Gender Based Violence in Botswana: A Moral Perspective

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ABSTRACT

This paper discusses two moral theories with the aim of arguing against gender-based violence (GBV) in Botswana, particularly violence against women (VAW). The first moral theory is the African ethic of Ubuntu/botho according to which actions are right insofar as they promote harmonious relationships where people can live in solidarity with one another. The second is Immanuel Kant's moral theory according to which actions are right provided they are done purely from duty, otherwise they are wrong. After spelling out the tenets of each theory, the paper applies it to instances of GBV to show that it is essentially morally wrong. More specifically, the paper employs these moral theories to demonstrate that GBV violates human dignity of its victims; that it undermines their health, security and autonomy. This paper uses the method of critical and conceptual analysis which consists in analyzing concepts or ideas to understand their meanings

Keywords: gender-based violence; human dignity; ubuntu/botho; kant; perpetrators.

INTRODUCTION

Gender based violence, hereafter GBV, particularly violence against women and children remains one of the most serious challenges facing Botswana in the 21st century. This is despite the government's efforts to develop programmes, laws and policies to curb its prevalence. Given the many recent cases of GBV in the country, it may be argued that it is persistently becoming one of the predominant human rights violations. In fact, a Gender Based Indicators Study (2012) conducted in Botswana indicates that 67% of women are said to have experienced gender-based violence at some point in their lives. Undoubtedly, this is an alarming statistic because it is over double the global average of cases on gender-based violence. Data on the latter indicates that globally, one in three women will experience violence of one form or another during their lifetime (WHO 2017). This amounts to more than one billion women across the globe. According to the Botswana Youth Risk Behavioral and Biological Surveillance survey (2016), 33% of students in Botswana had their first experience of sexual intercourse before the age of 13. What is even more disheartening is that 1 in 5 of these students were coerced to engage in sexual intercourse in the preceding 12 months.

In view of the number of recent cases of GBV in Botswana, it would not come as a surprise to discover that the figures indicated above have actually increased significantly since 2012. Actually, the statistics released by the Ministry of Nationality, Immigration and Gender Affairs show that since January 2018, Botswana recorded over six thousand cases of GBV. According to this report, 497 of these cases were rape incidents, 177 of them were threats to kill, 49 being indecent assaults of females and 2 of them being incest. Recently, the *World Population Review* (2020) ranks Botswana number two after South Africa out of the top 10 countries with the highest rates of rape in the world. This translates to 92.9% incidents of rape per 100,000 people. It goes without saying that this dreadful reality raises great concern and the need to be aggressive in interrogating our beliefs and attitudes towards

women and the girl child. This is of great significance especially that GBV remains cloaked in a culture of silence and normalcy.

This paper discusses two moral theories with the aim of arguing against gender based violence especially violence against women and the girl child. In particular, it first seeks to demonstrate that GBV violates human dignity of its victims; that it undermines their health, security and autonomy. Second, the paper is intended to show that such an undertaking is essentially morally wrong. In order to do this, the paper will appeal to two moral theories for evaluating GBV. The first moral theory is the African ethic of *Ubuntu*/*botho* according to which actions are morally wrong insofar as they fail to promote harmonious communal relations (Metz 2010). The second moral theory to be considered is the deontological theory of Immanuel Kant according to which actions are right provided they are done purely from duty, otherwise they are wrong. Specific focus will be given to his account of respect for persons which beckons us to revere others because of their rational nature and treat them as ends in themselves.

The paper begins with a brief discussion on gender-based violence with specific focus on violence against women, henceforth VAW. The rationale for paying attention to VAW arose from the realization that it seems to have heightened to pandemic proportions leaving women and girls traumatized and stripped off their dignity (UNODC, 2010). The paper then highlights various forms of VAW and its impact on individuals, families and the community. This is followed by a brief overview of the African ethic of *Ubuntu*/*botho* which is employed to assess GBV to show that it is essentially morally wrong. Next, the paper briefly discusses Immanuel Kant's moral theory particularly his account of respect for persons which is then applied to evaluate GBV in order to demonstrate how it violates human dignity of its victims. The conclusion sums up the argument of this paper and makes some recommendations towards efforts aimed at addressing GBV.

Gender Based Violence

For the purpose of this paper GBV may be understood as, "any harm that is perpetrated against a person as a result of gender power inequalities that exist among males and females" (Mwaura, 2010, p. 102). Generally it's a term that designates any act of violence inflicted on another person because of their gender. In other words, we should not be deceived into thinking that GBV affects only women and girls because there are instances where women display power over men especially in cases where there is no conformity to expectations of masculinity. For example, men can be victims of physical or verbal abuse for contravening predominant concepts of masculinity like having sex with men (Saleh, 2018).

However, it is widely acknowledged that gender based violence disproportionately affects women and girls due to unequal distribution of power between men and women in the society. For this reason, the terms, gender based violence (GBV) and violence against women (VAW) are often used interchangeably. The *Declaration on the Elimination of Violence against Women* defines violence against women (VAW) 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 threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life"(UN General Assembly 1993, article 1). Although it has been alluded that GBV and VAW are often used interchangeably, the latter definition is very focused and specific to women and girls. The emphasis on women

and girls victims in this paper is deliberate because they suffer specific consequences due to gender discrimination. This unfortunate reality is even highlighted by UNFP as follows,

> The primary targets of GBV are women and adolescent girls, but not only are they at high risk of GBV, they also suffer exacerbated consequences as compared with what men endure. As a result of gender discrimination and their lower socio-economic status, women have fewer options and less resources at their disposal to avoid or escape abusive situations and to seek justice. They also suffer (…) consequences [on their sexual and reproductive health], including forced and unwanted pregnancies, unsafe abortions and resulting deaths, traumatic fistula, and higher risks of sexually transmitted infections (STIs) and HIV." (UNFPA, 2008, p. 7)

GBV manifests itself in various harmful behaviors against women and the girl child predominantly effected by men. Factors that influence this atrocious behavior include, alcohol and drug abuse, multiple sexual relationships, cultural beliefs and values among others. If we take alcohol and drug abuse as an example, we discover that men usually become more aggressive to women after drinking excessive alcohol and their hostility often results in physical and sometimes sexual abuse. This aspect is vividly demonstrated by Phorano, Nthomang, and Ntseane (2005, p. 189) in their study which sought to investigate the relationship between alcohol abuse and gender-based violence in Botswana. Their research findings show that indeed, "…alcohol consumption has a direct causal relationship with gender-based violence because its psycho-physiological consequences are that the alcohol abuser's sense of judgment is impaired, resulting in violent acts".

In addition to the above-mentioned factors, there is patriarchal gender attitudes which, according Botswana GBV Indicators Study of 2012, is a more prominent factor that causes gender-based violence in Botswana. A brief comment on this aspect is worthwhile because it is usually given more precedence over other factors though they are equally important. According to (Aina, 1998, p. 6),

> "Patriarchy is a system of social stratification and differentiation on the basis of sex which provides material advantages to males while simultaneously placing severe constraints on the roles and activities of females; with various taboos to ensure conformity with specified gender roles"

In other words, as a system, patriarchy gives men assertiveness that makes them perceive themselves as having power and dominance over women. In turn, this supremacy leads men to oppress and exploit women. Its manifestation can clearly be seen in our values, customs, attitudes, expectations, social institutions, and is maintained through socialization. It is further maintained by vicious means that assume various forms of violence. The next section looks briefly into some of these forms of violence. There are several of them but due to space limitations, this paper will restrict itself to only two, namely, cultural violence and sexual violence. Admittedly, there are many other manifestations of violence against women that are equally important but these two are not given enough attention.

Cultural Violence

Culture is an evolving concept and as such, no single definition can fully capture its relevant aspects. For this reason, it does not come as a surprise that Kroeber and Kluckhohn (1963, p. 291) cite 162 definitions of culture including 'learned behavior', ideas in the mind', 'a logical construct' 'a statistical fiction', a psychic defense mechanism' among others. This clearly demonstrates the challenge of delineating the concept of culture. Nonetheless, we

can identify basic components of culture which include, language, beliefs, customs, ideas, rituals, ceremonies, institutions, and works of art among others. For the purpose of this paper, culture may be understood as "…that complex whole that distinguishes people of one community from another and binds them together, giving them a sense of belonging, identity, security and continuity" (Mwaura, 2010). This is a positive understanding of culture as it points to constructive aspects of the community. However, some communities in Africa have some cultural practices that are destructive in the sense that they discriminate against certain segments of the society particularly women and girls. Botswana is no exception to this phenomenon. For example, cultural practices like female genital mutilation (FGM), virginity testing and child marriage all have devastating physical and psychological effects on women. As Rembe & Chabaya (2011, p. 128) observe, these traditional cultural practices "…discriminate against women, enforce their inferior status and submissive role of women and others threaten their lives". FGM, for instance, has no medical justification except for the fact that it has devastating consequences on young girls (Costello, 2015). It causes irreversible harm, leads to infections, childbirth complications and in some cases, death. Basically, such cultural practices dehumanize women and deny them their basic human rights.

Sexual Violence

According to the World Health Organization (2011, p. 02) sexual violence refers to "Any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic or otherwise directed against a person's sexuality using coercion, by any person regardless of their relationship to the victim, in any setting, including but not limited to home and work." Put simply, sexual violence consists of different actions and crimes which, as a result of compulsion, constitute unwanted sexual activity. In this sense, compulsion covers aspects such as physical force, psychological intimidation and blackmail. It also extends to threats like the threat of physical harm or being dismissed from a job. Compulsion may also take place when the victim is unable to consent to the sexual activity. This may be as a result of fear, age, illness, disability among others.

Sexual violence has some very devastating side effects that are related to reproductive, mental health and social wellbeing of the victims. Let us consider reproductive issues as an example. Research shows that forced sex often leads to gynecological complications, (Coker et al., 2000; Letourneau et al., 1999; Rachel et al., 2002). These complications include vaginal infection, fibroids, chronic pelvic pain, decreased sexual desire and pain during intercourse among others. Victims of sexual violence are also exposed to high risks of HIV infection and other sexually transmitted diseases. At present, research indicates that Botswana still remains one of the most affected by HIV in the world despite the government's efforts in providing free antiretroviral treatment (ART) to all people living with HIV, (UNAIDS, 2017). What is even more devastating is that women are disproportionately affected by this epidemic. Against this backdrop, it seems plausible to suggest that gender inequality plays a significant role in spiraling the epidemic among females: it increases their vulnerability to HIV.

Having established an understanding of gender based violence, its forms and effects on the victims, this paper will now briefly give an overview of two moral theories that will be employed to determine the morality of GBV particularly VAW. Moral theory, it should be emphasized, is philosophically significant in that it provides an account of the underlying justification for all our correct moral judgements. In the context of this paper then, the two

moral theories will serve as analytical tools for evaluating whether VAW is right or wrong. The reason we appeal to these two theories is that, although they are distinct in their approach, they both emphasize the importance of dignity – a value that can help alleviate the debilitating effects of GBV. Let us now turn to *Ubuntu/Botho* as our first moral theory and try to understand its principles.

Ubuntu/Botho Ethics

Ubuntu/*Botho* is a term that stems from different Bantu speaking people of Sub-Saharan Africa. It is not easy to give the English translation of the word but for the purpose of clarity, we can translate it as 'humanness'. Furthermore, it is noteworthy to highlight that its significance is far greater than the latter translation. As an African principle of morality, *Ubuntu/Botho* is usually used to define how individuals and communities should interact based on the aphorism that, '*motho ke motho ka batho*' literally translated, 'a person is a person through other persons' (Taylor, 2014). It should be pointed out here that, even the literal translation does not fully capture the significance of this aphorism as understood within the African context. Nonetheless, Gaie (2007) makes a very good attempt in clarifying the full meaning of *Ubuntu*/*Botho*, which, according to him, entails the idea that a person is a person, because of, with and through other persons. On this view, *Botho* is an integral part of African ethics that comprises a broader African reality enshrined in African humanism, communalism and personhood.

As a moral theory, *Ubuntu*/*Botho* determines whether a particular action is right or wrong. In fact, Gaie (Gaie, 2007) postulates that *botho* is morality itself. What this means is that, depending on the type of action one does, one has room to fail to have *botho*. In Setswana, for instance, if one disrespects elders or steals from others, one is seen as lacking *botho*. Such actions are, therefore, considered morally wrong because they do not reflect *botho*. For this reason, it is common to hear elders saying, *selo se ga se motho, ga sena botho*, translated as, "this thing is not a human being, it has no humanness." Such an understanding points to metaphysical and epistemological aspects underlying the concept of *botho* which Gaie (Gaie, 2007) discusses at length. However, we will not discuss these aspects here due to space limitations but only highlight that his analysis helps provide a comprehensive framework for understanding *botho* as a moral theory.

On the basis of the view given above*, Ubuntu*/*Botho* recognizes that being human means living harmoniously with others. In other words, *Ubuntu* bestows upon us, the moral responsibility to become fully human by honoring our communal relations. This means caring and respecting other human beings despite their gender, race, color, status or age.

In this sense, as Metz (2010, p. 51) posits, *Ubuntu* asserts that any given "action is right just insofar as it is a way of living harmoniously or prizing communal relationships, ones in which people identify with each other and exhibit solidarity with one another, otherwise an action is wrong". In other words, failure to identify and think of ourselves as a "we" does not promote harmonious communal relations that uphold *Ubuntu*. Such an omission is inconsistent with *botho* and whatever is inconsistent with *botho* is wrong from an African moral point of view. What is clear between both the interpretations given by Gaie and Metz is the idea that failure to acknowledge our interdependence opens flood gates for failure to have *botho* in whatever actions we do. Therefore, it is always imperative to recognize that we are who we are because of, with and through other people. With this view in mind, let us turn now to see how GBV is morally wrong from the perspective of *Ubuntu*/*Botho*.

Gender Based Violence and *Ubuntu/botho*

GBV is morally wrong because it violates human dignity of its victims. Admittedly, the concept of human dignity is not unambiguous as some scholars have observed (Cochrane, 2010; Gewirth, 1998; Schroeder, 2010; Sulmasy, 2007). In particular, the ambiguity arises from the various meanings which scholars have given to the concept and this has led some scholars such as Macklin (2003) to suggest that dignity is a useless notion. Given such discrepancies, however, for the purpose of this discussion, human dignity should be understood as the highest respect and care that ought to be accorded to every human being due to their distinctive value (Adorno, 2014). In other words, every individual has the right to be respected and valued not for any other reason but for their own sake. In most cases of GBV in Botswana, the dignity of women and the girl child have been violated because of instrumentalization or objectification. This entails men treating women and the girl child as *mere* means to achieve their selfish and contemptable goals. Such conduct is exemplified in many recent cases of rape across Botswana which degrade and dehumanize the humanness of women and the girl child. Indeed, some men objectify women because they use them only for satisfying their sexual desires in such dreadful manner.

Unfortunately, what these perpetrators fail to realize is the fact that their actions destroy the harmony that resonates within our communities. And, because they fail to honor communal relations by valuing, caring and respecting women, their actions are morally wrong. We will recall that according to our understanding of *botho*, actions are morally wrong insofar as they fail to promote harmonious communal relations As such, these perpetrators can be seen to be lacking *botho*. Their actions create room for failure to have *botho*. Worst still, since their behavior results in immoral acts of an extremely scandalous nature, we may even go further and say that their actions portray *bophologolo* "animal-like behavior". In other words, they are not considered persons, hence it is not uncommon to hear people say, *selo se ga se motho se* "this thing is not a person", when referring to a 'rapist and murderer'.

Furthermore, GBV is morally wrong because its perpetrators fail to recognize that they are who they are because of their victims. Remember that according to *botho*, a person is a person through other persons. So, when a rapist attempts to rape a girl child in order to be happy or feel good about himself, he is assuming that the happiness of the girl child does not matter because he and the child are detached from one another. This is a misconception.

What the rapist fails to understand is that, his action of raping a girl child is, in fact, an acknowledgement of the very same interconnectedness or the relation he thinks does not hold between himself and the girl child. In other words, raping this child makes him a rapist and as such the disgraceful action he does to this girl child defines who and what he becomes; *a rapist*! It is in this sense that GBV is a moral wrong because its perpetrators concede what ought not to be conceded or they fail to acknowledge what ought to be acknowledged.

So far we have attempted to illustrate that GBV, particularly violence against women and girls is morally wrong and therefore unacceptable. However, we are also cognizant of the fact that some scholars do not believe in *Ubuntu/Botho* because they claim that it has failed as a normative moral theory. For example, Matolino and Kwindingwi (2013) argue that *Ubuntu/Botho* is socially unappealing and bankrupt because the values of *Ubuntu/Botho* are no longer applicable to our contemporary communities. For this reason, they perceive *Ubuntu/Botho* as a mere narrative with no African authenticity.

Admittedly, such a view might create qualms for the position taken in this paper concerning the moral status of GBV. For example, if one concedes that *Ubuntu/Botho* has failed as a normative moral theory, then it means the attempt made in this paper to argue against GBV is futile because the moral status of the latter is determined on the basis of the principles of *Ubuntu/Botho*. As it has been argued, GBV is morally wrong because it is inconsistent with *Ubuntu/Botho* but to admit that the theory is obsolete inevitably renders the argument unsubstantiated.

In response, however, the argument against the relevance of *Ubuntu/Botho* in the contemporary society is not convincing. If we consider Christianity, for instance, we recognize some similarities between its values and those articulated by *Ubuntu/Botho*. And, as Koenane & Olatunji (2017, p. 266) argue, "…it would be interesting to know whether, to be logically consistent, [Matolino and Kwindingwi (2013)] are equally dismissive of the Christian ethos as they are ubuntu." A further point in support of Ubuntu as a normative moral theory that can guide our actions derives from the words of Binsbergen (2001, p. 79) who opines that "…in the first place [*Ubuntu/Botho* was] born out of pain, exclusion, justified anger, and the struggle to regain dignity and identity in the face of Northern conquest and oppression". A closer examination of the factors that led to the birth of *Ubuntu/Botho* point to the lived experiences of the victims of GBV, namely women and girls. As such, there is need to appeal to *Ubuntu/Botho* to prescribe to the perpetrators how they ought to treat women and girls, that is, with *botho*. From the above discussion, notwithstanding possible qualms with the view advocated for, it may be concluded that GBV particularly VAW is morally wrong because it fails to honor communal relations.

Having discussed the first moral theory and shown how it gives an account of the underlying justification for judging VAW as morally wrong, this essay will next consider the second moral theory to further demonstrate that VAW is morally unacceptable.

Kant's Moral Theory

Immanuel Kant's moral theory adopts a deontological approach according to which an action is right in so far as it is performed for the sake of duty. In other words, the rightness or wrongness of actions derives from the actions themselves as opposed to their consequences. According to Kant, we all have moral duties to ourselves and to others (Timmermann, 2006). Examples of such duties include, paying back a loan and saving a drowning person, which he categorised as perfect and imperfect duties respectively.

Besides these particular duties, however, it may be argued that what is more central to Kant's moral theory is his argument that persons are owed respect due to their rational nature. This view emphasises Kant's persuasive claims about the 'unconditional', 'incomparable' and 'absolute worth' of persons, which he distinctively refers to as 'dignity' (Dillon, 2018). In Kant's view, dignity is 'above all price', 'without equivalent', and it places limitations on how persons may be treated. In other words, all persons share intrinsic value or status in virtue of their rational nature and as such they ought to be treated as ends in themselves. The distinctiveness of this supreme value renders all persons sufficient reasons to not only promote dignity but to respect other people. As Cureton (2013, p. 166) observes, we can respect others by "...choosing not to violate or sacrifice dignity in exchange for things that we merely desire or find useful…"

However, Kant was aware that we often fail to respect and value other persons as we ought to and this idea inspired him to formulate the categorical imperative which, in his view, is the most fundamental principle of morality. It is a single self-evident priniciple

which is not dependent on our personal desires in the manner which the hypothetical imperative does. The latter, for example, would postulate that if one does not want to go to prison then one ought not to rape a woman. In other words, if one does not mind going to prison, then the imperative just alluded to is insignificant and would not apply to that individual.

On the contrary, the categorical imperative commands that our actions express respect for the value of persons: "So act that you treat humanity, whether in your own person or in the person of any other, always at the same time as an end, never merely as a means" (Kant 1996, 429). In other words, actions that can be said to be morally right are those that express respect for other persons as ends in themselves whilst those that express disrespect are deemed morally wrong. With this background in mind, let us now turn to see how this view may be applied to argue against GBV.

Gender Based Violence and Kant

As highlighted earlier, the key to Kant's view about what makes human persons moral entities is the idea that they are free rational beings. For this reason, they are owed respect. What this means is that, men who treat women and girls as mere means to their selfish ends or purposes are not respecting this fact about them. For example, if a man gets a girl child to sleep with him by enticising her with material things, he is simply manipulating and undermining her rationality. Similarly, if a man rapes a woman against her own will, he is undermining her rational capacity to make the decision whether she wants to sleep with him or not. Indeed, for Kant, we are obliged to treat women as beings of worth in themselves and never as valuable entities only as ways of earning something else that we value such as satisfying our sexual desires. For Kant, therefore, GBV is morally wrong because its perpetrators simply use the victims as mere means to their selfish ends.

On the contrary, treating women as ends means according them respect and this entails acknowledging the fact that they too, are capable of free rational choices which may be different form your desired choices. Ultimately, this means that if one wishes another person (a woman in this case) to do something for them, then the morally appropriate action to take would be to explain one's situation or what one wants and let the other person decide on their own whether they would be willing to comply or not.

Let us note, however, that it is morally right to treat people as means *and* ends simultaneously — undeniably, we often do this in countless everyday situations. By hiring a masseuse to treat my body stress and pain, I am using the masseuse but not as *mere* means since I collude with her own end of making a living by massaging people. But it is morally wrong to treat and use her solely as means to an end – for example, not paying for her service.

This way of thinking about means and ends surfaces yet another important concept in Kantian morality which is, autonomy. One way of showing respect is showing respect for another person's autonomy. In other words, perpetrators of VAW should allow women to decide on their own principles and goals which, in turn, act as guidelines that shape their decisions and actions. Abusive men constantly threaten women's ability to act on their own principles and ends which eventually affects women's autonomy.

For example, Bramer (2011) observes that in cases of emotional and sexual abuse, the abuser employs violent and non-violent behaviors to control his partner. By so doing, he tries to control her actions, and eventually, the victim of the abuse starts making choices about her life and her actions in response to this control. One thing she may do, for instance, would be to shape her actions in ways that seek to avoid violence. Even worse, the control

of her partner will likely limit her agency and her autonomy. Thinking about VAW within the Kantian framework goes to demonstrate two important lessons that underscore the aim of this paper. The first thing we learn is that VAW is morally wrong because it violates the duty to respect the dignity of other persons. The second lesson is that our failure to respect other people's autonomy or to act in ways that denigrate their agency without justification, is also a moral wrong.

Conclusion

Gender-based violence is proving to be a serious concern in Botswana despite government's measures to respond to its prevalence. This paper has sought to condemn and argue against GBV especially the escalating incidences of violence against women and the girl child. More specifically, the paper has been able to demonstrate, that GBV violates human dignity of its victims and that it is essentially morally wrong. These two objectives were mainly achieved by discussing and employing two moral theories, namely, *Ubuntu/botho* and the deontological theory of Immanuel Kant to determine the morality of GBV.

Based on our discussions, this paper recommends that more emphasis should be given to child development as a way of molding future men who will honor communal relations thereby treating women and girls with respect and taking good care of them. In Setswana there is a saying that, *lore le ojwa le sa le metsi* (it is easier to bend a stick before it dries up). This emphasizes the need and significance of social formation at an early stage of human development. In the Setswana culture, social formation of the child is the responsibility of both the parents and the community.

Therefore, it is imperative to teach the boy child values and principles of *Ubuntu/botho* so they may learn to value and respect women and the girl child throughout their lives. Even more crucial is the cognizance that any loss of *botho* in an individual does not only reflect badly on them but also on families and eventually the communities because we are who we are through others. Finally, we can change the harmful beliefs at the heart of GBV especially VAW. It is time for us all, women, men, girls, boys and key public stakeholders to end violence against women and girls

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