GENDER AND VIOLENCE

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Papua New Guinea is a country made up of over 800 distinct languages-based culture groups that are still relatively homogeneous despite colonization and the effects of a rapid social change. Within this rich diversity of cultures the socio-economic position of women varies a great deal. Violence against women has, and still occurs within these cultural contexts.

The *Gender Analysis in Papua New Guinea* commissioned by the World Bank states that 70% of women in PNG experience domestic violence. Other studies put the figure higher. The Papua New Guinea Law Reform Commission Report 1992 stated in some areas 100% of women were beaten and that one out of six wives living in town had to seek medical treatment for injuries inflicted on them by their husbands. These are statistics we are concerned with.

The constraints imposed by the socio-economic relationship between families of husbands and wives in the payment of bride price and the cultural proscriptions that went with it are often no longer there.

The issue of polygamy in Papua New Guinea is also one where there has been a dramatic shift in cultural values and the way tradition is perceived. Prior to colonization in areas where bride price was paid it was viewed as a social contract and a means of economic distribution.

The change in socio-economic conditions, urban migration, and the cash economy now means that wives are bought in the commercial sense of the word. Bride price is spent and women are left to survive often in abusive relationships. The distortion of bride price as a traditional concept into a means for men to achieve status and involve themselves in what would otherwise be multiple adulterous relationships is a key factor in domestic violence.

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The PNG Law Reform Commission found out that many women in Papua New Guinea do not report domestic violence until severe physical abuse occurs.\(^5\)

Some of the reasons for domestic violence included sexual jealousy on the part of men, most of it unwarranted; adultery on the part of men and polygamous marriage; intermarriage between language or cultural groupings and the issue of bride price. Alcohol is often seen as a trigger.\(^6\)

The incidence of domestic homicide in PNG is high and is increasing.\(^7\) This is due in part to the severity of beatings women get during domestic arguments and the susceptibility of damage to enlarged spleens caused by repeated malarial attacks.

The conclusion we are faced with is that the incidence and severity of family violence is increasing whilst traditional and cultural protections against it are decreasing. Culture and tradition in fact is so often being used as an explanation of domestic violence.

The Constitution of Papua New Guinea and the statutory law of Papua New Guinea are quite clear that violence against women and children is against law.\(^8\) PNG is a signatory to the United Nations declaration against violence against women and the convention for the elimination of all forms of discrimination against women, CEDAW. It has done little to address either the issue of family violence or uphold the rights of women and children.

There have been numerous studies dealing directly or indirectly with the phenomena of domestic violence in Papua New Guinea. There have been numerous scholarly papers written and many very good recommendations put forward. There has been little practical application or commitment to reducing family violence. One researcher has termed this ‘the violence of neglect’.\(^9\)

Having said this there are organizations and committed individuals working in the field of family violence.

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\(^5\) PNG Law Reform Commission 1992:5
\(^7\) Royal PNG Constabulary Statistics
Community Based Organizations regularly conduct training and awareness campaigns. Most of this training is targeted intentionally or otherwise toward women. One policewoman recently commented that she had attended upward of 30 domestic violence seminars that had not reduced the incidence of domestic violence either within the Constabulary itself or in the general community.10

Men are the main perpetrators of family violence, although not exclusively so. The government in PNG is male dominated as are the government agencies dealing with family violence.11 It has been said that men’s violence against women is based on a loss of control and power.12 This loss may be due to the disorientation of men in a changing world13 or ‘more specifically developing out of their fears that these changes will remove women from their control and afford them independent ways of understanding their universe and acting within it.’14

This last comment was taken from a report commissioned by the Department of Law in 1975, the year of Papua New Guinea’s independence. Today men still dominate our political and legal institutions, they have done little to relinquish their power, it is as if, as one researcher, Zimmer-Tamakoshi suggests, that men’s identities depend on the subordination of women and that equality between males is dependent on their superiority over women.15

Legally in Papua New Guinea the woman is often placed in the role of a jural minor.16 An extreme example is the case of a young woman being offered to a rival clan as a part payment of compensation during a tribal fight.17 In our local village courts issues of family violence are treated as minor or an offence, not against the woman herself, but against her people.

There is a marked reluctance for police to deal with the issue of family violence. Women reporting family violence are more often than not sent away. The excuse given by the police is that it is a family matter, to be sorted out by the family. In cases where police do intervene it is usually to ‘counsel’ the parties and send them away.

Clearly there is an obligation for police to intervene as a matter of law, this rarely happens unless the injury is so severe as to constitute a life threatening injury or the women is killed. The same applies to child victims of family violence, the exceptions being those cases where a woman perpetrates violence.18

In many instances police are also reluctant to deal with instances of family violence because of the perception that any ensuing the prosecution is unlikely to be successful. There are several factors that influence this. The first is the probability of a witness to turn up at a court hearing due to the payment of compensation to her family or pressure exerted by the offender. As there is no proper welfare system in Papua New Guinea, the sheer socio-economic necessity of having to stay in a violent relationship is also often an overriding factor.
Within the Constabulary there is still a distinct lack of training in evidential procedure in taking complaints and gathering evidence so there is the possibility of proceeding with a prosecution without the presence of the complaint.

The Royal Papua New Guinea Constabulary is at the forefront in dealing with victims of family violence. It has no procedures or guidelines to deal with the victims. The only guidelines in existence dealing with family violence are internal guidelines for incidents of family violence that occur within the Constabulary.

Once the Constabulary recognise and act on the issue of family violence within the ranks and do so with transparency then the public can have confidence in reporting incidents of family violence knowing that they will be acted on according to the law. It then remains for the Constabulary to recognise the wider issues of family violence within the community and equip themselves with the skills and knowledge to be able to deal with them.

Police involvement in family violence is usually the first stage in the process, which may also involve other government and non-government agencies. Often women seek medical treatment or is being hospitalised prior to them reporting incidents of family violence to the police. It is essential and we are realising that the Constabulary has to start forming partnerships with other agencies to formulate joint strategies and programs of working together.

Family violence is a crime, it can reduce the quality of life for many citizens of Papua New Guinea and it can seriously reduce the productivity of the country, more importantly it can have permanent effects on our children. Much of this material for this presentation was taken from a recent publication called, ‘Reflections of Violence in Melanesia’. It is time we stopped reflecting and moved forward to try and eliminate all forms of violence, especially family violence in all our societies. We come from different and very beautiful countries, which we are proud of and women and children are a part of these nations so let us, treat them all like we are proud of their contributions too.

References


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