

# Gender-Based Violence in Papua New Guinea

## Trends and Challenges

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Gender-based violence (GBV) is a phenomenon that occurs globally, to varying degrees and with various consequences. This essay investigates GBV, specifically family violence, where most often the victim is the wife and the perpetrator is the husband, in the context of Papua New Guinea (PNG). I argue that although GBV is difficult to measure, small-scale studies and anecdotal evidence suggest that GBV is severe and widespread, and in some instances worsening. In PNG society, there remain several challenges that inhibit the substantial reduction of GBV. Cultural challenges include the existence and adherence to bride price traditions; women's lack of political representation, affecting how this issue is dealt with at the highest level of society; and the traditional village court systems, which align judgments with customary male-biased law. There are State sector challenges present that also inhibit a reduction of GBV, such as inadequate and biased policing services; and inefficient, sporadic and underfunded support services (e.g. hospitals and emergency shelters). Change in PNG cannot be achieved in a short time frame. It may take generations for significant change to be made in communities so that women are viewed as equals and for GBV not to be seen as the 'norm'. When this occurs, a reduction in severe and widespread GBV may be experienced in PNG.

*'Wife beating is an accepted custom... we are wasting our time debating the issue'.<sup>1</sup>*

Women in Papua New Guinea (PNG) are marginalised in every sphere of life. During her March 2012 visit to PNG, the Special Rapporteur on Violence Against Women commented that gender-based violence (GBV) against PNG women has been and is still endemic. This occurs in a country where entrenched patriarchal attitudes and gendered stereotypes exist in regards to both women's status and their 'role' in society [Office of the High Commissioner of Human Rights, 2012]. In this essay I argue that although this phenomenon is difficult to measure, anecdotal evidence and small-scale studies suggest that GBV remains a socially and culturally accepted custom. I outline the view that there exist a range of cultural barriers, for example, bride price and women's economic dependency on men; and State sector barriers, such as inadequate support services and ineffective judicial systems, that prevent the substantial reduction of GBV in PNG.

## 1 Gender-based violence in Papua New Guinea

### 1.1 What is gender-based violence in Papua New Guinea?

GBV refers to violence that is driven by and manifested through gendered power relations and unequal relationships [Spees 2004 cited in Eves, 2006]. This essay discusses a subset of GBV, family violence, particularly between spouses where most often the victim is the wife, and the perpetrator

is the male. Although GBV can occur in any arena (from the familial home to the street to the battlefield), and can be perpetrated by both males and females [Counts, 1990], the most common form of GBV in PNG, 'wife-beating', occurs in the domestic sphere, perpetrated by a woman's intimate partner [Law Reform Commission of Papua New Guinea, 1992]. Violence within the confines of the domestic sphere is often considered to be a private matter. Furthermore, because of the socialisation of violence in PNG, GBV is often considered the 'norm', so much so that it invariably goes unnoticed [Bradley and Kesno, 2001, UN Women Australia, 2011].

GBV can be perpetrated by a range of offenders, such as: spouses, partners, friends, family members, others (e.g. police), or those offenders who are unknown to the victim [Counts, 1990]. GBV can take many forms in PNG and can include:

- Physical violence—hitting, use of a weapon, or being targeted through tribal violence;
- Emotional abuse—controlling behaviour, imposing isolation and insults;
- Economic abuse—restricting access to financial and material resources; and
- Sexual violence—forced sexual activities [UNIFEM, 2010, UNFPA, 2011].

Gender equality in Papua New Guinea is preserved as a legal notion in the country's Constitution. However, even though PNG is

a signatory to CEDAW<sup>2</sup> and to the Beijing Declaration<sup>3</sup>, there is currently no legislation that specifically criminalises GBV in PNG [McLeod, 2005, Kidu, 2012]. Spousal rape was, however, criminalised in an amendment to the Criminal Code in 2003.<sup>4</sup> There has been more recent work done on a Family Protection Bill, which seeks to criminalise GBV. The Bill has been through two parliamentary readings but was not supported in its third reading [Kidu, 2012].

As stated by Amnesty International [2010], GBV has been, and continues to be, very much culturally and socially sanctioned in PNG. Furthermore, there still is an acceptance of violence at the highest levels of society. As noted above, it is widely recognised that the government of PNG has taken limited action to address GBV and because of this, GBV remains a major issue [Amnesty International, 2010, Hinton and Earnest, 2010]. Macintyre [2000] illustrates the social acceptability of violence at the grassroots level, commenting that many PNG police report women being beaten while other individuals, including family, look on without intervening. In some instances, ‘sometimes people stand and watch an assault as if it is a form of entertainment’ [Macintyre, 2000, p. 42].

## **1.2 What is the extent of gender-based violence in Papua New Guinea?**

### **1.2.1 Data collection issues**

Lewis et al. [2008] comment that there is no nationwide systematic way of measuring GBV. A lack of data collection on GBV can be seen as representing ‘acceptance as a custom and of women’s invisibility’ [Government of Papua New Guinea, 2009, p. 51]. Several other issues also impact on data collection. For example, some medical clinics impose a ‘fight fee’ (pait fi) that victims must pay in order to be treated.<sup>5</sup> This amount is substantially less if an individual does not have injuries as a result of a fight. As a result, many victims will lie to medical staff, skewing GBV data [Eves, 2006].

### **1.2.2 Indicative statistics of GBV in PNG**

Although it is difficult to quantify GBV, various historical small and mid-scale studies undertaken by non-governmental organisations and government-related agencies have attempted, to some extent, to do so. All of these studies point to the same picture: that GBV is pervasive, and has been and continues to be a serious problem, reflecting its acceptability in society. For example, the Law Reform Commission of Papua New

Guinea’s [1992] research of 1203 women and 1192 men discovered that 67% of women in PNG had been hit by their husbands. The findings show high regional variation, with close to 100% of wives reported that they had been hit by their husband in the Highlands Province, whereas, in the Oro and New Ireland Provinces, this figure was closer to 50% [Law Reform Commission of Papua New Guinea, 1992].

Although there still remains an absence of comprehensive GBV data, more recent anecdotal and small-scale studies indicate that GBV continues to be severe and widespread. Furthermore, in some contemporary instances GBV is reported as even increasing and becoming more severe, indicating that the practice is still seen as acceptable [Government of Papua New Guinea, 2009, Office of the High Commissioner of Human Rights, 2012]. For example, a recent qualitative and quantitative study by Ganster-Breidler [2009] of 200 women in five sites suggests that GBV is still pervasive. On average, 75% of women reported that they were the survivors of physical and sexual violence, and 65% of women reported that they had been the victims of either physical or sexual violence.

## **1.3 What are some of the impacts of gender-based violence in Papua New Guinea?**

The Australian Agency for International Development [2008], in a 2007 study, identifies GBV as a major barrier to the development of PNG, with serious effects on victims, and significant impacts for the community and country as a whole. The health impacts of GBV on an individual are wide-ranging, from injury, psychological morbidity (from anxiety to suicidal thinking), sexually transmitted infections and death. Some women flee their familial homes, voluntarily or otherwise, as a result of GBV [Law Reform Commission of Papua New Guinea, 1992, Fox, 2011].

Furthermore, GBV in PNG also has significant measurable economic costs through a loss of worker productivity and income, lower rates of accumulation of social capital and high costs to the healthcare system [Brouwer et al., 1999]. If there are children present in the relationship, like their mothers, they can also experience negative physical, mental and social impacts. The offender, usually the husband, may be physically harmed as a result of retaliation or defence by the female, or may feel a sense of guilt, embarrassment or insecurity after the event [Law Reform Commission of Papua New Guinea, 1992].

## 2 Challenges to addressing GBV in PNG<sup>6</sup>

### 2.1 Cultural challenges

Bride price, which is common in many areas of PNG, is cited by a wide variety of authors as being a major barrier to the reduction of GBV. Bride price allows for a marriage to be affirmed, and a cementing of alliances, through an exchange of wealth, such as money, or intangible (for example songs) and tangible goods (for example pigs), principally from the grooms side to that of the brides. The concept of bride price has major consequences for how women are viewed in marriage. In some PNG communities, bride price legitimises a husband's control over his wife. With increasing modernity and an emphasis on cash, bride price can promote the idea that the wife is simply viewed as property of the husband. Some husbands (and in some instances, also the wife) therefore see GBV as an acceptable correction for wives who do not live up to their expectations about what the 'role' of the women in a marriage may be [Counts, 1990, Lepani, 2008]. Furthermore, as commented on by Amnesty International [2006], the cultural trait of bride price makes it difficult for a woman to leave an abusive marriage as her family would have to repay the amount, which many families either cannot or will not do.

Women's lack of political representation in the PNG Government has implications for how GBV is addressed at the highest level. The Equality and Participation Bill was passed last year and guarantees women 22 seats in the June 2012 national election. However, the enabling amendment to the Constitution has yet to be passed, meaning that the 22 reserved seats have not yet been implemented [Blackwell, 2011]. This lack of representation inhibits issues that directly affect women, such as GBV, from being fairly and equally discussed. Furthermore, it becomes more difficult for GBV to be pushed as a national priority [Australian Agency for International Development, 2008].

GBV can be seen as a way for men to affirm authority. It is argued that increasing modernity in PNG has resulted in men feeling anxiety due to a shift in power relations. Men feel they are no longer in control and therefore perpetrate acts of GBV as a means of re-establishing their authority [Josephides 1994 cited in Lepani, 2008]. As described by Amnesty International [2006], GBV is regarded as acceptable—it is an 'inevitable dimension of domestic relationships and a *valid way for men to assert authority* over partners who are deemed lazy, insubordinate or argumentative' [Amnesty International, 2006, p. 12, my emphasis].

Many men believe it is acceptable to physically demonstrate their authority by punishing a woman who has transgressed the social norms that dictate what a woman's 'role' in society is [Macintyre, 2000, Amnesty International, 2006]. Furthermore, due to the prevailing gender ideology in PNG, violence is seen as 'normal' for men to perpetrate, reinforced through the socialization of masculinity [Amnesty International, 2006].

As noted, the PNG Constitution places men and women as equals in society. However, this is not the case in practice. It is undeniable that women have had and continue to have a lesser status than men [Law Reform Commission of Papua New Guinea, 1992, Abirafeh, 2009]. The US Department of State comments that in PNG women have been severely discriminated against in comparison with their male counterparts in every area of society—culturally, politically, socially, and economically [US Department of State 2011 cited in Refugee Review Tribunal, 2011]. This clearly has implications for GBV. Because women are seen as second-class citizens, they are at a higher risk of being the victims of GBV in the public or private sphere; or when reported to police, women's GBV grievances are not taken seriously [McLeod, 2003]. In addition, the acceptability of GBV continues to be excused due to women's perceived lesser status [Government of Papua New Guinea, 2009].

As highlighted by Macintyre [2000], many women accept the existence of GBV for a range of reasons, including their dependence on men for their economic survival.<sup>7</sup> Women's economic reliance on the male breadwinner of the family, as well as a general lack of control and access to economic resources (such as land), makes it very difficult for women to leave an abusive relationship or complain about GBV. Furthermore, there is a lack of preference in PNG for educating girls, a situation that will foster their economic dependency on males in the future [Australian Agency for International Development, 2008, Hinton and Earnest, 2010].

The Australian Agency for International Development [2008] comments that many rural women with GBV grievances find it difficult to seek justice via the formal court system, as these services are located in larger towns and cities. Rural women are then forced to rely on the community-based village courts. However, the village court system is strongly biased towards males. Male-dominated village courts often fail to take note of and protect women's rights, offering almost no protection to women victims of GBV. In addition, village courts rely on largely traditional patriarchal customary law that takes precedence over most other formal legislation. This means that, generally, no formal punishment or only

weak sanctions will be ordered. In some cases compensation may instead be paid to the victim's family [Government of Papua New Guinea, 2009, Human Rights Watch, 2012]. However, this can in fact increase incidences of GBV as some men are not willing to part with any of their income and blame the woman for this [Dubois, 2010].

## 2.2 State sector challenges

Poor police conduct is an issue that is cited by many authors as a real challenge. As highlighted by Amnesty International [2006, 2010], police policy<sup>8</sup> states that GBV must be treated as seriously as common assault, but in reality this is not occurring. It has been argued that women fear reporting incidences of GBV to the police because they are frightened of being asked to undertake a sexual act. Violence against women by male police officers is reported to be frequent at night, when women police officers<sup>9</sup> have finished work. In general, police lack the skills or willingness to inform GBV victims of their rights and similarly often do not refer women on to support services. Few police report GBV cases unless the act has been particularly extreme, as the attitude of police is often that GBV is a 'family matter'. Furthermore, if incidences are investigated, they are often addressed in an inadequate manner, resulting in a lack of conviction [Australian Agency for International Development, 2008; Human Rights Watch 2005 cited in Refugee Review Tribunal, 2011].

As discussed earlier, a further barrier to the reduction of GBV is the country's ineffective formal judicial system. Authors cite the view that many women feel the system is difficult to access, is intimidating, as many women lack knowledge of their rights and laws, and is expensive, as there is limited legal aid. In the rare situation when a conviction occurs, sentences are generally disproportionately light. This then gives society the impression that GBV is acceptable. Appropriate punishments are an important part of public education. Ensuring that communities appreciate the serious nature of GBV may be a deterrent for potential perpetrators. In addition, for those few instances that result in appropriate sentences, there is concern about the lack of behavioural rehabilitation and counselling for men whilst in prison [Australian Agency for International Development, 2008, Human Rights Watch, 2012].

State-run support services, such as counselling and healthcare to assist victims of GBV, are generally ineffective, financially and technically under-resourced and are largely urban-based, resulting in access issues for rural women. In addition, there is also a general lack of emergency

shelters for abused women, with most being similarly located in urban areas. Authors also cite the view that the lack of training (both gender-based and technical) of medical and counselling staff is a significant issue [Government of Papua New Guinea, 2009, Médecins Sans Frontières, 2011, Human Rights Watch, 2012]. Some medical clinics currently charge fees for writing a medical certificate, which many women cannot afford due to their economic dependency on men. A medical certificate is necessary for a GBV prosecution to be commenced by police [Office of the High Commissioner of Human Rights, 2012].

Amnesty International [2006] comments that by 2006 the largest State-initiated civil education campaign was undertaken as part of the Law Reform Commission's work. The aim of this campaign<sup>10</sup> was to change socio-cultural attitudes around the acceptability of GBV, as well as educating the public on criminal law. Since this campaign, there has been little by way of further large-scale Government-initiated civil education efforts, apart from those undertaken by NGOs, which generally have been small-scale. As stated by Eves [2006], there are issues in designing civil education campaigns in PNG, where there is high linguistic diversity. Furthermore, the cultural relevancy of GBV campaigns, where GBV is still widely accepted, is also an important issue to consider when developing and implementing GBV reduction education campaigns:

How do you make culturally relevant and meaningful concepts that are foreign and have no comparable points of reference or resemblance within the culture? ... Unless people can identify with the images employed in posters, they will be dismissed as not relevant, or misinterpreted [Eves, 2006, p. 55]

## 3 Conclusion

In conclusion, substantive as well as anecdotal evidence confirms that GBV has been, and remains, a serious issue in PNG. I have shown that GBV is still socially and culturally sanctioned, both at the community and Government levels. The cultural and State sector challenges limiting the reduction of GBV are complex in nature, ranging from bride price to women's lack of political representation and an ineffective formal judicial system. Clearly, these challenges cannot be addressed and change achieved in a short time frame. I consider it may take generations, in some instances, for real and significant change to be made in communities so that women are viewed as equals in society, causing a reduction in widespread and severe GBV.

The international community needs to continue to make a stand and compel the PNG Government to promote the necessary changes, for example, to introduce effective GBV laws. The PNG Government itself needs to take a stronger public stance that GBV is not acceptable. When this happens, widespread and severe GBV in PNG may, in time, become a phenomenon of the past.

## Notes

<sup>1</sup>Comment made by a parliamentarian in 1987 during floor debates on wife battering in Papua New Guinea [Heise 1994 cited in El-Mouelhy, 2004].

<sup>2</sup>The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), was adopted by the United Nations General Assembly in 1979. It is often described as an international bill of rights for women [Division for the Advancement of Women, 2012].

<sup>3</sup>The United Nations-initiated Beijing Declaration was signed by participating countries at the Fourth World Conference on Women in Beijing (1995). The Declaration aimed to outline a plan of action to achieving greater gender equality [UN Women, 1995].

<sup>4</sup>In reality, although this was legislated, it is not often enforced formally. Few men are actually prosecuted [Kidu, 2012].

<sup>5</sup>It is interesting to note that the Special Rapporteur on Violence Against Women, in her recent visit to PNG, commented that there has been an order to stop the charging of these fees. However, many clinics are still charging fight fees [Office of the High Commissioner of Human Rights, 2012].

<sup>6</sup>As PNG is a culturally and linguistically diverse nation [Knauff, 1999] the following section presents a generalised range of some of the cultural challenges which may not be applicable to all cultural groupings which are present in PNG.

<sup>7</sup>Other reasons for women's acceptance of GBV include: not to split up the family by the woman leaving, some women have no other house to escape to and do not want to be homeless, and that they accept it is their husband's right to abuse them [Macintyre, 2000].

<sup>8</sup>Specifically, the 1987 Constabulary Standing Order on Domestic Violence and the Circular issued in 2007 by the Police Commissioner making it mandatory for all police to prosecute those who are perpetrators of GBV [Australian Agency for International Development, 2008].

<sup>9</sup>Interestingly, only 5.6% of police officers were female in 2006 [Amnesty International, 2006].

<sup>10</sup>Posters with the message '[w]ife beating is a crime' were distributed and these were supplemented by television advertisements [Amnesty International, 2006].

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