

Combating gender-based violence in Tanzania: an examination of laws for the prevention of the killing of elderly women due to witchcraft beliefs.

Desderia Philip Haule

LL M. dissertation

University of Dar es Salaam, School of Law, 2013

Gender-based violence (GBV), as a problem in Tanzania, is not a new phenomenon. It takes different forms, ranging from physical abuse such as wife-battery and sexual violence such as rape. It is also entrenched in other violent traditional practices directed particularly against elderly women. Specifically, in the Lake Victoria Zone of Tanzania, elderly women are killed mercilessly by mobs for unverified accusations of engaging in witchcraft. This specific nature of GBV has been widespread and has been sustained in this area for decades now despite the country's embrace of modernity. This study examines Tanzania's domestic legal framework in responding to this GBV problem that targets hapless elderly women. In particular, it examines the extent to which this legal framework is tailored to reflect the triple obligations—the responsibility to respect, protect, and fulfill the rights contained within the laws and international instruments in which the state is a party to the treaty or has a legal or moral obligation to take cognizance of but has not integrated effectively some of the provisions in the local laws that would help foster the rights of women and protect them against Gender-based Violence, particularly those linked to the killing of women on unfounded superstitious beliefs targeting elderly women. Hence there was still a lot that needed to be done to stem further deaths and protect the victims of acts of witchcraft in the context of GBV. Consequently, the study recommends concerted efforts to help stem this scourge since the legal approach alone does not suffice in uprooting a problem that is socially-constructed and entrenched in the social fabric of society. Thus, there is a need for a political will that would encourage social transformation through education and collaborative efforts.