a high correlation between sexual violence against women and girls and their chances of HIV infection (UNAIDS, June 2006: 5).

2.1.3 Societal perceptions of Sexual harassment

At the workplace, women may experience sexual harassment and unwanted sexual advances and utterances. These include patting, hugging or unnecessary brushing against someone’s body. The United Nations Development Fund defines sexual harassment as “unwelcome or unwanted verbal, non-verbal, physical or visual conduct based on sex or of a sexual nature; the acceptance or rejection of which affects an individual’s employment.”¹⁹

In a report filed by Sakshi, A lobby group in India, sexual harassment was defined as “any unwelcome physical contact and advances, requests for sexual favours, sexual innuendo, display of pornography, and any other unwelcome physical, verbal, or non-verbal conduct of a sexual nature.”²⁰ The group was successful in compelling the Supreme Court in India to pass guidelines on the issue of sexual harassment.

Cases of sexual harassment in the workplace and in institutions of learning in Nairobi are rampant. Women in Nairobi suffer sexual harassment and abuse at all places including the home, the streets, at work and in schools. Sexual harassment makes them live in perpetual fear. Caroline Njung’e in her report in the Saturday Nation newspaper reported that some women did

¹⁸ Hall, J. 2002. Attempts Made to Outlaw Dangerous Superstitions. Inter Press service.

<http://www.aegis.org/news/ips/2002/Ip020412.html>. 31/1/07. pg 1

¹⁹ Sexual Harassment-Guidelines. http://www.adventist.org/beliefs/guidelines/main_guide3.html. 28/5/07.

²⁰ Kapur, A. “I am witness to...” A profile of Sakshi Violence Intervention Centre in New Delhi, India. In Sweetman, C. (ed). 1998. Violence against Women. Oxfam, GB. Pg 45

not need to be touched or to be told anything to feel sexually violated. Some looks were offensive and as long as they made someone feel uncomfortable, it was sexual harassment.²¹

In a UN-HABITAT report, it was observed that Some City council *askaris* (policemen) in Nairobi, Kenya were harassing hawkers and asking for sexual favours. If they refused, the *askaris* would arrest them and take them to the police cells where they would bring in street boys to rape the women and sodomise the male hawkers. At the end of the day, most hawkers preferred to give in to the City Council *askaris* (UN-HABITAT, 2002:61).

UN-HABITAT also carried out a victimization survey in Nairobi on 1210 women. Out of this number, 17 per cent of the respondents said that they had experienced sexual harassment at their place of work or study during the past one year. It was observed that sexual harassment was highest among working women and girls. 34 per cent of the respondents suffered sexual abuse and 24 per cent experienced rape (UN-HABITAT, 2002:34).

Most of the women who undergo sexual harassment do not always have the courage to report it as they fear losing their jobs, or having no chance of being believed at the workplace. This eventually makes the workplace a hostile, intimidating environment for the victim. The latter is also blamed for the unwelcome advances due to the way she dresses, talks or walks. In some cases, the sexual harassment is not referred to as such, but it is indicated as “friendly flirting” and the woman is supposed to accept it as such and not take offence.

Women who seek work to strengthen their economic empowerment outside the domestic sphere or in the immediate community such as free trade zones and other low-skilled labour-intensive areas are often seen as being sexually available to men and therefore sexually promiscuous. Supervisors and managers in the flower farms in Naivasha regularly make sexual advances on the women, forcing them to take part in sexual activity or take nude pictures. These women earn less than one dollar a day and are unable to meet basic needs. They are therefore lured to these men by promises of better pay or better housing in exchange for sexual favours.²²

Sexual insults are also just as damaging as sexual harassment and the two sometimes go hand in hand. Johnston found out in his survey that sexual insults were the second most common form of

²¹ Njung'e, C. *Sexual Harassment: Where do you draw the line?* Saturday Nation. 6/10/07. pg 6.

²² *I can't plant a rose in my own name.* <http://www.hampshire.edu/cms/index.php?id=3995>. 28/5/07.

sexual abuse reported by Kenyan adult women. He further stated that sexual insults and innuendos can be as damaging to individual self-worth and self-esteem as any other form of sexual abuse (Johnston, 2003)

2.1.4 The impact of culture and socialization on sexual violence

Almost every traditional African Society was patriarchal in nature. A woman's place was decidedly subordinate and she had little say in the society. This inequality has remained common in African customary law and has contributed to general violence against women in family and community setting and rape in particular. This violence is attributed to women's subordinate position, passivity and economic dependence on men. UN-HABITAT in its survey on survivors of Violence against Women reported that "The fear of crime experienced by women is a result of cultural, social and political causes. It is deeply rooted in the inequality that exists between men and women in our patriarchal societies."²³

People acquire attributes by growing up in a particular community or society where they are exposed to a specific cultural tradition. In this way, culture is responsible in guiding people in terms of their behaviors and perceptions throughout their lives. "The individual and culture are linked because human social life is a process in which individuals internalize the meanings of public messages".²⁴ Culture is therefore instrumental in molding the character of an individual and their perceptions about others in life. Efron further asserts that "...cultural attitudes, metaphors, language, and beliefs exert a great influence on how females and males see themselves, in their relationships, and sexuality" A culture that believes in masculinity and places a lot of emphasis on dominating women will also condone sexual violence or even not deem it to be a serious problem.²⁵

According to UNIFEM (2002), the model of male dominance and the system of patriarchy has allowed men to believe they can abuse and assault women. In addition, cultural factors such as sexual double standards, norms of chastity and fidelity applied only to women and the

²³ UN-HABITAT. 2002. A snapshot Survey on Violence Against women in Nairobi. UN-HABITAT.

²⁴ Kottack, C P. 2002. Cultural Anthropology. McGraw-Hill.

²⁵ Efron, R. Psychological Dynamics of Sexual Assault.

www.health.columbia.edu/pdfs/dynamics_sexual_assault.pdf. 30/10/07

objectification of women's sexuality have contributed to the drastic increase in rape incidences in Kenya.

Aggressiveness and violence encouraged in boys and young men as a marker of masculinity has also contributed to the phenomenon of rape. Films glorifying violence, degradation and humiliation of women are very popular with the youth who yearn to ape their heroes like Sylvester Stallone and Arnold Schwarzenegger. "All our cultural systems for making men are inflicted with this lethal violence, contaminated in such a way that we have now mistaken the virus for our normal selves, for normal human feeling, acting, behaving at being" (Bloom, 1998: 31).

Jones further states that social conditions such as cultural norms, rules and prevailing attitudes about sex mold and structure the behavior of rapists within the broader social system. If those systems are not pro-women, they foster rape-prone environments and in effect teach men how to rape.²⁶

2.1.5 Sexual violence on children

There are more than eighty cases of rape, sodomy and defilement pending at the Naivasha Law Courts. Whereas sexual assault is rampant in this area the main victims are usually desperate jobseekers. In addition, according to Ms Rahab Wairuri, (a Kenyan woman and the Chairperson of Naivasha Disadvantaged Support Group, (Nadiso), a local NGO that supports rape victims) children between 4 – 12 years are the most affected by rape, defilement and incest. They also fear to expose the culprits because they have been threatened. In most cases, their parents are also likely to be compromised to accept meager out of court settlements. (Daily Nation, 3/2/07). During a conference in Nairobi, the Kenyan Vice President, Honorable Moody Awori, emphasized on the importance of listening to children and taking action against culprits on their behalf. "Listening to children and young people is critical to understanding issues concerning them and shaping responses to their needs."²⁷ Due to this factor, there was a need to gather proper information by conducting research on violence against children so as to identify forms,

²⁶ Jones, O. Sex Culture and The Biology of Rape: Towards Explanation and Prevention.
[http://stopvaw.org/Sexual Assault and Cultural Norms.html](http://stopvaw.org/Sexual_Assault_and_Cultural_Norms.html). 30/10/07

²⁷ Kiplagat, S. State Tells of Bold Steps to End Violence. Daily Nation. 29/5/07. pg 14.

causes and impact of violence. He decried the drop in pressure and activism against sex tourism on the Kenyan coast.²⁸

According to a survey carried out by Johnston, girl-child prostitution was on the increase in Kenya. Out of the two hundred and four children who were interviewed, 14 per cent were between the ages of 10-11 years, 33 per cent were between 12-13 years and 53 per cent were between the ages of 14-15 years. Their main areas of operation were mainly bars, clubs, hotels, boarding houses, specific street corners or stretches of highways. Some of the girls were operating in houses (massage parlors) and were under the care of a pimp or "madam" who managed their earnings. Some of the girls were living in abject poverty and were ready to provide sexual services for very little money, less than fifty Kenyan shillings. In the urban and tourist upper class massage parlors, bars and hotels, the earnings were better. The girls were paid between two thousand to three thousand Kenya shillings. The tourists preferred young girls and paid much more for the younger girls. The police were ready to turn a blind eye to this vice as they could be bribed and "entertained" free of charge. Most of the girls were forced into this trade because of poverty. Others had been abused or abandoned at home and had nowhere else to go. A large majority had lost their parents or guardians to HIV/AIDS and had to turn to prostitution to take care of their siblings. Their numbers will continue to increase due to poverty and loss of parents and guardians to HIV/AIDS.²⁹

The worst aspect concerning incest and defilement is the fact that most children are victims of people they know, and they are close to. This is one of the main reasons why this vice is under reported. A perpetrator who is a relative of such a child will probably be taken before the tribal elders and fined one goat! After this, the case is considered closed, and the defiler is thus at liberty to defile the same child or yet another child. According to a UN-HABITAT report, 40 to 60 per cent of known sexual assaults within the family in Nairobi are committed against girls aged 15 years and below regardless of region or culture (UN-HABITAT,2002)

In another survey, Johnston reported that "Kenyan girls appear to be at risk early in life from older males in the family-older male pupils and teachers in school as well as from older male peers and adult males within the community."³⁰ He further commented that some Kenyan fathers believed that they had first sexual rights over daughters either at puberty or just before marriage.

²⁸ Kiplagat, S. State Tells of Bold Steps to End Violence. Daily Nation. 29/5/07. pg 14

²⁹ Johnston, T. 2003. The Sexual Abuse of Kenyan Women. Popular Communications Africa.

³⁰ *Ibid.* pg 8

2.1.6 Sexual violence and pornography

Maitse states that according to a study carried out in 1993-1994, it was revealed that there was a clear link between violence against women and pornography. Of the 74 women interviewed, 20 claimed that their partners had access to pornographic material and that they were often forced to emulate some of the pornographic images. Refusal to do so usually meant that they would be assaulted. "Some men find the sexual violence and aggression induced by pornography erotic and desirable"³¹

Pornography is designed to degrade and humiliate women. It serves a further purpose of portraying women in images of servitude and subservience. In the process of carrying out their fantasies after watching pornographic material, men tend to be callous and cruel. People must therefore, understand that there is a direct connection between pornography and sexual violence.

2.1.7 The perpetrators of sexual violence

Rape is a sensational topic in the media. In most cases, after reading or listening to horrific stories about sexual violence, people make sympathetic comments about the victims and shake their heads in disgust, but there is hardly ever any follow-up on this issue. It is considered as one of those rather unfortunate facts of life. In addition, rape issues in certain communities are not carried with the magnitude that they deserve. According to media reports, at least 62 women were raped in the Johannesburg area in the first three weeks of June 1998. The police released a statement indicating that the number could have been higher because only one in thirty-six cases are reported. In the same report, it was indicated that as many as 30 per cent of the men raped the women in the rapist's own home, 29 per cent in open areas, while 14 per cent were raped in their own homes. Women were mainly assaulted by people they knew rather than strangers and in 46 per cent of the cases, the women knew their attackers by sight.³²

In July 1991, 71 teenage girls at a boarding school in Meru, a small town in Kenya, were raped by boys from their own school. 19 of them succumbed to their injuries from the brutal and vicious attack. The devastation was made worse by the message given to the media by the

³¹ Maitse, T. Political change, rape, and pornography in post apartheid South Africa. In Sweetman, C. (ed) 1998.

Violence against Women. Oxfam, GB. Pg 56

³² Maitse, T. Political change, rape and pornography in post-apartheid South Africa. In Sweetman, C. (ed). 1998.

Violence against Women. Oxfam, GB. Pg 55

Deputy Principal of that school, “the boys never meant any harm against the girls. They just wanted to rape”.³³

In a survey carried out by Johnston in 2002, 232 married Kenyan women were interviewed and they admitted to having been subjected to gender-based abuse and violence. 18 per cent of these women reported unwanted sexual touch by their partners, 72 per cent reported that they had been subjected to sexual insults and 10 per cent were forced to have sexual intercourse (Johnston, 2002).

Most of the perpetrators of sexual violence are men. Sen discussed an incidence where “In Papua, New Guinea, gang rapes of women traveling in public spaces are a matter of great concern...a woman was abducted by a bus driver and his accomplice and suffered a night-long ordeal of rape by more than 20 men. The absence of safety for women in the streets curtails movements and actions.”³⁴

In most African societies, a man was required to pay bride price for a woman when he wanted to marry her. Bride wealth was meant to be a token of appreciation to the woman’s parents but it was later taken to mean that the man had actually bought himself a wife. This practice continues in most African communities up to date, and the woman is considered a man’s property once she is married to him. The man is therefore, allowed to discipline his wife when he deems it fit to do so. He can also demand for his conjugal rights whether his wife is ill or even menstruating. This practice perpetuates sexual violence against women. In many societies, “women as well as men, regard marriage as entailing the obligation on women to be sexually available virtually without limit.”³⁵

According to a survey carried out by UN-HABITAT in Nairobi, it was discovered that the vast majority of abusers were men and that they were known to their victims. It was further noted that two in every five abusers were under the influence of drugs. The same report also stated that population-based quantitative studies in forty countries indicate that 20 to 50 per cent of women

³³ Perlez, J. Kenans do some Soul-Searching After the rape of 71 Schoolgirls. The New York Times. 29/7/91. <http://query.nytimes.com/gst/fullpage.html?res=9D0CEEDE103FF93AA15754COA967958260&sec=&spon=&pagewanted=all>. 24/5/07.

³⁴ Sen, P. Development practice and violence against women. In. Sweetman, C. (ed). 1998. Violence against Women. Oxfam, GB.

³⁵ Sexual Assault and Cultural Norms. http://www.stopvaw.org/Sexual_Assault_and_Cultural_Norms.html. 30/10/07. pg 1.

are victims of physical violence and that 50 to 60 per cent of these women were also sexually abused by the same men. It was therefore concluded that perpetrators of violence against women were almost exclusively men, and that this violence cuts across socio-economic class, religious and ethnic lines.³⁶

The impact of sexual violence on women is big. Sen asserts that, “Actual and threatened violence has impeded women’s participation in development projects.”³⁷

In effect, women fear participating in projects because they fear for their safety in public places. Their productivity is therefore reduced. In a survey carried out by UN-HABITAT in Nairobi, 66 victims of sexual abuse were interviewed on the impact of sexual abuse. 80.3 per cent of those women recorded feelings of anger, 68.2 per cent suffered from depression, 53 per cent blamed themselves for the sexual abuse and 47 per cent lost self-esteem or self-confidence. Less than half the victims told someone about the abuse because they felt that it was useless to tell because nothing would change and they were ashamed of the whole incident. Only 6.1 per cent of these women reported the matter to the police. Obonyo, in her project *Violence against Women in Kenya: an Exploration of the Underlying Factors*, has said that many women silently suffer from many sexually transmitted diseases, physical injuries and psychological trauma due to violence. She further adds that “Violence against women is one of the greatest hindrances to women’s full participation in development yet their contribution is an essential component of poverty eradication and sustainable development strategies.”³⁸

2.2 The role of society in the fight against sexual violence

Article 2 of the Declaration on the Elimination of violence Against Women (General Assembly resolution 48/104) states that “violence against women shall be understood to encompass but not be limited to the following..... Physical abuse, sexual and psychological violence occur within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution”.³⁹

³⁶ UN-HABITAT. 2002. A Snapshot Survey On Violence Against Women In Nairobi. UN-HABITAT.

³⁷ Sen, P. Development Practice and violence against women. In. Sweetman, C. (ed). 1998. Violence Against Women. Oxfam,GB. pg 11

³⁸ Obonyo, J. Violence Against Women In Kenya: An Exploration of The Underlying Factors. M.A Project. IAS.

UON, August 2004. pg 3.

³⁹ UNHCR. Declaration on the Elimination of Violence against Women.

<http://www.ohchr.org/english/law/eliminationvaw.htm>. 25/5/07.

At the international level, there have been agreements by the different states to adopt and implement national policies to end violence against women and to ratify all agreements that relate to violence against women. The governments have also committed themselves to providing shelters, legal aid and other services for girls and women at risk and counseling rehabilitation for perpetrators.⁴⁰ Yet in the Kenyan prisons, the convicted sexual assault offenders hardly get any form of rehabilitation because the number of trained personnel at such institutions is negligible. These are the very same people who continue practicing sexual violence against women when they are released after their jail term. Shelters that are in existence have been created by NGOs and not the government per se.

The 1994 International Conference on Population and development (ICPD) and the fourth World Conference on Women in Beijing in 1995 championed women's rights and stressed on the importance of their health. At these conferences, it was emphasized that equality between men and women would be the only factor to promote sustainable and equitable development in the different countries. This would be achieved by empowering women (FIDA, 2006).

Kenya has not been left behind in adopting new instruments, but, unclear mandates; lack of adequate staff, insufficient resources, poor training and lack of support from national political leadership makes domestication and ratification take longer. "What remains is what governments find difficult: and that is to translate the progressive provisions of these instruments into national laws and policies where applicable and more important to implement them."⁴¹

It is the duty of the different member states to exercise diligence in preventing violence against women, and to prosecute and punish those who do. The state is also expected to play a critical role in efforts to eradicate gender based violence, and sexual assault in particular so as to eradicate this vice. The state is therefore, vested with an obligation to bring about redress through legislation and by also fundamentally changing the patterns of socialization. The latter have been used to disempower women and create an atmosphere in which violence against women appears legitimate. "Despite various international conventions and conferences for example the 1979 Convention on the Elimination of Violence Against Women (CEDAW), the 1989 Convention on the Rights of the Child (CRC), and the 1995 Beijing Platform for Action, the lives of many girls remain unchanged and the consequences for girls are pervasive in terms

⁴⁰ Women and Violence. <http://www.un.org/rights/dpi1722e.htm>. 28/5/07.

⁴¹ FIDA. 2006. Women's Rights A Mirage or Reality? FIDA, Kenya. pg 20.

of health, social status and capacity to determine their own lives. More work needs to be done around implementation of international legal systems and the more difficult aspects of the perils of girlhood such as marital rape of child brides.⁴²

According to the Declaration (CEDAW), legislation and legal institutions play a very important role in providing redress for victims of violence and calls for the sensitization of the judiciary, the reform of educational curricula, data collection and specialized assistance to women victims. It is important to note that the community is more often than not the site for the denial of women's rights, brutality, violence and discrimination against women. It is therefore important that the state address violence and sexual assault at the community level so as to eradicate the menace.

In Kenya, we have made a move in the right direction by enacting the Sexual offences Act. A ban on sexual harassment was also included in the act. However, there are still loopholes in the law. Certain perpetrators are let off due to lack of evidence. In such circumstances, because victims know their attackers, they fear retribution and being attacked again. They would therefore rather not report the assault in the first place. "According to the CRADLE report, the biggest hurdle in fighting child sexual abuse remains the failure by judicial officers to implement the Sexual Offences Act when hearing and sentencing sexual offenders. The report also claims that some police officers refuse to charge offenders under the new Sexual Offence Act, watering down the charges instead" (Drum East Africa, 26th March 2007:18).

In addition, government doctors examining sexual abuse victims are reluctant to give evidence in court leading to a delay in justice. There is still a lot of work to be done on the ground to eradicate this menace from our society. There is a need for our society to find ways to fight this silent war against women and girls, and also find ways to encourage more reporting of this crime. Rape victims are not always aware that immediate medical attention is necessary, not just for evidence collection, but also to reduce the risk of contracting a sexually transmitted disease or becoming pregnant. However, the Sexual Offense Evidence Collection Kit can also act as a hindrance as it can be very cumbersome, and some procedures are humiliating to the victims. Shelters for rape victims and counseling services are rare and mainly found in urban areas and cannot therefore cater to a large majority of the victims of sexual violence who suffer from stress and trauma after the incident. The most ethical and humane approach would therefore have to

⁴² Quattara et al. **Forced marriage, forced sex: the perils of childhood for girls.** In. Sweetman, C. (ed). 1998. **Violence against Women.** Oxfam, GB. pg 28.

focus on balancing prevention and intervention and would require a lot of collaboration and commitment from the community.

The advancement of women's rights has been a major area of concern for the United Nations. However, the alarming global dimensions of violence against women were not explicitly acknowledged by the International Community until December 1993 when the United Nations General Assembly adopted the Declaration on the Elimination of Violence Against Women (DEVAW). The declaration points out to the prevalence of violence in general society including rape, sexual abuse, sexual harassment and intimidation at work and elsewhere, trafficking in women and forced prostitution.⁴³

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) is the most extensive instrument dealing exclusively with the rights of women. It is very specific on employment and states that gender-specific violence including sexual harassment in the workplace can seriously impair equality in employment. It also calls upon states to provide a support service for all victims of gender-based violence, including refuge, specially trained health workers, rehabilitation and counseling services (Kameri-Mbote, 2000).

The Convention on the Rights of the Child, Article 19, urges states to take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence. Article 34 further provides for the protection of the child from all forms of sexual exploitation and sexual abuse (Kameri-Mbote, 2000). It is therefore, important to include sex education in our school curriculum. From an early age, children need to be educated about inappropriate advances and the fact that their private parts are just that, private! They should be informed about what measures they can take in case of sexual violence.

Despite the fact that Kenya has ratified the international conventions and instruments, and has pledged to safeguard women and girls from all forms of violence, very little has been done to protect these women and girls uphold international standards in relation to women's rights.

The United Nations Secretary General's study on Violence against Children found out that the most commonly reported abuses against children were sexual assault, defilement, rape and sodomy. Eighty-nine percent of sexual abuse crimes were committed by family members or close friends. Global statistics further demonstrates that 150 million girls and 73 million boys

⁴³ Women and Violence. <http://www.un.org/rights/dpi1722e.htm>. 28/5/07.

experienced forced sexual intercourse or other forms of violence in 2002. The study also revealed that 1,000 Mozambican women and children are trafficked every year and sold to brothels, or as concubines to mine workers. In Kenya, the most notorious towns leading in child sexual abuse were said to be Thika and Naivasha. Child sex workers, mainly in tourist areas, numbered between 10 and 30,000. There was an emphasis on the fact that violence breeds violence. Therefore in later life, it was most likely that victims of sexual violence would be victims or perpetrators themselves.⁴⁴

Sexual violence has devastating consequences on women's lives and their health. It causes untold suffering, unwanted pregnancies, in some instances STDs and HIV/AIDS. According to Johnston, in some communities, wife inheritance is customary. Some widows who dissent are usually forced into ritual cleansing (forced sexual intercourse) with brothers of the deceased husband. This type of female subservience has led to an increase in female vulnerability to HIV/AIDS transmission (Johnston, 2003).

The Sexual Offense Evidence Collection Kit is capable of inducing trauma on sexual violence victims. This kit can be totally dehumanizing to the victim. Victims are required not to bath after a sexual violence offense. They are supposed to report to the police or the health centre in the same state that they were in when the assault took place so as to ensure that evidence is not lost. The worst thing about this scenario is the fact that a victim's first impulse is to bathe so as to remove the smell or scent of their assailant(s). It requires a lot of effort and determination on the part of the victim not to strip and bathe immediately after an attack.

The kit is designed to assist in the collection of evidentiary specimens when the crime is sexual assault. During the process of evidence collection, trace evidence is of importance. The victim is required to disrobe over a large piece of examination table paper, preferably in the presence of the examiner. The paper is then folded and handed over to the police officer after careful labeling. All clothing is supposed to be collected from the victims including under wear. The process of taking clothing from victims sometimes causes distress.

One of the most traumatic processes is that of collecting pubic hair combing. A paper towel is placed under the victim's genital area and using a comb that has been provided, the pubic hair is combed in downward strokes to loosen any hair or debris. This usually causes humiliation and embarrassment to the victim. Sometimes the victim may also be required to pull out some of the pubic hair and this can be quite traumatic.

⁴⁴ Nation correspondent. Alarm over sharp rise in assault cases. Daily Nation. 29/5/07. pg 15.

Another traumatic process is the anal swabs and the vaginal/penile swabs and smears. The anus and the vaginal vault or the penis is carefully swabbed and the evidence is collected and passed on to the police. In cases where the victim is a child and the injuries are extensive, the child may refuse to co-operate due to the trauma and thus has to be put under anesthesia for the process to take place.

The process of using the Sexual Offense Evidence Collection Kit can be tedious and cumbersome and very humiliating to the victims.⁴⁵

In Kenya, the new Sexual Offences Act has opened a way for women to fight for their rights and to openly seek punishment for those sex offenders who had been getting away before. The Act has addressed some key issues in sexual violence and has provided punitive measures for sexual harassment and stiffer sentences for sex offenders. Despite the fact that this Act is a milestone in Kenyan laws, it still “does not recognize rape in marriage as a crime. In fact consent to sex is considered to be implied in marriage, so a husband cannot rape his wife by definition.”⁴⁶ FIDA therefore feels that more can be done. Lawyers organizations should work with parliamentarians and generate bills that seek to fill the gap between national and international standards. There is a need to sensitize the politicians as far as sexual violence is concerned so that there can be political goodwill. This will ensure that sound policies are enforced and that the fight against sexual violence is effective.

“According to a survey carried by Johnston in 2003, it was revealed that over one half of all Kenyan women and girls reported some sort of sexual abuse as a lifetime experience (Johnston, 2003). Such statistics are worrying and disturbing. Economic and social factors are mainly responsible for the growing trends of sexual violence. Sex is a taboo subject for discussions, and this is responsible for the silence that surrounds the vice especially in incest and defilement cases. In 1986, Georgina Ashworth provided a detailed analysis of the UN Declaration of Human Rights and argued that the Charter failed women by not addressing and eliminating violence against them, in essence denying them their human rights.”⁴⁷

⁴⁵ Appendix O. Sexual Offense Evidence Collection Kit.

www.health.state.ny.us/professionals/protocols_and_guidelines/Sexual_assault/docs/protocol_appendix_q.pdf.

⁴⁶ FIDA. 2006. Women's Rights A Mirage or Reality? FIDA, Kenya. pg 31.

⁴⁷ Sen, P. Development practice and violence against women. In. Sweetman, C. (ed). Violence Against Women. Oxfam,GB. Pg 11.

Sexual violence in all the nations impede women's choices in every sphere, be it public or private. It also puts their integrity at stake and in the process erodes their self-confidence and self-esteem. This does not augur well for a nation which needs all people, both men and women, to participate fully and equally in the development of a country.

2.3 THEORITICAL FRAMEWORK

2.3.1 The Social Learning Theory

The Social Learning Theory is the behaviour theory that focuses on learning that occurs within a social context. According to the theory, people learn from one another through observation learning, imitation and modeling. Observational learning is also known as imitation or modeling. During this process, learning occurs when individuals observe and imitate other peoples' behaviour. After observing and imitation, four component processes follow. These include attention, retention, motor reproduction and motivation.

The man behind this theory is Albert Bandura. He believed that aggression is learned through a process called behaviour modeling. He argued that individuals, especially children, learned aggressive responses from observing others, either personally or through the media and environment. He further stated that most individuals believed that aggression produced reinforcements. These reinforcements were instrumental in reducing tension, gaining financial rewards, gaining praise of others or building self-esteem. Albert Bandura is most famous for the Bobo doll experiment which sought to establish that most children imitated aggressive behaviour.

The theory has several basic tenets. It stipulates that people can learn by observing the behaviour of others and the outcomes of those behaviours. According to social learning theorists, people learn through observation alone and their learning may not be necessarily shown in their performance. In addition, cognition plays a role in learning. In this way, awareness and expectations of future enforcements or punishments can have a major effect on the behaviours that people exhibit.

Bandura also suggested that environmental experiences are an influence on social learning and reinforced modeling. Individuals who live in high crime rates are more likely to act violently than those who dwell in low crime areas (Bandura, 1976: 207). He also believed that television was a source of behaviour modeling. Films that portray graphic violence are accepted as the ideal. In most cases, the heroes in these films are never punished for this violence. In relation to reciprocal causation, Bandura proposed that behaviour can influence both the environment and the person. In reality, each of the three variables, the person the behaviour and the environment can have an influence on each other. In relation to modeling, he stated that there were two types of models, the live model, (the actual person demonstrating the behaviour), and the symbolic model such as the people portrayed in television or computer programs.

This theory has been used before in the research about the validity of social learning theory. In “Deviant Behavior: A Social Learning Approach”, Akers believed that individuals learned aggressive acts through operant conditions. In this process, the aggression was acquired through direct conditioning and modeling other’s actions (Akers, 1977). In another study, it was found out that the concept of differential association included both direct and indirect exposure to secondary and reference groups as well as mass media, internet computer games and other “virtual groups”. The theory hypothesized that the more one’s patterns of differential associations are balanced in the direction of greater exposure to deviant behaviors and attitudes, the greater the probability of that persons engaging in deviant or criminal behavior (Warr, 2002). William Benson found that adolescents who watched excessive amounts of television during their childhood were 49% more likely to become adult criminals involved in crimes such as rape and assault as compared to those who watched average quantities of television violence. (Centerwall, 1993: 70 – 71).

2.3.2 Weakness of the theory

The social learning theory has one main weakness. It mainly concentrates on observation and states that people learn through observation alone. It does not take into consideration an individual’s biological state and the differences of individuals due to genetic, brain and learning differences (Jeffrey, 1985: 38). A person, who has witnessed a traumatic incident such as rape, may not respond in the same way as another person who has witnessed the same incident. In this way, symptoms and behavior are not learnt but partially inherited. According to Jeffrey (1985) the biological preparedness of the individual to learn as well as the role of the brain in

processing information from the social environment, are critical to the learning theory, but have been ignored by the social learning theory. Despite this weakness my opinion is that observation and the environment play a crucial role in social learning and therefore, this theory is apt in the study on Sexual Violence in Kenya today.

2.3.3 Relevance of the theory to the study

My central position is that socialization and the environment have an effect on men. From childhood, boys in most societies are taught to be aggressive and to regard women as second class citizens as a definition of masculinity. They are raised to believe that they have inherent right to sexual release with women. They are also taught that they are entitled to be in control of their relationship with women and they have the right to express their anger using violence. This learning is reinforced by observation and imitation. For example, a boy who is raised up in a family where the father is physically violent will most likely become an abusive father and husband. This theory is therefore relevant to my study as it portrays the fact that social learning has a great impact on an individual's behavior. The theory states that awareness and expectations of future reinforcements or punishments can have a major effect on the way people believe. If people are shown what punishments to expect after sexual violence, they will desist from such behaviors.

2.3.4 Stimulation and catharsis effect on violent behavior

It has been noted that in the world today the sex roles are changing. Whereas in the past women were expected to take care of their homes and families and were hardly allowed into any formal employment, the trend seems to be changing and more women work away from home. This in itself causes a shift in the authority in the homestead. Where women are the main breadwinners in the home, the men find that their authority is challenged more and more. Sometimes, especially in the rural areas in Kenya, one will find that the women are busy in their farms while the men idle the day away at the shopping centers and are not engaged in any meaningful economic activity. Most of these men harbor feeling of bitterness due to their socio-economic status. When they suppress these feeling for too long, they must find a way to release them.

Freud believed that aggressive energy had to be released otherwise it would cause illness. Because most men in such situations are frustrated and attainment of their goals has been thwarted, they release their pent up frustrations on the nearest and most vulnerable people, their wives and children. In the home, they can be violent without fear of retaliation, without any consequences, because they are 'the heads of homes'. In meting out violence against women and children, these men find relief and their pain is gone temporarily.

A large majority of the perpetrators of physical and sexual violence against women are those who have seen their fathers or role-models in the family do the same thing. One of the tenets of the Social Learning Theory is that people learn by observing the behaviours of others and the outcomes of those behaviours. The perpetrators then reinforce the violence they have observed during their childhood, on their own partners, and discover that meting violence on others has a cathartic effect on them. They feel relieved and in-control of the world. However, this feeling is short-term and when the euphoria wears out, they resort to violence again. This perpetuates the vicious cycle of physical and sexual violence.

CHAPTER THREE: METHODOLOGY

3.1 Research Design

The study adopted an exploratory approach using a descriptive survey design to explore the role of society in the fight against sexual violence. The descriptive survey research produced basic statistical information. The study covered a cross section of Kenyans and ensured that people from a low-income area, a middle-income area and a high-income area were interviewed.

3.2 Site Description

Westlands division is situated in the suburbs of Nairobi, Kenya. It is divided into the following sub divisions: Highridge, Kangemi, Kilimani, Kitisuru, Lavington and Parklands.

For the purpose of this study, the researcher concentrated on three sampling units: Highridge, Kitisuru and Kangemi locations. This was to ensure that the study covered the three class boundaries.

Highridge is a middle income residential area located in the northern part of the larger parklands area. It has a mixed population comprising mainly of Africans and Asians. It has a population of 65,268 people (2003). Most of the residents in this area live in semi-detached houses.

Kangemi is a low income residential area located about ten kilometers from the Central business district. It is a cosmopolitan community bringing about forty two ethnic groups and has a population of 82,964 people (2003). Most of Kangemi is a slum area with few basic services and crowded living conditions. Most of the residents do not own the houses but rent them. The crime rate in this area is high due to the low standards of living.

Kitisuru is a high income residential area located to the south west of the city centre. It has a population of 38,424 people (2003). Most of the residents living in this area are wealthy and can afford watchmen and guard dogs. The crime rate in such an area is low.

For the study, a sample size of 15 people from each sampling unit was selected.

3.3 Sample Selection

For the study, a sample size of 45 people was selected from three locations in Westlands division namely Kangemi, Kitisuru and Highridge. Kangemi is a low-income area; Kitisuru is a high-income area whereas Highridge is a middle-income area. Purposive sampling was also used to select 15 people from each sampling unit making a total of forty-five people. Copper et al (2001) asserts that the basic idea of sampling is that by selecting some of the elements in a population, we may draw conclusions about the entire population. They identify that there are several advantages of sampling as opposed to a census. These are lower costs, greater accuracy in results, greater speed of data collection and the availability of population elements is higher. Based on the above assertions, this study used the purposive sampling technique. Copper et al (2001) also propose that the ultimate test to a sample design is how well it represents the characteristics of the population it purports to represent. The sample must be valid. The validity of a sample depends on two considerations: accuracy and precision. The purposive sampling design was aimed at ensuring high accuracy and precision.

Four informed specialists were also targeted in the study so as to get professional insight on this issue. The professionals were from the following institutions: A legal counselor from Women's Rights Awareness Program (WRAP), a social worker from Pendekezo Letu, a program officer from International Federation of Women Lawyers (FIDA), and a social worker from Centre for Rights, Education and Awareness (CREAW). The entire sampling matrix yielded a total sample size of 49 people. The researcher was directed to these officials after enquiring for help at the reception desks of these institutions. These key informants were targeted because they had in-depth information on sexual violence as they were totally involved in dealing with various communities on aspects concerning sexual violence on a day to day basis.

3.4 Methods of Data Collection

The instruments for data collection were in-depth interviews for the respondents in Westlands division and the informed specialists. Through in-depth interviews, one was able to probe especially on sensitive matters. The respondents were also free to give detailed information.

Due to their experience and knowledge about issues concerning rape, the informed specialists were able to provide clear and precise information through the in-depth interviews. Qualitative research methodologies like in-depth interviews are designed to provide the researcher with the

perspective of target audience members through immersion in a culture or situation and direct interaction with the people under study. The advantage of using qualitative methods in this research is that they generated rich, detailed data that left the participants' perspectives intact and provided a context for healthy behaviour.

In-depth interviews

An oral administration of an interview schedule was used. Interviews are a face to face encounter with respondents (Mugenda and Mugenda, 2003). In this research, in-depth interviews involved the use of open-ended interview guides with flexible probing ideal for investigating personal experiences from the subjective perspective of each respondent on the subject matter. The researcher hoped to learn about the respondents' experiences as people affected or dealing directly with issues of sexual violence. This method of data collection also allowed the capture of perspectives of respondents associated with this study. The use of interviews as a data collection method assumed that the participants' perspectives were meaningful, knowledgeable, and able to be made explicit, and that their perspectives affected the success of this project. An interview, rather than a paper and pencil survey, was selected because interpersonal contact is important and it also offered opportunities for follow up of interesting comments from respondents.

Key Informant

The key informants were people who had unique skills or professional backgrounds related to the issue being evaluated, and were knowledgeable about sexual violence, or had access to other information of interest to the researcher. In this research, the key informants were the people in charge of NGOs and social workers who deal with sexual violence on a daily basis. These experts had the necessary information about the subject of interest. It was assumed that the key informants had access to the company's records and therefore able to give a knowledgeable opinion.

3.5 Data Analysis

Editing was done in order to detect errors and omission, to ensure that the data was accurate, uniformly entered, complete, consistent with intent of the question and other information in the survey and arranged to simplify thematic analysis.

Data was collected from the individuals in the sampled areas and the informed specialists. After the data had been collected, it was edited and the information that was relevant to the research

question and objectives was identified. The data was then analyzed thematically according to the major topics that were covered in the discussion. The following steps were followed: The collected data was perused and information that was relevant to the research questions and objectives was identified. The coded material was then placed under major themes or topics that had been identified. Graphs and pie-charts were used to represent findings on the gender of the respondents, their educational levels, and the different forms of sexual violence as stated by the respondents.

3.6 Ethical issues

The researcher maintained all the ethical issues relevant to the study by adhering to the ethical code of conduct pertinent to this study. The researcher ensured that the respondents participated willingly in the research. The purpose of the study was clearly indicated and the respondents were made aware of the fact that it was a scholarly project. The respondents were also assured of confidentiality of information they gave. Due to the fact that the topic was a very sensitive one, the respondents were assured of anonymity. This was to protect their identity and privacy. This also encouraged them to give more spontaneous answers as they knew that their names would not be indicated anywhere.

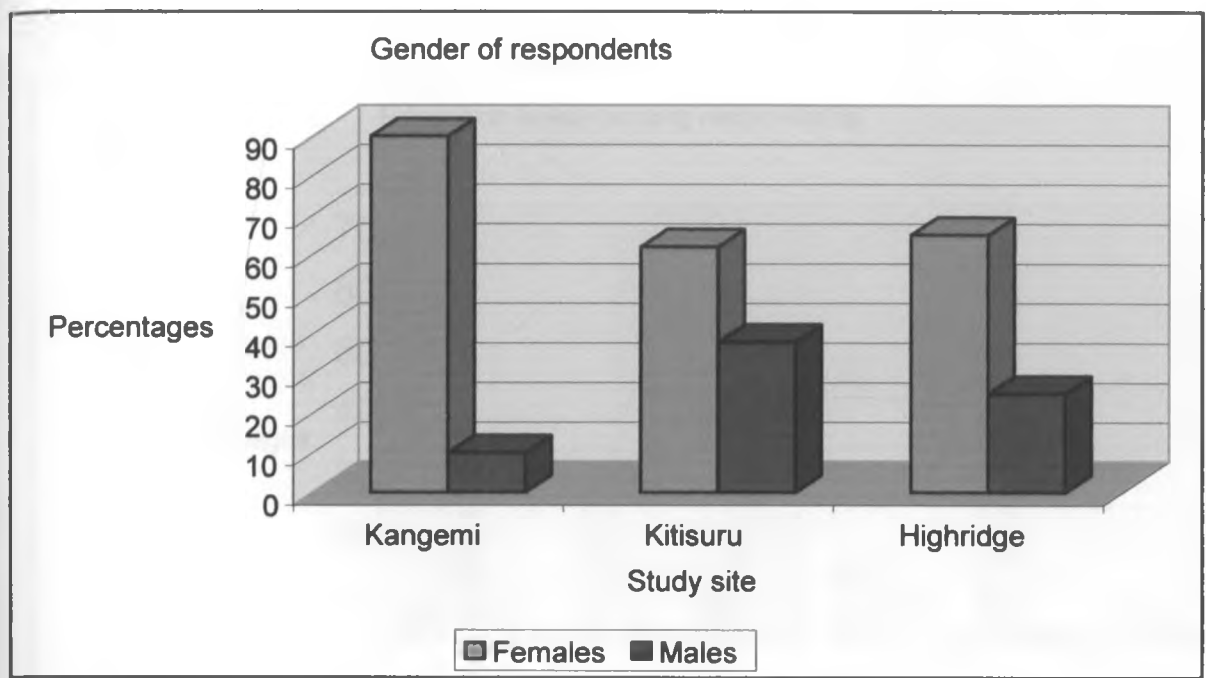
CHAPTER FOUR: RESEARCH FINDINGS AND DATA PRESENTATIONS

Presented in this chapter are the findings of the data analyzed together with their interpretations. The data presented in this chapter was processed thematically and organized into subtopics that reflect the different questions that were posed to respondents in the interviews. Demographic and other general information about respondents who participated in the study are presented first, followed by findings on the research objectives as given by the different respondents who participated. Respondents on the other hand are divided into two categories: the key informants and the general respondents. These two categories were asked different questions and this research presents the findings from the general respondents and the insight given by key informants at the results section.

4.1: Gender of respondents

Most of the respondents (72%) in this research were women. The men were few and represented by 28% of the total study sample. Despite the number of women being higher than men in Kenya, (KBS, 1999) the researcher discovered that this was not actually the cause of disparities in terms of gender representation. Instead it was due to lack of willingness on the side of male respondents to volunteer information on sexual abuse and sexual violence. This is a pointer to the difficulty faced by victims of sexual violence since men are the major perpetrators of sexual violence and yet they will usually not admit that there is a problem. All stakeholders, both men and women are required to participate fully so as to curb the issue of sexual violence.

Figure 1



Source: Primary data

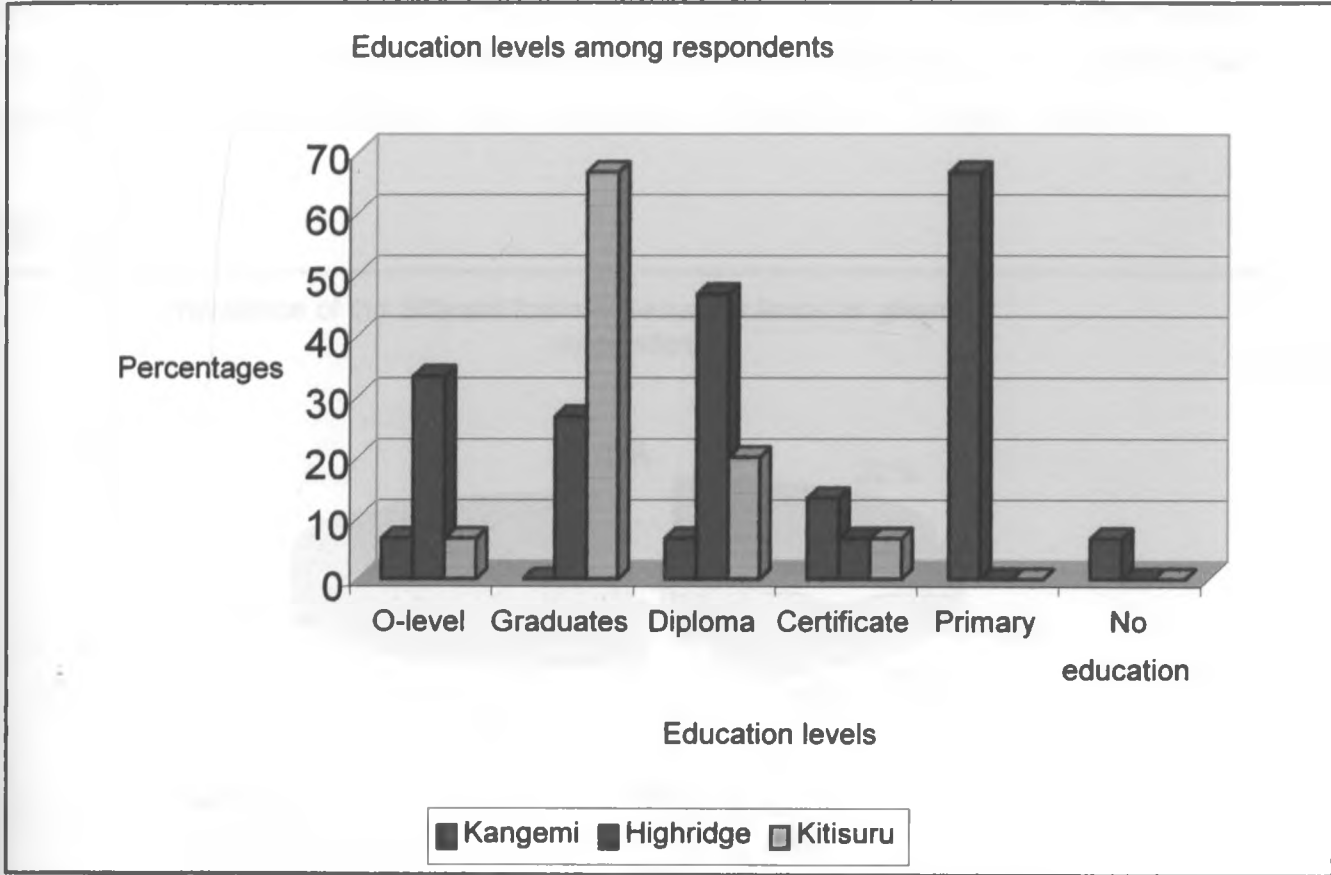
4.2: Education levels of respondents

Among the study sites, Kangemi had the highest number of respondents with education levels below primary (69%). The highest level of education recorded in respondents from Kangemi was the diploma level with a score of only 6.7%. This could probably mean lack of exposure to awareness on human rights that could equip victims with the knowledge to handle sexual violence against them. The same problem can also manifest itself through unwillingness to seek legal redress incase of sexual abuse or other forms of violence.

Kitisuru had the highest number of graduates (66%) as compared to any other group. In the same study site, no respondents were recorded as possessing primary education only. The respondents had all gone beyond primary education, an indication of a highly educated population. Kitisuru is one of the high class suburbs of Nairobi City and this could be a possible reason for the high education levels since most of the parents can afford to send their children to school comfortably.

More respondents in Highridge (41%) were diploma holders while second in majority were those with education up to the degree level. They comprised 24% of the sample from that site. All the respondents from Highridge had studied beyond the primary education level.

Figure 2



Source: Primary data

4.3: Information on sexual violence

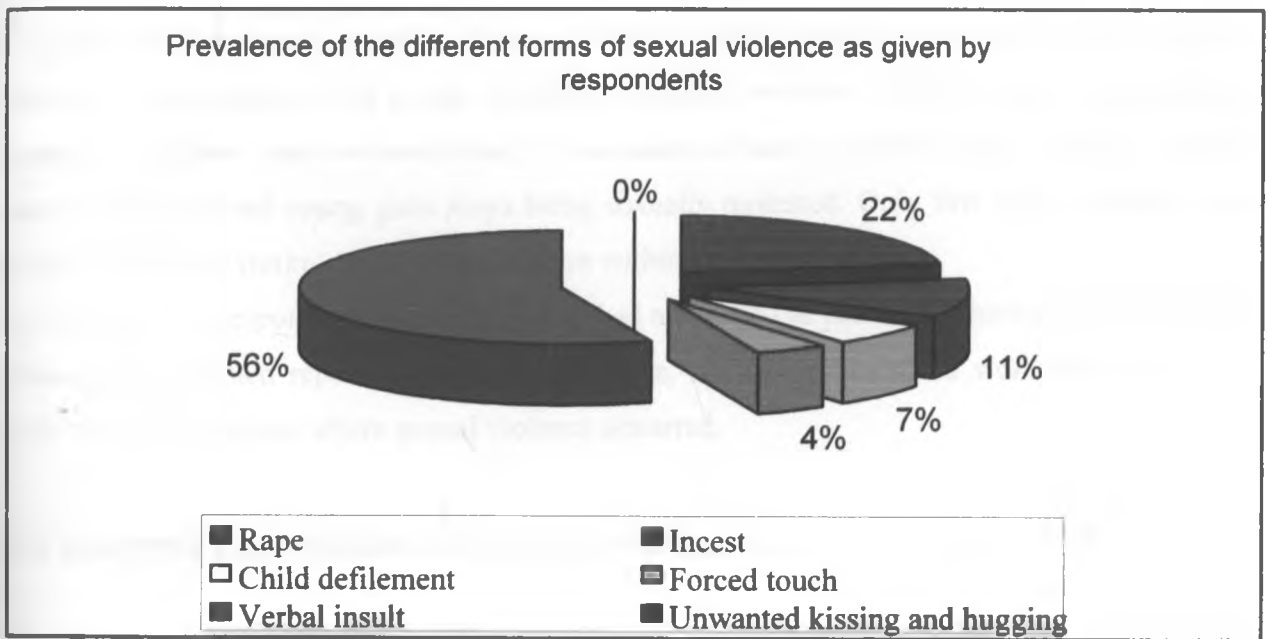
4.3.1 Understanding of sexual violence by respondents

Practically all respondents interviewed had heard of the term sexual violence although they had different opinions on what it implied. Although the term sexual violence is used to refer to a number of ferocities directed to individuals and is gender based, many respondents understand it to mean rape which is the most extreme form of sexual violence after death.

4.3.2 Forms of sexual violence as given by respondents

Different respondents gave different forms of sexual violence according to their knowledge among which were the following: Rape, child defilement, forced touch, unwanted kissing and forced hugging, verbal revilement and incest. When asked on the prevalence of the different forms of sexual and gender based violence, the majority of respondents (56%) claimed that verbal insults are the most common. Rape followed at 22.2% as shown in figure 3 below:

Figure 3



Source: Primary data

4.3.3: Perpetrators of sexual violence

According to the views of most respondents (78%), culprits of sexual violence are not of any specificity in relation to the victim or their cultural, religious, or professional backdrop. Sexual violence in itself can be perpetrated by anybody including the closest relative like fathers and husbands to the distant stranger lurking in the obscurity waiting to pounce at the slightest chance like carjackers and armed robbers. They further added that the vice of Sexual violence did not have a particular time nor place at which it could be perpetrated. It could occur in places that might be deemed most secure like homes, the workplace and even schools. Although the respondents noted that forms of sexual violence do occur anywhere, they were quick to point out

that some places pose a greater risk to individuals than others. These were remote locations with security breaches such as backstreets, poorly lit streets; underground tunnels, foot paths that cross bushes or large farms, night clubs and bars.

A major predisposition that puts individuals at higher chances to commit gender or any other form of sexual violence is the sex of a person. 87% of the respondents were of the opinion that more men than women perpetrated sexual violence against their victims.

4.3.4 Nature of sexual violence

The relationships between the victim and the perpetrators included the following; date, partner, ex-partner and strangers generally. Cases of sexual violence between partners were the most common. It was rare to find sexual violence occurring between a victim and a total stranger except in rare cases such as car-jacking. Close relatives were portrayed as the culprits of most cases which involved young girls/ boys being sexually molested. Only few cases resulted from people outside the victim's field of association within the society.

According to the respondents, sexual offences had no particular places in which they could occur although documented reports indicated that homes, schools, prisons and workplaces were the most common locations where sexual violence occurred.

4.4 Societal perceptions of sexual violence

One of the important messages gleaned from the interviews that were carried out in the field about societal perception on gender violence was that the anti-violence movements such as Kenya Network of Women With AIDS (KENWA), CRADLE, FIDA, CREAM and WRAP were relying too much on the criminal justice system which does not reduce or effectively prevent violence against women in the Westlands division. The respondents were of the opinion that while there was great recognition of the reality of sexual violence in Westlands division, more still needed to be done to prevent the monster of sexual violence from spreading its arms. The police needed to be more actively involved in making arrests promptly and more shelters were required for the victims of sexual violence. The women also needed to be more educated on their rights and course of action after sexual assault.

The respondents added that additional strategies were needed to stop sexual violence and reduce the risk of susceptible victims in order to create a climate where sexual violence was not at all

tolerable. This was the only way environments with healthy relationships marked by healthy sexuality would be the norm.

4.4.1 The Age- Group at Most Risk

Although the official from CREAM stated that there were no specific ages at which sexual violence did occur, he mentioned that domestic violence in Kenya is prone to age-groups of 15-30 years. Domestic and sexual violence according to him is usually aggravated by the wife's overdependence on the husband for financial support. The mentioned age group therefore is more susceptible to domestic violence due to the fact that they are at a stage in their life characterized by financial uncertainty since most of them would still be pursuing careers with limited or no particular source of income.

He further stated that usually domestic violence led up to sexual violence as most women would be coerced unto the sexual act under the threat of physical violence or the withdrawal of certain privileges in the home. Otherwise women who are older than the aforementioned age group tended to be financially stable and not entirely dependent on their men. This characteristic enabled the victim to defend herself from the threat of separation as she would be able to take care of herself financially. From his informed opinion, the respondent stated that most cases they received involved unemployed victims who were mostly women without other major sources of income other than their husbands.

This was an example of victim who had been sexually and physically abused for eighteen years by her husband.

.....“At first I thought my husband would change. At times, he would feel remorseful and even apologize in instances where I sustained severe physical injuries. He would promise not to do it again and blamed it on his previous day's drinking. I would also look into the future of my children and a voice from the inside convinced me that as their mother I had to sacrifice for them since I doubted he could pay their school fees once I left.”.....

(A mother of two children who was seeking a divorce from the husband)

The most vulnerable age group with respect to sexual violence is between 28-35 years. According to the official at the Center for rights Education and Awareness (CREAW), this is the

time when most partners start to show their real characters after having married their wives for a few years. The reports that they received indicated that most victims of sexual violence and especially rape were usually well known by their attackers. A perpetrator would, for example, know the route used by school going children, pick on the most vulnerable child, and choose the particular points on her route to school convenient enough not to attract attention when he made his attack.

The most vulnerable age-group to sexual violence was found to be between 8-15 years. According to reports at WRAP (which acts as a support system by encouraging victims to report) there has been a sudden increase in defilement cases in the last five years. The NGO receives at least a case of defilement every day and this can go up to 3-5 cases a day.

According to the legal counselor at WRAP, a large number of victims usually fell in the age-group of 3-12 years. She further stated that crimes related to sexual orientation were on a rapid increase in Kenya. This was as a result of a combination of factors which acted alongside each other. These factors included drug abuse and alcoholism which made the perpetrators act without self control and disregard for human worth.

According to the social worker at Pendekezo Letu, wrong beliefs among our local communities encouraged men to use sexual violence in the public arena and even in their own homes. An example is a case where men are made to believe that women will always say no to sex even when they want it and hence men will take a no to mean yes and force themselves on women.

Loss of culture and traditional ideals had also contributed to the vice. The social worker quoted some cases where some parents nowadays dress their young children with body exposing tight fitting outfits which are seductive. These young girls would be victims of sexual predators because of their manner of dressing, and they would even be sexually violated by their own relatives.

The social worker went on further to say that ignorance among parents was also a contributing factor. She stated that many women had ventured more into the job market. This trend ensured that many of the children were left in the hands of care givers, maids or houseboys sometimes until the late hours of the night. Those among them who might not be honest or morally upright ended up abusing the children. An example was given of a mother who had come home early and unexpectedly one day, only to find her six-month old child suckling on her houseboy's penis! The manner in which the baby was suckling suggested that he had been doing it for a long time.

The mother's screams attracted the neighbors and the houseboy was almost lynched! The mother had to take her baby to the hospital for a medical check-up.

Poverty and congestion was quoted as another factor. The city slums are congested and many families cannot afford adequate housing. This has led to children living in single rooms with their parents and this exposes them to sex matters earlier when their parents get engaged in the sexual act at night.

Marital conflicts often lead to separation of spouses. In the event that the father is given custody of the children, there is high chance that such children, especially the girls, will undergo sexual abuse if the father is not responsible.

4.4.2 The effect of marital status in reporting sexual violence

The respondents were quick to point out that the first hindrance to the victim's ability to report sexual violence was her marital status. Married victims were constrained by the law not to seek legal redress as such a move would not yield any success in a country where marital rape was not recognized as a criminal offence. The implication of this was that a woman could only claim to have been raped if it happened outside the marital bed and with a person other than her legal husband.

People in marital unions especially women with abusive husbands found it very difficult to handle the case legally. In retrospect, a man could easily turn the tables on his wife and claim that she had repulsed his sexual advances leaving him no choice but to compel her to give in. Reports at WRAP also indicated that most women had pointed out to the fact that their husbands had raped them at one time or another. However, these women had not reported their husbands for rape or attempted rape as they feared divorce and depended on their husbands economically. It has also been documented that most Kenyan cultures protect men who claim that they are entitled to their conjugal rights unconditionally.

4.4.3 The effect of economic status on the ability of victims to report sexual violence

Reports at WRAP and Pendekezo Letu indicated that prevalence of sexual violence was highest among the poor. However, this could have been due to the fact that a large majority of middle and high class victims tended not to report sexual violence to authorities or relevant organizations as compared to the poor. Known reasons for the silence on sexual violence were due to the stigma associated with the vice. An example was given of a father who raped his six month old daughter while the mother was in the bathroom.

.....“ I just didn’t want to taint his name in front of his workmates. Though I kept it secret, he repeated the behaviour on her elder sister until I just got tired of this nonsense. It has never occurred to me that men can be this beastly.”.....

(A thirty- two year old woman who had run away from her husband in Kawangware and was living with her mother in Kangemi).

The other respondents indicated that other relatives of victims would opt to keep quiet for fear of repercussions in case the husband absconded his duty of providing for the family so as to retaliate for being exposed to the law. It was noted that most families would only report sexual violence crimes to the authorities if the perpetrator was an outsider.

One of the respondents defined an individual’s status in terms of the social standing and financial/ resource base. According to him social status can be viewed as the leadership role played by an individual in society for instance church leaders, politically affluent individuals and cultural leaders. The financial status on the other hand referred to rich and influential people in the society. Both of these factors contributed similarly when it came to the ease with which a victim faced with the problem of sexual violence could report the matter to the authorities. Women with abusive husbands who were church leaders tended to shudder at the thought of ‘tarnishing’ their husbands’ names with accusations of violence for fear of what the congregation would think of them. The congregation would either not believe the woman or tarnish her name accordingly, or they would opt to throw out the church leader and perhaps cut off his means of

livelihood. Additionally, a politician's wife might not be willing to report her husband's abuse in fear of reprisals on his career.

As far as the economic background was concerned, the respondent from FIDA, Kenya felt that each individual was prone to sexual violence equally whether she or he came from a rich background or not. The exception he gave in this case was only when marriage was considered as a factor because married and unmarried people are exposed to domestic and sexual violence differently with a bias to those in marriage. Cases of sexual violence had been witnessed even among very high ranking corporate employees where one would not expect it to happen. Economic independence could not hinder someone from being exposed to sexual insults or sexual harassment which is still part of sexual violence.

4.4.4 The effect of lifestyle on the victim's susceptibility to sexual violence

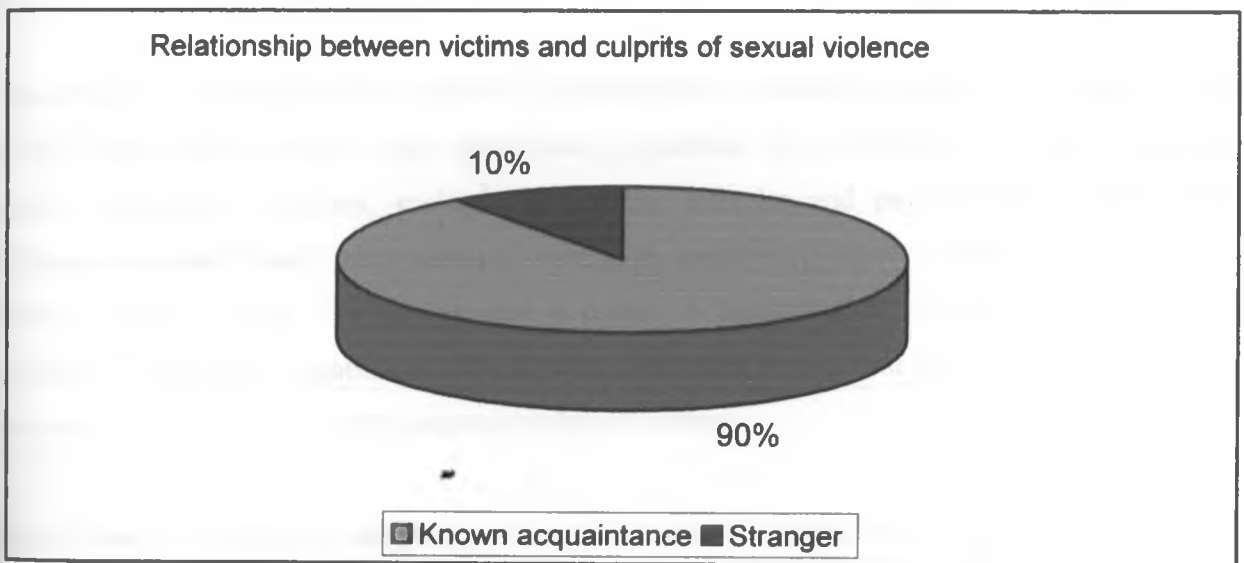
The key informants were of the opinion that lifestyle could only have an influence on certain types of sexual violence. Marital rape, for instance, does not depend on the victims' lifestyle since women can be abused even within their own homes. However, they stated that attacks from outsiders could be minimized by the individuals if they adopted a certain lifestyle. Alcohol was quoted as one of the things people should avoid as it exposed individuals to violence due to lack of self control. Avoiding certain places like night clubs and taking tight security measures when one was at such places would also help to ward off culprits as far as sexual violence is concerned. It was noted that most sexual predators were prone to using drugs on unsuspecting women in the night clubs. They would put drugs in unattended drinks, wait for the drugs to take effect, and then carry off their victims under the guise of helping them out to get fresh air. These victims would then be subjected to rape and sodomy throughout the night and would probably not remember or be too sure of what had happened the next day.

There was no expert opinion that rape or any other form of sexual violence could be blamed on an individual's lifestyle as far as dressing was concerned. Dressing code is just an easy excuse used by rape perpetrators. There is no reason why one should rape an 85 year old grandmother or a 6 month old child if the dressing code was to be used as an excuse. Sexual violence is not entirely related to an individual's upbringing because issues of sex were taboo in our societies and this acted as a constraint to sexual violence.

On the other hand, the respondent from Pendekezo Letu stated that the lifestyle of some individuals contributed to the risks that one is exposed to as far as sexual violence is concerned. Some middle-class and high-class families had made a habit of taking their children to outings in hotels and pubs. The children were then exposed to sexually suggestive dances and would be encouraged to compete for prizes with their parents cheering them on. They would also get to see and learn how adults related sexually for instance kissing. Dressing codes therefore exposed them to the danger of being sexually molested as clothing such as hipsters tended to attract men's attention. In reality, these children were very vulnerable to pedophiles and perverts.

The relationship of victims and culprits according to the respondents showed that the majority of children/ underage victims of sexual violence, 90%, were violated by a close acquaintance. The other 10% percent which represents minority of cases were violated by people unknown to them. See the chart below:

Figure 4



Rape cases in adult women were also similar to small children, whereby only 10% of the sex crimes were attributed to strangers. Minor cases of date rape also occurred whereby a victim would be drugged and defiled.

The respondent from Pendekezo Letu stated that most cases of sexual abuse on children usually occurred in the home/ house and within the estates. Adults, however, were mostly accosted in dark areas at night where human activity was minimal.

4.4.5 Emotional effects of sexual violence on victims

The respondents were of the opinion that the emotional effects were as varied as the individuals themselves although a number of them tended to be common among them. Some of these effects included fear, hypersensitivity, anger, lack of trust. Here an example was given of a woman who was so psychologically affected by her husband's daily beatings and sexual violence that fear always occupied her mind.

..... "I am always afraid, my husband is very violent. When I know that he is about to come home in the evening, I am always nervous because I am not sure which mood he will be in. Even a banging door will make me jump out of my chair in fear!".....

(A woman living in Kangemi)

According to the respondents, emotional and behavioral symptoms exhibited by survivors of sexual abuse could include: major depression, adjustment disorder, alcohol or other substance abuse, personality disorders, multiple personality disorder and psychosexual dysfunctions. Victims of sexual assault often suffered from rape trauma syndrome, a type of post traumatic stress disorder (PTSD). PTSD includes a range of psychological distress: fear, emotional numbness, flashbacks, nightmares, obsessive thoughts and anger. Post traumatic stress reactions can occur months or years after a sexual violence incident.

Sexual assault victims also suffered psychological reactions specifically related to sexual assault. Victims would sometimes feel terrified of the offender and fear for their lives. Victims would also feel humiliated, ashamed, and they would often blame themselves for what had happened to them. If the assault was perpetrated by an acquaintance, a friend, or a partner, violation of trust would be an issue for the victim. Because of their shame and fear about how people would react, many victims even kept the rape a secret. Effects of sexual violence therefore destabilized the emotional equilibrium of a victim. Victims also tended to withdraw into a shell and did not want any communication with the outside world.

The respondents further added that there were also other emotional consequences of sexual violence on their victims. They included destruction of self-esteem and self-worth. Others underwent emotional trauma. It was concluded that an incidence of rape could make some women fear the sexual act even with their own partners.

The observable effect of sexual violence in victims, according to the respondent at Pendekezo Letu, was the elevated level of fear. Other people, especially children, usually isolated themselves from the rest of the people for example in classrooms, and tended to think that everyone knew about the incident. Children who encountered sexual violence developed a bedwetting problem which sometimes persisted into adulthood. Self confidence usually disappeared from such victims and they ended up feeling that they had nothing to say in front of other people.

4.5 Respondents' views on what has to be done to fight sexual violence

4.5.1 Precautionary measures to undertake before sexual violence

At Home

For those who live in up market homes in areas like Kitisuru, the respondents gave the following measures which could be used to reduce incidences of sexual violence and most specifically rape;

- Make sure homes, garages and grounds are lighted properly to avoid dark places which will act as hiding zones for culprits.
- Lock windows and doors that are easily accessible and which could thus create entry points for the criminals. Pulling shades or curtains after dark could also put off potential perpetrators by not advertising the idea that no one else is home.
- Check who is at the door before answering it. This would give the potential victim a chance to alert the police or neighbours in the event that the caller is a total stranger and is suspicious looking.
- Make sure that repair and salespersons, police and survey-takers have identification cards to distinguish them from other people.

The people in the slum areas felt that the only way to ensure that one was safe at all times was by being conscious of ones' surroundings and being careful when opening doors for visitors at night.

Outside the home/in town

The respondents were of the opinion that isolated places should always be avoided at night since they pose a great security breach. Others were of the view that one should try not to travel alone especially at night; and that at least one should inform others of the intended destination.

A large majority of the respondents from Kangemi and Highridge felt that women would be much safer if they used well-lighted paths at night and not backstreets, or tunnels whose lighting is poor. They further added that women and other vulnerable groups should opt to make use of public transport instead of walking long distances alone in the dark and that they should wait for public transport at well-lighted bus stops where there was the presence of other persons, if possible. However, the greatest problem in this scenario was the fact that many of the women preferred to walk home after work because they could not afford bus-fare to use public transportation. This made them vulnerable to sexual predators.

4.5.2 Precautionary measures by victims during sexual violence

Although there are a number of precautionary measures that an individual can take in some forms of sexual violence like unwanted touching and insults, rape on the other hand leave the victims with very limited options in due process. Assessing the situation first as it is happening was a viable step popular with respondents given that the assailant could be armed and capable of killing the victim. The respondents therefore agreed that whatever measure would be undertaken its effectiveness should first be weighed to avoid extreme repercussions like loss of life. If one strategy didn't work, other strategies could be tried. Possible options included: negotiating, distracting the assailant and fleeing to a safe place or screaming to attract attention. The respondents felt that the best defense, however, was to be prepared at all times.

4.5.3 Measures after sexual violence

According to the findings of this research, poverty is a major constraint upon women's ability to reclaim their lives after sexual violence. The respondents said that most women were faced with different problems after sexual violence. They further added that unless women find some economic security, wives in abusive and sexually violent marriages for instance, would remain utterly dependent upon the same people who caused them anguish (husbands) and this would mean having to endure all the sufferings unleashed upon them.

As is evident from women's testimonies in the Kangemi area, lack of awareness and even money for transport to report sexual assault and to go for medical care after sexually instigated violence proved to be a big problem. The respondents from Highridge and Kitisuru felt that the following actions should be taken after sexual violence;

- Going to a safe place immediately to call the local law enforcement agency, a rape crisis center, a doctor, a friend or a relative.
- Not washing(douche), changing clothes or cleaning up in any way until after one had talked to law enforcement officials or had gone to the hospital as this would destroy valuable evidence for court use.
- Contacting a treatment or crisis center to help deal with the psychological trauma of the assault.

4.5.4 Steps the government should undertake to combat sexual violence

The respondents were of the opinion that the government should develop a holistic program in the police force and the programme should be aimed primarily at training an elite police unit to deal with cases of sexual violence. The unit should in effect be fully funded with response cars and all the necessary tools for gathering and preserving evidence. There should be adequate training on sexual crimes and complete reformation of police officers to eradicate the vice of corruption. This could come through adequate remuneration and good working conditions coupled with motivation of the officers.

They further added that public awareness programs should be initiated by the government in order to enlighten its' people on different aspects of sexual violence. This would go a long way in eliminating myths such as wives should be beaten and sexually violated as a way of instilling discipline.

They felt that the government should enact laws that protected the family as a unit. In this case, marital rape should be criminalized to ward off would be offenders.

The government also needed to review the penalty against culprits of sexual violence such as rape. Harsh punishment needed to be implemented so that perpetrators could be dealt with the utmost severity. This would put off would be offenders. They were of the opinion that rape should also be made unbailable since perpetrators at times interfered with investigations by bribing the authority when they were released on bail.

It was also important to highlight the cases that had been filed in court on sexual violence cases and the victims had won. This would encourage other victims to see that theirs was not a lost cause and that they could also attain justice in court.

The respondents stressed on women empowerment through education and affirmative action. This should be implemented by the government so that the society can realize that women are equally important players in issues of national importance. The general public needed to be educated on their rights and the need to report cases of sexual and gender based violence directed towards them. By sensitizing the general public on the issue of sexual violence, the government would also educate the populace on how to prevent it from occurring and the measures one could take when such an incident occurred.

The respondents were in agreement that provisions of support services to enforce and implement measures drafted to counter sexual violence were of the utmost importance. This would come in the form of well equipped hospitals, well trained officers, well equipped counseling units in the government hospitals and finally, the government could set up and run shelters for abused women.

4.6 Problems faced by institutions fighting Sexual Violence

Lack of commitment from doctors

According to the respondent from WRAP, there was a total lack of commitment from the doctors handling sexual violence victims. Most doctors were always reluctant to appear in court to give evidence on sexual offenses although they were very willing to treat victims. This was due to the fact that they would be required to attend several hearings and this would be a waste of time and resources to them. The few who agreed to give evidence in court tended to charge exorbitantly (it costs about 30,000 to pay a doctor to appear in court). This kind of money could not be paid by the majority of the victims.

The counselor further added that some of the victims did not even know where to report such cases. For those who knew, lack of bus fare for example hindered them from getting help.

She noted that The Sexual Offences Act was out but there was no system in place to facilitate implementation. There were no well equipped hospitals in place to deal with the situation and even police officers were not well versed with crimes associated with human sexuality. They were not trained to collect evidence according to international standards, record statements and deal with consequences of sexual violence. The current crop of police officers was also very corrupt and easily compromised. There had also been cases whereby police officers had accused WRAP officials of tutoring children to say that they have been defiled in an attempt to dissuade them from filing charges.

The evidence collected by doctors and police officers in Kenya to investigate sexual violence include: - proof of penetration and presence of spermatozoa, a broken hymen and/or a bleeding wound. When such evidence was absent, cases were usually disqualified without doctors looking at other evidence such as oral rape. WRAP officials therefore had a very rough time trying to take their cases to court.

4.6.1 Handling sexual violence cases by the police

The majority of respondents were satisfied with how law enforcers had handled their cases. This was attributed to improvements in the police force whereby women officers had been recruited to deal with sexual violence crimes in cases where the majority of the victims were women.

On the other hand the key informant from CREAW stated that the situation in the Kenyan legal system was very bad. Women were usually made to feel as if they had contributed to what they had encountered. The way police officers interviewed victims were pathetic. An example was given by the respondent where the police officer had asked the victim; “Did you like what he did to you? Why did you remove your clothes for him?” The implication in this case was that the victim had led the perpetrator on. The Justice system also handled victims as if they were criminals hence they ended up being humiliated. An example was given of a victim of rape who had been harassed in court.

..... “What I found most difficult in court at Kibera was speaking about rape, especially in front of men. Talking of sex and in such detail was difficult for me. I tried my best but I didn’t give all the details and show the full extent of what I had gone through. I felt I had not said enough. At one point they asked me to explain things further. I said, “Don’t you understand? I was raped!” The judge said they needed more detail and that they didn’t understand. They said they didn’t so I spelt it out. At that point I felt very much tortured emotionally and as if I was going through the same ordeal again”.

(A married mother of four children who lives in Kangemi)

He further added that those people who garnered confidence to report their cases to police usually ended up being regretful and confused because of the unprofessional way in which their cases were handled. Most police officers get bribed to stop case follow-ups and as such end up protecting the culprit. There were even claims that male police officers sexually harassed victims who came to them to report incidences of sexual violence.

4.7 Disparity in reporting cases of sexual violence between rural and urban areas

The respondents pointed to a number of factors which lead to very low reported cases of sexual violence despite the fact that occurrence of the vice cuts equally across both the urban and rural areas. To begin with, difficulty was experienced by rural dwellers in accessing help from organizations and police stations which were either very far or non-existent at all. This led to postponement of cases and even eventual resentment. Cultural barriers contribute to lack of cases being reported to the relevant authorities. Kenyan rural areas are characterized by people with monocultural backgrounds like Kikuyus or Luhyas only. In the event that a community perceives sexual violence to be a normal happening in marriage, victims by way of trying to keep the ideals of their community would shy away from reporting to authorities. It was asserted that cases existed in most Kenyan societies where men were socialized to dominate women in all ways and this included the use of violence to instill discipline.

Rural areas are characterized by very low percentages of people who seek legal redress after being violated as a consequence of their gender or even in the domestic setup. Although this is the case, research carried out by CREAM in the Coast, Nairobi and Western province show a rapid increase in cases of sexual violence. This indicated that people in rural areas choose not to report to the authority.

The respondents pointed out that lack of awareness and sensitization on the fundamental rights of victims put them in a position of not knowing the steps that one should take against such incidents. Culture also played a big role in ensuring the Kenyan women and girls were violated sexually without culprits being punished. Marriage of very young girls to elderly men a practice more common among the Maasai and other tribes really impaired the judgment of the young girls. In the first place they were married against their will and society expected them not to complain. As a result when faced with sexual harassment like marital rape, they chose to keep quiet since the society did not expect them to complain.

The respondents stated that another form of sexual violence was female genital mutilation which goes against the rights of the victim. However, it was widely accepted in several Kenyan communities as cultural, and girls continued to suffer in silence instead of reporting to the police.

Culture was therefore, the biggest factor contributing to the low reported cases of sexual violence in rural areas.

The counselor from WRAP stated that most people in the rural areas have no knowledge of their basic human rights. This made it difficult to report offences such as sexual violence committed against them. Conversely, the urban majority was well enlightened about their rights and thus reported cases in the urban populations were significantly higher.

She added that another contributing factor to the above reported observation was the fact that most NGOs were absent in the rural areas and mainly concentrated in the urban areas. This discouraged victims from taking action due to inaccessibility to services. On the other hand, civil societies chose to venture only in urban areas where infrastructure and other facilities were readily available.

The respondents felt that there was a lot of sexual violence taking place in the country and blamed the economic hardships that most people were going through for that. They also felt that the erosion of our traditional values and the aping of western culture had greatly contributed to the increase of sexual violence. However, it was also said that some of the youth in Kenya were indulging in alcohol and drugs and could therefore commit atrocities without a conscience.

The respondents felt that the government needed to be more involved in the fight against sexual violence.

CHAPTER FIVE: CONCLUSIONS AND RECOMMENDATIONS

5.1 CONCLUSIONS

Despite efforts to curb sexual violence, it still occurs in far too many homes, schools, and communities. In addition to affecting those who experience it, violence also takes its toll on families, friends, and neighbours. Additional widespread impacts include the fear that it generates, and the deterioration of communities.

The reality of sexual violence is glaring at all of us and the problem is escalating rapidly. As girls and women continue to suffer in the hands of sex offenders, our members of parliament are busy shredding the Njoki Ndung'u's Sexual Offences Act into pieces and watering it down. Sexual violence victims suffer physically and psychologically and the vice also carries with it social and economic implications for the families affected, and government as a whole.

Every day, women are physically and sexually abused. Rape occurs in all social and ethnic groups in Kenya. This study reveals that any body can be a victim irrespective of race, religion, or socioeconomic status.

According to this research, there is a culture of silence surrounding gender-based violence, which makes collection of data on this sensitive topic particularly challenging. Even women who wanted to speak about their experiences of sexual violence found it difficult because of the feelings of shame or fear. Other women felt that it was dangerous to talk about their experiences of sexual violence to strangers as they feared repercussions from their abusive spouses. The need to establish rapport with the respondent and ensure confidentiality and privacy during the interview was of utmost importance for the entire survey. It was also critical in ensuring the validity of the information from respondents on sexual violence. Complete privacy was also essential for ensuring the security of the respondent and the interviewer. Asking about or reporting violence, especially in households where the perpetrator may be present at the time of interview, carried the risk of further violence.

This research revealed that sexual violence against women in the study site occurred against a backdrop of the physical weakness and exacerbating discriminatory gender practices in the overall society such as marriage of very young girls by their parents to people who they thought

would give them financial rewards in form of bride wealth. This sentenced the young girls to a lifetime of dire consequences including but not limited to sexual violence.

5.2 RECOMMENDATIONS

The government's approach to sexual and gender based violence prevention ought to address the complex and multiple root causes of violence including: poverty, unemployment, oppression, substance abuse, educational failure, fragmented families, witnessing or experiencing past violence, and feelings of powerlessness. The approach must thus build on resilience in individuals, families, and communities, including supportive relationships, community empowerment, economic opportunities, and high quality services and institutions.

Women must learn how to build and promote rights awareness, self-reliance and self-confidence amongst their girls and daughters from a very early age. They must also train their sons from the very beginning to shun violence against women.

Questioning, identification and testifying can emotionally drain the survivor of sexual violence. Many survivors find it difficult to see the perpetrators again, to recount their story many times, and to re-live the experience through testimony. It is therefore important that security agencies assign a female officer trained in sex crime investigation to interview the survivor. Conversely, male victims should be dealt with by male officers to avoid the embarrassment associated with this kind of crime. There is therefore need to establish a department in the Kenya Police system that is highly trained to deal with sexual assault issues and specialized in dealing with women sexual abuse and gender issues. The government must also ensure that the police are carrying out their duties effectively. Law enforcement, especially at night in dark, isolated areas is important. There should be more police patrols in such areas. When victims report at the police stations, they should be a guarantee that their statements are recorded immediately by the law officers, that evidence is protected and that the prosecutors cooperate to get the case promptly to court.

If a survivor needs additional support, advocacy services should be made available by the government. The service may include counselors who give survivors emotional support during interviews at court appearances.

Finally, many women feel depressed, anger and fear if the culprits are not found guilty. For some women who were interviewed, the decision to report the sexual violence, assist the police, and

participate in the trial seems to help in dealing with such feelings. Women's sexual assault cases should therefore be dealt with swiftly so as to minimize the risk that these women are exposed to because they still live with the abusers.

The issue of perpetrators must also be addressed. They should be given counseling and be guided on how to stop physical and sexual violence against women. There is a need to establish an organization based on the principals similar to those of Alcoholics Anonymous specifically dealing men who are sexual violence offenders.

Violence prevention efforts contribute to empowerment, educational and economic progress, and improved life management skills while fostering healthy communities in which people can grow in dignity and safety. The government should coordinate with the learning institutions so that they can be more inclusive and receptive in responding to community needs. This is the only way to transform passive acceptance of sexual violence into a social norm that says any form of gender based or sexual violence is unacceptable and not inevitable.

The government should work on sexual violence prevention initiatives in numerous capacities. These can include: facilitating violence prevention collaborative, conducting research, monitoring and evaluating violence prevention efforts, and conducting strategy development and training. The government must serve as a focal point for training in violence prevention through local and national efforts. The government, in collaboration with the local administration and the individuals in the community should work to prevent various forms of violence, such as youth violence, child abuse, rape and sexual assault, hate violence, and intimate partner violence.

Apart from the legal system that is relied upon by organizations which fight violence against women, the community as a whole should add alternative interventions which can overcome the shortcomings of the legal system like lack of follow ups to monitor the post abuse health and emotional status of the victims. Collective action should be emphasized by the relevant authorities and NGOs to assert that violence is unacceptable. The justice system should regularly inform the government on the laws that require implementation so as to protect women better. The local administration that includes chiefs and District Officers should be sensitized on sexual violence against women so as to create awareness in their local communities about the importance and seriousness of this issue. Men and boys need to be sensitized about gender issues as there cannot be any change without their involvement. Women and girls need to be aware of their human and women's rights so as to effectively combat sexual violence. In essence, these

approaches will expand the societal focus of violence prevention from the customary individual to interpersonal intervention. This can bring in the emphasis of community and social change.

Culture is deeply rooted in the individual and to change one's mentality towards his/her culture, a lot needs to be done. The government, through the local administration, civil societies and the community itself should be involved in eradicating sexual violence against women through radio, television and films that depict the negative effects of the vice. There should also be public education campaigns, concerts and skits and street dramas condemning sexual violence. Posters and leaflets should also be distributed to the general public so that everyone is aware of the campaign against sexual violence.

There should be a paradigm shift whereby the focus on preventing sexual violence should consider the understanding that prevention means eliminating the root causes of gender based violence and taking measures that cut it short before it occurs. In practice programs either by the government or NGOs should aim at victim services like counseling and treatment, harm reduction and educating the general public that rape and other forms of sexual violence are bad, inhuman and result not only in physical injury to the victim but also in far reaching effects to the psychological set up of the victim. These interventions are necessary despite the fact that most communities do not still see sexual violence as a very important issue. Other important teachings to the public should include; bystander intervention, identifying the risk of victimization and perpetration.

However, the most important thing that the government should do is to ensure that women are economically empowered. They should have access to micro-financing institutions so that they are able to acquire loans and start small businesses and eventually become financially independent. Most women continue to live in homes where they are exposed to sexual violence because they are not economically independent and they have nowhere else to go. According to Heyzer, " In every nation, violence or the threat of it, particularly at home reduces the range of choices open to women and girls and narrows their options in almost every sphere of life, public and private-at home, in school, in the workplace, and in most community spaces. It limits

women's choices directly by destroying their health, disrupting their lives, and constricting the scope of their activity; indirectly, it erodes their self-confidence and self-esteem."⁴⁸

It is therefore very important to address the issue of sexual violence in our country and find viable ways of curbing it completely.

⁴⁸ Heyzer, N. Working towards a world free from violence against women. In. Sweetman, C. (ed). 1998. Violence against Women. Oxfam,GB. pg 17.

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APPENDIX ONE: INDEPTH INTERVIEW GUIDE

Greetings. (This should be as appropriate as the case may be). The researcher is conducting a research on **Societal Perceptions of Sexual Violence: A Case Study of Westlands Division**. The purpose of this study is scholarly. The project being carried out is in partial fulfillment of a **Master Degree in Gender and Development Studies**. The researcher would like to request you if you could spare the time to answer just a few questions.

You are assured of total confidentiality and anonymity as concerns any information that you will divulge.

Section A: General respondents

(I) Types of sexual violence in Kenya

- (a) Have you ever heard of the term sexual violence?
- (b) If yes, what does it mean to you?
- (c) What types or forms of sexual violence do you know?
- (d) According to you, how do you think they occur?
- (e) Who are the offenders?
- (f) At what time and where is it most likely to occur?
- (g) Is sexual violence limited to a particular location/environment?

(II) Societal Perceptions of Sexual Violence

- (i) Who are the perpetrators and why?
- (ii) Who are the victims? What makes them more vulnerable?
- (iii) Is sexual violence right? Does society condone it?
- (iv) Where does it originate from?
- (v) Is sexual violence cultural or does it evolve from social learning(e.g. violent fathers-violent sons/peers who violate women for fun)
- (vi) Is sexual violence genetic or acquired behaviorally?
- (vii) Should perpetrators be punished?

(viii) What are some of the punishments you think perpetrators should face?

(III) Individual Measures Against Sexual Violence

- (1) What are some of the measures an individual can take to protect themselves from sexual offenders?
- (2) Are these steps effective? Why and why not?
- (3) How can they be improved?
- (4) If you were to be caught up in sexual violence, what would you do?
- (5) Do you think your actions would have consequences? What are these consequences?
- (6) Are these ways of self defense effective? Why /why not?
- (7) What improvements can be made to enhance effectiveness of the measures in (6) above?

(IV) The Role of Society

- (a) What role does the family unit play in combating sexual violence?
- (b) What role should the community play as an extension of the family in preventing sexual violence?
- (c) Should elders in the community be allowed to act as arbitrators in cases of sexual violence? Why and why not?
- (d) What is the community doing to fight sexual violence?
- (e) What role does the government play to fight sexual violence?
- (f) Has the role of government been effective?
- (g) What areas do you think the government should improve in order to fight this vice effectively?
- (h) Have you heard of any of the following organizations? CRADLE, COVAW or FIDA?
- (i) What are their basic functions?

(j) Have they been effective in what they do?

(k) Are you aware of the sexual offences bill? What is it composed of?

(l) Is the bill effective? If not, how can it be improved?

SECTION B: QUESTIONNAIRE GUIDE TO VICTIMS OF SEXUAL VIOLENCE

TYPE OF GBV	No	Yes	Maybe
Childhood sexual abuse			
Rape/Sexual assault			
Domestic violence			

Questions that were asked if any of the respondents answered yes to any of the GBV questions above.

(i) When did it occur?

(ii) What is the abuser's relationship to you?

(iii) How long did it take?

(iv) How did it affect you?

(v) Does the person or has the person ever repeated it on you?

(vi) Do you still feel in danger now?

SECTION C: INDEPTH INTERVIEW GUIDE FOR KEY INFORMANTS

- 1) What are the most risky age-groups when dealing with sexual violence?
- 2) What relationship exists between the economic status of the respondent and susceptibility to sexual violence?
- 3) What is the level of reporting sexual violence as far as the economic status of the victim is concerned?
- 4) What influence does the marital status of victims have on their willingness to report cases of sexual violence?
- 5) What differences occur on the level of reporting sexual violence between rural and urban settings?
- 6) Does lifestyle contribute to occurrence of sexual violence?
- 7) What relationships between the victim and the culprit are more common in Kenya according to you?
- 8) Which locations are more likely to expose an individual to sexual violence?
- 9) What are some of the emotional consequences of sexual violence on the victims?
- 10) Are the victims usually satisfied with the way their cases are handled by police?
- 11) Do most victims have access to appropriate support services?
- 12) What steps should the government take in order to curb this vice?