

Physical Violence Against Women in Uganda: The Experience of 30 Female Prisoners Convicted of Murder

Kiconco Milliam

City University of Hong Kong, Kowloon, Hong Kong

Abstract

This study forms part of my PhD research that investigated the experience of victimization among 30 female prisoners convicted of murder in Luzira female maximum-security prison of Uganda. Placed within the qualitative tradition of phenomenology and guided by the feminist standpoint epistemology and socialist feminist perspective, this study investigated the experience of physical violence and meaning attached to the experience of physical violence. Using in-depth interviews, data were collected from female prisoners who reconstructed their history of physical violence before arrest and imprisonment. Findings of the study reveal that 24 out of 30 women had experience with physical violence before encountering with the criminal justice system of Uganda. For most of the women, violence started in childhood with family members such as step mothers and fathers as abusers and continued in marriage with husbands as the abusers. Childhood violence was escaped through early marriage while the attempt to escape intimate partner violence was hindered by social and cultural factors such as bride price, children and societal expectations from a woman. For women, their long and enduring violence resulted into a state of helplessness and mercilessness until a time reached when they killed their abusers.

Keywords: Physical violence, female prisoners, murder, Luzira prison, qualitative methods, Uganda.

Introduction

The aim of this study was to investigate the experience of physical violence among 30 female prisoners convicted of murder in Luzira female maximum-security prison of Uganda. The focus of the study was on the women's experience with physical violence before they fell victims of the criminal justice system of Uganda. Women's experience with physical violence, attempts to leave violent situation and the meaning attached to their experience of physical violence are the major themes of this study. It has been recognized globally that gender-based violence violates the human rights of persons (World Health Organization (WHO) 2017). Violence against women is defined by United Nations (UN) as, "any act that results in, or is likely to result into physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life" (UN 1994). Physical violence on the other hand is defined as, "use of force to inflict pain, injury or physical suffering to the victim" (García-Moreno et al. 2005). It includes acts such as beating, kicking, pushing, stabbing and threatening using a gun, knife or any other weapons (García-Moreno et al. 2005).

Review of African countries shows that Intimate Partner Violence (IPV) is very high among women of the reproductive age (Mogale et al. 2012). Moreover, violence against women and girls continues to be evident in post-conflict African countries such as Rwanda and Sierra Leone and in other countries that are characterized by organized conflict (Gobodo-Madikizela et al. 2014). In Uganda, domestic violence is highly and widely recognized from human rights, economic and health perspectives (Uganda Bureau of Statistics (UBOS) and ICF 2016). It is reported that 56% of ever married women in Uganda have experienced physical and or sexual intimate partner violence in their life time (UBOS and ICF 2016). Another study reports that between 74% and 98% of children in Uganda suffer emotional, physical, sexual violence from their caretakers (Devries et al. 2013). The government of Uganda has formulated different legislations in the effort to address the problem of domestic violence. These include but not limited to ratification of United Nations' Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1985; The Constitution of the Republic of Uganda that prohibits laws, cultures, customs or traditions that undermine women's

welfare, dignity, or status (Constitution of the Republic of Uganda 1995, Article 33). However, reports show that there are socio-cultural factors that hamper the efforts geared toward eliminating violence against women by the government of Uganda (Uganda National Development Plan (UNDP) 2015). The few studies on violence against women in Uganda consisted of the sample of women from the general population. Studies with a unique sample of female prisoners convicted of murder are lacking. This study intends to fill this gap.

Literature reports that female prisoners who are convicted of murder share the experience of a history of violence and they commit murder as the last option to put to an end the abusive relationships (Saxena, Messina and Grella 2014; DeHart 2008). Studies show that the daily experience and lives of female murderers portray abuse and victimization in the hands of partners, parents and other male friends and relatives (DeHart 2008; MacDonald 2013). Such a history of physical, sexual, emotional and psychological abuse reigns into multiple mental and health problems together with substance abuse (DeHart 2008). For example, in a study that involved a sample of 28 female prisoners convicted of murder, women reported the cumulative impact of abuse and victimization that started in early childhood and translated into murder to end their abusive relationships (Slevens 1999).

Method and Materials

The site for this study was Luzira female maximum-security prison in Uganda. In accessing this site, I followed procedures to protect the privacy and rights of individual participants. This study was approved by the Ethical Review Committee of City University of Hong Kong and cleared by the Uganda prison headquarters. The principle of informed consent was followed, and all participants were briefed and signed a consent form. Luzira female prison was purposively selected because all the women convicted of murder are accommodated in this prison. A purposeful sample of 30 female prisoners was selected with the help of prison warders. The criteria for selection included; already convicted of murder, able to speak English or any of the two local languages that the researcher was well conversant with. The 30 women selected were from different regions of Uganda. Data were collected using in-depth face to face interviews between the months of October 2018 and April 2019. Before the interviews, each of the participants was assured of confidentiality, privacy and anonymity. All the thirty participants were asked to propose names they wanted to be associated with in the research. The names quoted in this paper are, therefore, not real names of the participants. The suitable place for the interviews was under the tree because the guards needed to keep watching the prisoners and the researcher from a distance. Individual interviews took around 2 hours and note-taking was used because the prison rules in Uganda don't allow recording of prisoner's voices. Questions asked were related to prisoner's experience of physical violence and the meaning attached to the experience of physical violence. With a reflexive approach intended to reduce the gap between the researcher and the participants and to empower them to tell their stories, I was able to create rapport that helped in collection of in-depth data. Data was coded and some of the emerged themes were chosen to discuss this paper.

Results and Discussion

The participants were female prisoners convicted of murder between the ages of 24 and 65 years. They represented all the regions of Uganda and were first-time offenders with no history of imprisonment. Of the 30 women, 24 were serving a sentence between 20-60 years, 3 life in prison and 3 were on death sentence. Out of 30 women, 27 (90 percent) killed family members. Out of 27 who killed family members, 14 (46 percent) killed their husbands and 5 (16.6%) killed step-children. Illiteracy level stood at 90 percent with only 3 women having attained education beyond primary level. Most of the women were employed in the agricultural sector with 16 identifying their previous occupation as farming. Only 3 women had a professional job before imprisonment. Land being the most important resource with agriculture as the backbone of the economy, the researcher was interested in knowing how many women owned land. Only 14 women owned land at the time of imprisonment. In terms of experience with physical violence, 24 (80 percent) women suffered violence at one stage of their life-time before imprisonment. For 17 women, physical violence started during childhood and the abusers were identified as step-fathers and mothers, teachers, grandmothers and fathers. 19 out of 30 women had former experience with intimate partner physical violence with the husbands as the abusers. 12 women experienced both childhood and intimate partner violence. The above background of female

murderers is a story to be told on the position of women in the social structure of Uganda. Inequality between men and women in the social structure of Uganda has been acknowledged by the government (UNDP 2015). Other studies have reported that gender, poverty and violence intersect and translate into disadvantage, disempowerment and cycles of violence among women in Uganda (Fiske et al. 2015). Findings of this study show a history enduring violence before women's imprisonment. Investigation into their efforts to escape physical violence generated the themes having to do with sociocultural values that frustrated their efforts. To women, enduring experience of violence with no alternatives left to them meant that their state of helplessness and mercilessness which, culminated into murdering of their abusers.

Recurring and Enduring Physical Violence

Interviews revealed that women convicts had endured physical during their childhood in the hands of stepmothers, stepfathers and fathers. Most of the women escaped childhood violence through early marriage but still ended up experiencing physical violence in the hands of husbands:

My parents died when I was very young, and I was taken to live with my uncle but, his wife did not like me. The woman would beat me with all tools at her disposal and this beating went on until I ran away at the age of 14 and got married (Faith)

I grew up with my step mother until the age of 13 when I escaped with a man. My step mother would beat me every time my father would be away. One time she burnt me and threatened to kill me if I reported to my father (Jennipher)

My father was very violent and did not like my mother because she only produced girls. Every time he would beat my mother, he would also beat us. The man beat my mother to death, and we were left to suffer in his hands. I endured his beatings until the age of 10 when I ran away to my grandmother where I stayed until the age of 15 when I got married (Kihembo)

Studies have reported that most of the female prisoners that report recurring violence also report a history of issues such as running away and alcohol abuse (Urbina 2008). The stories of Faith, Jennipher and Kihembo are like the stories of other women who experienced childhood physical violence. Most of them escaped to get married at an early stage and still experienced violence with their partners. Experience with intimate partners to many started few years into their marriage and continued until they killed their abusers. Faith for example started experiencing physical violence one year into her marriage until after 15 years when she killed her husband. Faith disclosed that her husband was not only a drunkard but also had other women and would beat her every time she complained about his character.

One time he came back late in the night when he was drunk. When I opened for him, I complained about his habit of coming late, he kicked me several times and threatened to kill me if I ever complained again (Faith)

Asked on how frequent the beatings were and how long they lasted. Faith narrated that she was physically abused several times, and this went on until she killed the man.

For as long as he got drunk which was his daily habit, he would abuse me. This did not stop until I killed him (Faith)

Jennipher was kicked and beaten several times after 1 and a half years of not getting pregnant and this suffering did not stop even when she got pregnant. Violence continued for the next 16 years. Jennipher narrated how her husband had the support of his mother in torturing her.

I remember one evening he came with his mother and both asked me why I was delaying getting pregnant. When I replied that I have no answer, my husband kicked me as his mother cheered him (Jennipher)

Rukundo who saw marriage as an escape route from the beatings of her stepmother experienced violence shortly after marriage.

I remember it was after eight months in marriage when he went on Friday without telling me where he was going and returned Monday. He found me very angry and I refused to talk to him. He asked me why I was angry, and I only replied that he knew why. He picked a very big stick from firewood outside and started hitting me claiming that I under looked him (Runkundo).

Asked about their experience of trying to leave their abusers, especially, intimate partners, most of the women reported the cultural and social expectations as hindrances to escaping physical violence.

Socio-cultural Barriers to Escaping Violence

Bride Price

For some women, they were in prison because their parents could not afford to pay back the gifts that their abusers paid as bride price. Their attempt to leave the abusive relations were frustrated by their parents who feared paying back bride price.

I attempted to go back home three times, but my father would force me back to my husband. My father insisted that he had already sold all the cows that my husband paid and did not have money to refund the cows (Jennipher)

One time when I went home after being abused by my husband, instead of sympathizing with me, my father got a stick and warned me that I was not too old to be beaten. He told me to go back and get married and that he had no money to refund my bride price. He reminded me that I no longer had space in his home (Ainebyona)

For Phiona, even after suffering from ruptured uterus because of neglect from her husband when she was in labor pains and suffered kidney problem after being kicked by her husband, her brothers conspired with her father to deny her space at home.

I remember it was Easter Monday when my husband kicked me. I felt a lot of stomach pain and went to the clinic. The doctor's report indicated kidney injury. This worsened the problem of ruptured uterus I had suffered before. I decided to leave the man forever. I went home and told my parents. To my surprise, my father called my brothers and all conspired to force me back. My father told me that the few cows he had were for paying bride price of my younger brother (Phiona)

These and other stories show how women were trapped in marriage characterized by violence because of the cultural practice of bride price. Some studies in Uganda have indicated that in situations where domestic violence is common, bride-price introduces additional ways in which men can justify the abuse of women (Hague, Gill., Rauai and Atuki 2011).

Dying for Sake of Children

To many women, they endured suffering and were willing to die with their children. Some could not imagine leaving their children to suffer in the hands of stepmothers. Others could not entrust them with their fathers who had started abusing them. For others who thought of leaving with the children, the burden of looking after them without the support of their fathers could not be managed. They were, therefore, willing to remain and die for the sake of children.

It was if I was married to children. I suffered with this man until I decided to leave him in January 2009 but after two weeks, I thought about seven children I left with him, I decided to come back to him for the sake of my children (Betty)

Every time I thought of leaving him, my plan was to go with children, but I would imagine how I would look after them without him (Abwori)

Attempt to leave my husband was only a way of scaring him. I could not divorce him because I did not want my children to suffer the way I suffered with my step mother (Jennipher)

Children as barrier to divorce in Uganda has been reported in some studies. One study found out that children are a social barrier to divorce and that in many violent relations, men use children as blackmail to abuse women (Tibatemwa-Ekirikubinza 1995).

Social Expectation of a Wife

In Uganda, marriage is considered important for a woman. A divorced woman is not respected. A married woman does not only earn respect to herself but also to her mother and entire family and clan. For most of the women in this study, their enduring experience of violence was tagged to their conscious effort not to bring shame to themselves and their mother's reminders not to bring shame to their families. Hope who had the capacity to look after herself and her children even after leaving the abusive husband endured violence for 19 years because she feared to be judged and labelled negatively by the community after divorce.

I did not want to be looked at as a prostitute and a failure in marriage. I would have left the man before killing him but, I feared to be judged harshly by the community and family. All my sisters are happily married. Being an independent woman is the worst thing I hated (Hope)

One time I went home after being threatened with a spear by my husband, but my mother encouraged me to be patient with the man. My mother told me that it would be shameful and disgraceful for a woman to divorce. She told me that all women suffer abuses but are expected to endure and protect their dignity (Asimwe)

Every time I attempted to leave him; I imagined the agony of being at my parent's home after a failed marriage. If it is not easy being at home when you have attained the age of marriage, how about when you have already married, and you return to your home? I don't think my mother would have tolerated me. She suffered physical violence from my father and did not divorce (Abwori)

Reports show that Ugandan society values marriage to the extent that the unmarried are stigmatized (Agiresaasi 2013). Agiresaasi (2013) reports a case of a 42-year female Ugandan who had attained a doctorate degree but was facing pressure to get married from relatives to the extent that her aunts felt that she wasted her life by pursuing a career at the expense of marriage.

Meaning Attached to the Experience of Physical Violence

Interviews with women revealed that physical violence that they experienced left them with no option other than killing the abusers. The women narrated how they became patient and tried all available means to be secure. For self-preservation and protection for their children, some women planned the killing while others killed in the process of self-defense. The themes related to the meaning that women attached to their physical violence experience include helplessness and mercilessness.

Helplessness

Women narrated that lack of options to leave the abusive relationships reflected their helpless state that later translated into killing. To some, available options such as returning to their parents and reporting to authority did not help them. Others said that they could not afford the cost of leading an independent life. Such a situation rendered women helpless.

I realized how helpless I was after trying available options of escaping abuse without success. I reported my husband to my parents and even scared him with divorce but my parents, instead, kept forcing me back. The day I reported him to the Local Council One Chairperson turned out to be a disaster to me. The Chairperson did nothing apart from calling my husband and asking him why he beats me. My husband after the call ran after me with a spear and I never thought of reporting him to the higher authority again (Faith)

I had no other option other than killing my step child whom my husband was using to abuse me. I had no parents at home, I had no money to help me live an independent life and feared his revenge after reporting him to police (Kirabo)

I had nothing to do. I was unemployed and ignorant of law and my parents would not welcome me with all the eight children. I had to remain until I got tired and killed him (Aryampurira)

Mercilessness

Studies have reported that women convicted of murder do kill as the last resort after the cumulative impact of victimisation that translates into murder, purportedly, to end their abusive relationships (Slevens 1999). For women in this study, experience of enduring physical violence meant their state of loss of mercy.

I endured violence for 16 years. I at first did not fight him back. I tried to respect him as a man. He beat me until my eardrum ruptured in 2007 and started pouring out blood. He stopped me from harvesting bananas from the banana plantation. I went digging in people's gardens to get food for my children. But time came when I lost the patience. I felt hard hit when he brought someone to buy the millet I had planted for the children. This time I said enough is enough you are not going to sell it. When I refused him, he carried the millet and poured it in the latrine and threatened to kill me. I also planned to kill him before he could kill me. I remained strong after killing him and even did not cry (Betty)

Everyone in the village knew me as a good and patient woman. I really tried my best to bear my late husband's wrath. But to tell you the truth, violence made me lose patience. I never used to fight back every time he would beat me but, I fought back only the day I killed him. To affirm that I was tired, I hit him a stool and he fell, I came back and hit him many times with the same stool until he died (Abwori)

I grew up in church and I knew the Biblical principle that required me as a woman to respect my husband. I applied the principle of respect by not fighting and disrespecting him in any way. I endured violence for 19 years until I lost patience and banged his head with a laptop several times and he died (Prosper)

Even when I killed my husband in self-defense after he hit me with a panga, fighting was not common of me. I never used to fight back. Suffering can make you lose your temper (Asiimwe)

The above statements from the participants reflect the kind of desperate situation that women experienced before finding themselves in the criminal justice system of Uganda.

Conclusion

Findings of this study are relevant to the criminal justice system in Uganda. From the police that arrests, to the courts of law that try and pass judgements to prisons that rehabilitate them, the findings of this study are useful. In a patriarchal society like Uganda where studies on female crime are scanty, the criminal justice system is yet to gain full understanding of the specific issues that affect female crime. For example, giving a fair judgement by the courts of law to the women victims of domestic violence requires a full understanding of their conditions before offending. Moreover, to design programs that are sensitive to the specific needs of women inside prison and empowering them to re-enter the society that led them to commit crime, the policy practitioners need knowledge on women's conditions before entering prison. More studies are needed to develop an understanding of prior to offending and prison conditions of women.

References

- Agiresaasi, Apophia. 2013. Ugandan Women Delay Marriage for Education Despite Stigma in Community. *Global Press Journal*. Retrieved April 2, 2019 (<https://globalpressjournal.com/africa/>).
- Constitution of the Republic of Uganda. 1995. Republic of Uganda. Retrieved May 10, 2019 (<http://www.wipo.int/edocs/lexdocs/laws/en/ug/ug023en.pdf>).
- DeHart, Diana. D. 2008. Pathways to Prison Impact of Victimization in the Lives of Incarcerated Women" *Violence Against Women*, vol. 14, no. 12, pp. 1362-1368.
- Devries, Karen M., Allen Elizabeth, Child Jenifer. C, Walakira Eddy, Parkes Jenny, Elbourne Diana, Watts Charlotte, and Naker Dipak. 2013. The Good Schools Toolkit to Prevent Violence Against Children in Ugandan Primary Schools: Study Protocol for a Cluster Randomised Controlled Trial" *Trials*, vol. 14, no. 232, pp. 2-9.
- Ekirikubinza, Lilian. 1995. *Women's Violent Crime in Uganda. More Sinned Against Than Sinning*. Kampala: Fountain Publishers.
- Fiske, Lucy and Shackel Rita. 2015. Gender, Poverty and Violence: Transitional Justice Responses to Converging Processes of Domination of Women in Eastern DRC, Northern Uganda and Kenya". *Women's Studies International Forum*, vol. 51, pp. 110 –117.
- García-Moreno, Claudia., Jansen Henrica AFM (Henriette), Watts Charlotte, Path Mary Ellsberg, and Path Lori Heise. 2005. *WHO Multi-country Study on Women's Health and Domestic Violence Against Women: Initial Results on Prevalence, Health Outcomes and Women's Responses*. Geneva: World Health Organization.
- Gobodo-Madikizela, Pumla., Fish Jennifer and Shefer Tamara. 2014. Gendered Violence: Continuities and Transformation in the Aftermath of Conflict in Africa" *Sign*, vol. 40, no. 1, pp. 81-99.
- Hague, Gill., Thiara Ravi. T, and Turner Atuki. 2011. Bride-Price and its Links to Domestic Violence and Poverty in Uganda: A Participatory Action Research Study" *Women's Studies International Forum*. vol. 34, no. 6, pp. 550-561.
- MacDonald, Morag. 2013. Women Prisoners, Mental Health, Violence and Abuse". *International Journal of Law and Psychiatry* vol. 36, no. 3-4, pp. 293-303.
- Mogale, Ramadimetja S., Burns Kathy Kovacs, and Richter Solina. 2012. Violence Against Women in South Africa: Policy Position and Recommendations" *Violence Against Women*, vol. 18, no. 5, pp. 580-594.
- Saxena, Preeta., Messina Nena and Grella Christine. E. 2014. Who Benefits from Gender-Responsive Treatment? Accounting for Abuse History on Longitudinal Outcomes for Women in Prison" *Criminal Justice and Behavior* vol. 41, no. 4, pp. 417-432.
- Slevens, Dennis. J. 1999. Interviews with Women Convicted of Murder: Battered Women Syndrome revisited" *International Review of Victimology*, vol. 6, pp. 117-135.
- Uganda Bureau of Statistics and ICF. 2016. *Uganda Demographic and Health Survey 2016*. Kampala, Uganda and Rockville, Maryland, USA: UBOS and ICF.
- United Nations. 1994. *Declaration on Elimination of Violence Against Women*. Retrieved April, 26 2019 (<https://www.refworld.org/docid/3b00f25d2c.html>).
- United Nations Development Plan. 2015. *Uganda Country Gender Assessment*. Retrieved May 20, 2019. (<https://www.undp.org/content/dam/uganda/docs/UNDPUG2016%20-UNDP%20Uganda%20-%20Country%20Gender%20Assessment.pdf>).
- Urbina, Martin Guevara. 2008. *A comprehensive Study of Female Offenders. Life Before, During and After Incarceration*. Springfield Illinois: Charles C. Thomas Publishers Ltd.
- World Health Organization. 2017. *Key Facts*. Retrieved April 22, 2019. (<https://www.who.int/news-room/factsheets/detail/violence-against-women>).