The Dynamics Of Domestic Violence Against Women In Botswana

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Abstract

Gender inequality is characterised by unequal power relations between women and men. One of the key manifestations of these unequal power relations is violence. Studies conducted in Botswana indicate that actual violence and threats of violence against women severely hamper the achievement of gender equality. This paper presents the results of national studies on the extent and nature of violence against women. The studies reveal that most cases of violence are domestic – committed by men against their wives or cohabiting partners. The paper examines the dynamics of domestic violence, the factors that perpetuate it and the difficulties of stopping it.

Introduction

Concerns about the high incidence of violence against women in Botswana have prompted NGOs, researchers and activists to undertake studies to assess the extent and nature of the problem and to suggest measures to address it. These studies show that most violence against women in Botswana is domestic; the perpetrators are consensual partners, members of the women's families or close acquaintances. The studies also indicate that most cases of domestic violence revolve around the maintenance of men's economic and social control of women. However there has been little discussion of how societal transformation, alterations in family forms and changed life experiences exacerbate domestic violence and frustrate measures to put an end to it.

Domestic violence - assault, incest, rape and even murder - is an escalating social problem in contemporary Botswana and has devastating effects not just on the victim but on other family members as well. This paper builds on the existing body of literature on gender relations and violence against women in Botswana and aims to show how processes of social and economic change that have occurred in Botswana over time have led to increased conflicts between women and men. Many of the conflicts are due to perceived threats to male power by women's increased autonomy. Change has also complicated processes of family formation – particularly with respect to marriage and childbearing. Families become more nuclear and private, and an increasing proportion of Batswana are cohabiting -- forming families outside the legitimating rubric of law and custom. As the conflicts between individuals escalate, efforts to address them are limited by approaches to the gender division of labour and conceptualisations of family based on marriage and cooperation. These conceptualisations are reflected in the absence of coherent laws and policies to reflect the far-reaching effects of change on social structures and individual lives.

This article is divided into four sections. The first section sets out my theoretical framework for discussing violence against women. The second section focuses on the consequences for

domestic violence of historical changes in family forms and gender divisions. The third section discusses the manifestations of violence against women in Botswana, and the factors that mitigate against their alleviation. The final section presents arguments for more holistic conceptualisations of domestic violence in contemporary Botswana.

Theoretical Frameworks

My discussion will utilise two frameworks from feminist literature: first the overall theory of gender inequality that regards patriarchy as the primary basis for women's subordination and second the conflict perspective on families (Thorne and Yalom, 1982; Fox and Luxton, 1993) that sees families as arenas of contestation and inequality based on gender divisions of labour that place men in positions of power and authority over women.

Most theoretical frameworks for discussing violence against women focus on how violence stems from culturally-based patriarchal practices that produce and perpetuate unequal power relations between women and men (Vieritis and Williams, 2002). These inequalities are particularly glaring in terms of access to resources. Throughout the world women have lower incomes than men (through both lower wage labour participation and lower wages compared to men) and more limited access to fixed assets such as land and other forms of property that could be used for income generation. In Botswana, Mannathoko (1992), the Women and Law in Southern Africa (1997), Mookodi (1999), and Maundeni (2001) have illustrated how patriarchal practices are embedded in both public-political and family-based decision-making practices, in socio-legal systems and in inheritance customs. Many of these patriarchal practices are related to violence against women, as will be seen from the results of national studies presented in the third section of this article.

Within family settings specifically, the functionalist theorist Talcott Parsons has shown how society's specialisations depend on a gender division of labour which he calls the 'instrumental' and 'expressive' roles. The instrumental role encompasses the production of goods and services for exchange through participation in the formal economy. The expressive roles include the reproduction and rearing of children, emotional nurturing and tension management (Parsons and Bales, 1955). These roles are delegated on a gendered basis with men assuming primary responsibility for the instrumental roles and women for the expressive roles (Marsh and Arber, 1992; Fox and Luxton, 1993). The key criticism levelled by feminists against Parsons' functionalist conceptualistion of the family is that it does not acknowledge conflict and competition within domestic settings and over-emphasises the complementarity of the gender division. Feminist scholars such as Hartmann (1981) argue that the gender division of labour perpetuates men's control over women's labour, particularly with regard to social reproduction (childbearing and childrearing) and domestic 'duties' for family members. Another limitation of the functionalist conceptualisation of family is that it is based exclusively on marriage. Alternative family forms, particularly those of cohabitation, are neglected.

Roots of Domestic Violence against Women in Botswana

Women and men's roles have been altered in the process of general social and economic change

in Botswana. Most fundamentally, the apparent complementarity of their responsibilities within traditional social and economic organisations was swept away by the creation of the role of male 'breadwinner' when men began to participate in the South African migrant labour system. The increased male economic power that resulted from this reduced the roles of extended families with respect to marriage processes and arbitration of disputes and increased men's individual power over their wives. Studies conducted in different southern African countries by the organisation Women and Law in Southern Africa (WLSA) show that marital practices such as *lobola* and *bogadi* have come to perpetuate violence against married women (Mvududu and McFadden, 2001). These practices legitimise gender divisions of labour that make men breadwinners and decision-makers roles and expect women to be submissive and dependent.

The traditional division of labour in Tswana society was based on separate but complementary gender roles (Schapera, 1966; 1994). Women's 'realms of work' included tilling the fields and tending crops, building and repairing the walls of huts, collecting edible plants, childbearing, childrearing and housework. Men focused on herding cattle, hunting, building and repairing huts, clearing fields and assisting to some extent with ploughing, planting, weeding and reaping. However, while noting the complementarity of gender roles, Schapera acknowledged the inferior status of women:

Women are on the whole regarded as socially inferior to men, and in Tswana law are always treated as minors. Before marriage a woman must submit to the authority of her father or guardian, while after marriage she comes under the control of her husband, and on his death, of some other male member of his family (1994: 28).

Although both men and women contributed to the maintenance of community and kinship networks (albeit through different roles), the political arena was almost exclusively male. Women took no public part in government, and all political offices were exclusively in the hands of men (Schapera 1994), except for exceptional instances where women acted temporarily as regents for male chiefs without, Schapera notes, enhancing the political status of women in general

The development of industrial capitalism in Southern Africa in the twentieth century, principally through the migrant labour system, deeply altered traditional gender divisions of labour. The out-migration of large numbers of men from rural areas left gaps in the roles they had performed in families and communities. However the women left behind were not provided with the power to assume the roles of men, and, at the same time, the wages earned by men in South Africa gave them a new 'breadwinner' status that became the norm contemporary Botswana. While the initial processes of participation by men in wage work in South Africa revolved almost exclusively around the payment of colonial hut tax, the unintended consequences included providing poor families with unprecedented opportunities to improve their standard of living. Meanwhile the relative freedom of young male migrants undermined the authority of elders and traditional leaders, and gave the young men a new sense of autonomy (Molokomme, 1991). Young men were able to 'buy out' of many traditional practices in their communities and families. The choice to marry was increasingly determined by the man's earning potential, while family members who remained in rural areas were increasingly dependent on remittances from young male migrants. The combined

effects of traditional patriarchal practices and the new male breadwinner role have come to be ingrained in gender ideologies (of both men and women) that regard men as providers and women as dependants.

Traditional Tswana marriages were lengthy multi-stage affairs arranged through families rather than by individuals. The marriage process was initiated by a group that included the groom's key male relatives: his paternal uncles and male representatives from his mother's family. These kinsmen approached representatives from the prospective bride's kinship group, and after a period of time the groom's family would offer a formal betrothal (patlo). This included gifts to the bride's family such as, a cow and a blanket for the bride's paternal aunt (Schapera 1966). Patlo was a very important step in the marriage process, allowing for the formal endorsement or authorisation of the commencement of sexual relations between the couple. The groom was given permission to pay nocturnal visits to the sleeping quarters of the bride (go ralala), and any children that resulted were formally acknowledged by both families. The final stage in the marriage process was the payment of bridewealth cattle (bogadi) by the groom's family to the bride's family. The number of cattle was negotiated by the men and depended mainly on the economic status of the groom's family. Schapera makes the importance of bogadi very clear:

According to Tswana law, no marriage is regarded as complete unless *bogadi* has been given by the husband's people to the wife's people The Tswana themselves speak of *bogadi* as being a thanksgiving [tebogo] to the wife's parents for the care they have spent on her upbringing, and a sign of gratitude for their kindness in now allowing her husband to marry her. Some say also that it is compensation to the wife's parents for the loss of her services, and others that is a sort of register of the marriage, showing that the cohabitation of the man and women meets the full approval of their respective families (1994: 138).

Schapera argues that the function of bridewealth among the Tswana is to transfer the reproductive power of a woman from her own family to that of her husbands. On being married a woman came under the authority of her husband but, as Schapera argues:

The husband's power over his wife is by no means absolute. He may beat her if she has misconducted herself; but her own family's power, to which she can always appeal and flee, is generally an effective check against the abuse of this right, while if he carries it to an extreme he may be punished at the *kgotla* [the village political forum] (1994: 151).

This suggests that women were considered as minors who could be subjected to disciplinary measures by their husbands, but that the man's power was kept in check by family members and elders. The social and economic significance of bridewealth has been debated extensively by various social scientists. One view is that bridewealth united families, and consolidated assets within the extended family system (Schapera and Comaroff, 1991). Another view (Driel, 1994; WLSA, 1997; Mvududu and McFadden, 2001) is that it was mainly a means of consolidating patriarchal power and control, of acquiring the labour of women and children for agricultural production and asserting husbands' control over their wives.

In any case it is clear that traditional social-economic organisation was essentially

instrumental and affective. The maintenance of control over women by their families and communities stemmed from their value as workers and mothers. Before the advent of male wage work, women had limited autonomy; however the new role of male breadwinner strengthened traditional notions of female dependence on men. Meanwhile the ability of men to pay for bridewealth with their earnings reduced the powers of extended kin in the regulation of relationships – particularly with respect to conflict resolution. These factors made women more vulnerable to abuse and violence from their husbands.

Another trend which has worsened women's vulnerability is the increasing number of cohabitation relationships. The results of a study on families in Botswana (WLSA, 1997) identified cohabitation as an increasingly common family form in Botswana. The 1991 census found that 12 percent of persons over 15 years were 'living together'. By 2001 the proportion had increased to 16.6 percent (Mookodi, 2003). While the phenomenon of cohabitation has not been specifically covered by research, studies have suggested that over time women and men have been either delaying marriage or choosing cohabitation as an alternative to marriage (Larsson 1989; Townsend, 1997). Individuals may cohabit in order to avoid the social and economic costs of formalised marriage processes or may engage in cohabitation for long-term economic reasons. In a study conducted among low-income householders, for example, 'marriage for maize meal' was found to be on the increase, particularly among women and men in urban environments (Mookodi, 1999, 2000).

Nevertheless, many relationships of cohabitation resemble marital unions. Cohabiting individuals have children, invest in joint property and often reproduce the gender structures of conventional marriage, with men assuming positions of decision-making and domestic authority over their partners. Moreover cohabitation is not recognised as a formal union in Botswana, nor are such relationships recognised under the general law or by customary law, except where *patlo* has been effected. Thus when cohabitations end, whether due to disagreements or death, there are often dire consequences for female cohabitees, including loss of property and disputes over the maintenance of children. Women in cohabiting relationships are also vulnerable to abuse and violence.

Trends and Patterns of Domestic Violence against Women in Botswana

As we have noted studies of gender violence in Botswana clearly show not only that most violence against women occurs in domestic settings, but that these acts of violence are perpetuated by culturally-based perceptions of resource provision and male authority. Alarmingly some studies also indicate that violence against women has increased over time (Botswana Police Service, 1999; Women's Affairs Department, 1999; Mathoma, 2001), although this may also be due partly to the increased availability of police statistics as a result of advocacy and agitation by women's rights organisations.

In 1999, the Women's Affairs Department undertook a national study on violence against women. Its aims were to measure the incidence of violence, assess the social and economic impact on individuals, communities and institutions and make recommendations for action. The research assessed the perceptions and experiences of violence of 735 women (from 12 years of age on)

throughout the country and concluded that violence against women is a huge problem, with three out of five women having been victims of violence. In most cases the violence had been perpetrated by the women's partners or acquaintances. Alcohol abuse was perceived as a major trigger of violence, but accounts of survivors of domestic violence gleaned from High Court records (Women's Affairs Department, 1999), the Metlhaetsile Women's Information Centre (1999) and the Women's Shelter Project (2001) clearly point to tensions in the male breadwinner/female homemaker ideology.

Police statistics in Botswana indicate an increase in the frequency of rape. A workshop on rape and femicide in Botswana (1995) reported that rape and defilement have increased at an annual rate of about 5 percent since 1982. Most cases (up to 70 percent) were committed by young men between 15 and 30 years of age, and less than 40 percent of reported cases resulted in conviction (Emang Basadi *et al.*, 1995). Another study compared, among other things, the number of reported cases of rape and defilement of girls under 16 years between 1996 and 1998 at 25 police stations throughout Botswana and found that rape reports rose by 18.3 percent over the period, while reported cases of defilement – defined in the penal code as unlawful carnal knowledge of a minor female under the age of 16 – rose by an alarming 65 percent. About 58 percent of all victims of rape or defilement were between 16 and 30 years old, while those under 16 years constituted 27 percent. The majority of the suspects were males between the ages of 18 and 32. The study indicated that more than two-thirds of all rapes were committed by men known to their victims (Botswana Police Service, 1999).

What are the key characteristics of abused women? Mogwe's study of violence against women (1988) pointed to two characteristics. First, although the experiences of abuse were similar among both married and cohabiting partners, the relief and remedies were different. Second, when female partners in a relationship were employed, this was a major source of tension, as their cashearning power was regarded as challenging their partners' or husbands' authority. Contrary to the view that violence against women occurs mainly among low-income families, it has been shown to be a phenomenon that cuts across social class, ethnic background and age (Women's Affairs Department, 1999). This suggests that an important area of research should be the context within which the provision of resources is regulated, and how women and men are positioned in this context.

One major cause of violence cited in many studies is women's poverty and economic dependence. While the participation of women in wage work has increased over time, the areas in which most women are employed are low-paying with poor working conditions and little or no bargaining power. Thus women often enter marital or cohabiting relationships in the hope of attaining financial support and security. In marriage the expectations of support are vested in and reinforced by the formalisation and legal recognition of the union, while for cohabiting partners the financial support is premised on the provision of basic needs for women and their children (Mookodi, 1999). Many studies of violence against women focus on establishing the manifestations of violence which reinforce women's victim status. However the dynamics of economic dependence require one to scratch beneath the surface to establish the differences between cultural ideals and actual practice. The WLSA study (1997) contributed to this debate by finding that perceptions of economic dependence on the part of women were not objectively true in many cases. Instead

women often support their families with little or no help from husbands, cohabiting partners or fathers of children.

My study of 40 low-income households (Mookodi, 1999) revealed the realities of perceived and actual allocation of roles – which seemed embedded in women's perceptions of themselves and the world around them. While many of the women in this study were either cohabiting or married, they were the primary breadwinners, and their partners were dependent on them economically. However, when asked if they were the heads of their households and families (as principle breadwinners), they indicated that headship is an exclusively male domain. This relates directly to the observation made by the WLSA that while many women support their families, internalised patriarchal values prevent them from recognise themselves as the main breadwinners. The increased participation of women in wage work is perceived as undermining men's roles as breadwinners and principle decision-makers. Women's earning power is regarded as fostering female independence and autonomy, thereby reducing their dependence on men and challenging male authority.

Testimonies of survivors of domestic violence illustrate a continuous process of contending with and negotiating male authority, often with disastrous effects. The testimony of one cohabitee who ended her relationship is illustrative:

I ended my relationship with Tebo in December and asked him to leave my house. Even though he had removed all of his belongings, he continued to come to my house, against my wishes His presence made me feel uncomfortable as he behaved in an aggressive and bullying manner He said he was going to teach me a lesson, that he was going to damage me and that he was going to kill me. He called me various abusive names then pulled a sjambok from underneath the bed and started to beat me with it. The blows fell all over my body and blood was gushing out with each hit (Metlhaetsile Women's Information Centre, 1999: 12).

A married woman's story of violence at the hands of her husband of ten years is only different in incidental details:

I have been married for ten years and for the last six years I have lived in an abusive situation I work as a teacher in a Community Junior Secondary School and my husband often keeps me from doing my job. He follows me to school and insults me in front of teachers and students He complains that marking scripts during exam time keeps me from attending him. As a result he has made it difficult for me to meet my deadlines – and I've almost had to resign He will pick any excuse to start a quarrel, which always ends with him beating me. He has beaten me with his fists, with kicks and with a sjambok. He has raped me several times One of those rapes happened after he had beaten me. He pushed me down, ripped off my pants and raped me, despite my protests (Women's Affairs Department, 1999: c-1).

Cultural double standards that promote promiscuity among men but denounce infidelity among women also promote violence against women. These double standards are common among

unmarried couples but are particularly strong among married couples, as the payment of bridewealth is regarded as justification for male control and violence (Department of Women's Affairs, 1999; Maundeni, 2001).

Addressing Domestic Violence: The Disabling Factors

Many survivors of domestic violence do not report the abuse. They fear losing economic support, or simply losing face. They also mistrust their extended families, the customary courts and the police, believing that these institutions will side with their partners. Indeed Metlhaetsile Women's Information Centre (1999) found that domestic violence is often not even treated as a crime. The findings of a 1997 task force on police response to cases of domestic violence confirmed this:

We must admit that domestic violence is not a legal term and as such we cannot expect to find it in any offence in our statutes going by that definition. (Botswana Police Service, 1999: 7)

The majority of violent acts which occur within the private realm of family often goes unreported and unchallenged. The absence of statutes and measures to address domestic violence largely rest in functionalist conceptualisations of family forms and functions that are frozen in time.

The functionalist conceptualistion of the family has been regarded as premised on patriarchal moral traditions that are then reflected in legal traditions and state policies (Fox and Luxton, 1993). It can therefore be argued that these conceptualisations have a limiting effect on state interventions into family conflicts in general, including violence against women. The WLSA (1999) describes the conceptualisation of the family by the Botswana state as premised on expectations of familial obligations. Thus the process of dispute resolution is based on the belief that disputants are members of families and that families co-exist in wider communities. The emphasis of the state is on "maintaining peace and stability between families and within the community . . . by reaching a decision that satisfies the complainant without compromising the integrity of the accused" (WLSA, 1999: 66).

Moreover, women often prefer to report their domestic disputes to other family members, even when they know they will not receive relief. The preference for family resolution is due to the accessibility of family members, as well as the cultural emphasis on negotiation, reconciliation and co-existence (WLSA, 1999). However studies of violence against women (WLSA, 1999; WAD, 1999) point to the reluctance of police to address cases of violence even when they are reported to them. Stories of survivors of violence in both marriages and cohabitations clearly illustrate this reluctance:

In January he assaulted me once again and I reported the matter to the police. This was not the first time: he had been warned many times by the police not to hit me again. But each time the police had not taken any serious action, saying it was a family matter that should be resolved in the home (Metlhaetsile Women's Information Centre, 1999: 15).

Rammedi brutally and repeatedly assaulted me during our five-year relationship. I reported

him to the police after a beating. The police took me to the hospital, and then they told me that they did not handle cases of unmarried people and I should go home and reconcile. I later returned to insist that they prosecute but no statement was taken down. I left Rammedi then. I was then called to the station on charges of theft after I removed my possessions from my house! Yet I have still heard nothing on my assault case against him (Metlhaetsile Women's Information Centre, 1999: 19).

As the Task Force on Police Response to Cases of Domestic Violence found, the inaction of the police stems partly from the absence of statutes specifically addressing domestic violence. The state laws are inadequate in the face of contemporary problems between men and women which engender violent conflict. The Penal Code does not specifically define and prescribe punishment for domestic or family violence. Thus women simply are not afforded sufficient protection from domestic violence by the existing laws, as cases of domestic violence are treated under the general law of assault rather than by specific laws on violence against women (WLSA, 1999: 60).

Conclusions

This discussion of domestic violence against women in Botswana points to the embeddedness of socio-cultural patriarchal practices that justify male dominance. These traditions are reproduced and reinforced by the creation of the role of male breadwinner within the context of capitalist development. And while family forms have changed significantly in Botswana, the laws and statutes do not reflect these changes, with the result that the plight of the vast majority of women living with violence in their homes is not addressed. Further research into changing family forms is needed to assist in understanding and addressing domestic violence against women. The functionalist perceptions of the gender divisions of labour and family organisation help to perpetuate the victimisation of women and to frustrate measures to alleviate it. Policy research on family forms and changing women's and men's roles can therefore go a long way towards identifying the key causes of violence and guiding the necessary legal reforms.

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