

DECLARATION

I declare that this thesis contains no other person's work which has been used without due acknowledgement in the main text of the thesis.

This thesis has not been submitted for the award of any degree or diploma in any other tertiary institution.

Noluvo Nyathi

Supervisor: Prof. NS Rembe

October 2011

ABSTRACT

In all the Black communities, women's rights have always been taken for granted. Women have always been subordinate to the patriarchal system. The denial of domestic violence against rural women has its origin in the age long patriarchal society, deeply rooted in culture and tradition. The main aim of the patriarchal society is the control of women by men. The idea of protecting women abuse is not really new. It is a necessary component of long established and internationally recognized human rights. This includes the right to equality and freedom, liberty and personal security. The recognition could be traced to the adoption of the Universal Declaration of Human Rights of 1948 (UDHR). However, women's rights remain unrealized and are continuously violated despite the fact that these rights are well expressed in many international documents and national laws.

The study examined the factors that conduce towards domestic violence against rural women in the Kwa Zulu Natal Province of South Africa. In this regard, the reasons why they support culture and traditional practices that are detrimental to their health were also explored. The small isolated area of Umzimkhulu was used. In-depth face to face interviews were employed to elicit information from the respondents and brief notes were written down to collect the data. The findings revealed that women are not aware of their human rights. This ignorance and negative attitude is influenced by the dependency of women to men, supremacy of the patriarchal system and the dominance of culture. Most disturbing is that these women don't seem to see anything wrong with the situation. It is evidently clear therefore that women empowerment, through education, will not only affect women's autonomy but will also increase their worth and make them understand the impact of traditional practices that they support. All these will have implications for policy and legislative interventions.

ACKNOWLEDGEMENTS

I am indebted to Prof NS Rembe, my dissertation supervisor for his pertinent comments and recommendations of writing this dissertation (*Ukwanda kwaliwa umthakathi*).

However, all the mistakes are mine.

Credit also goes to my late Grandfather, Thomas Magama and my parents, Nomzekelo and Thobezweni Nyathi and my siblings for their spiritual support, Sizinikiwe, Siphephelo, Aphile, Bheki, Zuko and Iviwe.

I further acknowledge the incredible support I got from Mlulamisi Maduna to share his life with me up to this moment.

Special thanks also go to James for proof reading my work. To the 2010/11 MA Human Rights class (Bonolo and Siya).

Lastly, I would like to thank Dr Mabena and Tamara for their support.

May the Author of life grant them his divine Blessings?

TABLE OF CONTENTS

Declaration	i
Abstract	ii
Acknowledgements	iii
Table of Contents	iv
List of Abbreviations	ix
CHAPTER ONE: BACKGROUND ON DOMESTIC VIOLENCE	
1.1 Introduction	1
1.2 Statement of the Problem	5
1.3 Research Questions	6
1.4 Purpose of the Study	6
1.5 Objectives of the study	6
1.6 Assumptions underlying the Study	7
1.7 Significance/ Rationale of the Study	7
1.8 Delimitation of the Study	7
1.9 Definition of Concepts	7
1.9.1 Domestic Violence	7
1.9.2 Violence Against Women	8
1.9.3 Abuse	8
1.9.4 Discrimination	8
1.9.5 Discrimination Against Women	8
1.9.6 Community	9
1.10 Literature Review and Conceptual Framework	9
1.10.1 Statistics on Violence	9
1.10.2 Domestic Violence Theories	10
1.10.3 System Theory	10
1.10.4 Feminist Theory	11

1.10.5 Dependency of Women on Men Contribute to Domestic Violence	12
1.10.6 Interplay of Culture and Domestic Violence	12
1.11 Methodology	13
1.11.1 Choice of Methodology	13
1.11.2 Sampling Procedure	13
1.11.3 Data Collection	14
1.11.4 Data Analysis	15
1.12 Limitations of the Study	15
1.13 Outline of the Study	15

CHAPTER TWO: LITERATURE REVIEW

2.1 Introduction	17
2.2 Prevalence of Domestic Violence against Rural Women	17
2.3 Trends of Domestic Violence against Rural Women	18
2.4 Factors that Inhibit Measures against Domestic Violence	20
2.5 Dependence of Women on Men	23
2.6 Interplay of Culture and Domestic Violence in Rural Areas	25
2.7 Women's Human Rights Initiatives on Violence against Women	27
2.8 Convention on the Elimination of all forms of Discrimination against Women	28
2.9 The Beijing Declaration and Platform of Action	31
2.10 Women and the South African Constitution	32
2.11 Conclusion	34

CHAPTER THREE: RESEARCH METHODOLOGY

3.1 Introduction	36
3.2 Constructivist Paradigm	36
3.3 Qualitative Research Methodology	38
3.4 Case Study	39
3.5 Parameters of the Study	39
3.6 Population and Sampling Procedure	39
3.7 Data Collection Procedure and Instruments	40

3.8 The Questionnaires	41
3.9 Interviews	41
3.10 Observations	42
3.11 Document Analysis	42
3.12 Validity and Reliability	42
3.12.1 Validity	42
3.12.2 Reliability	43
3.13 Ethical Consideration	43
3.14 Data Analysis Procedure	44
3.15 Limitations of the Study	44
3.16 Conclusion	45

CHAPTER FOUR: DATA ANALYSIS

4.1 Introduction	46
4.2 Theme One: Demographic Information	47
4.2.1 Table on status of Respondents	47
4.2.2 Sub Theme: Age	48
4.2.3 Sub Theme: Marital Status	48
4.2.4 Table on Respondents Occupational Status	49
4.2.5 Sub Theme: Occupational Status	50
4.2.6 Sub Theme: Number of Children	51
4.2.7 Sub Theme: Educational Status	51
4.3 Theme Two: Factors Contributing to Domestic Violence	51
4.3.1 Culture and Tradition	51
4.3.2 Infidelity	53
4.3.3 Poverty	55
4.3.4 Patriarchy	57
4.4 Theme Three: Coping with Domestic Violence	58
4.4.1 General Coping Strategies	58
4.4.2 Keeping It Quiet	58
4.4.3 Embarrassment	59

4.4.4 Fear of Acts of Revenge	60
4.5 Theme Four: Role of Professionals	60
4.5.1 Help Received from Professionals	60
4.5.2 Knowledge and use of Domestic Violence Act	62
4.5.3 Legal Service offered to Victims of Domestic Violence	65
4.5.3.1 Police	65
4.5.3.2 Domestic Violence Offices	65
4.5.4 Other Forms of Combating Domestic Violence	66
4.6 Focus Group Interviews	68
4.6.1 Factors affecting Domestic Violence	68
4.6.1.1 Cause Domestic Violence	68
4.6.2 Service Offered by participating Organizations	69
4.6.2.1 Services Offered to Victims of Domestic Violence	69
4.6.3 Assistance for Victims of Domestic Violence	71
4.6.3.1 Assistance for Victims of Violence	71
4.6.4 Improving Existing Laws on Domestic Violence	71
4.6.4.1 Making of Existing Laws and Policies Effective	71
4.7 Conclusion	73

CHAPTER FIVE: CONCLUSION AND RECOMMENDATIONS

5.1 Introduction	74
5.2 Conclusions based on the findings	76
5.3 Recommendations on Individual Interviews	77
5.4 Focus Group Interview: Service Providers	78
5.4.1 Factors affecting Domestic Violence	78
5.4.2 Service offered by participating Organizations	78
5.4.3 Assistance to Victims of Domestic Violence	79
5.4.4 Effectiveness of the Law	79
5.5 Recommendations on Focus Group Interviews	79
5.6 A Final Comment	80

APPENDIX OF QUESTIONNAIRES	82
BIBLIOGRAPPHY	85

LIST OF ABBREVIATIONS

AIDS	Acquired Immunodeficiency Syndrome
ANC	African National Congress
BDPA	Beijing Declaration and the Platform for Action, United Nations Fourth World Conference on Women (1995)
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women (1979)
CRC	Convention on the Rights of the Child (1989)
DVA	Domestic Violence Act (1998)
SPV	Spousal Partner Violence
HIV	Human Immunodeficiency Virus
ICCPR	International Covenant on Civil and Political Rights (1966)
ICESCR	International Covenant on Economic, Social and Cultural Rights (1966)
KZN	Kwa Zulu Natal Province
NGO's	Non-Governmental Organization's
UDHR	Universal Declaration of Human Rights (1948)
VDPA	Vienna Declaration and Programme of Action, United Nations World Conference on Human Rights (1993)