

# Violence against Women: An Issue of Health and Human Rights.

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## **Abstract**

*Failure to protect women against gender-based violence is a violation of their human rights. This paper links this problem to the spread of HIV/AIDS. The role of the media in perpetuating this problem is briefly analyzed. The role that states should play in the fight against this problem is also, discussed.*

**Key words:** Violence against women, HIV/AIDS, human rights, the media and the role of the state.

Violence against women is an issue of our times. Worldwide, it is estimated that one in every three women has been beaten, raped, coerced into sex or physically abused. Examples abound. According to Amnesty International (2001), official reports in the United States show that a woman is battered every 15 seconds and 700,000 are raped every year. In India, studies have found that more than 40 per cent of married women reported being kicked, slapped or sexually abused for reasons such as their husbands' dissatisfaction with their cooking or cleaning, jealousy, and a variety of other motives such as disputes over dowries. At least 60 women were killed in domestic violence in Kenya in 1998-1999, and 35 per cent of women in Egypt reported being beaten by their husbands. In North Africa, 6,000 women are genitally mutilated each day. In 2001, more than 15,000 women were sold into sexual slavery in China. 200 women in Bangladesh would also have been horribly disfigured when their spurned husbands or suitors burned them with acid. For millions of women the home is, therefore, not a haven but a place of terror. There is also the concern that the media has been perpetuating this problem. In South Africa, for example, the report on the media-training workshop for South African media covering gender violence (Gender link 2001) shows the skewed nature of the portrayal of domestic violence in the media. Stories on violence against women also tend to be reported as summaries in crime round up and not as features. In many instances, women continue to be represented as helpless victims. In addition, women's rights to

dignity and privacy are often ignored in these presentations. Similarly, the entertainment industry has been extremely irresponsible in perpetuating and stereotyping the violent attitudes of men to women (Jeremy Lovell, *The Independent Online Newspaper* [IOL], 5 March 2004). In her study of gender portrayal in the media in India, Meena Shivdas (2004) observes that VAW in films takes the shape of rapes, spousal abuse and sometimes, public humiliation of fallen women. These portrayals convey some sense of reality but the construction of the message leaves many questions unanswered. *Star Trek* actor, Patrick Stewart supports this viewpoint when he asserts that the film industry is partly to blame for a global culture, which glamorizes violence, especially against women. While it has been problematic proving the direct causal effects of media violence and VAW, studies carried out by Baron and Strauss (1987), Weaver (1987) as well as the Report of the United States Attorney General Commission on Pornography (Section 5.2.1 Sexually Violent Material cited by Jennifer Nash 2002) support this view. The Kriegel Commission, set up by the French government to look into the broadcasting standards of violent or pornographic images, also came to the same conclusion (*IOL*, 14 November 2002).

There are also linkages between VAW and HIV/AIDS, the largest health issue currently facing the world (UNAIDS, 2003). It is estimated that over 22 million people have died of AIDS related illnesses in the last 20 years and more than 42 million people are currently infected with a virus which was unknown in 1980 (UNAIDS, 2003). Of note is, however, that the epidemic is a gender issue because it disproportionately affects women and adolescent girls who are socially, culturally, biologically and economically more vulnerable than their male counterparts. According to Susan Fox: “For example, forced sex may directly increase the risk of HIV transmission as a result of trauma; violence or threats of violence may limit the ability to negotiate safer sex; inadequacies in justice systems may result in a disincentive to reporting rape and/or seeking post-exposure prophylaxis; childhood sexual abuse may lead to sexual risk-taking in later life; and sharing positive HIV results may increase the risk of a violent response by a partner” (Fox 2003). In addition, the fear of violence prevents women from accessing HIV/AIDS information; it also prevents them from being tested; from disclosing their HIV status; from accessing services for the prevention of HIV transmission to infants and from

receiving treatment and counseling, even when they know they have been infected. This is particularly true where HIV-related stigma remains high (UNAIDS, 2004). Poverty is also another factor. Women of poor economic backgrounds are unable to access antiretroviral drugs; the female condom; microbicides or gain access to justice (to report violence), which involves at least transport; a need for child-care and basic information. In addition, lack of independent income-generation, shelters and good health facilities make it extremely difficult for abused women to leave home (Artz 1999). There have been escalating incidences of HIV/AIDS in the world and these have had enormous implications to social and economic development. Firstly, the escalation over-stretches many countries' health systems' capacity to cope with the provision of adequate care and support. Secondly, it results in decreased productivity and increased employee absenteeism, especially for workers within an age span of 25-49 years (this is the most economically active group). According to Noleen Heyzer, The Executive Director of UNIFEM, with women facing additional obstacles due to the pervasiveness of discriminatory legal frameworks that fail to guarantee them equal rights or equal protection before the law, HIV/AIDS is not only driven by gender inequality, it entrenches gender inequality. Unfortunately, efforts to stop the spread of HIV/AIDS have so far been largely unsuccessful, and effective treatment remains widely unavailable to poor women. There have been calls for more research to implement preventive policies.

VAW permeates every society. Yet, the fear of speaking out stymies efforts to gather comprehensive statistics about its scope. Fortunately, attempts to quantify the problem have improved advocacy against it, and the global movement for women's human rights has secured international commitments to eradicate it (Saving Women's Lives [SWL] 2002). In this regard, in adopting the Declaration on the Elimination of All Forms of Violence Against Women, the General Assembly (in 1993) defines violence against women as "any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including treats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life" (Article 1). Article 2 of the Declaration also states that violence against women includes, but is not limited to: violence in the family, violence in the general community, and violence perpetrated or condoned by the state. A United Nations Children's Fund

report however, shows that as recently as six years ago, only 44 countries out of 193 in the world had laws against domestic violence and only 17 countries outlawed marital rape. These abuses, which are a violation of women's human rights, are rooted in a global culture of discrimination, which denies women equal rights with men and which legitimizes the appropriation of women's bodies for individual gratification or political ends (Amnesty USA, 2003). This observation is supported by a 2003 United Nations Development Fund for Women which shows, that only three nations have legislation that specifically addresses violence against women as a category of criminal activity in itself" (Shauna Curphey, Women's Enews, 19 March 2004).

VAW is one of the most widespread human rights abuses and public health problems in the world today. There is the need for a comprehensive response in order to address the intersections between VAW and HIV/AIDS through:

- The re-orientation of social policies and organizational practices
- Expanding the evidence base which highlights the prevalence of violence against women, including the economic, social and health costs, and its links to HIV and AIDS
- Scaling up the fight against the HIV/AIDS pandemic by governments, with the goal of helping those who are HIV positive live longer, more productive lives through counseling, treatment and care. Those not infected should also be enabled to remain so, and build better lives for all.
- Promoting national and community level action that improves the education and legal standing of women and builds on successful efforts and encourages innovation and partnership among groups working on both issues.
- Raising awareness about VAW and HIV/AIDS in the media.
- Regulating gender portrayals in the media, for example, through changes in a country's advertising codes.
- Mobilizing leadership at global, national, and community levels to generate action to ensure that normative change occurs to make violence against women unacceptable.

VAW is a simple phrase that encompasses a horrifying list of abusive behavior both physically and psychologically. Governments should recognize their complicity in gender-based violence when they fail to create or enforce laws against it. Fortunately, Amnesty International is currently working on holding governments accountable to prevent, punish and investigate VAW by state and non-state actors.

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