

# **TANGAZA COLLEGE**

**THE CATHOLIC UNIVERSITY OF EASTERN AFRICA.**

## **DOMESTIC VIOLENCE AND ABUSE: AN URGENT CALL TO AN INFORMED PASTORAL RESPONSE TOWARDS A WHOLISTIC HEALING**

**An essay submitted to the pastoral department in partial fulfilment of the  
requirements of the B.A. degree in religious studies.**

**BY  
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**NAIROBI – KENYA  
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## **Dedication**

**To the victims of domestic violence and abuse, pastoral agents who have been champions for the healing of broken families, and to my parents for bringing me up in an environment of love.**

**Student's declaration**

**THESIS TITLE**

**DOMESTIC VIOLENCE AND ABUSE:  
AN URGENT CALL TO AN INFORMED PASTORAL RESPONSE TOWARDS A  
WHOLISTIC HEALING**

**BY  
NDUNDA M. URBANUS**

I the undersigned declare that this long essay is my original work achieved through an integration of my personal reading, scientific research methods and critical reflections. It is submitted in partial fulfilment of the requirements for the Degree of Bachelor of Arts in Religious studies. It has not been submitted to any other College, institute or university for academic credit.

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## Acknowledgment

I wish <sup>to</sup> express my profound gratitude and sincere thanks to all who made it possible for me to accomplish this noble venture. Special blessings to my moderator Mrs Emmy Gichinga, for her challenging insights and help. To all of you a big thanks.

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## **Preface**

Many Christians who today are victims of domestic violence and abuse suffer their memories or current critical situations in silence. This has been because of the lack of trust that they would be treated appropriately once in the limelight.

Many of the pastoral agents do still hold to the notion that these problems are not a common occurrence, and if they do happen, it is not among their people, less expanding their knowledge on the issue and striving to address the same. They are far removed and as such, for them anything to do with domestic violence and abuse such as battering, incest, rape, sexual harassment and other forms of domestic violence and abuse happen to people unlike them.

The truth is that great majorities of their flock walk in the daylight happily while in the night they have to struggle as victims and survivors with their experiences of domestic violence and abuse. To a certain extend, our pastoral agents are ill-prepared to respond to these challenges. There is the need to know more about domestic violence and abuse in the family for unless the pastoral agents come out in the open and speak of the same, their congregations will never cultivate the trust needed to come to them and help stamp out this problem.

Pastoral agents must thus be quite on alert that;

- They will encounter domestic violence and abuse in their ministry.
- When they do, they need to identify it and use community resources to assist in responding.
- And that they do need to provide an informed pastoral response that focuses on ending the violence rather than supposedly “keeping the family together”.

A challenge must here be considered for the pastoral agents to attend to their own houses too. This is for the pastoral agents who themselves have been victims of domestic violence and abuse and live with these memories. The same applies to pastoral agents who are perpetrators of this violence and abuse. The church must therefore incorporate new awareness of domestic

violence and abuse in every aspect of ministry and teaching.

It must start now to address the issue in its particularity as a deeply rooted problem in our social, cultural and religious contexts, pastorally and individually.

This essay sets out to try and address this problem hopefully offering pastoral agents some new insights on how to help reduce the occurrence of domestic violence and abuse.

## GENERAL INTRODUCTION

Considering the major world “megatrends”<sup>1</sup>, one cannot dispute the fact that there have been great changes, specifically in the pastoral approach and practice to such megatrends that characterise the mission apostolate today. This has had adverse cultural effects. We have witnessed the loss of values, which for long have been embedded on cultures. Among the major and adversely affected institutions is the marriage and family institution. This institution is the basis of the social cohesion and societal order that transmits accepted values, shapes national identities and engenders basic loyalties.

Unfortunately we are living at a time in history when society seems to teach and condone the use of violence in the family more than of old. A time when family disputes are solved through violence all because of the breakdown of traditional family values that held members of the family together and maintained respect for each other. These lost values have not been replaced and hence we find confusion in family relationships. This loss of family values has eroded the roles and responsibilities of different members of the family, hence the advent of conflicts resulting into all kinds of domestic violence and abuse that we today witness in our families and in the society at large.

### Choice of the topic

Thrice I did break into tears when in the morning of 23<sup>rd</sup> July 1996 John Muema<sup>2</sup> was shot dead with three poisoned arrows and his house torched by his very own sons under the instigation of his wife. The same happened on the early morning of 14<sup>th</sup> June 1998<sup>3</sup>, when Lydia Karimi a mother of four was slashed and hacked to death by her irate husband as neighbours and

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<sup>1</sup> Antony Bellagamba, Mission and Ministry on the Global Church, ( New York: Orbis Books, 1992), 1-15.

<sup>2</sup> Eyewitness, 23<sup>rd</sup> July 1996.

<sup>3</sup> *ibid.*, 14<sup>th</sup> June 1998.

passers-by watched at bay. Again when Rosalia Ndung'u drowned herself together with her two children due to domestic violence and abuse on the eve of Easter last year<sup>4</sup>. All along I have believed, that something must have (is) been wrong in these families and the society. Couldn't someone help? A research and study on Domestic violence is a conversion of my shed tears and agony into this help.

## **Methodology**

The methodology to this essay is an integration of my experience and reflections during my apostolate here in Kenya all through my theological studies in Tangaza, oral interviews and research plus structural analysis. The format; See, Judge and Act characterise this methodology. Note that the total number of informants interviewed orally was 98 out of the targeted number of 120 informants.

## **Purpose of the Study**

- To focus on domestic violence as a violation of basic human rights within the family setting.
- To call on to the attention of the reader, the pastoral agents and the entire society to the effect that domestic violence and abuse should not be taken for granted as of the past.
- To highlight the most important and neglected aspect of this form of violence, namely; the possibilities available to alleviate and uproot the root causes of this violence in all its forms.
- To consider the viability of the 1994 African Synod's model of the African church being a "Family church" in the face of the continued growth in cases of domestic violence, with specific reference to the church in Kenya.

## **Statement of the problem**

Domestic violence and abuse in Kenya is on the increase more than ever before. The

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<sup>4</sup> *ibid.*, 3<sup>rd</sup> April 1999.

following figures in *Table I below*<sup>5</sup> (taken from Nairobi province alone) represent a bird's eye-view on the magnitude of this problem.

Year, months (Jan-Dec)	Total Number of cases reported on Domestic violence and abuse
1996	342
1997	463
1998	742
1999	896

*N.B. There are many more victims who have suffered and continue to suffer due to this violence and abuse, and their situation goes unreported.*

### **Essay outline**

Chapter one of this essay focuses on domestic violence and abuse as found within the Kenyan context. Chapter two explores on the Church scriptures and tradition on domestic violence and abuse, whereas chapter three takes a look on the effects of domestic violence and abuse. In chapter four we shall consider some practical solutions and recommendations on the problem of domestic violence and abuse.

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<sup>5</sup> Kenya Human Rights Commission Reports, (Jan 1996- Dec 1999).

# CHAPTER I: DOMESTIC VIOLENCE AND ABUSE IN KENYA

## A. Introduction

It is each one's moral responsibility and duty to protect the rights of his or her fellow human beings and as well our human calling to celebrate our human rights in all circles and to have them respected. Any form of violence unleashed and administered on any human person prohibits and curtails the exercise of these basic human rights. This chapter seeks to explore on how much domestic violence is of itself a violation of basic human rights and the law of love for one another.

## B. Context

It is important to note that domestic violence as found within our Kenyan context has at least two sides. Namely; a) the rate at which this violence and abuse is being unleashed and its impact on the marriage and family institution and the Kenyan society at large. And, b) the appropriate measures and means employable for its prevention and ultimate resolution. Failure in this second aspect has marred the efforts to bring the abusers to confession and repentance, their ultimate restoration to the community, and the ultimate concern of faith to bring genuine healing and restoration of the victims. Certainly,

*"the entire landscape of domestic violence and abuse in Kenya is thus dotted with tales of woe: with teeming numbers of maimed and destitute victims; with homeless children straying into crime: with wounded hearts crying in shame. And that we are still counting the dead; for there is a victim succumbing to a fatal blow every single day"*<sup>6</sup>

## C. Domestic violence; A definition

Violence in all its forms could be best defined as, "the assault on a person's physical and mental integrity"<sup>7</sup>. It is as it were that which harms physically or morally, abuses or injures. The word "domestic" in our case connotes and describes violence as executed and administered within the family or household. In this case therefore, domestic violence would be best

<sup>6</sup> Kenya Human Rights Commission. "Quarterly Repression Reports". (Nairobi: October-December, 1999), 21.

<sup>7</sup> Helen O'Connell, Women and Conflict, (Oxford: OxFam, 1993), 1

understood as the unlawful, and uncontrolled infliction of pain, injury, harm and abuse of any form by an individual member of a family to self or to another or others within the same family setting. It is as it were “an expression of arrogance by a society conditioned by circumstances that make men the rulers and women the ruled”<sup>8</sup>.

Nasimiyu-Wasike considers domestic violence and abuse as “an aggression or a pugnacious behaviour in which the threat or use of violence initiates conflict or destruction and verbal or physical abuse which takes place at home in a family atmosphere”.<sup>9</sup> In it, the most appalling level of inhumanity against fellow human beings, which demonstrates lack of feeling and sense of life, is made manifest. In any case, taken, as a whole, domestic violence and abuse is indeed gender violence whose victims are men, women and children within the family setting. Well then, the environment within which this kind of violence is made manifest and practised is the family.

The family here could be the nuclear type family, the extended family, single parents families, the widow and widower families and many others. But we do know that in the modern Christian understanding, the ideal family is that which is constitutive of the husband, wife and children while in the African context this will also include the extended family members. Admittedly, the phenomenon of domestic violence affects and cuts through and across all social differences and status lines. This is to say that it is not limited to a specific class, geographical area, or type of person. For example, white and black, rich and poor, urban and rural, religious and secular, professional and illiterate, heterosexual and lesbian, able bodied and differently able, young and old.

This form of violence is present and prevalently being unleashed within families be they Christian families, traditional families, extended, single, or nuclear type families. This violence

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<sup>8</sup> John Mary Manazan, *Women Resisting Violence* (Maryknoll New York: Orbis Books, 1996), 57

<sup>9</sup> Douglas W. Waruta and Hannah W. Kinoti, *Pastoral Care in African Christianity* (Nairobi: Acton Publishers, 2000), 121.

is, physical, psychological, emotional and even sexual abuse. And as Rose Wachira points out, “this violence is meted out to wives by their husbands, husbands by their wives, parents by their children and children by their parents”.<sup>10</sup> In the same measure, this kind of violence takes many forms and the list of abuses is endless. Manazan notes that,

*“the forms and abuses of domestic violence may range from, sexual and domestic abuse, child pornography, sexual harassment, eating disorders, battered women, husbands and children, incest, homelessness, poverty, intellectual colonisation, spiritual exploitation, refusal of women’s equal rights, HIV infection, impoverishment of widows, older women and widowers, emotional violence in all forms, cosmetic surgery, forced sterilisation, welfare harassment, incarceration of pregnant women with substance abuse, witch burning, rape in marriage, acquaintance rape, food deprivation, serial murder sexual objectification and murder.”<sup>11</sup>*

Indeed domestic violence is not always forced but can as well be self-inflicted in the interest of self-esteem, love and marriage.

#### **D. The aggressor and the abused**

We have already mentioned that domestic violence and abuse is as it were gender violence whose victims are men, women and children. However the majority of the victims are women and children. It is worth noting that some of the victims today have survived the ordeal and are now living a life free of abuses; others have not survived the abuse and have been beaten to death while many do as well continue to suffer the same.

By their natural gift of physical strength over women and their cultural dominance in many societies, men have been the main aggressors and perpetrators of domestic violence. However small, the undeniable fact is that a section of the male population today is subject to an equal amount of battering from their wives. For many of the battered men folk, to be abused by any member of the opposite sex is deemed lowering enough at the personal level. To let the same spill into the public realm is to expose oneself to public scorn a reason as to why their

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<sup>10</sup> Rose Wachira, “Domestic Violence”, *The Seed* 11.2 (1999): 19

<sup>11</sup> Manazan, et al *Op. Cit.*, 58

situation goes unreported.

In actual fact most of the men who turn out to be victims of domestic violence are not in hospitals but in their graves having been poisoned, murdered in cold blood by their irate spouses, sons and daughters or killed away from home under circumstances related to their domestic problems. We would also here argue that the amount of tongue lashing that men are subjected to, save for the very brutal cases, inflict equal harm to victims as would physical confrontation.

The fact is that women as well as men initiate violence against one another in roughly equal numbers. That is, “women 24 percent and men 27 percent whereas in order to offset men’s larger physiques, women more often use weapons than do men. That is, 82 percent of women, and 25 percent of men”<sup>12</sup>. In most of the cases of domestic violence here in Kenya, a woman will be found to use the kitchen knife, scissors, lamp, kerosene, frying pan, poison, and the like in order to act out their anger in a physically violent way on family members. For example,

*last year. “55 percent of son/daughter murders involved a female killer; 41 percent of spousal murders involved a female killer, 33 percent of family murders involved a female killer; 18 percent of parent murders involved a female killer, 15 percent of sibling murders involved a female killer”.*<sup>13</sup>

When this violence and abuse spills over to the children, the abusive partner institutes a reign of terror affecting all members of the household. This occurs when the parent in the victim position opts to take out his or her frustration on a target perceived to be weaker than him or her— invariably the children. In such cases, the children are either directly beaten or they are indirectly affected when they watch their mother or father being abused by a family relative. In such incidents, “these children are physically, sexually and emotionally abused by their very own

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<sup>12</sup> Richard J. Gellers, The Violent Home: A Study of Physical Aggression Between Husbands and Wives, (Beverly Hills: Sage Publications, 1983), 42.

<sup>13</sup> Kenya Human Rights Commission Report, “Quarterly Repression Reports”, (Nairobi: October-December 1999): 23.

parents and relatives”<sup>14</sup>. The parent-aggressor does not realise that such violence has traumatic effects on the children. If there are no other support mechanisms, the children may well ‘escape’ to the streets, with the boys sinking into a life of crime and drugs and girls falling back on prostitution to sustain themselves.

My research findings do as well point to children as being party to domestic violence and abuse. Among the families I conducted my oral interviews, the teenage son of a woman executive caught up in an abusive relationship quietly presents his mother with an iron bar at bedtime. “You will need this to protect yourself should he start again” he confides in her. The wife argues that these days it only takes the slightest hint of raised voices in this household for the grown up children to dash out of their rooms, ready for battle. The tension in this household has pitted father against sons and daughters, who have become increasingly protective of their mother. They have taken sides in the battle and become active participants in the marital dispute. The father feeling abandoned and outnumbered has threatened to invoke a traditional curse on the children! He often spends the night out, accusing his wife of poisoning the children’s mind against him<sup>15</sup>.

Precisely then, it is clear that, the

*“aggressors are often people who lack communication skills, who are unwilling to acknowledge their emotions, people who find it hard to trust others, people who are jealous of their partners and resent any influence on their wives or husbands and children by others. These are people who feel insecure and seek to have a total control of the victims. They are mostly people who have themselves been abused as children”<sup>16</sup>.*

## **1. Who is likely to be violent?**

Richard Gellers argues that domestic violence is more common among,

- *the poor than it is among the wealthy and middle class,*

<sup>14</sup> Waruta, et al. *Op. Cit.*, 130

<sup>15</sup> Interview with Ms. Sally, 12<sup>th</sup> July 2000.

<sup>16</sup> Waruta, et al. *Op. Cit.* p.127

- *in the 18-to-30 year-old bracket, and*
- *substance abusers.*
- *Binge drinkers who are more likely to abuse their partners than heavy drinkers,*
- *In families where the victims are isolated from friends and family members.*
- *the unemployed and in households where the husbands control the decision making*<sup>17</sup>.

This is not however to suggest that violence does not occur in other groups.

## **E. Causes of domestic violence and abuse**

Examining the root causes of domestic violence and abuse, it is important that we put on shelf the traditional notion that domestic violence occurs unexpectedly and with little warning, even for people who are in long term relationships and supposedly know one another. But rather bear in mind that this kind of violence is a process with three basic stages. That is;

- ◆ The tension building stage where both persons sense the oncoming eruption.
- ◆ The battering stage when the violence erupts and,
- ◆ The remorseful stage in which both parties express sorrow for what took place.

In the first stage there is an entire phase of warning, especially for people who have turned their awareness and response to the violence. In this stage, the abuse is aggravated by little things and sometimes by nothing at all. The aggressor's resentment is acted out in the form of verbal abuse, for example, calling the victim names, threatening, tormenting and ridiculing. The victim's attention at this moment is to please the aggressor and to persevere hoping that the abuse will stop. The victim experiences here a loss of control.

In the second stage, the actual violence is meted on the victim. The victim is physically attacked, emotionally abused by telling the victim that he or she is worthless and stupid, spurning him or her, holding him or her in contempt. Emotional abuse here is aimed at the very being of the person, his or her dignity and worth.

In the third phase, the aggressor may feel remorseful and may make promises as to

<sup>17</sup> Richard Gelles, *Violence and Social Change*. (New York: Crossroad, 1996), 126.

refrain from such atrocities in future. The aggressor here gives excuses as to why the abuse occurred. But because this “process is cyclic, the tension begins to build up again”.<sup>18</sup>

These three stages are not as distinct, but do all in all constitute a single process, that of domestic violence and abuse. Today there are several cases of fathers murdering their sons and daughters, about sons and daughters sending their own biological fathers and mothers to early graves and about mothers disfiguring their marriageable daughters. But what causes this bad blood in an otherwise ‘blood is thicker than water’ situation?

The question whether men and women do marry knowing fully well that they may end up battered or killed is our point of departure. Dr. Frank Njenga, gives here an answer to the affirmative. This he says is “manifested and proved by recidivism rates (tendency of the individual to relapse into crime or violence) for both men and women who either return to an abusive relationship or leave it only to resume the violence with a new partner”<sup>19</sup>.

So that as long as the human person has that inner urge within to be loved and to feel secure, somewhere within the same human person is the inclination to violence and abuse. Arguably then, it would be that all other causes to domestic violence build on this basic inclination and tendency to be violent and specifically within the family institution.

My submission here is that many women and men do not as such prepare well for marriage and family life into which they are to cherish and love one another in times of joy and sorrow. Through the marriage covenant, “the couple establish between themselves a partnership of their whole life, and of which in its very own nature is ordered to the well being of the spouses and to the procreation and upbringing of children”.<sup>20</sup> But does this marriage covenant hold any meaning to the couple there after? Evidence, has it that when trouble starts, each of the couple hold to the notion that, if I love him or her more, maybe he or she will stop abusing me,

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<sup>18</sup> Douglas W. Waruta and Hannah W. Kmoti, *Pastoral Care in African Christianity* (Nairobi: Acton Publishers, 2000), 122.

<sup>19</sup> Interview with Dr. Frank Njenga, a Psychiatrist, Kenyatta National Hospital, 23<sup>rd</sup> May 2000

<sup>20</sup> *Code of Canon Law*, (London: Collins Liturgical Publications, 1983), canon. 1055, 189.

despite the obvious attempts by friends and parents to intervene. Let us then look at some of the key root causes in this cyclic process of domestic violence and abuse.

### **1. Communication breakdown and jealousy**

The marriage and family institution is indeed fulfilling if husbands and wives do fully understand each other. This understanding calls for differences within the family to be resolved through dialogue. In cases where communication has failed within the family, the family members become complete strangers and violent, frightening aliens towards each other.

The marriage vows thus impose much communicative responsibility that a couple would not expect from an outsider. This places a high demand on competence in communicating in the family. A negation of this expectation, in any form, leads to a breakdown, which subsequently leads to friction in the family. Obviously, "the outlet of this friction in a family will be through domestic violence and abuse"<sup>21</sup>. This violence and abuse becomes the expression of communication breakdown in the family. Manazan arguably shows that the victims of domestic violence and abuse have often been violated by purportedly provoking jealousy or anger from their aggressors. For example, wives in the family will be violated due to,

*"Their uppity demeanour, their sloppy dressing, her withholding of sex or other marital services, her nagging and accusations, her low self esteem, her indirect expression of needs, her love for her children, her whining or worst of all her sexual promiscuity to which all of these are construed as provocative and an excuse for battering and murder".<sup>22</sup>*

### **2. Narrowed perspective of the sexual act and the partner**

In cases where the sexual act is the cause of domestic violence, it would be that:

This sexual act between the spouses is not seen as a mutually participatory act. Because of this narrowed perspective, in most cases the woman will be expected to submit to the act without any complaint and objection. It is obvious that certain women will react negatively to

<sup>21</sup> Owens-Ibie Noma, "Domestic Miscommunication as a Development Constraint: A Study of Wife-Beating Among Selected Junior Workers," *Africa Media Review* 6 (1992): 37

<sup>22</sup> Manazan, et al. *Op. Cit.*, 41

this and this often ends with the woman being battered or may on the other hand if repeatedly practised cause the man to seek for what he misses somewhere else resulting into adultery and vice versa. In any case some married men have ended losing their reproductive organs in this kind of violence by either being beaten by their spouses or facing the wrath of the kitchen knife.<sup>23</sup>

In other cases if the woman initiates this, the man may not be ready for it and this too could cause trouble. This has mostly been because of the changing roles and tough duties that the individual has to perform in the office or at work. In many other cases, women are forced to have anal sex, causing hate for the husband. This is behaviour unbecoming. In the same way “lesbianism and homosexuality”<sup>24</sup>, which is slowly taking root here in Kenya, is a contributing factor to domestic violence and abuse.

### **3. Contraceptives and family planning**

Sometimes the woman may be forced against her will and wits to use contraceptives or to go for hysterectomy to control the family number of children. This has led to family squabbles; the wife is tortured physically and mentally. On the other hand the woman may still be violated to give birth to more children than she wishes endangering her economic survival, health and life.

### **4. Lack of enough time for courtship**

Within this short period one is not able to recognise the kind of person he or she is going to get married to. Naomi here argues that, “it is really difficult to learn everything during courtship. Those dangerous, murderous traits happen on the middle of one’s marriage. For example, coming home late and drunk, bringing home another woman and spending with her on our marital bed, molesting our minor daughter, touching her private parts, being slashed and

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<sup>23</sup> Interview with Charles Kimweli, 23<sup>rd</sup> August 2000

<sup>24</sup> The Church Documents Quarterly, “Marriage and the Family,” The Pope Speaks, 28/4 (1983): 360.

tossed into the fire etc”<sup>25</sup> This points to the fact that marriage and the family is a long life growth process where one discovers more of his or her partner. This is because, marriage and the family seems to undermine the fact that the couples are of different personality types and from different family and even increasingly today different cultural backgrounds.

## **5. Economic constraints**

Due to economic and social strains men have vented their frustrations in the home and specifically on their wives and children. It is painful that some of the victims have complained at one time or the other, before meeting their disastrous end. It is unfortunate that most women within the marriage institution have no say in matters pertaining to finances, although they have proved to be the best money managers. Time and again, the woman's intelligence has here been ignored and underrated. Many of the male folk are afraid of their wives and even children being independent in terms of being able to work and provide for themselves and the family. A time comes when the husband faces financial difficulties, which slowly ruin his marriage because he is not ready to admit it except and only through violence.

Children as well contribute to this economic frustration and especially in cases where parents commit themselves to paying for their education whereas the children squander these opportunities specifically through drug abuse.

Jobless kin-brothers and sisters, relatives and even neighbours who come to lodge in the family specifically in towns are a contributing factor to domestic violence. These people give no privacy to the family, and once the issue is raised, more often than not the husband or the wife will get angry and accuse the other of alienating him or her from relatives, arrogance and being unfriendly to in-laws. In such a situation, the in-laws will most probably advise the husband to marry another woman. While the wife is advised to bear with the suffering or quit.

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<sup>25</sup> Interview with Naomi, 22nd July 2000.

## 6. Changing roles

“Self concept and role expectations of others often influence what is considered to be an intolerable level of violence by family members in the family environment”<sup>26</sup>. In the wake of women empowerment, the traditional and culturally accepted role of the husband as being the head of the family is continuously being put into question. This has seen the husband at loggerheads with his companion, the wife. The battle is on the home front. More women have become breadwinners, a fact, which questions the patriarchal role. The question is; should the empowered women wrestle leadership roles from men, whose practice has resulted into many broken families, divorcees and single mothers? An understanding must here be arrived at, pointing to the fact that gender equality is not a reversed discrimination.

Culture and traditional practices ordain that men should be heads of households all the time because there are certain things, which can only be done by men. In which case, then empowerment does not mean that women in the family should not respect the established order. Evidently, if one sticks to his or her role there should be no problem in the family even if one were an empowered woman. Even in the religious cycles, men do have a God-given role to be heads of families and even though a wife is expected to be submissive to her husband, this is not a subordinate role but a supportive sharing of her life with her husband and family.

In our Kenyan context, a man will be expected to be the head of his home if he is to earn respect from his children and wife as the father and spouse respectively. But there are today those women who are of the view that men can no longer take the leadership role for granted by the virtue of being male. The number of women headed households is increasing as some women choose not to be married while others divorce. It is understandable that, what this kind of women head are not families but rather homes.<sup>27</sup>

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<sup>26</sup> James M. Henslin, *Marriage and Family in a Changing Society*. (London: Free Press, 1980), 385.

<sup>27</sup> The Kenya National Censors Commission, *The 1999 Kenya National Population Census-Partial Report*. (Nairobi: Government Press, 2000), 12.

Our cultural backgrounds have it that, by the fact that a man is a man is reason enough for him to head a family, for there are certain decisions, cultural matters and rituals which cannot be undertaken without a man. Should a woman assume this responsibility, she may never execute them. This is not to say that the man is the sole decision-maker but the reverse. That is, a participant in the decision making in the family together with his wife and children. Again, “leadership here does not mean authoritarianism because the abuse of leadership leads to dysfunctional families”.<sup>28</sup>

This leadership role should not be viewed only from the perspective of material provisions. Because a man can lead by “merely providing guidance, counselling and speaking for the family for certain tasks touching on ceremonies, birth, marriage and funeral aspects that can only be performed by men”.<sup>29</sup> Society has already defined roles, which we should respect if we want to have happy families. Culture must here be respected. Basically then, domestic violence would be as a result of interacting features enhanced or perpetuated by our beliefs, traditions and institutions.

## 7. Cultural practices and understanding

My argument here is that when brutality passes for discipline, domestic violence remains wide spread. The aggressors will most often fall back on cultural beliefs and practices to justify this dehumanising agitation. It is conceded that in the traditional African societies,

*“men beat their wives to discipline them and to assert their authority and control over them. Some communities consider it as a sign of expressing love to the wife. In fact, being beaten for some women is a sign that the men care about them. There is the feeling that married men own their wives and so they can do whatever they wish with them including beating them. Wife beating is therefore regarded as a justifiable form of chastisement and a tool of discipline based on the payment of dowry. If a man does not beat his wife he is effeminate”*<sup>30</sup>.

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<sup>28</sup> Interview with Michael Moloney, Director Amani Counselling Centre, 5<sup>th</sup> July 2000.

<sup>29</sup> Samuel Oktuse, “What men and women want,” *The Daily Nation*, (May 31, 2000): 13.

<sup>30</sup> Joan Hannedson, *The African Family*.(New York: Winston Press).112

This form of violence is “reinforced when a man on the wedding day is presented with a whip or a walking stick as a gift which is looked at as an instrument with which to discipline the wife and protect the family as well.”<sup>31</sup> In actual fact many men think that wife beating is part of their husbandry rights and privilege if not obligation, while many women on their part seem generally to accept their destiny and will often cover-up their husbands even when they have done them actual bodily harm. They too seem to assume that “being battered is part of the marriage package”<sup>32</sup>. For example due to fear of the repercussions, and further physical assault, a mother and her child may closely guard their secret of incestuous rape and abuse leading to serious mental problems in the victims.

Culture tells women in the family setting that they are nothing without a man and children, creating the unequal relations of dominance and submission. This is basically based on prejudice. But in any case, as Martha Karua, puts it, “men just do not want to beat their wives and children but do so out of the anger and frustration they are put in by the irresponsibility and unfaithfulness of their wives and sometimes their very own sons and daughters.”<sup>33</sup>

A recent study carried out in Kawagware by the International Federation of Women Lawyers (FIDA), indicates that more than 90 percent of women interviewed admitted that battering was a widespread phenomenon and something not only confined to traditional rural settings. In a number of cases the battered wives and their husbands are professionals and high-ranking members of society.

It is evident that, deeply rooted cultural and traditional beliefs in the rights of husbands to exercise authority and control over their wives through violent behaviour instigate domestic violence and abuse. This has instilled acceptance of the behaviour. The man always expects to exert his power and control on his wife as expected by society. This behaviour can be translated

<sup>31</sup> Waruta, et al. *Op. Cit.*, 123

<sup>32</sup> *ibid.*, 141.

<sup>33</sup> Interview with Karua Martha, 19<sup>th</sup> July 2000.

to be physical, emotional or psychological abuse on the spouse. Psychologists attribute domestic violence and abuse to “insecurity on the part of the man. This insecurity is said to emanate from the man’s upbringing to which childhood insecurities or other threatening factors, such as impotence, can also be let out on the partner”.<sup>34</sup>

## 8. Patriarchal values and structures

Among the root causes of domestic violence and abuse that we have already highlighted, it is evident that most of the cases stem from the “patriarchal and sexist culture in which the victims live”<sup>35</sup>. This is evident in both the biblical and African cultures, which are formative of the environment within which the victims live. Here we are referring to the control of women’s power of production and reproduction and the patriarchal cultures and values that objectify women and children. The International Federation of Women lawyers (FIDA) concedes that,

*“the patriarchal family system here in Kenya and probably in the entire African continent does legitimise the chastising and battering of women and children in the home. The silence about incest and child abuse, and the attack on shared parenting. Child care programs and reproductive rights; and the rejection of affirmative action programs that would guarantee justice within the family”.*<sup>36</sup>

The question is; why would one remain in an abusive relationship? Henslin notes the following to be some of the reasons as to why one would remain in an abusive relationship:

- *“The victim’s negative self-image and the belief that his or her aggressor will reform.*
- *Economic difficulties, and the fear of social stigmatisation.*
- *Doubt on the part of the victims that they can get along alone is another contributing factor”*<sup>37</sup>.

Other factors include;

<sup>34</sup> Interview with Dr. Frank Njenga, 24<sup>th</sup> June 2000.

<sup>35</sup> Common Wealth Secretariat, *Violence Against Women*, (London: Marlborough House, Pall Mall 1986), 15.

<sup>36</sup> Interview with Martha Koome, FIDA chairperson, 22<sup>nd</sup> July 2000.

<sup>37</sup> Henslin, et al. *Op. Cit*, 374.

- i) The victims fear that the aggressor might retaliate or revenge, based on realistic fears, lack of awareness of any help that is accessible to them and developed low self-esteem due to being beaten and verbally abused for years.
- ii) The victims feeling that they are responsible for their assault, which renders them ashamed, guilty and rejected therefore not ready to take any action.
- iii) The advice on seeking help by the clergy or other counsellors to return home because it is the victim's duty and responsibility to stay with the aggressor.
- iv) Women will remain in a violent relationship for the sake of the children.
- v) Threats to hurt other members of the family of whom the victim loves and cares about by the aggressor.
- vi) Lack of emotional and moral support from the victim's parents, relatives and neighbours, and the entire society.
- vii) Above all else, the victim's love for the aggressor contributes to the stay. In such cases, "the victim keeps praying and hoping that the violence will one time come to a stop, but not their relationship"<sup>38</sup>.

In all these cases of domestic violence and abuse, manipulation is the key to keeping it on fire. Implicitly when the abused is about to leave the troubled marriage or family, the abuser will apologise, shower the abused with presents and tell him or her how much he or she cherished the other and probably the children.

In such cases the Nairobi Catholic Archbishop, Ndingi Mwana'a Nzeki warns that the "victims of domestic violence and abuse should not wait until they are killed before they act, because it will be too late"<sup>39</sup>.

<sup>38</sup> Waruta, et al. *Op. Cit.*, 126.

<sup>39</sup> Interview with Catholic Archbishop Ndingi Mwana'a Nzeki, 12<sup>th</sup> June 2000.

## **F. Response of neighbours to domestic violence and abuse**

Incidents of domestic violence and abuse in the recent years have become so commonplace in the Kenyan society that the public has become de-sensitised to the peculiar criminality of domestic violence and abuse. In the past Kenyans have displayed an extraordinary callousness towards the crime of domestic violence even when cruelty is inflicted in the home by husbands on wives, wives on husbands, daughters, sons and occasionally even on their own mothers and fathers. Family life is looked up as a private affair. So that when a member of the family is assaulted, people are inclined to ignore and not to get involved. This type of attitude allows the horrifying cruelty to continue.

As a rule, the public has historically behaved as if it was eternally absolved of any personal, social and moral responsibility for assisting any victim of domestic violence being physically, and psychologically violated by any member of the family. It is a domestic issue and as such it is not for me to intervene. has been the guiding (albeit unspoken) rule practised by the vast majority of Kenyans when called upon to assist any of the victims being battered or brutalised.

This perverse ethic of 'disinterested non-involvement' applies not only to instances of domestic violence inside the family, but also when neighbours hear a victim howling, shrieking or actually screaming and crying for help; yet nobody lifts a finger on his or her behalf. The reality is that the victim may be assaulted or beaten in broad daylight on a busy thoroughfare and the members of the public will most often than not, desist from assisting. In such cases one wonders, whether we are really human let alone, practising the law of love ordained by Christ, to say the least. Does this not as well question the Church's prophetic ministry of being the voice of the voiceless? Some solutions to these problems will be considered in chapter four.

Two years back, 15<sup>th</sup> December 1998, we celebrated the 50<sup>th</sup> anniversary of the signing of the Universal Declaration of Human Rights to which Kenya herself is a signatory. In it we

very well reckon how much of a high crime. abuse and misdemeanour domestic violence is. For example article 1 of the Declaration states; “All human beings are born free and equal in dignity and rights”<sup>40</sup>. This of itself implies that a woman’s or man’s right is violated when he or she suffers the indignity of domestic violence. Article 3 says; “everyone has the right to life, liberty and security of person”<sup>41</sup>. As long as domestic violence is accepted without public censure and severe punishment, no one’s security or life is guaranteed and especially in the family atmosphere. Article 5 states: “No one shall be subjected to torture or to cruel inhuman or degrading treatment or punishment”<sup>42</sup>. Domestic violence is all these. It is cruel, inhuman and degrading and as such it should not be tolerated in any form.

Finally article 7 states: “all are equal before the law and are entitled without any discrimination to equal protection of the law”<sup>43</sup>. This is fundamental, meaning those who indulge in domestic violence or any form of violence deserve to be tried and convicted under international law.

## **G. Conclusion**

It is evident; that violence against family members is often perpetrated by the very persons the victims trust most, their family members and close friends. It is usually supported by cultural customs, thus making it difficult for the victims to protest against it. It results in a state of physical and psychological subjugation, which places the control over the victims’ body firmly in the hands of the aggressor. Most importantly, that all violence and abuse is primarily violence against the body, which indeed is a transgression of the person’s natural human rights. This act is carried out with the intention or perceived intention of physically and emotionally

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<sup>40</sup> Paul Mallia, On Human Rights, (Nairobi: St. Paul Publications Africa, 1997), 47.

<sup>41</sup> *ibid.*, 47.

<sup>42</sup> *ibid.*, 47.

<sup>43</sup> *ibid.*, 47.

hurting another person. This is mostly with the aim to coerce and subdue this person. This violence and abuse is inflicted against the will of the person.

## **CHAPTER II: DOMESTIC VIOLENCE AND ABUSE IN THE CHURCH SCRIPTURES AND TRADITION**

### **A. Introduction**

The Church in its prophetic ministry is called to preach peace and respect for all, to uphold human dignity. Indeed in the scriptures, we are made aware of the fact that, created in the image and likeness of God, both male and female are equal before God. Thus we are all called to become and belong to the one family of God as sons and daughters. Has the Church through its scriptures and tradition been faithfully able to hand down this faith value of equality and love, or it has been a victim of misinterpretation up to the present? The Church in its scriptures and tradition fails in its prophetic ministry of being the voice of the voiceless when basic human rights are violated through domestic violence and abuse. This chapter discusses the way the Church scriptures and tradition have been misused to perpetuate domestic violence; hence the abuse of basic human rights in the family.

### **B. A background overview of domestic violence and abuse- Kenya.**

Marriage and the family institution are said to be one of the best indicators of the status of gender relations anywhere in the world. Precisely because,

*“the well-being of the individual person and of human and Christian society is intimately linked with the healthy condition of the communion set up by marriage and family”.*<sup>44</sup>

Well, in our Kenyan context, the stipulations are that one can be married under four systems of family law: that is “the African customary law, statutory (Christian) and civil law, Hindu law and Islamic law”<sup>45</sup>. In which case then, we would expect that each marriage law imbue values that are peculiar to the particular community they are meant to serve. In this case, marriage under the African customary law system is meant to serve Africans or for our case Kenyans who

<sup>44</sup> Vatican II Documents, Gaudium et Spes, No. 47.

<sup>45</sup> Legal Resources Foundation, Family Law and Succession, (Nairobi: Wep Impressions, 1999), 2.

are neither Christians, Hindu or Muslims; and who choose to abide by the conventions regulating marriage in their community.

Thus any uniting spouses will invoke two different marriage traditions bringing about potential ambiguity in which system to follow for instance in cases of divorce or in the face of domestic violence and abuse. Most Christians will therefore marry under a combination of African customary law and statutory and civil law. Typically a Muslim will marry under a combined application of African customary law and Islamic law. Evidently, then, there are insurmountable obstacles to self-actualisation by the couples and as well their children in such kind of combined marriages.

This lack of self-actualisation accounts for the resurgence of the abuse fostered through domestic violence and abuse, which starts to breed immediately after the marriage covenant has been made. For example, in almost all the communities in Kenya, which are characteristic of the cultures and traditions of the people, custom bestows a husband with the rights over his wife's reproductive and productive capacity as well as the custody and control of children from that union.

It is heart-breaking to realise that the domestic regimes created by the laws and stipulations under these cultures and traditions provide the most inhuman environment for the woman, child and often the husband. Under such regimes, for example, a woman is assumed to surrender all her sexual freedom, including the right to restrain from sex. She is in that context routinely sexually abused. She is expected to assume a new identity based on the custom of the man. She and the children are subjected to psychological and physical abuse and are expected to establish dependency on the man. The Holy Quran for example notes that,

*"men are the maintainers of women because Allah has made some of them to excel others and because they spend some of their property; the good women are therefore obedient, guarding the unseen as Allah has guarded: and as to those on whose part you fear desertion, admonish*

*them, and leave them alone in the sleeping places and beat them, then if they obey you, do not seek a way against them, surely Allah is high, great” (Cf. The Quran 2: 228ff)*

### **C. Scripture and tradition; a tool used to foster domestic violence-Is it right?**

Given the circumstances of misinterpretation, the Holy Scriptures and the church tradition have for long been used to perpetuate domestic violence and abuse within the family. It is understandable that, true Christian theology overtly condemns oppressive forms of exploitation and victimisation such as incest, sexual abuse, femicide or rape (Cf. Romans 1:26-27, Gal. 5:19-21 Lev.18: 6ff). Nevertheless,

*“the Christian proclamation of the Kyriarchal politics of submission and its attendant virtues of self-sacrifice, docility, subservience, obedience, suffering, unconditional forgiveness, male authority, unquestioning surrender to Gods will covertly advocates in the name of God patriachal practices of victimisation as Christians”<sup>46</sup>.*

It is indeed obvious that Christian scriptures do advocate for submission. For example, sin comes to the world through women and they gain salvation primarily through child bearing when they continue in faith, love, and holiness in modesty (Cf. Tim 2: 11-15). Such Christian scriptural texts and traditional Christological discourses theologise kyriarchal suffering and victimisation.

The “Hebrew culture underpinning and informing the Biblical narratives behaves itself sexist”<sup>47</sup>. The Old Testament for example, which is characteristic of the Hebrew culture is replete with incidents, laws, stories, and anecdotes that depict the treatment of women and children in the family as less than human. For instance, women are considered as both property and things; as commodities with which men can do whatever they please. In any case, a pious Jew does start his day by “thanking God for not making him a woman, a gentile or a slave”<sup>48</sup>, the three most despised and abused groups of people in the eye of such a Jew.

<sup>46</sup> Manzan, *Op. Cit.*, 49.

<sup>47</sup> Waruta, *Op. Cit.*, 146

<sup>48</sup> *New Catholic Encyclopaedia*, 1967 ed., s.v. “Jews.”

In actual fact, “the general tone of family life reported throughout the Old Testament is of conflict, jealousy, and struggles- I against my brother, my brother against I and I against our cousins, my brother, my cousins, and against the world”<sup>49</sup>. A few examples here do give us an highlight: Cain slays Abel (Gen. 4:8); Jacob blackmails Esau as the older brother is at the point of starvation (Gen. 25:31); Joseph is sold by his brothers into slavery (Gen. 37: 25-28); Amnon rapes his sister, Tamar (2 Sam 13:14). Similarly, relations between parents and offspring are often at odds.

The classic story here is found in Rebecca favouring Jacob over Esau. She ruthlessly plots with her favourite to trick Isaac in his old age. She wants Jacob to gain the blessing of the first-born (Gen. 27). Most of these stories of parent and sibling hostilities single out the parent-child conflict in the family. Marriage and family life in Kenya today has borrowed from these attitudes.

Just as most of our cultures here in Kenya do, the scriptures as well do demarcate very clear roles for husbands and wives respectively. They do also advocate for suffering and enduring of the same as one’s glory. In Genesis 3:16 for example, says...“to the woman...I will intensify the pangs of your childbearing; in pain shall you bring forth children. Yet your urge shall be for your husband, and he shall be your master”- Gods judgement on the woman here is meant to explain the pain of childbirth; the woman’s natural desire to have children from her husband and woman’s inferior position in the Israelite society of the time.

Taken from this perspective, the love for children and inferior position as of old instigates domestic violence. Today there are those married career women who do not want to have children because of their jobs, something that has landed them into conflict with their partners and their being battered even being killed. Still, there are those couples who go on

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<sup>49</sup> Thomas M. Martin, The Challenge of Christian Marriage, (New York: Paulist Press, 1990), 22

begetting children that they are not able to bring up, and finally unleash untold abuse on them or even take their lives through food poisoning, drowning, or torching them up.

Kenyan women and especially in the family atmosphere still feel the weight of this judgement today and this will remain the case until their social and economic situation in the society changes for better. While on the other hand the woman can oppress a man from a so-called inferior social class, Ephesians 5:22 does indicate that wives should be subordinate to their husbands as to the Lord. For the husband is head of his wife just as Christ is head of the Church... This is indeed an endearing relationship, which is difficult and rather offensive to be appreciated by those whose daily life is a struggle for an appreciation of their true worth as women, mothers and victims of domestic violence and abuse.

The above does not however mean that the man should boss the wife. Instead being the head of one's wife is that he lays down his life just as Christ laid down his life for the Church. This leadership is not what our culture teaches. Mostly the violence and abuse found within our families is because of selfishness and want of one's own way of doing.

### **1. Preached love and forgiveness- a vice?**

Evidence has it that,

*"Central Christian values preached to women and subordinated men and children such as love and forgiveness help to sustain relations of domination and to accept domestic and sexual violence, to which spiritual texts and Christian ethics often continue the cycle of violence by preventing resistance to it"<sup>50</sup>.*

For instance, rape victims who believe obedience to God's will requires that they preserve their virginity and sexual purity at any cost not only endanger their lives but also suffer from loss of self-esteem when they are so abused and asked to remain mum about it. Hence rape survivors feel not only that they are used goods but also that they are responsible for their own rape.

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<sup>50</sup> Manazan, et al. *Op. Cit.*, 50.

Battered wives and men who in turn believe that divorce is against God's will, cannot but remain in violent marriage relationships for better or for worse.

Ephesians 6:1ff has it that, "children obey your parents for this is right. Honour your father and mother... that it may go well with you and you may have a long life on earth". This is indeed a promise and a command. Within it, children who are taught in violent situations to trust and obey adults as the representatives of God and particularly parents are especially prone to become victimised. Such that because of such Christian teaching incest victims for instance, will not have the spiritual means to resist the traumatic sexualization, stigmatisation, betrayal and powerlessness that lead to damaged self-image and loss of self-esteem.

Those victims who are taught that it is essential for a Christian to suffer, to forgive unconditionally, to remain sexually inexperienced and pure; to believe that their sinful nature is in need of redemption and to be obedient to authority figures; find it difficult and virtually impossible for them to remember and speak out the abuse meted on them by a beloved father, mother or any relative within the family cycle. It is also difficult for them to recover their damaged self-image and self-worth.

The fact is that, "some Christians, specifically women and children who take their faith seriously are convinced that resistance against violence is unchristian and that their suffering is willed by God"<sup>51</sup>. In such cases, my submission would be that as long as Christian theology, churches and pastoral practice do not publicly repent their collusion in domestic violence and abuse against family members, the victims of such violence are forced to choose between remaining a victim and remaining a Christian. Such an alternative deprives the victims of such violence of their communal support and belief systems that give meaning to their lives less the protection of their basic human rights.

Unfortunately,

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<sup>51</sup> *ibid.*, 51.

*“instead of rejecting their Christian faith and moving out of their violent marriage relationships and family, victims tend to engage in a desperate search for Christian values that govern and make meaningful the culturally sanctioned relationship of heterosexual marriage associated to the high socio-cultural valuation of marriage and family which is the driving force behind everyone’s search of religious meaning”<sup>52</sup>.*

Such teachings offered as simple and complete answer to life’s questions, create in the hearer an illusion of simplicity that leaves the victim vulnerable to becoming overwhelmed by an experience of suffering. This is due to the fact that these teachings set up a dynamic that blames the victims of their suffering.

## **2. A false Christ model**

A misrepresentation of God sending his son to die and suffer has been used to justify any unjust suffering as permissible since this was the reward given to the Son of God. Such a theology has for years silenced the victims and continues to silence the victims of domestic violence and abuse. This condition is seen as something to be endured. Certainly, “Christian tradition too has been linked with domestic violence and abuse”<sup>53</sup>.

The victims of domestic violence identify the church as one of the factors promoting violence within families. For example, the biblical teaching asks women to be submissive to their husbands while the men are asked to love their wives as Christ loves the Church and gave himself up for it. Such a biblical teaching has been used to the disadvantage of the victims of domestic violence. In any case, the ideal picture would be as already stipulated if well followed. But, “comparing the husband to Christ already assumes that the woman is wrong and can only find her way through her husband just like the Church can only find salvation through Christ.”<sup>54</sup>

The Church thus supports domestic violence when it encourages battered men, women and children to remain in abusive relationships. When pastoral agents advocate and advice the

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<sup>52</sup> Manzan, *Op. Cit.*, 51.

<sup>53</sup> Warula, *Op. Cit.*, 51.

<sup>54</sup> *ibid.*, 124.

abused victims that their faith and perseverance in the abusive relationship will lead to the conversion of their abusers the abuse is encouraged. Such abused victims may end up “depressed, and their suppressed anger may lead to child abuse, mental illness or suicidal tendencies”<sup>55</sup>

#### **D. A quick response to Scriptural misinterpretation**

It is important that the church and its tradition struggle with interpretations and distortions that may be used to justify domestic violence and abuse. This is because Christianity for the better part of our country shapes the public consciousness beyond those persons who identify themselves as Christians. Christians who have been and are victims of domestic violence must not be put at ransom into choosing between their faith and coming to terms with their victimisation. The church in my opinion must move in fast, take the responsibility, and give a better choice by transforming the theological education on the scriptural texts and traditions used to aid domestic violence and abuse. Re-examining and analysing those biblical references, which have been misused, will lead to reclaiming the traditions in a way that supports victims and those who abuse while clearly confronting and challenging abuse in the family. For the scriptures free rather than enslave, heal rather than wound, empower rather than destroy. The fault lies with the readers and domestic violence perpetrators rather than the scriptural texts themselves.

#### **E. Theological Elaboration; Marriage and Family Relationships**

The reality of domestic violence and abuse confronts the Church with a number of critical questions. First, is maintaining the family unit more sacred than the well being and safety of the individuals within it? Secondly, is there any spiritual reason for suffering or abuse to be

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<sup>55</sup> Waruta, *Op. Cit.*, 124.

endured, which is perpetrated by one member of the family against another? And thirdly, who is responsible for the breaking up of the family- the one who leaves home and parent to escape the abuse or the one who is being abusive?

A re-examination of what constitutes a family in our faith traditions, the nature of the marriage covenant around which the family is built and the principles of this covenant will give us a clue to the Church's answer to these questions.

Now, within history and in terms of human relationships, marriage has sometimes been understood as "a mutual covenant between two equal parties and other times a covenant of protection or care-taking by one person in exchange for nurturing or obedience by the other"<sup>56</sup>. Our Christian understanding takes up the mutual form of relationship in which is established a way of relating and setting for the promotion of health and well-being (emotional, physical and spiritual), a setting within which life as God intended it to be for us might be nurtured and sustained.

This marriage covenant involves, first the mutual consent of the two partners, that is, it is made in full knowledge of the relationship. It too involves a mutual giving of self to the other (consummation), it is assumed to be lasting, and lastly that it values mutuality, respect and equality of persons.<sup>57</sup>

Such a marriage leaves no room for abuse. So that when abuse occurs it is a clear indication that the vows and promises have been broken and the covenant breached. Thus the very intent of the covenant in a marriage and family relationship is broken. In such a situation marriage and family become a setting of bondage and affliction rather than a setting for Gods ways of compassion, justice and love to be practised and lived out. Thus the blessings intended of this marriage and family are turned into a curse for the marriage and family institution.

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<sup>56</sup> Carol J. Adams and Marie M. Fortune, *Violence Against Women and Children* (New York: Continuum Publishing Company, 1995), 420.

<sup>57</sup> *The Code of Canon Law*, (Vatican City: Collins Liturgical Publications, 1983), Can. 1095 ff.

Visibly, any victim in an abusive domestic relationship faces serious ethical and spiritual dilemmas about the marriage and family covenant. The promises made are still meaningful and important. To stay in an abusive relationship means to suffer abuse but to leave makes the victim feel as if he or she were breaking the promise. Many victims of domestic violence will therefore stay and suffer the abuse precisely because they take their commitment seriously. But this is not the very intent of the marriage and family covenant save its relationships.

It is then that the families must pull together in mutual respect and harmony. Slavish servitude can only weaken the bond of marriage and family relationships creating untold misery and depression. Healthy families and marriages must be thus based upon mutual respect and affection for each member of the family. The scriptural call to submission must thus be seen as a call not to oppression and loss of self, but a call to meaningful bonding and accountability within a committed relationship.

## **F. Conclusion**

It is important to note that the aim of the family and marriage institution through its covenant is to provide a place where justice, mercy and love are lived out in keeping with Gods covenantal ways. So that when the family environment deviates from this intention due to the presence of abuse and violence, then the saving grace is to release the victim from the obligation. It is important that families afflicted by domestic violence and abuse due to scriptural misinterpretation or the violation of God's covenantal ways, be given the opportunity to rededicate themselves to life abundant in an environment free of the abuse in order to save the family.

Kyriachal practices and values must here be re-examined and reinterpreted in order to safeguard the family members prone to domestic violence and abuse. It is time we begin focusing on what is really important, and that is the promise that for each of us God wishes life in all its abundance. Saving the family means ending the violence that is destroying it through the abuse and violation of the rights, dignity and relationships between its members.

# CHAPTER III: THE EFFECTS OF DOMESTIC VIOLENCE AND ABUSE

## A. Introduction

The crisis caused by domestic violence and abuse in the family does indeed affect both the victims and the perpetrators of this violence and abuse. What we see today as the final product of this form of violence once unleashed is spouse murder, violence against women and children, husband and family relatives in all its untold forms. The effects and consequences thus stretch from the social, spiritual, psychological to the physical sphere. This chapter highlights the massive effects and consequences of this violence and abuse on the victims and aggressors.

## B. Effects on the victims

### 1. Women (wives) and girls in the family

It is sad to note that many of the victims who have been lucky to survive this violence and abuse live with broken limbs and permanent disabilities. Those that have not been lucky to survive the blows of this violence and abuse have succumbed to death. For example, “over the past year alone at least 50 deaths and 69 injuries from domestic violence and abuse have been reported in the media”<sup>58</sup>. *(Table II below gives a highlight on the same)*

No. of families interviewed (oral)	No. of victims in these families with broken limbs and permanent disabilities	No. of victims in these families who succumbed to death
184	122	68

*NB. The figures indicated in the table above are women, children and men inclusive.*

This is true of girls who are victims of incest. They sustain terrible and permanent injuries on their reproductive organs, often contracting sexually transmitted diseases, HIV-Aids. Many of these girls and mothers in the family who are victims of domestic violence and abuse have ended up with unwanted pregnancies. Others are and have been forced to secure abortion in

<sup>58</sup> The Daily Nation, (3<sup>rd</sup> November 2000): 1.

order to cover up and protect the “good” public image and high esteem of the family so affected. My research findings indicate that last year within Nairobi province alone, more than 243 women were victims of incest. 128 of these contracted sexually transmitted diseases, 82 of them HIV/Aids; while 102 got impregnated and 56 were forced to secure abortion. 28 of them died in the process of securing these abortions.<sup>59</sup>

**a. Psychological effects:**

These women are preoccupied with intense fear that the violence will happen again. They develop a low self-esteem, and a strong feeling of guilt and shame plus depression. They abhor within themselves the feelings of hatred and revenge and often, many have retaliated by either contemplating suicide or murder. Many of the female victims as they attempt to put up a struggle against the abuse feel deeply violated and lose of their self-worth and confidence in their abuser. It is obvious that they find it difficult to maintain relationships with a man although they may be forced to stay and live with it.

**b. Spiritual effects:**

They experience a hunger for human and spiritual understanding and care, a Christ-like acceptance and support. They feel not appreciated in the society and not recognised in the church because the church does not stand out in the open to speak on their behalf. They consider themselves to be spiritual out-casts. They will therefore rarely attend church worship and functions and when they do, it is to cover up the abuse not to enter the public domain. The church does not accept as full members those who run away from their marital and family relations because they have been violated. They are not as such considered worthy participants and partakers of the church sacraments.

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<sup>59</sup> The Kenya Child Welfare Association, Resource Material, (January 2000): 42.

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<sup>59</sup> The Kenya Child Welfare Association. [Resource Material], (January 2000): 42.

### **c. Social and physical effects:**

Indeed those who run away from home turn to prostitution in order to support themselves. Some turn to alcohol and drug abuse as their only companion. Others begin to abuse their children in return. Many of the young women in this kind of violence and abuse develop hate for the marriage and family institution and therefore promise to avoid getting married by all means. Hence the increase of single parents and the “come we stay” relationships. Patricia affirms this with great bitterness, *“what I have seen, undergone and witnessed of our stupid dad against mum, and my elder sister on the hands of her husband is enough. To hell with everything about marriage”*<sup>60</sup>.

Pregnant mothers end up with miscarriages and possibly do also perpetuate another generation of violence while others lose all their property, which is sometimes burnt in their presence by the aggressor. Yet others still lose the custody of their children. A few will seek help from the police while others consult their pastoral agents to solve their family and marital problems. In a general tone, the victims are caught up in a web of poverty, physical pain, emotional neglect and a sense of hopelessness and despair, which are normally the constant companions of the victims.

## **2. Effects on children in the family**

### **a. Death**

Many are the innocent lives of children that have been thrown into the drain in the hands of irate aggressors through the massive wave of unleashed violence and domestic abuse. Many of these lives have been terminated either through being drowned by the aggressor, food poisoning, lynching and even abortion. It is indeed sad to note that, some aggressors have starved many others to death. It suffices to note here that due to their experience of suffering and

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<sup>60</sup> Interview with Patricia Muturi, 22<sup>nd</sup> June 2000.

pain under domestic violence and abuse, wives and husband victims have more often than not opted to terminate their own lives and those of their children other than leaving them behind to experience this kind of pain and suffering.

#### **b. Runaways**

Many others take to the streets as street girls and boys and begin a new kind of life in the street dustbins and ghettos. This has brought forth the growth of “street families” many of who depend on scavenging from the dustbins and the remains from city and town hotels. These kinds of families having emerged as a result of domestic violence and abuse, unleash the same to the city and town dwellers for their survival.

#### **c. Child labour**

Due to this violence and abuse, some of the children have resulted to child labour, which is of itself another serious form of domestic violence and abuse on the child. Unfortunately, the more the children are exposed to this form of violence and abuse, the more they grow up thinking violence in the family is normal and a way to cope with stress and pressure.

#### **d. Abusive behaviour**

Indeed their observation of the violent, beastly actions of the aggressor on the victim leaves them profoundly affected in their inner being. They will express shock and are afraid to do anything while for example their father or mother is being abused. The older children may beat up the aggressor or even kill him or her.

#### **e. Psychological Effects**

Evidence has it that, those children who grow up in domestic violence and abuse “display nervousness and withdrawal, anxiety, bedwetting, restlessness, low school performance, illness, cruelty to animals and coping of aggressive language. The boys develop disrespect for women and the girls develop inferiority complex”<sup>61</sup>. This kind of suffering creates

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<sup>61</sup> Joyce Tesot, “Domestic Violence,” *The East African Standard* (May 2000): 1

great suffering to children due to the physical and psychological pain inflicted on them.

Well, it becomes difficult once the children are grown up adults to put behind themselves the fear that characterised their teenage years as their parents fought out their differences virtually every night. In any case, the worst thing for any victim of domestic violence and abuse is having to content with the psychological effects on the children caught up in this situation. For example, the violent husband expects that his suffering will end with the death of the wife. But children will live with nightmares after witnessing their mother murdered in cold blood. How do such stigmatised children ever cherish the title 'father'? Is that what fathers are for? Beasts or murderers? The children will suffer mentally, socially and spiritually.

They are caught up in a great trauma for the whole of their lives. (*Cf. The case of the four children who were raped by their dad and were forced by him to have sex with each other in order not to tell it to their mother in the Mathare slum of Nairobi on the 14<sup>th</sup> Sept. 2000*)

It is unfortunate that many of the “children do not understand what has happened or is happening in abuse, nor are they able to explain verbally the nature of their discomfort”<sup>62</sup>. Many of these children are withdrawn. They often will express refusal to leave home or the unwillingness to return home hence homelessness. Many of these children are denied the basic necessities such as food, shelter, education and clothing. Yet others have resulted into drug abuse, and child-prostitution in order to escape from this wave of domestic violence and abuse.

### **3. Effects on husbands in the family**

Men, who on their part have been victims of domestic violence, have either been killed or permanently disabled. Those who have survived this violence and abuse have their nightmares to live with. For example, Charles Kimweli<sup>63</sup> lost his male organs and had to have

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<sup>62</sup> Mary D. Pellauer, *Op. Cit.*, 21.

<sup>63</sup> Interview with Charles Kimweli, 23<sup>rd</sup> August 2000

artificial ones fitted in, while Francis Wamaitha<sup>64</sup> is now permanently crippled with both of his limbs chopped off in a domestic dispute. Many of these men have been abandoned or kicked out of the household by their own wives and children. Others have opted to walk out of this abusive relationship to lead a single life. The shock and frustration caused due to being abandoned, being walked out on, and the hostile atmosphere in the home have pushed others into seeking refuge in alcohol and coming home late. Adultery and unfaithfulness becomes the norm. For those who have tried to remarry, their relationships have not lasted long.

A great majority are faced with unbearable public scorn and always treated with suspicion and cannot contribute positively to the family and community development. Many of them are depressed victims owing to the fact that the abuser is a woman. They are more psychologically disturbed because they do not admit openly that the wife, son, or daughter inflicted the fracture, bruise, or the cuts on their bodies. They are as it were caught up in relentless fights, accusations and shedding of tears, heartbreaks and anguish within themselves. It is unfortunate that some victims (husbands, wives and children) have to undergo such kind of violence and abuse before changing into being better persons. This should not be the norm.

***N.B. Some difficult lessons that the victims learn on the way to recovery from the violence and abuse***

- i) Increased self-reliance.*
- ii) How to express anger.*
- iii) That they can survive better outside than inside an abusive relationship.*
- iv) That they can be a whole person without being married.*
- v) That they can exercise control over their actions with others.*
- vi) That their family relationships need not be abusive and violent.*

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<sup>64</sup> Interview with Francis Wamaitha, 23<sup>rd</sup> August 2000

### **C. Effects on the aggressors**

The purported aim of the aggressor is basically to exercise his power and control on the victim. Once this power, control and humiliation have been achieved, the aggressors feel great. Though deep within them exist a scared and powerless personality. Unfortunately once they have pushed this violence and abuse to the extreme, they are left desperate. A husband will therefore lose his wife, while a wife will lose her husband and children their own parents and parents their children.

The hope of the aggressors is that their problems will come to an end when the victim on the receiving end dies. But even after the death of the wife, children or husband, the problem still remains. This keeps haunting the aggressor. Many will therefore either commit suicide, or result to alcohol and drug abuse in order to suppress the 'bad' state that they are in. They as well develop a low self-esteem and negative self-image.

Fortunately, others having realised the harm they have caused in the family and to their relatives have become repentant, sought help and now live a life of love cherishing their family members and contributing positively to the family and society.<sup>65</sup>

### **D. Conclusion**

All these effects loudly say it all to us. That something is wrong in the marriage and family relationships. They make an explicit call to us all to do something about it. We cannot afford to remain unaffected by this reality. Victims and aggressors are thus not to become better persons by experiencing or exercising this form of violence and abuse. The victims and aggressors within these families must be helped to walk out of this form of abuse and violence in order to create a healthy society governed by love and respect for one another. Justice must thus be seen in its reality in these families be they Christian or otherwise. For what really counts is the fact that those who live in these families are human persons who deserve their dignity and self-worth.

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<sup>65</sup> Interview with, Denis Wamae and Agelita Nduku, 24<sup>th</sup> October 2000.

## CHAPTER IV: PASTORAL SOLUTIONS AND RECOMMENDATIONS

### A. Introduction

The atrocities and destruction caused by today's wave of high tide domestic violence and abuse pose a great challenge to everyone in the society and more especially to the Church and its pastoral agents. This chapter seeks to offer some practical solutions and recommendations to this challenge that the Church and the society are called with urgency to give priority to today.

### B. The 1994 African synods model of the "Church as Family"

In the last African synod (1994), "the fathers acknowledged that the family in Africa today is changing, is under threat, even in crisis"<sup>66</sup>. This was in regard to what they had in mind namely, "relationships at the heart of what it means to be the church"<sup>67</sup>, that is, the kind of relationships experienced in an ideal African family purified to embrace all the members of God's household-where all must cry, "Abba Father", because their dignity, and rights as human persons are here respected.

We must admit here that the growing tide of domestic violence and abuse in human relationships within the family today, deprive families the power to move together towards caring for the other, solidarity, warmth in human relationships, acceptance, dialogue and mutual trust. Due to this violence and abuse the aspects suggested by the fathers to characterise the Church as family, that is "solidarity, unity and communion"<sup>68</sup> are left (found) to be wanting.

My submission here is that it would be indeed an exercise in futility to talk of solidarity, unity and communion when families and marriages continue to break. When there is so much of divorce and separation and as well when family members are day and night being butchered and tortured by their very own family members through domestic violence and abuse. When the

<sup>66</sup> Mc Garry, What Happened at the African Synod?, (Nairobi: Paulines Publications Africa, 1995), 164.

<sup>67</sup> *ibid.*, 165.

<sup>68</sup> Laurent Magesa, "Christ's Spirit as Empowerment of the Church-as-Family," in The Model of "Church as Family" Meeting the Africa Challenge, (1999): 29.

church often adopts a quietist approach and kyriachal practices that uphold this violence and abuse. Surely something must be done. For indeed the witness of the church in Kenya will not be credible unless the traumatic situation of the many families caught up in domestic violence and abuse is not urgently taken into account.

## **C. Way forward**

### **1. Practical pastoral solutions**

#### **a) Change of attitude**

All persons of good will and specifically pastoral agents, husbands, wives and children must wholly reject and condemn this aggressive behaviour. Domestic violence and abuse must from now henceforth be treated as a serious transgression. Those members of the family with the mentality that domestic violence and abuse is the only way of upholding discipline should now think otherwise. They must be made aware that the exercise and use of this violence and abuse is a proof of how weak, vulnerable and inadequate the aggressors feel despite the act of violence.

Domestic violence and abuse should from now henceforth be taken as everyone's concern and not a family issue as has been of old. The society, the Church and its pastoral agents must consider it as a problem within its domain and move prudently into action to save the marriage and family institution whose members are threatened by this violence and abuse.

Pastoral agents must no longer consider and attribute problems of domestic violence and abuse almost exclusively as being the responsibility of the individuals, but rather open their vision to see the society and other social networks as sharing in the causal responsibility for the acts. The church must thus move out of its quietist approach towards this problem. Pastoral agents should call family members to take up their responsibilities seriously to avert this violence and abuse.

## **b) Re-education and catechesis**

In order to eradicate domestic violence and abuse, awareness campaigns to make each individual person and the society at large aware of the existence of this abuse and violence is of great necessity. The pastoral agents at the grass root levels must initiate this and especially, in the small Christian communities. Pastoral agents and families must fully utilise available avenues and forums to educate and create this awareness on the vices of domestic violence and abuse, and the means available to alleviate and stop it. Victims must be educated into rejecting humiliation, ridicule, psychological, and physical torture. On the other hand the perpetrators must have their conscience educated and catechised on the harm they cause through this violence in order to amend their ways.

Family members are to be made aware of their rights and responsibilities within the family and as married couples. Couples must be made to recommit themselves to their marriage covenant and responsibilities. Within this, laws must be strictly enforced to ensure the safety of those who are likely to be abused by their spouses, children or parents. Victims should not persevere in these painful and abusive relationships because they do not see salvation coming from law enforcement agencies, whose officers consider vices in the family as domestic and therefore a private affair than a societal problem.

All must be made aware that it is only through creating a peaceful atmosphere that people can exist for mutual gain. Perpetrators will be helped through this education and catechesis to seek reconciliation with their victims. This education and catechesis will offer support for all victims of domestic violence and abuse, in order to help them to develop a healing relationship with God, a healing relationship with the individual self, with the community, with other individuals and with the world. I believe that the institutionalised response to domestic violence of running away or remaining mum should here be undermined and fight back head-on by

creating institutions and avenues that enhance the self-esteem, dignity and confidence of the victims.

The Church has a duty to spearhead a re-education of society as well as its members to steer away from patriarchy and its values that enhance domestic violence and abuse. Hence move towards societal values that are more in keeping with the values of the kingdom as spelt out by Jesus in his teaching. It is only through the rediscovery and implementation of these values that the Church, in solidarity with the victims of domestic violence and abuse can pastor the family and the society as a whole and make it more human and humanising rather than brutal and dehumanising.

Indeed then any pastoral action must be able to ensure that the next generation in our county Kenya will be able to enjoy the protection, the security and love of a family. For “if each child is able to grow up within a healthy family, then a great step will have been taken along the road to education for justice”<sup>69</sup>.

### **c) Counselling and therapy programmes**

More structured pastoral counselling programmes must here be devised in each parish setting to help the victims and perpetrators of this violence and abuse. These counselling and therapy programmes must be established at the grass root level. That is in each small Christian community within the parish setting with a general co-ordinating office at the parish level to cater for the needs of the victims and perpetrators of this violence and abuse. This will help the offenders to see that their attitudes and perceptions need to be changed and help them in this process hence facilitate the healing for both victims and aggressors. It will help to facilitate dialogue in the family as a safety net against the use of this violence and abuse hence encourage love as the magnet that consolidates the tattered and scattered pieces of what once existed as a

<sup>69</sup> SECAM, Address to Apostolic Workers on Justice and Evangelisation in Africa, (Kisubi: St. Paul Publications, 1981), 14.

family. Finally counselling and therapy programmes must aim at restoring the respect of one's right to personal integrity of mind and body based on one's dignity and worth, allowing for self-determination, privacy and self-realisation.

#### **d) Divorce and separation**

We do acknowledge that in marriage and family the couples decide to merge their journeys of faith into one in order to journey as one body. Implying that in situations where domestic violence and abuse exists the unity of two lives is broken and individual pursuit for wholeness and holistic vision disrupted. This affects the entirety of the family members and the society at large. Should the victims continue in this abusive relationship for the sake of the marriage and family institution?

While upholding the Church's stand on divorce and separation (Cf. Canons 1141-1155), there is the urgency to address the problem of domestic violence and abuse in families. There must be a way for the church as a healing community to reach out to the battered wives, husbands and abused children. A call must here be made to the Church to consider each case separately while still upholding the ideal of the family and marriage institution.

God's compassionate and healing presence to the families affected by this violence and abuse must be brought to these families, in order for Jesus to restore their wholeness by touching them and giving them the healing experience of human love and divine presence. This holistic healing calls for the church to rescue the victims of domestic violence from the abusive relationship leading to affirmative and healthy relationship.

Through this the church is to awaken in the victims; trust, hope and restore in them a sense of personal worth and dignity. Separation in these abusive relationships should thus be seen as a way towards healing in both the abuser and the abused.

### **e) Victims role**

The victims of domestic violence and abuse must on their part take up the pastoral challenge themselves head-on. They must be taught not to be quiet in an abusive relationship. They must break the silence. They must become as it were, pastors to themselves as well as pastors of the Church by pointing out where the Church errs and fails in its mission of liberation of the down trodden and the creation of a just and free society. The church is thus to take up the agenda on domestic violence and abuse, devising strategies both to document the violence and to work towards its eradication. Finally, the church is to reinforce the teaching that domestic violence arises from sinful attitudes in the aggressor to pave way for the liberation of the victim and restoration of his or her dignity.

### **f) Advocacy**

First of all let the Church make itself aware of the dimensions that domestic violence and abuse takes in our society. Then let it participate in the conscious raising process in order to highlight and bring to the fore this shameful practice in the home. Let it create education centres to fight for the justice of the victims. This will not only be done through sermons, precepts or pastoral letters but by example. The Church must here be seen treating the victims with justice and upholding their dignity. That is, it must openly and conscientiously work towards the eradication of domestic violence and abuse through its structures and praxis.

It must actively support the victims of domestic violence, becoming their voice as the voiceless by playing its role of prophetic ministry in a very obvious way. Particularly, the Church should be visible and audible in protecting the victims of domestic violence and abuse. For example, the Church should be able to offer shelter to battered wives, husbands and children who are runaway victims of this abuse and violence. As part of its program, it must openly create awareness to its members on the evils of this violence and abuse starting from the grass

root level. The Church must play the watchdog to ensure that the rights and dignity of its sons and daughters are respected in this regard.

#### **g) Proper training of pastoral agents**

My research findings indicate that a great majority of the pastoral agents in the field are ill-prepared to handle the challenges posed by this kind of violence and abuse. Even then, those pastoral agents who do encounter this problem portray a great deal of ignorance. This points to the urgency of adequately preparing pastoral agents well for ministry in order to respond not only to the individual victim/survivor or perpetrator but also to address and change the structural foundations of our churches which have allowed the violence to go on unchallenged for so long.

In any case, we must note that the treatment of families experiencing violence and abuse does require integrating the needs of the whole person. Therefore there is the need for a shared understanding and co-operation between secular and the pastoral agents in dealing with domestic violence and abuse (collaborative ministry). So considered, a persons religious beliefs and community will be able to provide primary support system for the individual and his or her family in the midst of domestic violence and abuse

#### **i. Some guidelines for a pastoral agent when approached about domestic violence**

- Be aware of the dynamics of domestic violence and abuse and utilise this understanding in evaluating the situation.
- Use your expertise as a religious authority and spiritual leader to illuminate the positive value of religious traditions while clarifying that they do not justify or condone domestic violence and abuse.
- Identify the victim's immediate needs and refer to a secular resource (if available) to deal with the specifics of abuse, intervention and treatment.

- If you are comfortable pursuing the matter, provide additional pastoral support and encouragement to help families dealing with violence to take full advantage of available resources.

## **2. Recommendations**

- ◆ The Church and society should create forums and centres of information dissemination, and awareness on domestic violence and abuse. In this case, the Church is to be in the forefront in doing everything to rehabilitate and heal the affected victims, giving constructive education in personal responsibility, creating a healthy mental attitude between sexes and to heal the mental attitude of disdain and prejudice within the family.
- ◆ Church to help victims of domestic violence and abuse, i.e. establish centres where these people can take refuge. In these centres trained personnel must help the victims and the abusers to search for meaning and authentic values in their concrete context. The church here must promote respectful dialogue for both parties in order to lead them to Christ who is the way, the truth, and life.
- ◆ Church to provide professional pastoral counsellors who will endeavour to direct the abused and the abuser towards Christ, his reign of love and peace.
- ◆ Victims of domestic violence and abuse to have access to centres of counselling services and temporal economic support till they are settled.
- ◆ Form support groups in order to help victims to re-establish their self-esteem and self-assertiveness.
- ◆ Create a Christian coalition to enforce traditional family values in public education.
- ◆ Establish education systems against domestic violence and abuse in schools (need to monitor the situation, intervene, and effectively deal with the problem of domestic violence).
- ◆ Incorporating in our seminaries and theological institutions such as Tangaza, programmes structured to sensitise the students on their responsibility to ministering to victims of

domestic violence and abuse for whom they will be and are working among in their pastoral ministry. In such programmes the students must be taught on how to deal with domestic violence and abuse and more especially the perpetrators of this abuse who are difficult to deal with.

#### **D) Conclusion**

It is not going to be easy to achieve towards implementing these proposals. All that we need is the good will. Above all else we must as well believe in a God who is with us in our struggles to eradicate violence and to foster self-determination, dignity and well being for all. The family, as the domestic church is thus called upon to be the nucleus of the Christian community, which fosters life and love. It is to ensure the well being of its children and their future. The family, as the domestic church, is thus called upon to be the nucleus of the Christian community, which fosters life and love. It is to ensure the well being of its children and their future.

Within the family, the wife, husband and children, say even the entire society must discover that the God of Jesus Christ is a God who liberates all people to worship and live together in community and in harmony. This means with equal regard for one another, mutual respect that does not leave room for considering one section inferior and another superior.

## GENERAL CONCLUSION

At the end of this noble venture, it is clear that, our religious values of equality and justice call all of us to celebrate the dignity and worth of each human person. That we have to affirm the right of each person to live without fear or threat of any form of violence and abuse is no doubt.

We now recognise that domestic violence and abuse in all its forms violate the rights and dignity of all women, men, and children within the family. So that as long as any person is violated through domestic violence and abuse, the dignity and worth of all persons are diminished and so our society continues to decay.

That all those without power and privilege are the most vulnerable to and the most likely to be victimised through domestic violence and abuse is no doubt. That as long as the Church embraces kyriachal practices and quietism, this violence and abuse is promoted. Ending domestic violence and abuse thus requires changing attitudes and practices of individuals, communities and institutions.

It is therefore important that we affirm with urgency of those vulnerable to this violence and abuse to have the right to organise in order to achieve empowerment and self-protection. Recognising the importance of spiritual values for each individual a call and a reminder must here be made to all organised religious communities that they do have an ethical responsibility to play a major role in bringing about an end to domestic violence and abuse within their own communities and within society at large.

The Church must therefore be on the forefront in mobilising its members and institutions to support and advocate for victims of domestic violence and abuse, calling the perpetrators of this violence and abuse to account. It must train and educate its pastoral agents as to the means to mobilise and involve them in the prevention of this violence and abuse. The

religious issues and spiritual needs of victims/survivors/offenders and their families must here be addressed in these efforts.

Finally, we all must put together our energies into seeking justice as a means for healing and restoration for individuals and those families and communities affected by the violence. Pastoral agents must now become convinced that domestic violence is literally a life-and-death issue. They must learn to respond with urgency from the new knowledge of such abuses and violence rather than from old stereotypes; and engage in a social analysis that embeds our understanding of this violence. To root out violence and abuse in the family we need the determination and will power from all of us, and therefore this venture must become everyone's personal life project.

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## APPENDIX I

### QUESTIONNAIRE ON DOMESTIC VIOLENCE AND ABUSE

**Name (pseudo-name)**      **Age**      **Status**

1. Are you married or single, and how many children do you have?
2. What is your understanding of domestic violence and abuse?
3. What would you say are the causes of this violence and abuse?
4. Have you ever experienced this violence?
5. What was your reaction and to whom did you report this violence and abuse?
6. Who helped you or did anyone offer to help you out of the problem? If a priest or counsellor did you find him or her to be of any help?
7. Do you feel that your partner or spouse treats you well? Like;
  - a) Is there anything that goes on at home, that makes you feel afraid?
  - b) Does your spouse or partner make it hard for you to find or keep a job?
  - c) Has your partner or spouse ever hurt or threatened you or your children?
  - d) Has your partner or spouse ever put their hands on you against your will?
  - e) Has your partner or spouse ever forced you to do something you did not want to do?
  - f) Does your partner or spouse criticise you or your children a lot?
  - g) Has your partner or spouse ever tried to keep you from taking medication you needed or from seeking medical help?
  - h) Does your partner refuse to let you sleep at night?
8. Everyone argues or fights with their partner or spouse now and then. When you argue or fight at home, what happens? Do you ever change your behaviour because you are afraid of the consequences of a fight?
9. Has your partner or spouse ever hurt your pets or destroyed your clothing, objects in your home, or something, which you especially cared about? Does your partner or spouse throw

or break objects in the home during arguments?

10. Does your partner or spouse act jealously, for example calling you at work or home to check up on you? Is it hard for you to maintain relationships with your friends, relatives, neighbours, or co-workers because your partner or spouse disapproves of, argues with, or criticises them? Does your partner or spouse accuse you unjustly of flirting with others or having affairs? Has your partner or spouse ever tried to keep you from leaving the house?

11. Every family has their own way of handling finances.

- a) Does your partner or spouse withhold money from you when you need it?
- b) Do you know what your family's assets are?
- c) Do you know where important documents like bankbooks check books, financial statements, birth certificates, and passports for you and members of your family are kept? If you wanted to see or use any of them, would your partner or spouse make it difficult for you to do so?
- d) Does your spouse or partner spend large sums of money and refuse to tell you why or what the money was spent on?

12. Has your spouse or partner ever forced you to have sex or made you do things during sex that make you feel uncomfortable? Does your partner demand sex when you are sick, tired, or sleeping?

13. Has your spouse or partner ever used or threatened to use a weapon against you?

14. Does your spouse or partner abuse drugs or alcohol? What happens?

15. What would you say are some of effects of this violence and abuse that you as a victim experienced and may be experience today?

16. What would you say generally of your abuser?

17. Which church do you go?

18. Does your church have a program to take care of the victims of domestic violence and

abuse?

19. As a pastoral agent what has been your experience on this field of domestic violence and abuse? What specific challenges do you experience in this field?
20. About how many cases on average on domestic violence and abuse would say you handle per month or say you have handled over the last year as a pastoral agent?
21. What do you think can be done to stop domestic violence and abuse?

## **APPENDIX II**

### **Highlights of the Domestic Violence (Family protection) Bill- Kenya: Published on 2<sup>nd</sup> November 2000 (still under discussion).**

- The Bill defines domestic violence; physical and mental
- It recognises that children are abused by seeing or hearing violence
- It punishes with fines up to Kshs 100, 000 or a year in jail or both; violent partners can be ordered from home or part of it.
- Helps victims find redress, through compensation and protection orders
- Sets up fund to help victims with counselling, legal aid, medical treatment and care
- Accepts both legal and customary marriage
- Insists on private court hearings; forbids media reporting to protect identities of victims.

## LIST OF INFORMANTS (SELECTED FEW)

<u>Name (Pseudo-name)</u>	<u>Age</u>	<u>Profession/Occupation</u>
Ms. Sally	32	Permanent Secretary
Dr. Frank Njenga	54	Medic/ Psychiatrist
Kimweli Charles	28	A Broker
Naomi Wambui	27	A Mother
Moloney Michael	51	Counsellor
Karua Martha	46	Politician
Koome Martha	54	Lawyer
Raphael Ndingi mwana'a Nzeki	69	Catholic Archbishop- Nairobi
Wamaitha Francis	32	Farmer
Patricia Muturi	26	Banker