

Confronting gender based violence: Gender stereotyping and its impact and consequences for women within the Caribbean and particularly Trinidad and Tobago and the need for reform of policy and the law to afford greater protection to women.

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Abstract: Gender based violence is a global phenomenon affecting millions of people around the world including women, men, girls and boys, however in most cases women and girls are the primary targets of such violence. The problem is particularly acute within the Caribbean and has a high prevalence rate within the context of Trinidad and Tobago where women and girls appear to be the primary targets of domestic and sexual violence. While much legislation exists on the issue of gender based violence in Trinidad and Tobago, there is a deeper need to question why such violence occurs in order to find plausible solutions to the problem which would have the overall impact of informing legislative and policy reform. There are several theories which offer a rationale for the occurrence of this problem including the social theory, the general strain theory and pro-feminist theories which offer insight into why such problems occur. However in most cases and particularly within the context of Trinidad and Tobago, such violence is often perpetrated as a result of deeply entrenched gender norms and gender stereotyping which perpetuates the problem. Confronting these gender stereotypes and gender norms is therefore critical in offering a plausible way forward in addressing this issue. Interventions suggested within this research paper therefore are focused primarily on challenging negative stereotypes on the concept of masculinity and femininity which are deeply rooted in patriarchal ways of thinking and exploring how these concepts have led to negative consequences for women, men, boys and girls and seeking to transform these concepts within society through policy and law reform.

Keywords - Gender based violence, Gender norms, Gender stereotyping, Pro-feminist theories, Domestic Violence, Sexual Violence, Masculinity, Women's Human Rights, Caribbean policy and law reform.

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1. INTRODUCTION

Millions of women throughout the world are victims of gender based violence and most cases of gender based violence are often perpetrated by persons they know and love. Everywhere women and girls are the victims of the vilest crimes such as rape, incest, sexual molestation, female genital mutilation, acid attacks, child marriages which perpetuates forced initiation into sexual activity for young girls, widow burning, domestic violence, sexual harassment and human trafficking of women in which women face all forms of violence and torture including the forced

entry into prostitution and the commercial sex trade, and the list goes on and on. In most cases of gender based violence, such violence is perpetrated and perpetuated simply because of the insignificant status that women throughout the world still hold by virtue of the fact that they were born a woman. As noted by Rehman (2010), the girl child starts out with a disadvantage and "from the very inception of her birth straight through her adulthood, she confronts a world that values her existence less than that of boys. As she matures she is thrust into a *vicious* cycle of disempowerment that is very likely to be her daughter's destiny as well". [1]

Within the Caribbean women are not immune to the impact of gender based violence and in fact from the statistics on the Caribbean, the prevalence of gender based violence is staggering as women and girls are victims of both physical and sexual violence. It should be noted however that within International Law, gender based violence has been condemned by the International Community and particularly by the United Nations. There are also several International legal instruments which seek to prohibit gender based violence and to ensure that women are able to participate and benefit fully from their human rights and to not be discriminated against in the enjoyment of these rights. Such instruments include the Convention on the Elimination of all forms of Discrimination against women (CEDAW), the Convention on the Rights of the Child (CRC) and the Protocol to Prevent, Suppress and Punish Trafficking in persons especially women and children.

The CEDAW is the primary international human rights legal instrument which was established for women to ensure that they are not discriminated against in the enjoyment of their human rights including their rights to own property, to be able to engage freely in civil society, to be free from torture, physical and sexual abuse and other forms of violence, to receive an education, to enjoy their sexual and reproductive health and rights to health and to enjoy equality of access to opportunities on the same basis as men.

The United Nations through its Committee on the Elimination of all forms of discrimination against women also spoke on several issues involving gender based violence within General Recommendation No. 19 which seeks to clarify the position of the UN on the rights of women under the CEDAW Convention and on the issue of gender based violence against women and girls. However it should be noted that to date the issue of gender based violence is still a pervasive problem for women throughout the world. There is therefore a dire need to examine why gender based violence still occurs, and particularly why it is still so prevalent in the context of the Caribbean and in particular Trinidad and Tobago where there has been a marked increase in gender based violence. It is particularly necessary to confront these issues in order to provide a meaningful and holistic way forward in dealing with the problem from both a policy and legal stand point and these issues are therefore examined in this paper.

2. THE PREVALENCE OF GENDER BASED VIOLENCE IN THE CARIBBEAN

Gender based violence is a pervasive problem facing women within the Caribbean and is a major global as well as a public health concern and is also a leading cause of mortality among women within the Caribbean. Gender Based Violence has been defined by the Committee for the Elimination of all forms of violence against women in General Recommendation No. 19 as “violence that is directed against women because she is a woman”. [2] According to the Committee for Elimination of all forms of violence against women, such violence “includes acts that inflict physical, mental and sexual harm or suffering, threats of such acts, coercion and deprivation of liberty, it is a form of discrimination that seriously inhibits women’s ability to enjoy rights and freedoms on a basis of equality with men.” [3]

Gender based violence according to the Inter American Convention on Prevention, Punishment and Eradication of Violence defines Gender based violence as “any act or conduct based on gender which causes the death, physical, sexual or psychological harm or suffering to women whether in the public or private sphere.” [4] This definition is particularly important since it delineates that violence against women can occur both within the public and private domain and in fact most cases of violence against women occurs within the private domain. It is also very important since traditionally the state did not intervene in private matters.

Moreover, public international law focused its attention on nations or states as the subjects of International law and therefore individuals were not considered as subjects of International law. As such there was a reluctance by the International Community to intervene in private matters particularly those involving matters involving domestic violence against women since domestic violence was considered to be within the private domain. However, with the advancement of International Human Rights law and Women’s Human Rights, it has been recognized that individuals can be subjects of International law and that the state has a duty within International Human Rights Law to establish mechanisms to protect

its citizens even in private matters, including those involving domestic violence.

It is necessary to note that gender based violence can take several forms and includes domestic violence, sexual violence against women including rape and all forms of sexual assault against women, torture, sexual harassment and human trafficking of women which is now a growing phenomenon and increased form of violence perpetrated against women especially within the context of Trinidad and Tobago.

The UN in its report on Crime, Violence and Development: Trends, Costs and Policy Options in the Caribbean, Report No. 37, 820 (March 2007) reported that violence against women affects a significant percentage of women and girls in the Caribbean. According to the report, three of the top ten recorded rape rates in the world occurs in the Caribbean and it also delineated that while worldwide the average of rape was 15 per 100 000, the Bahamas had an average of 133, St. Vincent 112, Jamaica 51, Dominica 34, Barbados 25 and Trinidad and Tobago 18. [5] This report also highlighted that of these Caribbean countries, 48% of adolescent girls were forced or initiated into sexual acts. It was also indicated by the UNDP that 30.4% of women in the Caribbean reported high rates of fear of sexual assault.[6]

It has been admitted however that there is still a paucity of information regarding the actual statistics on violence against women and that the statistics often do not reflect the full extent of violence against women since in many cases women do not report such violence. In fact from the reports of ECLAC, many women do not report incidents of violence because of shame or humiliation or because they fear that the reporting agencies would be less than effective in dealing with their complaints.[7] Many women also don't report violence because women are also targeted and also tend to be blamed for the violence perpetrated against them while the perpetrator of violence is treated as the victim. They are therefore not treated as the true victims of such violence. However while it may be true that there is under-reporting of violence against women, there is still evidence to show that within the context of the Caribbean there is an increase in Gender based

violence particularly within Trinidad and Tobago. It is therefore necessary to examine the growth of gender based violence in this territory.

3. GENDER BASED VIOLENCE IN TRINIDAD AND TOBAGO

"Women living in fear", the Guardian Newspaper 14th December 2016, **"Pastor caught raping child... nabbed in car by cops to be charged"** Daily Express Newspaper, December 2, 2016, **"Police officer robbed and raped on the Way to Election duty"** The Petty Room, Nov 29, 2016, **"Shannon Killers caught on CCTV and arrested"** LocalReports.com December 14, 2016, **"Women's lives Seem Cheap: Stakeholders want action on 45 killed"** The Guardian Newspaper December 10, 2016 **"Three charged one granted bail after mother, daughter raped"**, the Loop News January 10, 2017. These are the headlines of the various Newspapers and local reporting agencies detailing accounts of the horrific rapes and murders of women in Trinidad and Tobago for the year of 2016 and 2017 alone. As the first headline noted several women have been living in fear after the horrific and gruesome murders and acts of sexual violence perpetrated against women in Trinidad for the year 2016. The murder rate occasioned as a result of gender based violence was estimated at 45 and hence it was noted by women's activist Diana Mahabir-Wyatt that women's lives seem cheap.

Perhaps the most horrific story which sensitized the society of Trinidad and Tobago to the fact that we could not continue to remain silent when countless women were victims of rape, human trafficking, domestic violence and brutal killings was the unfortunate story of Shannon Banfield a twenty year old young woman who was allegedly brutally gang raped and smothered to death and left in a storehouse in the IAM company on Charlotte Street in Port of Spain to rot. [8] This brutal murder caused citizens of Trinidad and Tobago and particularly women to take to the streets of Port of Spain to protest against gender based violence against women.

Quite apart from the brutal killings and sexual assault against women like Shannon, The Canadian Immigration and Refugee Board of Canada also recorded

high rates of domestic violence against women in this society. From the reports of the Canadian Immigration and Refugee Board, it was observed that according to the reports of the UN, domestic violence was “a significant problem” in Trinidad and Tobago and it was also noted by the Newsday Papers that domestic violence was very prevalent within the society and there was a “high incidence” of domestic violence recorded by the UK. [9]

From the reports on the Trinidad Express 14 June 2011, the paper reported that there were 4 cases where women were set on fire during Domestic Violence disputes. [10] In 2010 there were also two cases of women stabbed to death by male relatives. [11] In more recent article by the Express Newspaper entitled “Domestic Violence Epidemic in T & T: Thousands of Cases Each Year”, it was noted that Domestic Violence had reached “epidemic levels with 10 000 women seeking restraining orders each year”. [12] It was also noted that between 1991 and 2014, that more than 125, 000 applications for protective orders had been filed in the courts and within the last decade the police responded to more than 15000 reports of Domestic Violence. [13]

According to the report of the Express Newspaper which was obtained from the Ministry of Gender and Child Affairs at the commemoration for the International Day for the Elimination of Violence against women, it is estimated that “one in three women are the victims of domestic and gender based violence but less than two of every five cases are reported”. Moreover it was indicated that within the year 2015 alone, police responded to 1613 reports of Domestic Violence and of this figure 1233 were reports made by women. [14] It was also noted that many of these cases go unreported and many result in the loss of life. [15] From the reports of the Canadian Immigration and Refugee Board it was also highlighted that according to the Secretary of the Association of Psychiatrists of Trinidad and Tobago that in most cases, “men set their partners on fire or ‘chop’ them as a way to cause disfigurement so that ‘no one else will feel attracted to them. [16]

However, a question remains as to why gender based violence continues to exist within Trinidad and Tobago even though there is a plethora of legislation

dealing with violence against women. For example, there is the Domestic Violence Act, the Sexual Offences Act, the Human Trafficking Act and the Children’s Act of Trinidad and Tobago. The next section of this paper will therefore examine why gender based violence is still so prevalent and recommendations for addressing the issue.

4. THEORIES EXPLAINING WHY GENDER BASED VIOLENCE OCCURS & THE ROLE OF GENDER STEREOTYPING, DEEPLY ENTRENCHED GENDER NORMS AND CULTURAL ATTITUDES AND THEIR ROLE IN VIOLENCE AGAINST WOMEN

If there is so much legislation to deal with situations of gender based violence against women then this reveals that legislation alone cannot operate to prevent gender based violence against women. The issue is much deeper than the enactment of more legislation to protect women and girls. It involves understanding why gender based violence occurs, or what causes such violence against women and girls and confronting those issues to find plausible mechanisms or solutions for reforming policies and laws established to protect women and girls. In fact according to Gibbons (2015), in her article on Family Violence in the Caribbean, she posited that laws themselves which seek to protect women and girls may be perceived as seeking to wrest power away from men and therefore may be seen to create an environment for antagonism against women. [17]

Thus in many ways the law can itself create more harmful consequences for women than actual good since it seeks to penalize and to also set up situations of tension through the adversarial court system and the police system. It is therefore more important to understand the factors that give rise to violence than to simply enact legislation and penalties to deal with the issue of violence against women.

Examining the theories which have been posited as to why violence and particularly gender based violence occurs is therefore critical. According to Gibbons (2015), some of these theories include the Social theory which explains that family violence is

learnt and therefore can be unlearnt, there is also the General Strain theory which posits that family stressors can propel violence and therefore reducing these strains can minimize violence. [18] Another theory is the Pro-feminist theory which supports human rights of women and girls and seeks to reduce patriarchal ways of thinking. [19]

In another article by the PSI Caribbean, it sees negative gender norms and gender inequalities in society as being the root cause in perpetuating violence against women and thus sees transforming attitudes and engaging influencers as critical factors in transforming the culture of violence for women and girls. [20] Within the landscape of Trinidad and Tobago and in several of the other Caribbean territories, the major influencer of both domestic and sexual violence against women are deeply entrenched negative gender stereotypes and norms which are influenced by patriarchal ways of thinking that have been accepted by society over time.

For men in particular, their socialization from an early age have taught them to take the dominant roles in society in order to be a man. They are also socialized to thinking that boys should not cry and in order to be a man, a man must be tough and he must also know how to assert his authority in the household. Men are also supposed to be the breadwinner and therefore if women make more money than they do, they feel less than a man and insecure and threatened about themselves as men. Moreover there is the belief that women are to be nurturers and this is the true role of the woman, she must cook for her husband and also be obedient to him and to ensure that she meets his needs and conversely if these needs are not being met she should be punished. [21] These stereotypes are also reinforced by the older generation and as such women are also socialized into acceptance of these roles. This also explains why many women do not report incidences of abuse because they also believe that this is their duty even though they are being abused.

Men are also socialized from an early age into what are “men’s roles” and “women’s roles”, so that most men do not believe a man’s role is in the kitchen or taking care of children as that is a woman’s job. Moreover their space or sphere has always

been the external sphere such as cleaning the yard, working in the garage or taking out the garbage, they have also been dominant in the public domain while women have been within the private domain. Therefore most men do not feel that it is their job to assist women within the household.

Within the society of Trinidad there is also the ‘macho’ or ‘machismo’ man which is similar to that of the Latin American Society. As pointed out by Gibbons, the word ‘macho’ or machismo is used for the assumed rights of men to have dominance and control over women. [22] There are certain attitudes of the “macho” man that has been accepted and perpetuated over a long period of time and even by women. In order to be “macho” it has been culturally accepted that a man can have more than one woman at a time and he cannot be questioned about his relationships. Women must accept that it is inevitable that a man can cheat and have visiting relationships and then come home and beat up his wife or spouse if she questions him about it. [23]

A man can also be “macho” by objectifying women or referring to them in sexually explicit ways which he deems as an assertion of his male virility and prowess, even if he uses obscene advances towards women as noted by Ms. Mahabir-Wyatt. [24] If a man’s advances are rejected and he feels humiliated he therefore interprets this as an attack on his manhood and on his power and dominance as a man and this may lead to physical or sexual violence against the woman. These negative stereotypes which have been learnt and reinforced by society have actually led to grave violent acts perpetrated against women. The issue of the macho culture was also highlighted in Gibbons’ article on Family Violence in the Caribbean as she observed that the loss of masculinity or perceived masculinity has been directly linked to the rise in family violence. [25]

Within recent years there is also the growth in pornographic and other sexually explicit material which both men and young boys are bombarded with through the media. Sadly for many men, this has also defined their concept of manhood and their sexuality and also makes them feel as though in order to be macho or a man, you must act in certain sexually explicit ways with women. The rise in pornography is

therefore a serious challenge for men and for boys since it perpetuates acts of sexual aggression and sexual violence against women including rape of women.[26] Because of the rise of pornographic material, women are no longer viewed as humans beings but as objects for the sexual gratification of men. [27] And in many instances it is felt that if a woman dresses in certain ways she is “asking for it”. [28] These demeaning and degrading ways of objectifying women has led to grave acts of sexual aggression against women and to the rise in rapes and murders within society.

The Trinidadian culture itself also celebrates sexuality and tends to over-emphasizes sex and sexuality. Within Trinidad and Tobago, the culture of Carnival and its impact of over-glorification of sex has also led to men believing if women dress in certain ways they ‘are asking for it’. [29] In fact according to psychologist Dorrell Phillip, “we have always been a society of excess, a sexually oriented society that deplores morals”. [30] Moreover the culture of sexually explicit music that seeks to debase and to objectify women has long been encouraged and perpetuates violence and sexual aggression by men against women through its subliminal influence. It is therefore necessary to explore how deeply entrenched patriarchal ways of thinking and gender stereotypes, gender norms and cultural ideologies such as the macho culture has led to violence against women.

Gibbons also noted that quite apart from the issue of male patriarchy and the machismo attitude that there is a crisis of masculinity related to rising unemployment and men’s desire to re-establish their dominance or control. [31] This has also led to them seek to re-assert their power by direct acts of violence against women. Given the rise of the unemployment situation within the context of Trinidad and Tobago due to the economic crisis within the country within recent times, it is necessary to explore how factors of unemployment and underemployment may lead to situations of frustration for men as they perceive their roles as providers of their households. It may also be necessary to examine this in light of the increased level of crime in society and particularly in respect of gender based violence.

5. CONCLUSION

Mechanisms to reform the law or policies for protecting women and girls against gender based violence must take into consideration the aspect of masculinity, as gender is not solely about women but is about both men and women and how men and women perceive their roles in society. The key issue for reforming the policies and laws pertaining to protection of women against gender based violence is taking into consideration the ways the law has operated to not adequately take into consideration issues affecting both men and women.

The issue of gender stereotyping and cultural norms which have been responsible for men perceiving their roles in specific ways that have led to abuse against women needs to be examined and policies must be made to ensure that there are mechanisms in place to help to empower men to learn how these modes of thinking have actually caused harmful consequences for both themselves and for women. It involves helping men see themselves as part of the process for reforming patriarchal attitudes and deeply entrenched gender biases and deconstructing these ways of thinking, recognizing that they play a critical role in transforming the way that women are treated within society.

It may also involve targeting programs for men and creation of forums in which men can engage in healthy dialogues and discussions about issues affecting them as men and finding male support groups to assist where there has been loss of employment, a sense of a loss of masculinity or other issues which make them feel threatened or insecure as men and speaking out openly about issues affecting them as men. Just as there are several women’s focused groups there also needs to be male groups to support men as they are a key player in gender based violence against women.

In this regard, the United Nations ‘He for She program’ is seen as a positive and forceful mechanism in the involvement of men as agents for change in provoking transformation for men in the area of gender based violence against women. This sort of program in which men are given a platform to speak about issues involving themselves should be

streamlined into all policies and legislation pertaining to gender based violence. There also needs to be much more sensitization of these issues through the media as the media is also a powerful force for change.

The issue of pornography and its impact on men is a major issue that also needs to be explored. It is also necessary to address the growth of pornographic material in Trinidad and Tobago especially since Trinidad was said to have topped world in internet porn on the Google list of countries for porn. [32] While many citizens within the nation laughed at Trinidad and Tobago's rankings, it is by no means an issue which we can laugh at as a society without realizing the negative impact which it has had in perpetuating and inciting violence against women and girls.

Even re-examining the musical content of songs played which objectify women and insight violence against women through the excessive and explicit reference to sex is a major issue which should also be targeted in the reform of policy. Within the context of Trinidad songs such as "If she front door lock, kick in the back door" should be banned from the radio stations as well as others like it, which morally degrades and incites gender based violence against women and which sends subliminal messages to men and boys that it is okay to behave in sexually aggressive ways against women. By banning pornography and morally degrading music from the radio and the media it sends a strong message that such demeaning and degrading material which incites violence against women is unacceptable in a civilized society.

Another aspect that was pointed out by Gibbons is that there needs to be education or I would add re-education on the issue of gender and the meaning of gender at the primary school and seeking to include issues on gender roles and family life at the primary school level and specifically within the social studies class. [33] As Gibbons suggested, there should also be discussions on the issue and even debates on the issue at the secondary school level so that young people are able to understand themselves in light of each other and their perceived roles, this would also give room for transforming thinking and

attitudes which may have harmful consequences for women and girls. [34] She also suggested that there should be a platform for such discussions at the University level. [35] Both the Secondary and Tertiary level institutions can also provide a school's debating platform or competition on the issue of gender based violence in helping to deconstruct patriarchal ways of thinking which perpetuate abuse against women and girls. But most importantly the issue of gender must also be taught in the home and within the churches as well since they are major influencers in the life of the child and on their understanding of what are the roles of men and women in society and how to treat each other as well as on the issue of morality. In fact the home is the first training ground and where the child is first socialized into its roles in society and the church teaches the issue of morality and influences how individuals should treat one another.

There must also be community involvement and the Government can use designated Community Centers at the local level to target issues involving domestic violence and gender based violence and provide an avenue for men and women to discuss how these issues have an impact on the society and how the community itself can come up with suggestions for dealing with the issue. These proposals at the local level can form the basis of a community report which can then be used as the basis to inform policy and legislative reform.

It is also very important that the leaders and those in authority are vociferous about these issues in the public as a lack of a voice by those in authority on the issue can be perceived as the issue is not serious and may send the wrong perception that gender based violence is not to be taken seriously or that the government is doing nothing about the situation. By actually speaking up against the issue it illustrates that there is some level of consideration for the circumstances facing both women, girls, boys and men and there is an attitude of non-tolerance for gender based violence.

Within Trinidad and Tobago it should be noted that the Ministry of Gender and Child Affairs is not a separate Ministry which functions on its own and in its own capacity but it is placed under the Office of the Prime Minister. This actually gives the

perception that gender matters are not serious matters. This can also give the perception to the public that gender matters don't matter and lead to treating gender based violence without extreme importance and the perception that such matters are trite and can be placed on the bottom list of priorities. It is therefore extremely important that the Ministry of Gender and Child Affairs should be separate from other Ministries to ensure that there is a strong statement that gender matters and particularly those involving women and children are given high precedence in Trinidad and Tobago especially where it involves gender based violence.

It was also noted by Gibbons that many Gender Ministries were opened in order to redress human rights breaches against women and this is the perception which most persons in the public domain have concerning the Ministries with responsibility for gender, that is to say that they are solely established with the purpose of protection and promotion of human rights of women. [36] However the Ministries themselves need to ensure that as part of their policy they establish that the Ministry of Gender is not just about addressing issues and particularly gender based violence against women and girls but also addressing gender based violence against men and boys. It is also about seeking to engage men and to help empower men as men also face challenges with self – esteem, unemployment or underemployment, insecurities and fears just like women.

The Ministries of Gender should also be seen as a platform for programs targeted towards strengthening and empowering men. As men see themselves as agents for change and as they feel more empowered they can assist in deconstructing modes of thinking which have led to gender based violence and grave abuses against women. Changes must therefore be made at all levels of society, that is to say the individual, the community and the government for proposed changes to be effective.

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