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DECLARATION

I Macmillan Jere do solemnly declare that this dissertation represents my own work which has not been submitted at this or another University. All published works or materials from other sources that have been incorporated were acknowledged and adequately referred to.

Signature of Author.....

CERTIFICATE OF APPROVAL

This dissertation by Macmillan Jere is approved as fulfilling part of the requirements for the award of the degree of Master of Arts in Gender Studies by the University of Zambia.

Examiners' signatures

Signed.....

Date.....

Signed.....

Date.....

Signed.....

Date.....

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Date.....

DEDICATION

This dissertation is dedicated to the Almighty God through His one and only Son Jesus Christ.

ACKNOWLEDGEMENTS

I would like to pay tribute to all the people that helped me to successfully undertake this research. I shall forever be highly indebted to my Supervisor Prof. MubianaMacwan'gi for her dedication and commitment during the time she was providing guidance to my work. To all the lecturers that may have contributed in any way to see me through to this level.

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DEFINITION OF CONCEPTS

- Wife battery** : Refers to an act of physical aggression committed by the husband on the wife. It includes beating, punching, slapping, stabbing, kicking or throwing a harmful substance or object at the victim.
- Violence** : Aggressive behaviour against someone involving the use of physical force.
- Domestic violence** : Violence that occurs in the domestic sphere. It covers physical attacks, psychological and mental violence.
- Gender violence** : These are acts of inflicting physical, mental or sexual harm including threats of such acts directed at women because they are women and affects women disproportionately.
- Perpetrator** : A person who commits a harmful or illegal act.
- Victim** : Someone who has been harmed, injured or killed because of a violent crime.
- Prosecution** : Is the institution of legal proceedings which starts by charging of the offender or perpetrator and taking the case before the courts of law.
- Patriarchy** : System of social organisation in which men wield all or most of the power, authority or influence.
- Traditions** : Are beliefs, customs or ways of doing things that are historical among a particular group of people.
- Norms** : Standard of behaviour that is typical of or accepted within a particular society.
- Belief** : Strong feelings and opinion about something that is considered true.
- Culture** : Customs, beliefs, art, way of life and social organisation of a particular group of people.

ABBREVIATIONS

ACHPR	African Charter on Human and People's Rights
CEDAW	Convention on the Elimination of All forms of Discrimination against Women
CSD	Community Services Directorate
DHS	Demographic Health Survey
GBV	Gender Based Violence
GCDD :	Gender and Child Development Division
NGP :	National Gender Policy
PHRC :	Permanent Human Rights Commission
SADC :	Southern African Development Community
UDHR :	Universal Declaration of Human Rights
UK :	United Kingdom
UN :	United Nations
DEVAW :	Declaration on the Elimination of Violence against Women
USA :	United States of America
VSU :	Victim Support Unit
WLSA :	Women and Law in Southern Africa
YWCA :	Young Women Christian Association
ZP :	Zambia Police
ZWPC :	Zambia Women Parliamentary Caucus

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ABSTRACT

This study drew its motivation from the need to bring into sharp focus the challenges that lie in the effective prosecution of domestic gender based violence in general and wife battery in particular. This motivation is against a backdrop of many cases of wife battery that do not get prosecuted despite being reported to the police. The study was limited to Lusaka urban district which is considered to be a boiling pot of cultures in Zambia.

Being one of the many dimensions of domestic gender based violence, wife battery has proved to be very difficult to prosecute since it hinges on the basic building blocks of society-the family. Very often than not, victims of wife battery opt to withdraw cases of battery after reporting to the police, save for situations where victims see no hope of their partners reforming. This problem has continued to escalate despite the Zambian Government making efforts at various levels to address the scourge.

This study employed both descriptive and explanatory study designs and data collected comprised two sources – that is, primary and secondary sources. Structured and semi-structured self-administered questionnaires and Interview guides were used as instruments of data collection. Data was analysed using mainly qualitative methods though quantitative was also used to analyse part of the quantifiable data. The study was conducted in Lusaka urban district with a population of 3500 police officers. The 5 selected stations including the prosecutions department and VSU officers had a defined population (N) of 143 officers. who are destined in 14 various police stations. This research used a combination of sampling procedures which included; simple random sampling, stratified, purposive and convenient sampling procedures. The sample size (n) of this research was one hundred and twelve (112) respondents which also included church leaders and victims of wife battery taking shelter at the YWCA shelter.

The findings of the study show that prosecution of wife battery cases was being impeded by a number of factors which include victims' economic dependence, victims' lack of education, police attitude and victims' fear of victimisation from relatives. However, the study also discovered that there were also other instances where cases of wife battery were not prosecuted despite victims of wife battery having a source of income or where the perpetrators of wife battery were not in employment. Some respondents also felt there was need for reforms to the legal framework.

The study therefore concluded that in as much as there is need to empower women, society should also change the approach when dealing with wife battery cases by exploring other forms of punishment other than imprisonment. While exploring other avenues it is imperative that sensitization and awareness campaigns are intensified.