



Most Kenyans see domestic violence as a private rather than criminal matter

Afrobarometer Dispatch No. 560 | Mercy Kaburu and Alfred Kwadzo Torsu

Summary

The stabbing death of world-class runner Agnes Jebet Tirop at her home in Kenya last year, allegedly at the hands of her husband, focused a global spotlight on a persistent menace to the country's women and girls (Bieler & Boren, 2021). According to Kenya's most recent Demographic and Health Survey (DHS), almost half (47%) of women aged 15-49 reported that they had experienced either physical or sexual violence (National Bureau of Statistics, 2014).

Gender-based violence (GBV) makes grisly headlines in Kenya (Odhiambo, 2018) but more often remains hidden as many survivors never file complaints or retract their complaints in favour of settlements at the family level (Kenya Crime Research Institute, 2014).

In 2021, the government announced a set of commitments to fight GBV, including increased funding for prevention and response, development of a GBV management and information system, scale-up of the police service's response to GBV, and establishment of GBV recovery centers and shelters in all 47 counties (Equality Now, 2021).

This dispatch reports on a special survey module included in the Afrobarometer Round 9 (2021/2022 questionnaire to assess Africans' perceptions and experiences of gender-based violence).

The survey findings identify GBV as the most important women's-rights issue in Kenya. While a strong majority of citizens say men are never justified in using physical force against their wives, they also consider it likely that women will be criticised, humiliated, or shamed if they report cases of GBV, though they do think the police will take such reports seriously.

A large majority of Kenyans regard domestic violence as a private matter rather than a criminal matter requiring the involvement of law enforcement.

Afrobarometer surveys

Afrobarometer is a pan-African, nonpartisan survey research network that provides reliable data on African experiences and evaluations of democracy, governance, and quality of life. Eight rounds of surveys have been completed in up to 39 countries since 1999, and Round 9 surveys are currently underway. Afrobarometer conducts face-to-face interviews in the language of the respondent's choice.

The Afrobarometer team in Kenya, based at the Institute for Development Studies, University of Nairobi, interviewed 2,400 adult Kenyans in November-December 2021. A sample of this size yields country-level results with a margin of error of +/-2 percentage points at a 95% confidence level. Previous surveys were conducted in Kenya in 2003, 2005, 2008, 2011, 2014, 2016, and 2019.

Key findings

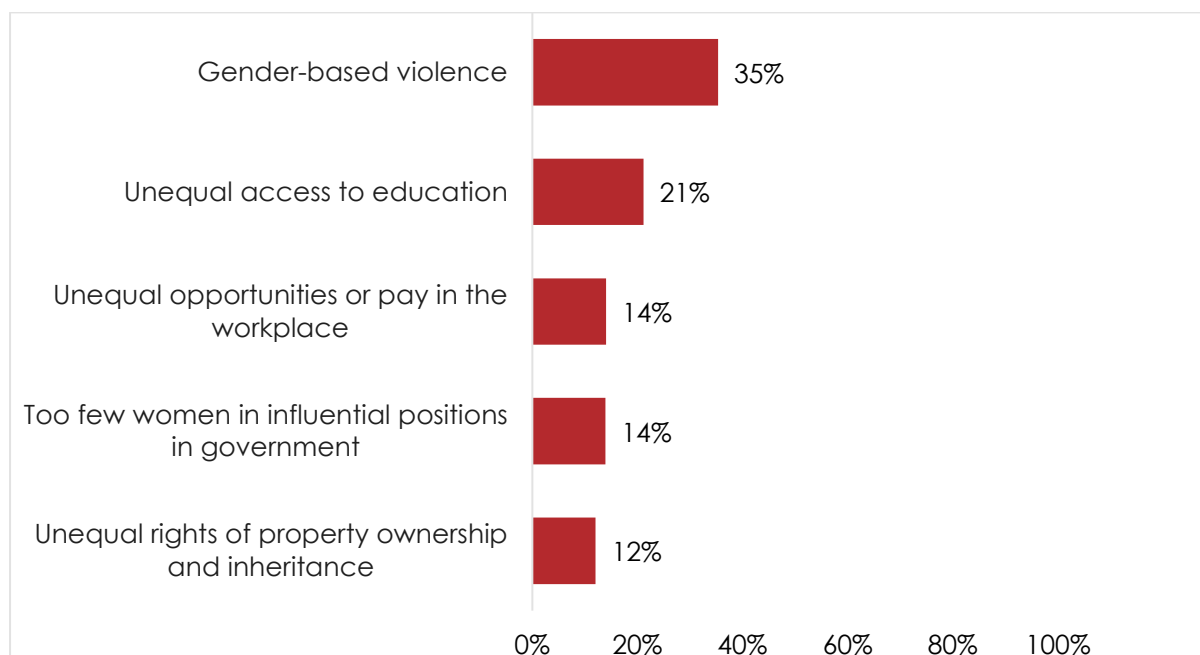
- Kenyans identify gender-based violence (GBV) as the most important women's-rights issue that the government and society need to address.
- More than two-thirds (68%) of Kenyans say violence against women and girls is not a common phenomenon in their community. Three in 10 (31%) disagree, including 40% of poor citizens and 43% of those with no formal education.
- Eight out of 10 Kenyans (81%) say men are "never justified" in using physical force against their wives.
- Most citizens (79%) consider it "somewhat likely" or "very likely" that the police will take GBV cases seriously.
- But seven in 10 Kenyans (69%) say that domestic violence should be treated as a private and not a criminal matter, and 59% think women are likely to be criticised, harassed, or shamed if they report gender-based violence to the authorities.

Is GBV an important issue in Kenya?

Kenyans rank gender-based violence (cited by 35% of respondents) as the most important women's-rights issue that the government and society must address, followed by unequal access to education (21%), unequal opportunities and pay in the workplace (14%), too few women in influential positions in government (14%), and unequal rights to ownership of property (12%) (Figure 1).

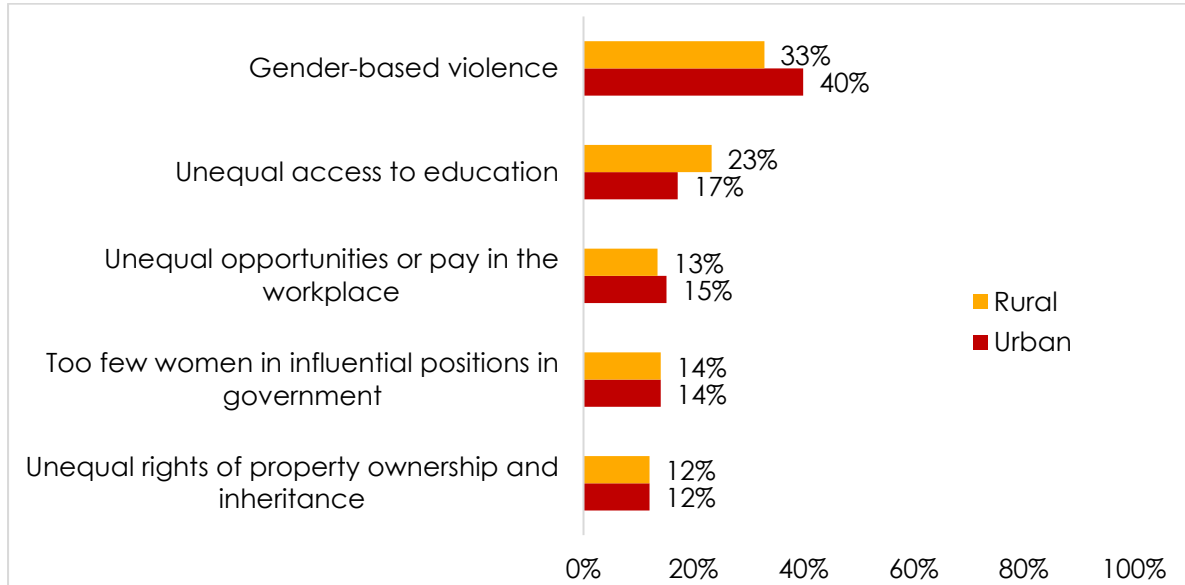
Kenyans in urban areas are more likely than their rural counterparts to see GBV as the most important women's-rights issue (40% vs. 33%) (Figure 2).

Figure 1: Most important women's-rights issue | Kenya | 2021



Respondents were asked: In your opinion, which of the following issues related to women's rights and equality do you think is the most important for our government and society to address?

Figure 2: Most important women’s-rights issue | by urban-rural location | Kenya | 2021

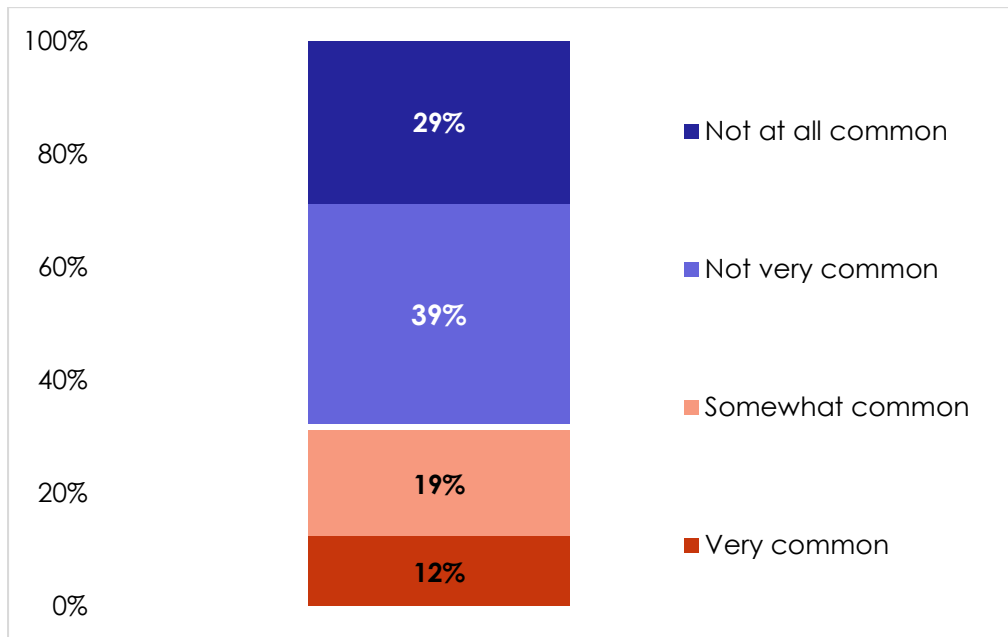


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Frequency of GBV in Kenya

Contrary to evidence from the DHS, more than two-thirds (68%) of Kenyans say GBV is “not very common” (39%) or “not at all common” (29%) in their community. Three in 10 respondents (31%) disagree, reporting that such violence is a common occurrence (Figure 3).

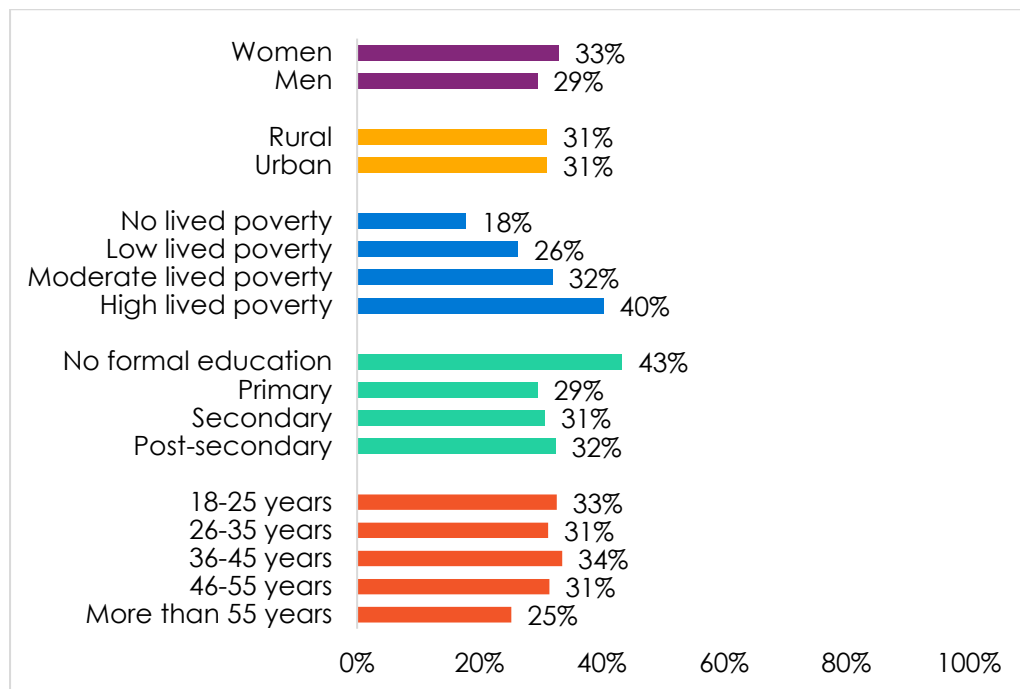
Figure 3: How common is GBV in your community? | Kenya | 2021



Respondents were asked: *In this area, how common do you think it is for men to use violence against women and girls in the home or the community?*

The perception of GBV as a widespread problem is significantly more common among poor¹ respondents (40%) than among better-off citizens (18% of those with no lived poverty) (Figure 4). Similarly, citizens with no formal schooling are considerably more likely to report that GBV occurs frequently (43%) than those with primary, secondary, or post-secondary education (29%-32%). This view is somewhat more common among women than men (33% vs. 29%).

Figure 4: GBV is somewhat/very common | by demographic group | Kenya | 2021



Respondents were asked: *In this area, how common do you think it is for men to use violence against women and girls in the home or the community? (% who say "somewhat common" or "very common")*

Physical discipline of spouse

Perpetrators of GBV sometimes claim their actions are founded in customs and culture (Republic of Kenya, 2014). Some men who use physical force against their wives may consider themselves part of this camp.

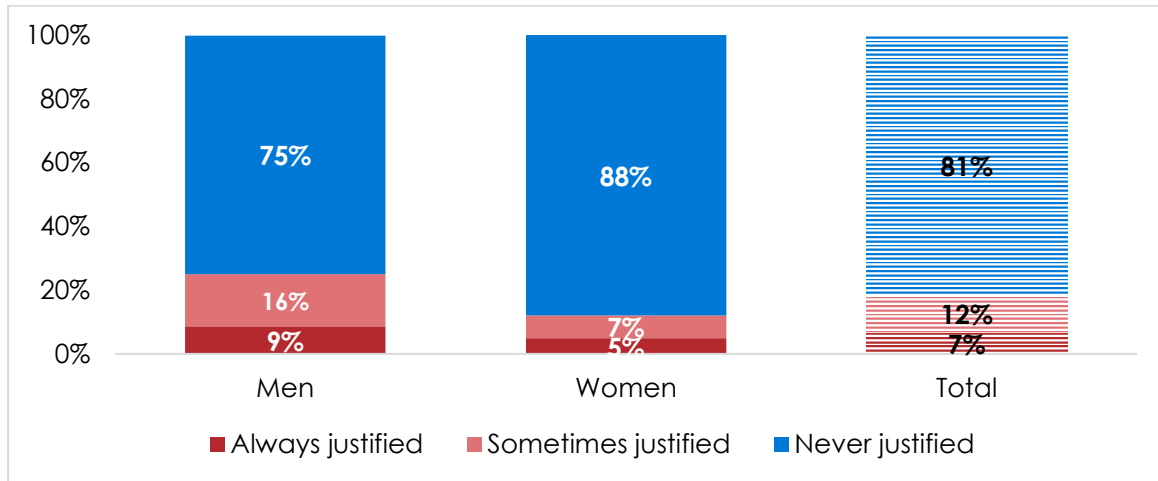
But according to the Afrobarometer survey, most Kenyans (81%) do not support the physical disciplining of a spouse. It is noteworthy that men are less committed to this rejection of physical violence than women (75% vs. 88%) (Figure 5).

Citizens with no formal schooling are about twice as likely as those with post-secondary qualifications to endorse the use of physical force against women (32% vs. 14%), as are the poorest compared to the best-off respondents (21% vs. 10%) (Figure 6).

Rural residents are more accepting of the use of physical force than their urban cousins (21% vs. 15%), as are, perhaps surprisingly, young people compared to the oldest respondents (22% vs. 14%).

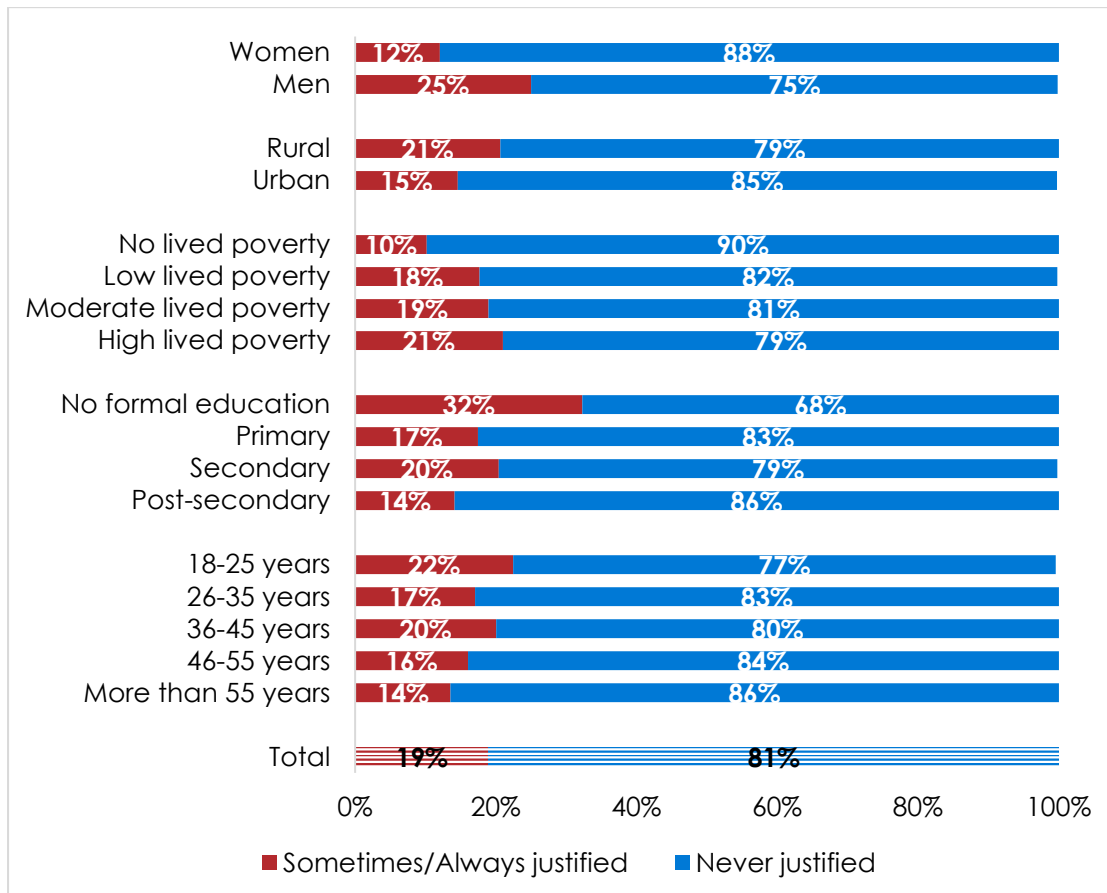
¹ Afrobarometer's Lived Poverty Index (LPI) measures respondents' levels of material deprivation by asking how often they or their families went without basic necessities (enough food, enough water, medical care, enough cooking fuel, and a cash income) during the preceding year. For more on lived poverty, see Mattes (2020).

Figure 5: Is it justified for men to physically discipline their wives? | Kenya | 2021



Respondents were asked: For each of the following actions, please tell me whether you think it can always be justified, sometimes be justified, or never be justified: For a man to use physical discipline on his wife if she has done something he doesn't like, or thinks is wrong?

Figure 6: Is it justified for men to physically discipline their wives? | by demographic group | Kenya | 2021



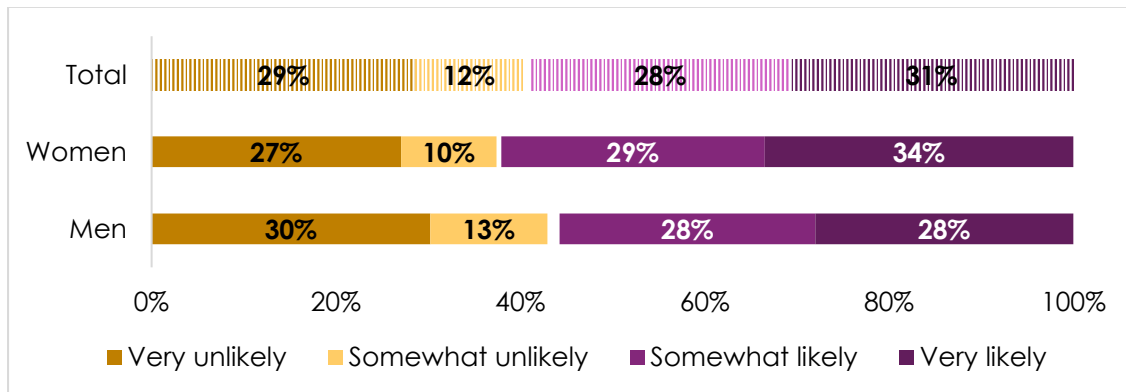
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Response to GBV

Stigmatisation of victims of GBV may discourage women and girls from reporting attacks to the relevant authorities and thus hinder a timely, effective response.

Asked whether they think a woman who reports being a victim of rape, domestic violence, or other GBV will be criticised, harassed, or shamed by others in the community, about six in 10 Kenyans (59%) say this is “somewhat likely” or “very likely” (Figure 7). Women are especially likely to expect such negative consequences (63%, vs. 56% of men). Only 29% of Kenyans see it as “very unlikely” that GBV victims will suffer the further harm of being criticised or shamed.

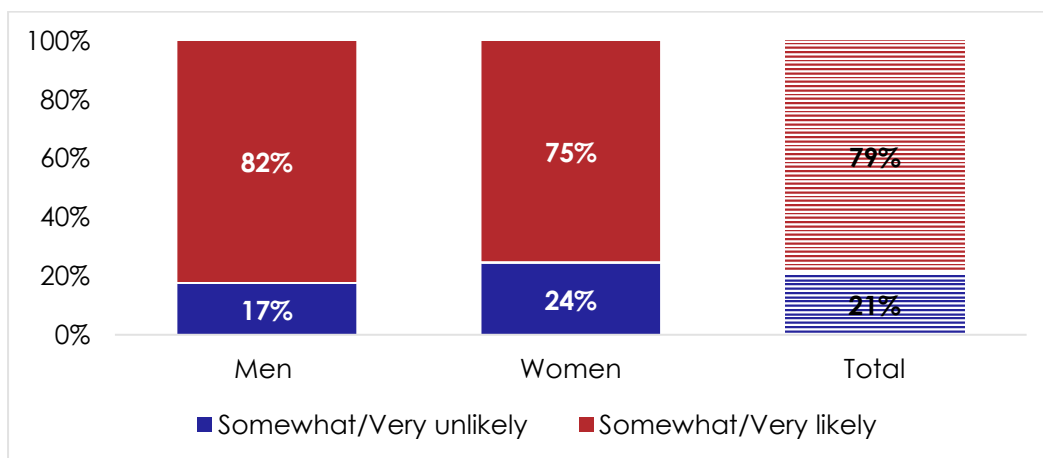
Figure 7: Will a woman be criticised or shamed for reporting domestic violence?
 | Kenya | 2021



Respondents were asked: *If a woman in your community goes to the police to report being a victim of gender-based violence, for example, to report a rape or report being physically abused by her husband, how likely or unlikely is it that the following things might occur: She will be criticised, harassed, or shamed by others in the community?*

On the other hand, a large majority (79%) of Kenyans say that reported GBV cases are “very likely” or “somewhat likely” to be taken seriously by the police, though women are somewhat less confident than men about an appropriate police response (75% vs. 82%) (Figure 8).

Figure 8: Will the police take GBV cases seriously? | Kenya | 2021



Respondents were asked: *If a woman in your community goes to the police to report being a victim of gender-based violence, for example, to report a rape or report being physically abused by her husband, how likely or unlikely is it that the following things might occur: Her case will be taken seriously by the police?*

Is domestic violence a criminal or family matter?

Gender-based violence within the home, or domestic violence, can be particularly difficult to address. Even though Kenyan law classifies domestic violence as criminal and the perpetrator is usually known, the complexity of family relations often leaves incidents unreported and unresolved, seeking to protect the family unit at the cost of individual victims.

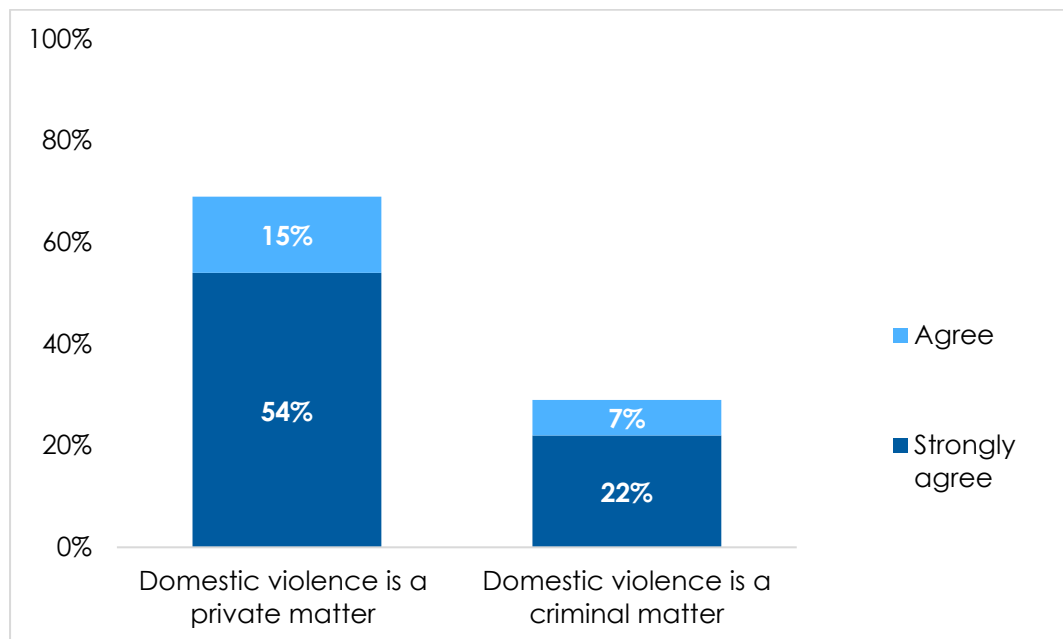
Asked whether domestic violence should be treated as a criminal or a private matter, only about three in 10 Kenyans (29%) “agree” or “strongly agree” that it is a criminal matter, while more than two-thirds (69%) see it as a private matter to be resolved within the family (Figure 9).

Women are only slightly less likely than men to see domestic as a private affair (66% vs. 70%), but views differ significantly by education level, economic status, and age (Figure 10).

Citizens with post-secondary education are evenly divided on the private-vs.-criminal question, while large majorities (68%-80%) among less educated respondents see domestic violence as a private matter. Support for this view increases with respondents’ experience of poverty, ranging from 57% among the wealthiest to 77% among the poorest respondents.

It also rises with respondents’ age, from 64% among 18- to 25-year-olds to 75% among those over age 55. Rural residents are more likely than city dwellers to see domestic violence as a private matter (73% vs. 60%).

Figure 9: Is domestic violence a private or criminal matter? | Kenya | 2021

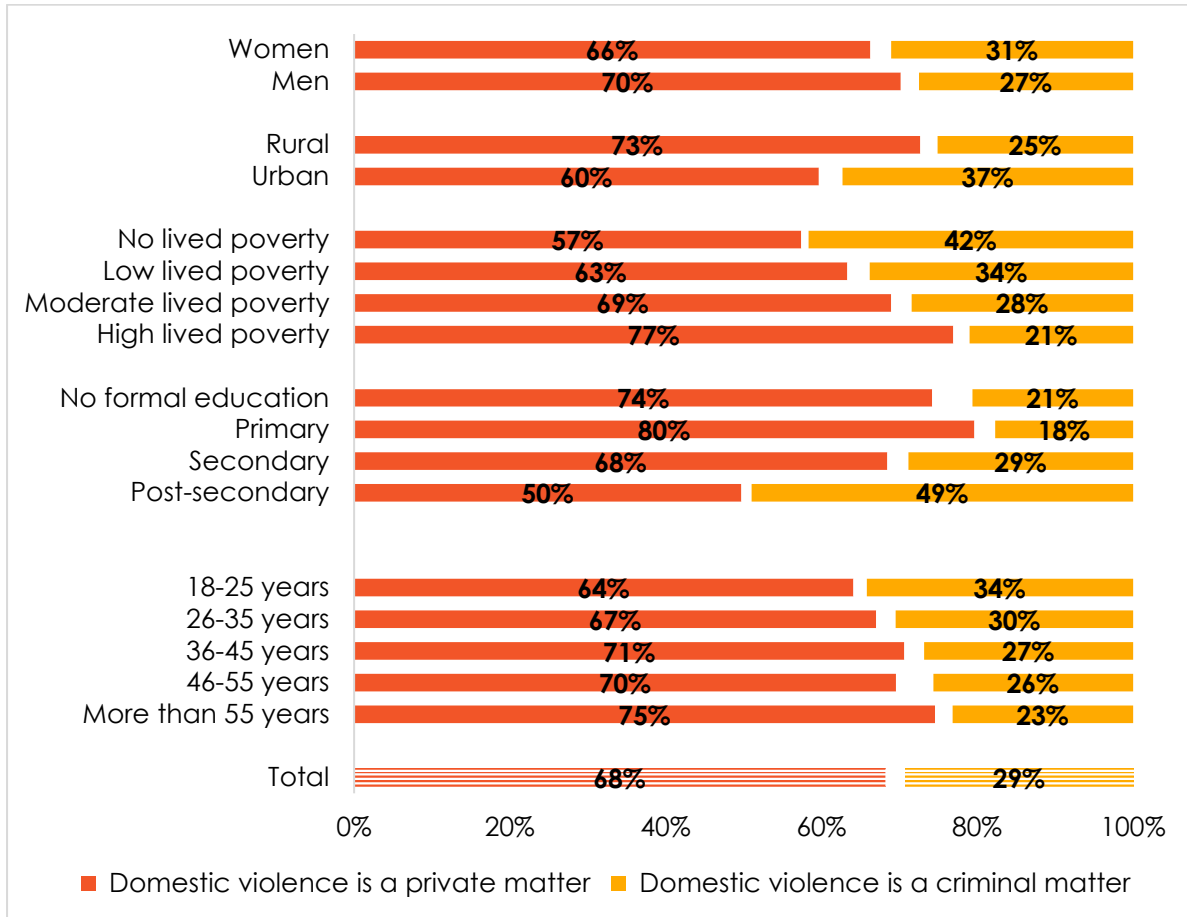


Respondents were asked: Which of the following statements is closest to your view?

Statement 1: Domestic violence is a private matter that needs to be handled and resolved within the family.

Statement 2: Domestic violence is a criminal matter whose full resolution requires the involvement of law enforcement agencies.

Figure 10: Is gender violence a private or a criminal matter? | by demographic group | Kenya | 2021



Respondents were asked: Which of the following statements is closest to your view?

Statement 1: Domestic violence is a private matter that needs to be handled and resolved within the family.

Statement 2: Domestic violence is a criminal matter whose full resolution requires the involvement of law enforcement agencies.

(% who “agree” or “strongly agree” with each statement)

Conclusion

Gender-based violence continues to expose Kenyan women and girls to harm and death. Findings from the Afrobarometer survey indicate that Kenyans see GBV as the most important women’s-rights issue that the government and society must address.

Encouragingly, most Kenyans condemn the use of physical force against intimate partners and trust the police to treat reports of GBV with appropriate seriousness.

But findings also point to persistent challenges, including the widespread perceptions that women who report violence risk criticism, harassment, and humiliation from members of their community and that domestic violence is a private matter to be settled within families rather than a criminal matter calling for the involvement of law enforcement. Both of these perceptions are likely to discourage women from reporting crimes against them, allowing GBV to continue to threaten their safety and well-being.

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