

**A STUDY OF THE EFFECTIVENESS OF THE LAW AND POLICIES ON DOMESTIC
VIOLENCE REGARDING MEN**

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**A DISSERTATION SUBMITTED TO THE SCHOOL OF LAW, IN PARTIAL FULFILLMENT
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May God Bless You All.

DECLARATION

I hereby declare that this research work is my work alone except where due acknowledgement is made in the text.

Signed.....

Date.....

ABSTRACT

This paper discusses the effectiveness of the laws and policies on domestic violence regarding men. There is an increase of reported cases of domestic violence by male victims to the various organizations with authority to handle the matters like the police stations, and non-governmental organizations among others.

The thesis further discusses the various laws both national and international on domestic violence regarding men as well as the national policies and the legal institutions that uphold the laws and policies.

The paper also discusses the causes, effects of domestic violence, the limitations of why men remain in those violent relationships, summaries and recommendation.

APPROVAL

I attest that I have reviewed and overseen this research project, and that it, in my opinion, satisfies all requirements and standards.

Supervisor:.....

Signature:.....

Date:.....

DEDICATION

I dedicate this research proposal to our parents, lecturers and teaching assistants who stood by me through thick and thin and for their support during the turbulent times.

To the male victims that are or have experienced domestic violence.

Thank you for being there for me.

LIST OF ABBREVIATION

GBV	Gender Based Violence
RECESVID	Rehabilitation Centre for Victims of Domestic and Sexual Violence
UBOS	Uganda Bureau of Statistics
UDHS	Uganda Demographic and Health Survey
UHRC	Uganda Human Rights Commission
WHO	World Health Organization
IPV	Intimate Partner Violence
PTSD	Post Traumatic Stress Disorder.

LIST OF LEGISLATION

The 1995 Constitution of Uganda as amended

The Domestic Violence Act, 2010

The Domestic Violence Regulations, 2011

The Penal Code Act Cap 120

The Uganda Human Rights Commission Act Cap 24

The Prevention and Prohibition of Torture Act, 2012

The Police Act Cap 303

The Magistrates Courts Act Cap 16

The Local Council Courts Act, 2006

The Judicature Act Cap 13

NATIONAL POLICIES

The Uganda Gender Policy, 2007

The National Policy on Elimination of Gender Based Violence in Uganda 2019

The National Male Involvement Strategy for the Prevention and Response to Gender Based Violence in Uganda 2017

National Policy on the Elimination of Gender Based Violence 2016

LIST OF CASES

Tibahwerayo V Namuli [2019] UGHCFD 42

Habyarimana vs Habyarimana [1980] HCB 139

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Uganda vs Bongomin Kennedy Criminal Session No.194 of 2011

CHAPTER ONE

A study of the effectiveness of the law and policies against domestic violence regarding men.

INTRODUCTION

Domestic Violence constitutes any act or omission of a perpetrator which injures or endangers the health, safety, life, limb, or well being, whether mental or physical of the victim or tends to do so and includes causing physical abuse, sexual abuse, emotional, verbal, and psychological abuse.¹

This was also considered in the case of *Tibahwerayo V Namuli*² where Justice Ketrah Kitariisibwa held that for the peace of both parties, I hereby direct that until the appeal is finally disposed the respondent shall return to Mbuya while the applicant stays at Bugolobi not because of domestic violence but for the peace of both parties and the application was dismissed³.

Domestic Violence refers to any abusive behaviour between family members, ex-spouses, intimate cohabitants, dating couples and former dating couples

¹ The Domestic Violence Act, 2010, Section 2

² [2019] UGHCFD 42

³ (Miscellaneous Application NO. 443 of 2018), [2019] UGHCFD 42

in which one party seeks to gain/maintain power and control over the other partner.⁴

Domestic violence can involve various forms of violence, including physical assault, hitting, killing, pinching, slapping, biting, and throwing objects at someone. It can also involve instilling fear of imminent physical harm, sexual assault, emotional abuse, constant criticism, name-calling, damaging the other person's reputation, humiliation, yelling, and screaming, forcing the other spouse to be completely dependent on the abuser by controlling all money, and isolating the spouse from friends, family, or the workplace. Ultimately, domestic violence is about power and control that is maintained through deliberate patterns and combinations of behavior.⁵

A significant chunk of the family problem is caused by domestic violence. Family is a group of persons connected by blood, by affinity or by law or a group of people who live together and usually have a shared commitment to domestic relationship.⁶ That is to say, a person in a domestic relationship shall not engage in domestic violence and those that engage in domestic violence commit an offence and are liable on conviction to a fine or imprisonment or both.⁷ It was analyzed by the Uganda Police Force (2016-

⁴ Ms. Kristina Korobov, Dynamics of Domestic Violence (2011), https://www.researchgate.net/publication/377813782_Domestic_violence_against_men_unmuting_the_reality_of_the_forgotten_gender , visited on 24th April,2024.

⁵ Wills. C Newman, Esmeralda Newman Domestic Violence causes and cures and Anger Management (2010), page 80

⁶ Bryan A. Garner, Blacks Law Dictionary, Editor In Chief, 10th Edition, Page 721.

⁷ The Domestic Violence Act, 2010, Section 4

2021) in crime reports document where it was stated that there are 272,737 Gender Based Violence(GBV) cases reported between 2016 to 2021 including 2,278 homicides attributed to intimate partners.⁸ This research will focus on the husband and wife domestic relation classification.

The 1995 Constitution as amended which is the Constitution of Uganda **Objective XIX of the National Objectives and Directive Principles of State Policy** provides for protection of the family and states that family is the natural and basic unit of society and is entitled to protection by Society and the State.⁹ Additionally, the 1995 Constitution as amended **Article 24** also prohibits violence of any form and calls for respect for human dignity and protection from inhuman treatment regardless of the gender and states that no person shall be subjected to any form of torture or cruel, inhuman or degrading treatment or punishment¹⁰.

However, most of the violence in the homes that have been researched has mostly been focusing on women and children, but it has been found out that men also face violence in their homes. In November **2021 Annual report of Uganda Bureau of Statistics**¹¹, the Ministry of Gender acknowledged that domestic violence is real.

⁸ Afrobarometer, Majority of Ugandans see domestic violence as a private -not criminal -matter, 23rd January, 2023, page 1.

⁹ The National Objectives and Directive Principles of State Policy, Objective XIX of the 1995 Constitution as amended.

¹⁰ The 1995 Constitution as amended, Article 24.

¹¹ National Survey on violence in Uganda. Module 1 : Violence against women and girls, Page 33

On the contrary, domestic violence against men gained more attention with the release of **2016 Uganda Demographic and Health Survey** that showed that one in four men had been subjected to physical abuse by their relationship partners.

Despite the laws and policies on domestic violence for example, the 1995 Constitution as amended, the Domestic Act of 2010, and the National Policy on the elimination of Gender Bases violence 2016, the **2013 study** by the **Uganda Human Rights Commission**¹² revealed that male victims of domestic violence faced significant barriers to reporting abuse and accessing support services and noted one of the reasons is due too cultural expectation that men are expected to be strong and able to defend themselves and also lack of understanding and awareness among the men.

Thus, even though there are organizations in Uganda that provide support for male victims of domestic violence like Men Engage Uganda Network and the Uganda Men’s Resource Centre, there is still an increase in the number of cases of domestic violence against men as per the **2013 study** by the **Uganda Human Rights Commission** which also reported that the case of domestic violence against men are under reported.

Thus the purpose of this research is to dig deeper in that as much as reports state that the cases of domestic violence against men are under reported,

¹² Uganda Human Rights Commission (2014), Uganda Human Rights Launches its 16th Annual Report, < <https://uhrc.ug/uganda-human-rights-commission-launches-its-16th-annual-report/2024><https://uhrc.ug/uganda-human-rights-commission-launches-its-16th-annual-report/> > accessed on 2nd May, 2024.

are the men aware that what they face is domestic violence and are the laws and policies effective in Uganda which guard against domestic violence regarding men?

Statement of the problem

The problem to be addressed in this study is the effectiveness of laws and policies on domestic violence regarding men. Women currently are culprits and active participants in carrying on domestic violence against men. Domestic violence regarding men can be physical, psychological, sexual forms of assault among other ways. Most men who experience domestic violence do not usually report the cases because of fear to be rejected, shunned, abused, embarrassed for being weak persons in society by the service providers and law enforcers which leads to ineffectiveness of the laws and policies

In addition to the problem to be addressed in this study, men who experience domestic violence are not aware and exposed to the laws and policies put on domestic violence and this aids their suffering which results into ineffectiveness of the laws and policies on domestic violence regarding men.

The law enforcement departments should be impartial in the implementation of the available laws, both gender victims should be made aware, sensitized and encouraged to report without any stigmatization although this has not been the case as male victims are often discouraged from reporting the cases. This has led to an increase of domestic violence cases against men as reported by the **Rehabilitation Center for Victims of**

Domestic and Sexual Violence (RECESVID)¹³ on 8th June 2011 stated that out of the 78 clients so far provided with the psycho- social support, 22 that would mean 77% of the clients are male.

The global prevalence of domestic violence among men is estimated at 17% and in Uganda, the prevalence of domestic violence among ever married men is 44% compared to 56% among ever married women.¹⁴

Furthermore, according to the **Police Annual Crime Reports 2020**, a total of 1117,664 cases of domestic violence were registered compared to 12,541 cases reported in 2019 and of the 17,664. Of the cases reported in 2020, 3408 were male victims. In addition, in the article by **Monitor News Paper** of Saturday, April 18th 2022 titled “**Men too suffer domestic violence**”¹⁵ Rev. Nathan Nkuraga and the deceased’s elder brother Robert Bagambe, made claims that Brazio Biryomumaisho of Kishami Parish, Ruhaama East Sub county in Ntungamo, had been mistreated by his wife and children, starved, beaten and abandoned when sick.

More so, a total of 1,264 (43.6%) of the males in this study had ever experienced any form of Intimate Partner Violence (IPV) during their lifetime and over the last 12 months respectively. Among the three types of

¹³National Survey on Violence in Uganda. Module 1: Violence against women and girls, page 33

¹⁴ Derrick Gubi(March,2022), Prevalence and correlates of intimate partner violence among married men in Uganda: a cross-sectional survey, < <https://bmcpublihealth.biomedcentral.com/articles/10.1186/s12889-022-12945-z> > accessed on 28th April, 2024

¹⁵ New Vision (2011), Domestic Violence bounces back on Men, < https://www.newvision.co.ug/new_vision/news/1010267/domestic-violence-bounces > accessed on 30th April, 2024

violence, 35.9% and 24.8% reported having experienced psychological violence, 20.2% physical violence and 8.2% sexual violence within the recall periods over their lifetime and the last 12 months respectively. A majority of the respondents reported being currently married or cohabiting (91.4%), and living in rural areas (78.0%) at the time of the survey.¹⁶

If this challenge is not addressed, there shall be persistent increase in the levels of domestic violence against men because they do not seek for the justice that is provided for under the laws of Uganda thus will continue to suffer in silence and this research aims at assessing the adequacy of existing laws and policies in addressing domestic violence against men, identify any gaps or limitations and make recommendations for improvement and protection of men against domestic violence and promote awareness regarding the existing laws to men. Therefore, this research will ensure that male victims who experience domestic violence, gain access to the relevant information in this study regarding protections and support they need to escape abusive situations and rebuild their lives.

General Objective of the study

The study's main goal is to evaluate how well Uganda's laws and policies on domestic abuse against males are working.

¹⁶ Jacinta Waila, (June 2022), Uganda Men Exposed to Intimate partner violence: Across-sectional survey of Nationally Representative Date, < [https://link.springer.com/article/10.1007/s10935-022-00683-2#:~:text=The%20key%20factors%20associated%20with,4.12\)%2C%20alcohol%20consumption%20by%20the](https://link.springer.com/article/10.1007/s10935-022-00683-2#:~:text=The%20key%20factors%20associated%20with,4.12)%2C%20alcohol%20consumption%20by%20the) > accessed on 24th April, 2024

Specific Objectives of the study

1. To assess the level of awareness among men about the issue of domestic violence and the laws and policies in place that address it.
2. To assess the extent to which awareness about domestic violence against men and related laws and policies affects the response of law enforcement, service providers and the wider community.
3. To identify the challenges and barriers that prevent the effective implementation of laws and policies on domestic violence against men in Uganda.
4. To develop recommendations for improving awareness and the effective implementation of laws and policies aimed at addressing domestic violence against men in Uganda.

Research questions

- 1) What is the level of awareness among men about the issue of domestic violence and the laws and policies in place that address it ?
- 2) To what extent does awareness about domestic violence against men and related laws and policies affect the response of law enforcement, service providers and the wider community ?
- 3) What are the challenges and barriers that prevent the effective implementation of laws and policies on domestic violence against men in Uganda ?

- 4) What are the recommendations for improving awareness rising efforts and the implementation of laws and policies aimed at addressing domestic violence against men in Uganda ?

Justification of the study

The justification for this research topic is to come to the realization that domestic violence against men is a serious human right issue that has received little attention in Uganda. While laws and policies exist to address this problem, they are often poorly enforced due to lack of awareness and understanding among the stake holders which include law enforcement, service providers and the wider community.

In regards to the impact of awareness on the effective implementation of laws and policies on domestic violence against men, the research can provide a valuable insight into the extent to which awareness affects the response of the stake holders and the implementation of laws and policies aimed at addressing this issue.

Significance of the study

The significance of this study is to improve understanding of domestic violence against men which is often under reported and over looked in Uganda by shedding light on this issue and its impact on male victims. The study will also contribute to raising awareness and reducing the stigma associated with male victimization. It will also identify gaps in the

implementation of laws and policies aimed at addressing domestic violence against men in Uganda.

This will help to ensure that male victims receive the help they need and are not left behind in response to domestic violence thus will improve the response to domestic violence against men, promote a more inclusive and gender sensitive gender approach to addressing violence in intimate relationships, and advance the knowledge and understanding of this important issue.

LITERATURE REVIEW

Introduction

A portion of the literature on domestic violence against men is reviewed in this section of the study. The investigation will also examine relevant literature on the level of awareness among Ugandan communities, service providers and policy makers, the extent to which awareness about domestic violence against men and the related laws and policies that affect the response of the law enforcement, and also identify the challenges and barriers that affect the effective implementation of laws and policies and to develop recommendations and strategies for improving awareness aimed at addressing domestic violence against men.

The **Domestic violence Act 2010** specifies processes and rules that the court must go by in regard to the protection and compensation of domestic abuse, as well as the protection and relief of victims of domestic abuse and the penalties meted out to those who commit such crimes.

Sebelinah Tshoene¹⁷ defined domestic violence is a crime that often takes place within the domestic or family setting or between persons in intimate relationships. Domestic Violence is defined as any behaviour or action ‘within an intimate relationship (past or current) that causes or has the

¹⁷ Sabelinah Tshoane,(2024), Domestic violence against men: unmuting the reality of the forgotten gender, < https://www.researchgate.net/publication/377813782_Domestic_violence_against_men_unmuting_the_reality_of_the_forgotten_gender > accessed on 29th April, 2024

potential to cause physical, sexual, or psychological harm, including acts of physical aggression, sexual coercion, psychological abuse, and controlling behaviour, including financial abuse.

Sebelinah Tshoene¹⁸ further states that men experience or suffer from a range of physical, psychological, and sexual abuse or violence, and manipulating or controlling schemes and may also take the form of emotional, verbal and financial abuse.

The author of the article does not state the causes of domestic violence regarding, effects that come with the various forms of domestic violence the author outlines as well as finding the way out to solve those problems associated with domestic violence. The researcher shall therefore in this paper discuss the aspects detailed above regarding causes, effects and way forward of domestic violence against men.

Lawrence Robinson¹⁹ argued that domestic violence happens to all men from all culture and walks of life regardless of age or occupation. However men are often reluctant to report abuse because they feel embarrassed, fear they will not be believed or are scared that their partners will take advantage of or revenge.

The author does not describe ways in which male victims can alternatively report cases of violence to the parties concerned. Therefore the research will find or recommend ways through which male victims can report and handle cases without feeling the stigma from society and friends.

¹⁸ Ibid note 12

¹⁹ Lawrence Robinson (2024), Domestic violence against men: you are not alone, <
<https://www.helpguide.org/articles/abuse/help-for-men-who-are-being-abused.htm>> accessed on 2nd May, 2024

Moore E.²⁰ stated in his study that in every state in the union, men are being detained and having their rights revoked in alarming numbers, frequently on the basis of thin evidence. If we do not intervene and put an end to the injustice, relationships will suffer and both men and women will be held accountable for a regrettable result.

The researcher while conducting this study will find solutions and actions to be taken to resolve domestic violence regarding men in order to protect their fundamental rights and freedoms from violation by the perpetrators who are the women in this case.

Steinmetz²¹ proposed that research on domestic violence against men committed by their female partners is expanding, and these topics are becoming more and more prominent in public discourse. The majority of civil society and the government do not wish to acknowledge or understand that males can experience domestic abuse in the same ways that women do; instead, they only see men as the violent abusers of women. Men who are the victims of domestic abuse must deal with their situation alone since they are not given the support, assistance, or direction they need.

²⁰ E.M Moore(2008), A call for injustice, Domestic Violence Against Men, < <https://www.amazon.com/Call-Injustice-Domestic-Violence-Against/dp/1434369420> > accessed on 29th April, 2024

²¹ Steinmetz, The battered husband syndrome. Social problem or much ado about little ?(1983), < <https://journals.sagepub.com/doi/abs/10.1111/j.1467-954X.1983.tb00102.x?journalCode=sora> > accessed on 29th April,2024

The researcher appreciates the fact that he calls for non-discrimination consideration on perpetrators of domestic violence and emphasizes the creating of awareness of all forms of family violence, he does answer the what, how, why in regards to the awareness and how it is a challenge to the effective implementation of the laws and policies against domestic violence. This paper therefore emphasizes challenges and barriers that prevent the effective implementation of laws and policies on domestic violence against men in Uganda and the recommendations that can be explored in improving awareness of domestic violence against men.

Derrick Gubi²² in his study compared the prevalence and characteristics of **Gender Based Violence** revealed that on a population - based survey of 2559 ever married men adults, 44% of men reported experiencing physical(20%) or sexual violence(8%) and that men are more likely to experience violence in public spaces even though these are under reported. The writers did not address the concern as to whether the men that do not report these cases are actually aware of the fact that it is domestic violence and thus the purpose of this research is to assess the level of awareness and also find out the extent to which these levels of awareness affect the effective implementation of the laws and policies in Uganda.

²² Derrick Gubi, et al (2022), prevalence and correlates of intimate partner violence among ever married men in Uganda: a cross-sectional survey, < <https://bmcpublihealth.biomedcentral.com/articles/10.1186/s12889-022-12945-z> > accessed on 29th April, 2024

According to a non profit organization that works to assist men who are victims of domestic abuse, the absence of government assistance amounts to systemic prejudice. It's worth noting that though several laws and policies have been enacted on domestic violence against men and women but a lot of emphasis has been centered around female victims and neglecting the male victims.

This makes society's police and other participating agencies biased, strengthening the preexisting stereotypes that viewed women as the only marginalized group in society. Society looks as men who report domestic violence cases as disgrace. There is a Baganda saying “**ebyomunju tebittottolwa**” literally meaning “**bed affairs should be solved in bed**” so men would rather suffer the pain than “**disgrace.**”

In addition, when men do reach out for help, they tend to be looking for validation or someone to confirm they actually are victims. They also want practical advice on how to handle the situation. Men tend to either not reach out for help until the situation becomes a crisis, or they think they will not be believed or considered less masculine.²³

However, the writer does not bring out the fact that most male victims are not aware of the laws protecting their rights, Thus, this research will look at how the government can facilitate the creation of awareness on domestic

²³ Family law assist(2022), The Silent epidemic of domest abuse against men, < <https://familylawassistance.co.uk/the-silent-epidemic-of-domestic-abuse-against-men/> > accessed on 30th April,2024

violence against men and to encourage the responsible organizations like police to enforce these laws against the perpetrators of this vice.

Jacinta Wilia²⁴ explored the experiences of male victims noted that most men faced significant barriers to reporting abuse and accessing support services, including a lack of awareness about their rights and the fear of being stigmatized and the belief that they should be able to defend themselves, being scared of retaliation, fear of the female abusers falsely claiming to be the victim to law enforcement or peers, fear of ultimately being rejected by their family and children as well as fear for their well-being thus recommended increased awareness campaign.

We appreciate the fact that these writers emphasize the creating of awareness, they do not answer the what, how, why in regards to the awareness and how it is a challenge to the effective implementation of the laws and policies against domestic violence. This paper therefore emphasizes challenges and barriers that prevent the effective implementation of laws and policies on domestic violence against men in Uganda and the recommendations that can be explored in improving awareness of domestic violence against men.

It can be a state of uncertainty and confusion putting to an end an abusive relationship and can never be easy since there may be chances of change of

²⁴ Jacinta Walia (2022), Ugandan men exposed to intimate partner violence: Across-Sectional Survey of nationally representatives data, < <https://link.springer.com/article/10.1007/s10935-022-00683-2> > accessed on 30th April, 2024

behaviour of the abusive partner. **Melinda Smith**²⁵ in her study proposes conditions to keep in mind if the male victims are faced with a decision to either end an abusive relationship or not. These include taking into consideration whether the abusive partner will change, has promised to stop the abuse, consideration about what will happen if you leave.

The researcher therefore will discuss further on reasons why the male victims remain in abusive relationships and will provide ways to overcome the abusive relationships of domestic violence through proper channels and assist ways in which the victims can make informed decisions.

Dawn Bradley Berry²⁶ claims that fictitious accusations of domestic abuse are submitted on a daily basis and that he has defended numerous men accused of violence when in fact they are the ones with bruises. However, he does not tell us why men don't report such forms of abuse even when its evident that they are victims.

The Domestic Violence coordinating Council²⁷ conducted research on leaving an abusive relationship does not guarantee an end to the abuse. Rather, the abuse often escalates at the time of separation. The most dangerous time for a victim can be when he/she attempts to leave or end

²⁵ Melinda Smith (2024), How to get out of an abusive relationship if you are in an abusive relationship, < <https://www.helpguide.org/articles/abuse/getting-out-of-an-abusive-relationship.htm> > accessed on 2nd May, 2024.

²⁶ Dawn Bradley Berry JD(1995), Understanding the domestic violence sourcebook, < <https://www.ojp.gov/ncjrs/virtual-library/abstracts/domestic-violence-sourcebook> > accessed on 30th April, 2024.

²⁷ The Domestic violence coordinating council (2011), Dynamics of domestic violence, < <https://dvcc.delaware.gov/background-purpose/dynamics-domestic-abuse/> > accessed on 30th April, 2024

the abusive relationship. Many domestic violence murder-suicides occur when the victim tries to end the relationship.

The author of the article does not discuss the various forms of curbing domestic violence. Despite the awareness on the side of the male victims and tending to flee from violence crises, the author does not provide reliable solution to curb domestic violence but rather gives consequences of ending violent relationships.

Sebalinah Tshoene²⁸ in her study concerning the difficulties males have when reporting domestic violence, participants stated that men are not treated the same as women when reporting domestic violence crimes to the police. Men were discriminated against, were not listened to, were humiliated, and received no genuine social support, being humiliated and laughed at, being unfairly treated, and discriminated against women and being stereo-typically judged. The overall consequence of such actions was desisting from reporting cases of domestic violence against men.

The author does not describe whether there are other strategies or ways in which male victims can be able to access assistance or obtain help from the institutions available. Therefore, the researcher under this study will discuss the various other institutions that up hold the legal regime that assist in curbing domestic violence against men and shall provide various other ways of curbing the violence against men.

²⁸ Sebalinah Tshoene(2024), Domestic violence against men, unmuting the reality of the forgotten gender, < https://www.researchgate.net/publication/377813782_Domestic_violence_against_men_unmuting_the_reality_of_the_forgotten_gender > accessed on 30th April, 2024

White Fuse²⁹ explored a study in line with the abusive relationships, perpetrators create an environment of fear, restriction and unpredictability, and as a result, victims live in a constant heightened state of alert, unsure of what will happen next or how their perpetrator will react. Over time this can severely impact victims' mental health. The impacts of domestic abuse can be long term and destructive for victims, including poor mental health, a higher prevalence of binge drinking, and post-traumatic stress disorder. Clearly, male victims need access to support both during and after their abusive relationship, so they can get the support they need to process their experiences and ultimately heal from them.

The author of the article does not find or provide ways of healing from all the effects that come with domestic violence against male victims. The researcher will discuss the various ways in which the male victims will deal with the effects of domestic violence in the study.

Alexandra Lysova³⁰ argues that supporting males who are victims of domestic abuse can assist lower the risk of homicide, stop relationships from getting worse, and save men from dying at the hands of their partners. This

²⁹ White Fuse(2023), Mental health awareness week, the impact of abuse on male victims' mental health, <
<https://www.respect.org.uk/articles/mental-health-awareness-week-the-impact-of-abuse-on-male-victims-mental-health> > accessed on 30th April,2024

³⁰ Alexandra Lysova (2022), Helping male victims of domestic violence abuse can benefit society as a whole, <
<https://theconversation.com/helping-male-victims-of-domestic-abuse-can-benefit-society-as-a-whole-196712> >
accessed on 3rd May, 2024.

is through them with support to address the consequences of partner abuse in order to eliminate partner violence.

The author of the article suggests that helping male victims of domestic violence can reduce likelihood of homicides however does not specify the ways of preventing the homicides. Therefore the researcher will address the various ways of prevention of the likelihood of homicides.

Conclusion

After conducting an in depth review of the existing literature. This research proposal will fill in the gaps identified which will contribute to the existing research on domestic violence against men.

METHODOLOGY

Introduction

This chapter describes the different methods the researcher will use to carry out the study. The various methods include data collection, selection, research designs, sample size, area and population study, data processing, presentation and analysis, ethical issues thus, the research tools to be utilized in the problem investigation are covered in this part. It includes the procedures and methods to be followed for data analysis, as well as the means by which the respondent will be chosen.

Research design

The Researcher will use desktop research review method of data collection. The study is completely doctrinal in nature, a combination of the desktop research method and qualitative method of data collection. The research will involve primarily the content of legislation and content analysis of already existing articles.

The study includes a desk review of the theories on domestic violence against men, the effective laws and policies governing domestic violence against men in Uganda as well as the level of awareness among men the laws and policies. Desktop research refers to secondary data that can be

collected without going to the field, in this, the researcher uses published reports and statistical instruments.³¹

The researcher will include online surveys and already existing samples of men experiencing domestic violence belonging to different parts of the country. Additionally, the researcher plans to gather information from general and specialist libraries.

This method of desktop research method is the best method of this research because it costs less money in form of budgeting and not time consuming since it will not involve any physical movements to get information since all the information will be done on desktop and already existing material. Lastly, the researcher also chooses desktop review research method because it will help to get information of the people the researcher cannot meet.

Data collection instruments

The researcher will use desktop and qualitative methods as the data collection method. The desktop review method of research focuses on data pertaining the effective laws and policies against domestic violence regarding men. The researcher reviewed various reports, articles, laws, books, case law which establish the topic or study to establish whether they have been respected and upheld.

³¹ An introduction to research methodologies B2B International desktop review research method Chapter 4 Page 59.

Limitation of the study.

The researcher anticipates facing the following challenges;

a. Lack of reliable data.

Since the researcher is going to involve in analyzing already existing documentary data on the internet or specialized or general libraries since authors have different sources of information and analysis skills.

b. Lack of enough funds.

The researcher using desktop review research approach to analyze different material already existing like books, articles and websites will be required payment of subscription fee in order to access certain materials for the study.

c. Challenge of time.

Usually the research takes a lot of time when gathering data and reviewing of available already existing literature and analyzing the same and that time may not be available.

Conclusion

In the collection of the data, the research will therefore implore both quantitative and desktop review research approaches which will involve review of doctrinal literature. The research findings from scholarly materials, laws, journal will provide the clear understanding of the effectiveness of the laws and policies against domestic violence regarding men.

CHAPTER SYNOPSIS

Chapter one

This proposal is divided into four chapters.

The first chapter assesses the background of the problem for instance what domestic violence is all about, the extent of the problem, assesses the statement of the problem that is the reality, ideal situation and the consequences. This chapter also stipulates the objectives, justification and significance of the study.

Chapter one also examines the literature review of the study.

Chapter one also contains the methodology that will be used while conducting the research.

Chapter two

Chapter 2 will discuss the non-legal aspects regarding the effectiveness of laws and policies against domestic violence regarding men.

Chapter three

Chapter 3 will discuss the legal regime (laws and policies) against domestic violence regarding men and institutional Framework upholding the legal regime against domestic violence against men.

Chapter four

Chapter 4 shall be a summary of findings, conclusions and recommendations on the effectiveness of laws and policies against domestic violence against men.

CHAPTER TWO

NON LEGAL ASPECTS OF DOMESTIC VIOLENCE IN REGARD TO MEN.

Background.

This chapter examines the history of family setting and family dispute resolution in African Traditional Society, who are the victims and perpetrators of domestic violence against men, causes of domestic violence against men, consequences and challenges resulting from domestic violence regarding men to family and society at large, reasons why victims remain in those situations of violence as well as limitations of effectiveness of laws and policies guarding against domestic violence regarding men.

Background

In African Traditional Society, it was unheard of that women battered men in families where they lived together as couples whether physically or sexually, whether she was stronger and heavier than the man. Men were considered to be the heads of their households, and the majority of African societies saw domestic abuse of men as unacceptable and repugnant.³² Male individuals in African settings were regarded masculine, who dealt with a

³² Tsoaledi Daniel Thobejane (2019), An investigation into the trend of domestic violence on men: the case of South Africa, < https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3435840 > accessed on 2nd May, 2024.

set of duties, roles, norms and behaviour that an individual must exhibit consistently as a result of the socially defined hierarchies.

Additionally, before Uganda was colonized to introduce common laws as well as establishment of the current laws and policies that regulate and settle family disputes regarding domestic violence against men, African Traditional Societies upheld institutional mechanisms as well as cultural sources to uphold the values of peace, solidarity, tolerance and respect for one another in those families.³³

The mechanisms were governed by various principles such as confidence building, conflict monitoring, conflict prevention, conflict management and conflict resolution.³⁴ These mechanisms were informal in nature, open and inclusive for all persons like a family setting, husband and wife and could participate in decision making process and the decision was binding on all parties.

The victims of the study are men in intimate relationship and familial relationship occurring from one hit that may or may not impact the victims to chronic or severe battering for physical assault. The other forms of domestic violence are sexual, emotional, and psychological in nature. The perpetrators in the study are the wives of the victims with whom they are in

³³ Alternative Dispute Resolution, Cameroon, Kom, Tradition (2019), Traditional methods of conflicts resolution, < <https://www.accord.org.za/conflict-trends/traditional-methods-of-conflict-resolution/> > visited on 24th April,2024.

³⁴ Adeyemi J. Ademowo(September 2015), Conflict Management in Traditional African Society, < https://www.researchgate.net/publication/281749510_Conflict_management_in_Traditional_African_Society > visited on 24th April,2024

an intimate or familial relationships with who inflict the various forms of domestic violence against men.

CAUSES OF DOMESTIC VIOLENCE AGAINST MEN.

Increased use of illicit substances and alcohol.

Drug abuse refers to the use of drugs for pleasure other than legitimate medical purposes.³⁵ The commonest toxic substances that are being used in Uganda are alcohol like Uganda local breweries, kuber, cigarettes, marijuana, khat cocaine and heroin. The lifetime prevalence of alcohol and drug use disorder in women is 19.5% and 7.1% respectively. In 2012,³⁶ of the over 41.5 million Americans who acknowledged using illegal substances in the past, more than 42 percent were women. More over 40% of tobacco product consumers and 50% of alcohol users were women. Therefore, women being under the influence of drugs or substances greatly increases and enhances chances of abusive behaviour like physical assault through use of weapons to attack others.

Conflicts between partners which are characterized by verbal and physical aggression.

³⁵ Cognizance journal of multidisciplinary studies (2022), Factors Influencing Drug Abuse among youth(15-24 years) in Kisenyi slum, Kampala district, Uganda, page 1.

³⁶ Obsetet Gynecol Clin North Am(2015), Epidemiology of Substance Use in Reproductive -Age Women, <[https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4068964/#:~:text=Approximately%201.2%25%20of%20women%20meet.the%20course%20of%20their%20lifetime.&text=Including%20both%20men%20and%20women.26%20and%20older%20\(1.8%25\)](https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4068964/#:~:text=Approximately%201.2%25%20of%20women%20meet.the%20course%20of%20their%20lifetime.&text=Including%20both%20men%20and%20women.26%20and%20older%20(1.8%25))> visited on 24th April, 2024.

Aggression refers to the intent or perceived intent of causing psychological or physical harm or injury to another. Therefore physical aggression refers to an act that has the intent of causing harm to another whereas verbal aggression refers to a verbal act (like refusing to talk about an issue) that symbolically hurts another or threatens to hurt another.³⁷ When conflicts occur between intimate couples or in marriage hence arising negative feelings which may build up over time and eventually be released in a physically aggressive incident. Hence domestic violence against men.



Controlling actions on the side of the close companion.³⁸

Controlling happens in instances when a woman tends to invaded with the privacy of the man and trespassing on the boundaries. It takes various forms like demanding to over check his phone, chat histories, monitoring his activities on social media platforms, asking for his passwords. Also micro managing a man by telling him what to wear and controlling his finances. In addition, being over protective through asking who his moving out with and

³⁷ Jan E. Stets (May, 1990), Verbal and Physical Aggression in Marriage, page 2

³⁸ Diddy Antai (2011), Controlling behaviour, power relations within intimate relationships and intimate partner physical and sexual violence against women in Nigeria, <
<https://bmcpublichealth.biomedcentral.com/articles/10.1186/1471-2458-11-511> > accessed on 30th April, 2024.

lastly, making decisions for him. This usually sparks off conflicts between the partners and once the woman has controlling traits, it may result into domestic violence to the man.

CONSEQUENCES AND CHALLENGES RESULTING FROM DOMESTIC VIOLENCE AGAINST MEN.

Domestic violence is one of the greatest social problems in Uganda today. There are increasing number of reported incidences of domestic violence, many of which are dangerous and have resulted into loss of lives.³⁹

Domestic violence against men not only affects those who are abused but it also has substantial effect on other family members like children and society at large. Those persons who witness the incidents of domestic violence against men are seriously affected. Therefore frequent exposure to domestic violence results into various social and physical problems since violence is a normal way of life hence risk of becoming society's next generation of victims and abusers. Therefore the researcher will discuss the consequences in various themes.

1. Victims of domestic violence

The fact that domestic violence usually takes place within the context of marriage and also covers persons in intimate relationships, divorced or separated. This study concerns domestic violence against men. Therefore men who usually suffer or those that are victims of domestic violence are

³⁹ Uganda vs Bongomin Kennedy Criminal session No.194 of 2011

frequently ignored, scorned and rejected resulting into various consequences as discussed below.

Psychological effects⁴⁰

These are frequently known as mental or psychiatric disorders. This may manifest in various forms of failure to control emotions or anxiety, stigma, discrimination, pain disorder, depression, shame, helplessness, anger issues, experiencing acts of revenge as well as low self esteem. This is a consequence of having witnessed domestic abuse. This can easily lead to death of the male victims, loss of memory, self rejection, lack of respect from family members, fear due to unpredictability of the environment where the male victims stay and neglect of family responsibilities among other factors.

Increased addiction to toxic drugs and smoking.

Male victims who suffer domestic violence in the family setting rely on taking drugs and substances like alcohol, smoking cigarettes, taking various other drugs like cocaine, marijuana, khat to act as relief and acts as a form of forgetting the experiences and traumas. This maybe because it is a form of relaxation, coping with stress, anxiety depression, staying awake in case of anything and way increasing confidence and self esteem. This may lead to long term health issues such as kidney, liver and respiratory disorders and

⁴⁰ Denise A Hines (2001), psychological effects of partner abuse against men: a neglected research areas, < https://www.researchgate.net/publication/232502390_Psychological_Effects_of_Partner_Abuse_Against_Men_A_Neglected_Research_Area > accessed on 30th April, 2024.

may as well result into cancer which may lead to death of the victims, also change of behaviour such as mood swings and memory problems.

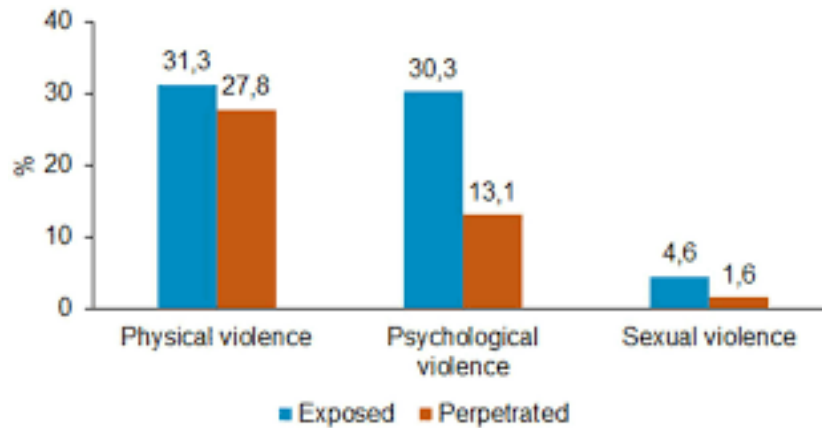
Experiences of post traumatic stress.

Post traumatic stress refers to mental health condition that is triggered by terrifying events - either by experiencing it or witnessing it.⁴¹ This mental disorder is characterized by failure to recover from after experiencing and witnessing a terrifying event. Victims who experience domestic violence tend to suffer from this disorder. More so, this disorder may occur in the following ways like being easily scared, having trouble sleeping, anger outbursts, shame, anxiety, intrusive memories through recurring unwanted distressing memories of those traumatic events, nightmares as well as emotional changes.

This may negatively affect the victims in the following ways like increased addiction to toxic substances like alcohol in order to relax and forget the trauma, loss memory, depression and may also result into other serious health diseases and disorders.

⁴¹ Mayo Clinic (2022), Post Traumatic Stress, < <https://www.mayoclinic.org/diseases-conditions/post-traumatic-stress-disorder/symptoms-causes/syc-20355967> > accessed on 25th April,2024

The graph below indicates the lifetime frequency of both victimization and perpetration in relation to the health of men due to physical violence, psychological violence and sexual violence.⁴²



2. Consequences of domestic violence to family members like children.

Domestic violence against men not only affects those who are abused but also it has substantial effect on other family members like children living in those homes where the incidents happen or take place. Children who witness the incidents of domestic violence against men are seriously affected. Therefore frequent exposure to domestic violence results into serious various social and physical problems. The researcher will discuss the following consequences to children below;

⁴² Frontiers in psychology (2022), Lifetime prevalence of victimization and perpetration as related to men's health: clinical insights, <

https://www.google.com/imgres?q=The%20graph%20below%20shows%20lifetime%20prevalence%20of%20victimization%20and%20perpetration%20as%20related%20to%20men%E2%80%99s%20health%20due%20to%20physical%20violence%2C%20psychological%20violence%20and%20sexual%20violence.&imgurl=https%3A%2F%2Fwww.frontiersin.org%2Ffiles%2FArticles%2F762079%2Ffpsyg-13-762079-HTML%2Fimage_m%2Ffpsyg-13-762079-

[g001.jpg&imgrefurl=https%3A%2F%2Fwww.frontiersin.org%2Fjournals%2Fpsychology%2Farticles%2F10.3389%2Ffpsyg.2022.762079%2Ffull&docid=qN41Ha-tDX8-EM&tbnid=isFJKxVT4_Q0TM&vet=12ahUKEwi3-uOi4u6FAxXdVfEDHX3UC_sQM3oECBUQAA..i&w=2217&h=1139&hcb=2&ved=2ahUKEwi3-uOi4u6FAxXdVfEDHX3UC_sQM3oECBUQAA](https://www.frontiersin.org/journals/psychology/articles/10.3389/fpsyg.2022.762079/full&docid=qN41Ha-tDX8-EM&tbnid=isFJKxVT4_Q0TM&vet=12ahUKEwi3-uOi4u6FAxXdVfEDHX3UC_sQM3oECBUQAA..i&w=2217&h=1139&hcb=2&ved=2ahUKEwi3-uOi4u6FAxXdVfEDHX3UC_sQM3oECBUQAA) > accessed on 2nd May, 2024

High risks of children becoming society's next generation of victims and abusers.

The fact that violence is a normal way of life this may result into children becoming the generation of victims and abusers. When the children living in and witnessing domestic violence, witness it they experience a lot of stress level that can negatively affect mental process which involves knowing, learning and understanding things hence impairing normal brain development.⁴³

The effects caused by circumstances are revealed during behaviour change. Later in life, the children who experienced violence in their childhood are at extreme risk of repeating the cycle of violence and abuse either as an abuser or victims.

Risks of harm to a child's physical emotional and social development.

Children frequently exposed to violence tend to suffer side effects of limited social skills due to reflections of trauma, terror, fear, depression exhibition of violence, risky or delinquent or risky behaviour like engaging in unprotected sex and using drugs and alcohol as well as severe anxiety. In addition, if children are school going students, there might be signs of poor or low concentration in class. The violence affects the child's self-esteem and they may not participate in school activities and have fewer friends

⁴³ Olivia Harrison(2021), The Long-term Effects of Domestic Violence on Children, page 2

which may lead to poor or under performance in academic work due to frequent exposure to violence.

With regard to physical development, there is a 45% to 60% chance of co-occurring child abuse, a rate fifteen times higher than the average, in homes where violence exists between partners. While witnessing abuse is harmful enough for children, living in an environment where abuse is present increases the likelihood that they themselves will eventually be physically harmed as well.⁴⁴

REASONS WHY VICTIMS REMAIN IN THE SITUATION OF DOMESTIC VIOLENCE.

Fear of divorce and related challenges.

Divorce is defined in *Veronica Habyarimana vs Habyarimana*⁴⁵ court stated that where it was stated that no conduct can amount to cruelty unless it has the effect of producing actual or apprehended injury to the petitioner's physical and mental health. There must be danger to life, limb, health, bodily or mental or reasonable for it to constitute cruelty.

Therefore domestic violence is a form of cruelty however victims fear challenges that come with divorce like sharing of family property, fear of losing custody of children. In *Re M (an infant)*,⁴⁶ Justice Odoki B stated that the welfare of the child should be looked up in the widest possible

⁴⁴ Ibid note 26

⁴⁵ Habyarimana vs habyarimana [1980] HCB 139

⁴⁶ Re M (an infant) Supreme Court Civil Appeal No.22 of 1994

sense. And so victims may fear losing custody of the child and sometimes difficulties of single parenting.

Religious, family and cultural pressure.

Culture involves family members, elders, clan heads at the detriment of others or the parties experiencing domestic violence, usually, people rarely end marriages using the formal sector but rather tend to go cultural depending on culture and traditions. Most cultures promote settlement and maintenance of family ties, rather than separation. This is because they are governed by principles of mediation, reconciliation and arbitration. This is so detrimental since it favors others at the expense of the parties hence the victims tend to remain in situations of domestic violence.

In line with religious pressure, religious person are likely to remain in situations of domestic violence because they have stronger moral beliefs in marriage according to the religion sect they belong to. Different religions have their own rules and procedures regarding divorce. The fact that marriage is viewed as a life long commitment and promise between the partner and divorce or separation is allowed if marriage is beyond repair.

Lack of awareness and sensitization of the victims and service providers.

49% of male victims of domestic violence feel they are unable to tell anyone compared to 19% of women.⁴⁷ There are various reasons why male victims are reluctant to view their experiences as abuse, lack of supportive services

⁴⁷ Exeter, Devon (July 2020), Domestic Abuse: raising awareness of male victims, <
<https://exepose.com/2020/07/03/domestic-abuse-raising-awareness-of-male-victims/> > accessed on 25th Apri, 2024.

like police and counsellor because they often laugh at the victim's claim, hostile traits and often victims are always ignored, scorned and rejected. Also the fact that they will feel embarrassed, ashamed, fear of being judged, disrespected and dedication to families and responsibilities, male victims tend to stay in those situations of domestic violence.

High levels of intimidation.

Male victims may tend to be intimidated into staying or remaining in situations of domestic violence or those broken relationship because of numerous threats by abusers. These threats can be verbal or physical like threats of killing, buttering, abusing, scary messages and releasing other confidential matters to them among other ways. This can easily make victims to remain in those broken relationship and continuously suffer domestic violence.

Shortage of resources for maintenance.

Victims of domestic violence who may not be financially stable to sustain themselves in days after leaving the violent situation, tend to remain there because they might be financially dependent on their abusive partners. In case they left the situations finding accommodation and other basic needs like food, water, clothing, medical care maybe hard to find so they tend to remain there in those situations.

CONCLUSION.

Having looked at the family settings and resolution of family disputes in African Traditional Society, the victims and perpetrators of domestic violence and causes and effects of domestic violence to the male victims and other family members especially children, the research found that indeed there are limitation to the effectiveness of laws and policies against domestic violence regarding men.

CHAPTER THREE

LAW AND POLICY ON DOMESTIC VIOLENCE AGAINST MEN.

Introduction

There are various laws and policies that address domestic violence against men on an international level, regional level and national level. On the international level and regional level, only those to which Uganda is signatory apply to Uganda. The researcher shall discuss the legal framework in theme below;

International legal framework.

Article 123⁴⁸ provides that parliament shall pass legislation governing the ratification of treaties, conventions, agreements or other arrangements established between Uganda and any foreign organization or entity by the President or a person authorized by the president in any issue. Some of them are covered below;

Convention on the Elimination of All forms of Discrimination against Women.

This convention provides for equality among both men and women and so men should not be subjected to discrimination but rather similar treatment

⁴⁸ The 1995 Constitution of Uganda as amended, Article 123

to that of women. This Convention was adapted in 1979 by the United Nations General Assembly and came into force on 3rd September, 1981.

The Convention in the preamble provides the basis of realizing equality between women and men through ensuring women equal access to and equal opportunities in political and public life. The Charter reaffirms fundamental human rights in the dignity and equal rights of men and women.

In addition, it provides for the principle of inadmissibility of discrimination and proclaims that all human beings are born free and equal in dignity and that every one is entitled to all the rights and freedom and lastly provides that parties have equal rights to enjoy all economic, cultural, social, civil and political rights.

Universal Declaration on Human Rights.

The Convention aims at promoting respect for freedoms and rights of every individual and provides for standards of achieving these. **Article 1** of the convention provides that all human beings are born equal and free in dignity and rights. **Article 3** provides that everyone has a right to life, liberty and security of person. **Article 5** provides that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. And lastly, **Article 6**, **Article 7** as well as **Article 8** provide that all are equal before law and are entitled without discrimination to equal protection of the law and shall be entitled to a remedy by a competent national tribunal for any act violating the fundamental rights granted to him.

With regard to the study, this Convention therefore protect men against any form of violence including domestic violence. The Convention calls for oneness for all individuals regardless the gender and prohibits inhuman and degrading treatment. However, men still experience inhuman and degrading treatment in form of domestic violence hence rendering the Convention provisions ineffective.

International Covenant on Civil and Political Rights.

The Convention promote universal respect for and observance of human rights and freedoms and provide for recognition of the inherent dignity and of equal and inalienable rights of all members of the human family.

Article 3 provides that states should ensure the equal rights of men and women to the enjoyment of all civil and political rights. **Article 7** provides no one shall be subjected to torture, to cruel, inhuman or degrading treatment or punishment. According to Article 23(4), state parties must take the necessary actions to ensure that spouses have equal rights and obligations during marriage and after it is dissolved.

African Charter on Human and Peoples' Rights

Article 3 states that every individual shall have equal rights before the law and every individual shall be entitled to equal to protection of the law.

Article 5 also provides that every individual shall have the right to respect the dignity inherent in a human being. All forms of exploitation and degradation of man particularly torture, cruelty, inhuman or degrading punishment and treatment shall be prohibited.

The researcher observed that most of the International Conventions majorly focus on women's rights and equality without discrimination and rarely are men's rights talked about apart from the framers of Charters and Conventions comparing women to men.

Article 3 of the Convention provides that all persons are equal before the law. However, the case is different since male victims are often ignored, scorned and rejected by those supposed to grant them the necessary help and assistance. This makes the Convention ineffective if those in authority are not putting the provisions of the law into practice.

Convention against Torture and other Cruel, inhuman, Degrading Treatment or Punishment.

This Convention was adopted by the General Assembly in December, 1984. the function of the Convention is to ensure that the all provisions of the Convention are observed and it prohibits torture and other cruel, inhuman or degrading treatment and punishment.

Article 3 states that no State shall expel, turn or extradite a person to another State where there are substantial grounds for believing that he would be in danger. And **Article 4** provides each state shall ensure that all acts of torture are offences under criminal law and provide appropriate penalties.

Therefore this Convention proposes that all States and State Actors while making laws which confer powers to those in authority should keep in mind protection of freedoms and rights granted under the laws to individual and

should not be subjected to torture and inhuman treatment by those in authority.

National laws that protect men against domestic violence are;

The 1995 Constitution as amended

The Constitution provides that the state shall endeavour to fulfill the fundamental rights of all Ugandans to social justice and economic development.⁴⁹ also provides that no person shall be subjected to any form of torture or cruel, inhuman or degrading treatment or punishment.⁵⁰ In addition, In terms of politics, society, culture, and all other areas of life, everyone is created equal and is entitled to the same protections under the law.⁵¹

The Constitution also states that the following freedoms and rights cannot be restricted, including the freedom from torture and harsh, inhuman, or humiliating treatment or punishment.⁵² Additionally, the Constitution states that a man and a woman are entitled to marry only if they are each of eighteen years and above and shall be entitled to equal rights at and in marriage, during marriage and at its dissolution.⁵³

Lastly, the Constitution provides that women shall be accorded full and equal dignity of person with men and that women shall have the right to

⁴⁹ Objective XIV of National Objectives and Directive Principles of State Policy.

⁵⁰ The 1995 Constitution as amended, Article 24

⁵¹ The 1995 Constitution as amended, Article 21(1).

⁵² The 1995 Constitution as amended, Article 44(a)

⁵³ The 1995 Constitution as amended, Article 31(1)(b)

equal treatment with men.⁵⁴ Therefore the Constitution provides for fair treatment of both men and women. Since men and women are equal, they should not be subjected to inhuman degrading treatment like domestic violence.

Regarding this study, the 1995 Constitution of Uganda provides for equal treatment among all individuals which include male and female. It still prohibits inhuman and degrading treatment of all genders, this therefore prohibits domestic violence regarding men.

The researcher while conducting this study realized that men are being subjected to physical, sexual, emotional and psychological torture by the perpetrators and this case are women with whom men are in intimate relationship. This therefore indicates that the Constitution is ineffective since its provisions are not implemented.

The Domestic Violence Act 2010

Domestic violence constitutes any act or omission of a perpetrator which harms, injures or endangers the health, safety, life, limb or well being whether mental or physical of the victims or tends to do so and includes causing physical abuse, sexual abuse, verbal and psychological abuse and economic abuse.⁵⁵ For a person to claim domestic violence, a domestic relationship must be established. A domestic violence means a family relationship, a relationship similar to a family relationship or a relationship

⁵⁴ The 1995 Constitution as amended, Article 33(1)(4)

⁵⁵ The Domestic Violence Act, 2010, Section 2

in a domestic setting that exists and existed between a victim and a perpetrator.⁵⁶

A person in domestic relationship shall not engage in domestic violence. A person in domestic relationship who engages in domestic violence commits an offense and is liable on conviction to a fine not exceeding 48 currency point or imprisonment. In domestic violence cases, consent of the victims shall not be a defence to a charge of domestic violence.⁵⁷ A victim or his or her representative of a victim may apply to a Magistrates Court for a protection order.⁵⁸

The Domestic violence Act also prohibits all forms of domestic violence described in **Section 2** which provides for the definition of the term. The researcher in this paper indicated that when male victims of domestic violence report cases, they are often ignored, rejected, shamed and embarrassed by the service providers like police officers.

This simply indicated that administration of justice is not met since the complaints of by the victims are not worked upon and Section 4 of the Act is ineffective hence the topic of this study paper.

Uganda Human Rights Commission Act, Cap 24

The Uganda Human Rights Commission is established in the 1995 Constitution as amended.⁵⁹ The Act provides for the appointment by the President with the approval of Parliament and composition of the

⁵⁶ The Domestic Violence Act, 2010, Section 3

⁵⁷ The Domestic Violence Act, 2010, Section 4(1 & 2)

⁵⁸ The Domestic Violence Act, 2010, Section 10

⁵⁹ The 1995 Constitution as amended, Article 51 & 52.

Commission.⁶⁰ The Commission shall investigate at its own initiative or on a complaint made by any person or group of person's against the violation of any human right and to educate and encourage the public to defend the Constitution at all times against all forms of abuse and violation.⁶¹

The Uganda Human Rights Commission is provided for under the Constitution and it's an impartial body that investigates the complaints made by the victims both male and female that are affected by any form of violation of fundamental rights and freedoms including domestic violence.

However, most published reports and investigations focus or relate to domestic violence regarding women neglecting the male victims . This has led to increased chances of violation of those rights and freedoms of male victims.

The Domestic Violence Regulation, 2011

A victim of Domestic or a person making a complaint on behalf of the victim may lodge a complaint to the chairperson, secretary or any other officer appointed by the Local Council Court, police, magistrate.⁶² A complaint may be made orally or written and where the complaint is made orally setting out the grounds on which domestic violence has been committed whether imminent and progress, it shall be reduced in writing and read to the complainant and the complainant shall be signed.⁶³ There shall also be

⁶⁰ The Uganda Human Rights Commission Act Cap 24, Section 2

⁶¹ The Uganda Human Rights Commission Act Cap 24, Section 7 (1)(a & b)

⁶² The Domestic Violence Regulation 2011, Regulation 3

⁶³ The Domestic Violence Regulation 2011, Regulation 4 &5

service of summons, notices or any other documents required to be served and shall be made by delivering to the respondent.⁶⁴ Under the Regulation, the parties shall if need be, be referred for mediation and counselling to an appropriate person or authority. The Court shall grant protection order to the victim of domestic violence and shall the order to the perpetrator and complainant and the responsible local authorities.⁶⁵

The Penal Code Act Cap 120

The Act provides that any person who incites any other person to do an of violence against any person by reason of sex commits an offence and is liable on conviction to imprisonment for a term not exceeding fourteen years.⁶⁶ The Act also provides that any person who with intent to intimidate or annoy any person, threatens to injure, assault, shoot or kill any person, or to burn, break or injure any property or with intent to alarm any person, discharges a firearm or commits any other breach of the peace, commits an offence and is liable to imprisonment for a period not exceeding four years.⁶⁷ Lastly, any person who by print, writing, printing, effigy, or by means otherwise than solely by gestures, spoken words or other sounds, unlawfully publishes any defamatory matter concerning another person, with intent to defame that other person, commits the misdemeanour termed libel.⁶⁸

⁶⁴ The Domestic Violence Regulation 2011, Regulation 10

⁶⁵ The Domestic Violence Regulation 2011, Regulation 34

⁶⁶ The Penal Code Act Cap 120, Section 83

⁶⁷ The Penal Code Act Cap 120, Section 81

⁶⁸ The Penal Code Act Cap 120, Section 179

This Act prohibits majorly two forms of domestic violence which include verbal and physical abuses regarding male. This however is not the case as reports of domestic violence concerning the two forms of violence are on increase. This simply reflects that the provisions of the Penal Code Act that prohibit libel, threatening and inciting violence are not implemented hence its ineffectiveness.

The Prevention and Prohibition of Torture Act 2012

Torture means any act or omission by which severe pain or suffering whether physical or mental, is intentionally inflicted on a person by or at the instigation of or with the consent or acquiescence of any person whether public official or other person acting in an official or private capacity for the purposes of intimidating or coercing the person to do or to refrain from doing any act.⁶⁹

The Act therefore prohibits of torture and states that there shall be no derogation from the enjoyment of the right to freedom from torture and any person who performs any act of torture commits an offence and is liable on conviction to imprisonment for fifteen years or to a fine of three hundred and sixty currency points or both.⁷⁰

Therefore this Act seeks to protect the male victims who seek assistance from the institutions but they are rather ignored, abused, intimidated, scorned and rejected at the detriment of their freedoms and rights hence

⁶⁹ The Prevention and Prohibition of Torture Act, 2012, Section 2

⁷⁰ The Prevention and Prohibition of Torture Act,2012, Section 3 &4

continue to suffer domestic violence because they are not assisted in any way by those with authority.

The researcher while conducting this study realized that male victims are often threatened, embarrassed and ignored by the law enforcers like the police officers bestowed with authority. This simply reflects to the negligence in enforcing the provisions of the Act, and the administration of justice is not met rendering the law ineffective to guard male victims against domestic violence.

The policies that protect male victims against domestic violence.

The Uganda Gender Policy 2007

The Policy will ensure that all Government policies and programme in all areas and at all levels are consistent with the long term of eliminating gender inequalities. Its recognizes equality between men and women. The major achievements of the policy are increased awareness on gender as a development concern among policy makers and implementer at levels.

53% of men aged 15-49 years experience physical violence. It objectives of Uganda Gender Policy is to reduce gender inequalities so that all women and men and to achieve improved and sustainable livelihood . The Policy increases knowledge and understanding of human rights among women and men. The policy objectives shall be achieved by sensitization in gender issues promoting appropriate education, sensitization and creation of awareness on the responsibility of all concerned parties.⁷¹

⁷¹ The Uganda Gender Policy 2007, page 17

The researcher while conducting this research found out that men who experiencing domestic violence are actually not aware that there are laws and policies aimed at protecting them against any forms of degrading and inhuman treatment.

This is due to lack of exposure, under education and lack of sensitization programs by professional which would help and assist the victims of domestic violence through enlightenment and address their minds to the existence of these laws and policies. Despite, the principle achievement of the policy is to sensitize all genders, this has not been effective.

The National Policy on Elimination of Gender Based Violence in Uganda , 2019.

The country's serious issue of gender-based violence was the reason behind the development of the policy. Gender based violence is a gross violation of fundamental human rights and have a severe, long term negative impacts on the physical and psychological well-being of the survivors, their families and the community. Gender Based Violence reinforces inequalities between men and women and compromises the health, dignity and security of those affected.

The policy also provides for violence against men. Gender based violence is also manifested as violence against men especially perpetrated by elites and economically empowered women, a trend that is relatively new in Uganda.⁷²

⁷² The National policy on Elimination of Gender Based Violence in Uganda, 2019, page 17

This policy aims to decrease the frequency of gender-based violence, provide survivors and victims of such abuse with comprehensive care and support services, and establish a framework for accountability and the abolition of impunity for such violence and provides strategies like creating awareness and strengthening sensitization of positive social norms, mobilization of financial resources to support services and mainstreaming Gender Based Violence in legislation, sectional policies, programme and strategic plans.

The National Male Involvement strategy for the prevention and response to gender based violence in Uganda 2017

The Policy is developed for the prevention and response to Gender Based Violence in Uganda aimed at engaging men and boys to become change agents in their communities and workplaces, promoting peace and security, mitigating conflicts, protecting the rights of women and girls, sensitizing their peers and ensuring victims/survivors receive appropriate services.

While women and girls remain highly prone to Gender Based Violence, men too, can and do experience Gender Based Violence from women or fellow men for instance emotional, sexual, and physical violence and provides consequences includes relinquish all social responsibilities at home, men's loss of identity as household providers and decision makers tends to translate into anti social behaviour and violence directed at women.⁷³

⁷³ The National Male Involvement strategy for the Prevention and Response to Gender Based Violence in Uganda, 2017, page 9 & 10

The Policy has various objectives like promote strategic partnerships in engaging men and boys in prevention and response to Gender Based Violence, raise awareness among male, and provide guidance on provision of male-friendly service to male victims of Gender Based Violence.

The policy proposes objectives like providing guidance on provision of male-friendly service to male victims of gender based violence, however the researcher while conducting the study discovered that male victims are not accorded a conducive environment for sharing about the issues regarding aspects surrounding domestic violence.

Male victims of domestic violence face challenges like being rejected, scorned, embarrassed, shamed shunned and considered to be weak beings which factors may hinder them from sharing about the issues concerning their challenges. This renders the above policy ineffective.

Conclusion.

In conclusion, Uganda has acceded to various international and regional instruments and has comprehensive and extensive national laws that assist in curbing domestic violence against men.

THE LEGAL INSTITUTIONS THAT UPHOLD THE LEGAL REGIME TO CURB DOMESTIC VIOLENCE AGAINST MEN.

Introduction

The researcher will discuss the institutional framework upholding the legal regime to curb domestic violence against men and these institutions include;

The Judiciary

The judiciary is one of the organs of the Government and **Chapter 8** of the 1995 Constitution establishes the Judiciary which aids the administration of justice. The judicial power is derived from the people and shall be exercised by court established under the Constitution in the name of the people in conformity of the law with the values, norms and aspirations of the people.⁷⁴ The Constitution establishes the courts of judicature and these are the Supreme Court, the High Court, the Court of Appeal, and any lower courts that Parliament may create by law, including qadhis' tribunals for guardianship, marriage, divorce, and property inheritance.⁷⁵

Court of Appeal

The court in this case shall seat as the Constitutional Court.⁷⁶ Therefore any question as to the interpretation of this Constitution shall be determined by the Court of Appeal sitting as the Constitutional Court. A person who alleges

⁷⁴ The 1995 Constitution as amended , Article 126(1)

⁷⁵ The 1995 Constitution as amended, Article 129

⁷⁶ The 1995 Constitution as amended, Article 137

that an Act of Parliament or any other law or anything in or done under the authority of any law and any act or omission by any person or authority is inconsistent with or in contravention of a provision this Constitution, may petition the constitutional court considers that there is need for redress where appropriate.⁷⁷ therefore, the interpretation of Acts of parliament regarding domestic relations and cases is to be done by the Court Of Appeal. This was evident in *Mifumi (U) ltd & anor vs AG*,⁷⁸ an appeal from the Constitutional court, where it was held that the practice of the asking for bride price is constitutional but seeking refund of the bride price as a precondition for the dissolution of customary marriage is unconstitutional.

High Court

The High Court shall have unlimited original jurisdiction in all matters and such appellate to hear and determine appeals from the Magistrate courts and other subordinate courts⁷⁹ and any other jurisdiction as may be conferred on it by this Constitution or other law.⁸⁰ Therefore the High Court can adjudicate cases of value or crime of any magnitude including domestic violence cases against men that may arise.

Magistrates' Courts

The Constitution establishes subordinate courts that Parliament may create by law, such as qadhis' courts for guardianship, inheritance of property,

⁷⁷ The 1995 Constitution as amended, Article 137(1 & 3)

⁷⁸ *Mifumi (u) ltd & anor vs AG* [2015] UGSC 13

⁷⁹ The Judicature Act Cap 13, Section 16.

⁸⁰ The 1995 Constitution as amended, Article 139

marriage, and divorce, as may be specified by Parliament.⁸¹ The Magistrates shall be of the following grades, which are Chief Magistrate, Magistrate grade I and II.⁸² Every Magistrates court has the competency to hear domestic violence matters and shall apply procedure prescribed by the Family and Children Court Rules and they have the power to issue protection orders against alleged perpetrators of domestic violence regarding men.

The Local council courts

These courts are established by the 1995 Constitution and governed by the Local Council Courts Act, 2006. The Act establishes a local council court at every village, parish, town, division and sub-county level.⁸³ Under the Second Schedule of the Act, assault and battery are one of the cases and matters of civil nature which maybe triable by the Local Council Courts. Therefore, any cases and matters shall be instituted by stating to the Chairperson the nature of the claim against the defendant and relief sought by the claimant.⁸⁴

The local council court shall make an order for any one or more of the following reliefs which include reconciliation, declaration, compensation, restitution, costs, apology and imposing fines.⁸⁵ Therefore, the fact that domestic violence against men is in form of physical violence like slapping, beating, throwing dangerous articles on men may amount to battery and

⁸¹ The 1995 Constitution as amended, Article 129 (1) (a)

⁸² The Magistrates Courts Act Cap 16, Section 4

⁸³ The Local Council Courts Act, 2006, Section 3

⁸⁴ The Local Council Courts Act, 2006, Section 14

⁸⁵ The Local Council Courts Act, 2006, Section 13

assault and so, the local council courts have jurisdiction to handle matters relating to domestic violence against men.

The Uganda Police Force.

The Constitution states that there shall be a police force which shall be known as the Uganda Police Force and such other forces in Uganda as Parliament may by law prescribe.⁸⁶ The Constitution of Uganda provides the functions of the Uganda Police Force which include protecting life and property, preserve law and order, to prevent and detect crime and to cooperate with the civilian authority and other security organs established under the Constitution.⁸⁷

The Uganda Police Force shall be an independent body established and provides for the functions by the Police Act Cap 303. ⁸⁸ A police officer who has good reason to think that apprehending and holding someone is essential to stop them from harming themselves or anybody else physically or from causing property damage or loss.⁸⁹ Likewise, a police officer may institute criminal proceedings before a magistrate, apply for summons, search warrants or undertake any other legal process against a person charged with an offence.⁹⁰

Therefore the Uganda Police Force has powers conferred to it by the Constitution and the Police Act to investigate any cases including those of

⁸⁶ The 1995 Constitution as amended, Article 211(1)

⁸⁷ The 1995 Constitution as amended, Article 211(2)

⁸⁸ The Police Act Cap 303, Section 2 & 3

⁸⁹ The Police Act Cap 303, Section 24

⁹⁰ The police Act Cap 303, Section 34

domestic violence against men, arrest perpetrators and protect the male victims in order to curb domestic violence regarding men.

Non governmental organizations.

Non government organizations are provided by the Non Governmental Organisation Act, 2016. The Act provides a conclusive and an enabling the environment for non government sector, to strengthen and promote the capacity of non government organizations and their mutual partnership. The Act establishes an administrative and regulatory framework within which Organizations can conduct their affairs and promote and require organizations to maintain high standards of governance, transparency and accountability.⁹¹

These organizations that protect and uphold the laws and policies against domestic violence regarding men include;

Men of Hope Refugee Association in Uganda.

This non government organization was established in 2011 due to the increasing cases of men and boys presenting challenges resulting from experience of sexual violence. The objective of the organization is to engage in self help project for group members, community awareness, sensitization, advocacy and documentation on sexual violence against refugee men and boys.⁹²

⁹¹ The Non Governmental Commission Act, Section 4

⁹² Refugee Law Project, Male survivors of sexual violence in Kampala demand for Better service, page 3

The organization provides recommendations such as providing improved access to health services to survivors or male victims, provide language interpretation services in the health sector and hygiene during recovery.⁹³

Ministry of gender, labour and social development.

The Ministry is mandated by Chapter 4 of the Constitution to promote fundamental and other human rights and freedoms.

This Ministry mobilizes and empowers communities to equip or tackle their potentials while protecting the rights of vulnerable population group and in this case it is the domestic violence against men. The Ministry also protects issues regarding social protection, gender equality and equity, human rights, culture and empowerment.⁹⁴ The aim of the Ministry is to achieve a better standard of living, equity and social cohesion.

The objectives of the Ministry promotes rights and gender equality, equity and women empowerment in the development process, redress, imbalance and promote equal opportunities for all and enhance the resilience and productive capacity of the vulnerable persons for inclusive growth.

In regard to domestic violence regarding men, the Ministry of Gender assists in rendering advice while enacting laws and policies which protects male victims of domestic violence like the Domestic Violence Act and the

⁹³ Refugee Law Project, Male survivors of sexual violence in Kampala demand for Better service, page 6 & 7

⁹⁴ Ministry of Gender, Labour and social development (2019), submissions for the 11th session of the UN open-ended working group on ageing, page 1

Regulations and promotes equality of all genders and promotes rights and freedoms.

Uganda Human Rights Commission.

The Commission is a national protection mechanisms entrenched in the Constitution and is concerned with the freedom from torture, inhuman and degrading treatment.⁹⁵ The Commission is also established under the Uganda Human Rights Commission Act. The Commission is to investigate at its own initiative or on a complaint made by a person or group of person against the violation of any human rights, establish a continuing program of research, education and information to enhance respect of human rights, to raise and maintain public awareness of the Constitution's provisions, to urge and educate the public to defend the Constitution as Uganda's fundamental law, and to propose to Parliament effective measures to advance human rights, including paying compensation to victims of human rights violations and their affairs.⁹⁶

Therefore the Commission ensures that every individual enjoys the fundamental rights and freedoms without any form of discrimination. It prohibits the violation of rights and guards all male individuals from inhuman, degrading treatment as well as torture relating to domestic violence regarding men caused by perpetrators.

⁹⁵ The 1995 Constitution as amended, Article 50

⁹⁶ The Uganda Human Rights Commission Act Cap 24, Section 7

Conclusion

In conclusion, the above institutions like the Judiciary, the Uganda Police Force, the Uganda Human Rights Commission among others are responsible for upholding the laws and policies against domestic violence regarding men and prohibiting inhuman degrading treatment against any individual and abuse of human rights and freedoms which entails all forms of domestic violence.

CHAPTER FOUR

SUMMARY OF FINDINGS, RECOMMENDATIONS AND CONCLUSIONS.

Background

This chapter contains the information that was gathered during the research process and analysis of the data that was gathered. This chapter is inclusive of the recommendations that can be adopted by all the parties invested which include the Government entities, judiciary, police officers and the Non governmental organizations.

At the commencement of this research study, the aims or objectives of this study were to assess the level of awareness among men about the issues of domestic violence and the laws and policies in place to address it, examining the extent to which awareness affects the response of the law enforcement, service providers and the wider community, identifying the challenges and barriers that prevent the effective implementation of laws and policies and to develop recommendations for improving the effectiveness and implementation of the laws and policies aimed at addressing domestic violence against men.

Having the objectives mentioned in the background of this chapter in mind, this chapter will present some of the findings of the research carried out using the desktop review methodology.

SUMMARY OF FINDINGS

While carrying out this research, there were various findings and these include limitations that hinder the effective implementation of the laws and policies and the level of awareness among the male victims about the situation of domestic violence and the available laws and policies against domestic violence regarding men.

LIMITATIONS OF EFFECTIVENESS OF LAWS AND POLICIES.

Laws and policies enacted against domestic violence are in existence and gender sensitive in that they cater for both the females and males. However some of these laws and policies because of some limitations and reasons discussed below are ineffective. These reasons are discussed below;

Reluctance to report domestic violence.

Male victims are reluctant to reporting experiences or cases or incidents of the domestic violence because they are not aware that they are experiencing domestic violence and sometimes see it as a normal way of life. This happens in instances when someone grew up in an environment where abuse was common and do not have a picture of how a healthy relationship looks like and may not tell that the other partner's behaviour is unhealthy or abusive.

In some instances, male victims tend to regard domestic violence as a private family matter which society should not get to know about and hence the laws and policies available to assist in those instances are ineffective.

Insufficiency in court system and orders.

Court system and processes tend to be expensive for victims of domestic violence especially those who are financially dependent on the other abusive partner who is financially stable hence cannot report.

Also, the protection orders granted by courts to the victims of domestic violence that handle those matters further abuses and sometimes these orders come with harassment from the abusers. In case, those granted are for judicial separation and there is determination of child support aspects like temporary custody taking into account the welfare of children may cause other issues. Therefore there might be non compliance with those orders and enforcement of those orders will be ineffective.

Lack of awareness by law enforcers and illiteracy among victims.

Male victims, law enforcers like police officers, counselors or counselling institutions are illiterate and lack awareness of laws and policies. This is because the law needs more interpretation and requires a lot of support from other persons acquainted with the laws and policies like lawyers, legal aid organizations.

In certain circumstances, the law enforcers are overwhelmed with various responsibilities and roles to play that come with domestic violence like investigating the crimes and distinguishing between the rumors and truths, failure to know their jurisdiction in handling cases, and some do not know that these laws and policies exist.

Also some law enforcers have wide spread of misconduct, brutality, hostility and tend to use a lot of force and others are corrupt and victims find it hard to report cases of domestic violence in their homes since they find it hard to obtain police assistance.

Lastly, male victims who tend to report these cases of domestic violence are frequently ignored, scorned and rejected.

LEVEL OF AWARENESS AMONG MEN ON THE ISSUE OF DOMESTIC VIOLENCE.

Lack of exposure among men.

The researcher observed while conducting research that uneducated male victims are often exposed to domestic violence. It was confirmed that under educated men have more negative attitudes toward domestic violence than other groups and it was found that 10% of the young adult men were exposed to violence within their own family and the average of their total scores from the Attitude Toward Domestic Violence Scale was 49.41.⁹⁷

The fact that male victims have not been exposed to the various articles, programs relating to domestic violence may affect their level of awareness. For instance, people in remote areas like villages who do not have access to these services provided by the service providers like police, judiciary and

⁹⁷ Derya Adibelli (2016), Attitude of young adult men towards domestic violence and factors affecting their attitudes in Turkey, < <https://journals.sagepub.com/doi/abs/10.1177/0886260516673630> > accessed on 1st May, 2024

non governmental organizations are likely to be affected by domestic violence.

Effects of language barrier while seeking assistance due to educational levels.

Highly educated women are perpetrators when the men are less educated or with a lower educational levels. During interviews, it was revealed that education were among the factors influencing domestic violence against men in Iringa Municipality. It was pointed out that men were violated due to lack of education or lower education level compared with their partners. For instance, those who had low education level compared to their partners were suffering from violence since it was easy to be harass by women.⁹⁸

Male victims have to find solutions through exploration of literature in form of the laws, regulations, policies, manuals, conducted research and articles related to domestic violence regarding men. This cannot be effective unless the male victims are exposed to some level of learning and education.

Likewise, in instances service providers like police officers are usually deployed in areas where they face language barrier and in case they are dealing with less or uneducated victims, transferring of information and communication to the victims maybe so difficult and the fact that they do not know their rights.

⁹⁸ Beneth Msomba(2023), Factors influencing domestic violence aginst men in Iringa District, <
https://www.researchgate.net/publication/375985410_Factors_Influencing_Domestic_Violence_against_Men_in_Iringa_Municipality > accessed on 1st May, 2024

Cultural influence among the male victims

Culture can affect the way of life of persons in a given society. Therefore culture is defined to mean the essence of intellectual or artistic achievements to certain groups of people.⁹⁹ Culture can be described by values, symbols, beliefs, language and certain rituals. Therefore culture can affect and determine the approach towards domestic violence.

Culture can be described in various forms which include the contemporary western culture which influences domestic violence through films, music on television stations and through artistic works. There is also the culture from the African Traditional Society which is governed by various beliefs, norms and expectations. For instance, men were regarded as masculine, powerful as well as heads of the families. Therefore men who suffer domestic violence never speak up and die in silence because if they speak up they will be regarded as weak members of the society and disgrace to the families.

CONCLUSION

In conclusion, after carrying out this research, it is clear that male victims of domestic violence are actually not aware of the existing laws and policies that protect and guard them from any forms of domestic violence. In addition and most importantly, it is worth noting that most laws, policies and international conventions majorly focus on women's rights and equality

⁹⁹ Grace Pisano(2023), Elements of culture, definition, aspects and components,< <https://study.com/academy/lesson/elements-of-culture-definitions-and-ideal-real-culture.html> > accessed on 1st May, 2024

without discrimination and rarely are men's rights talked about apart from the framers of Charters and Conventions comparing women to men.

The researcher discovered that there is a presumption that men are aware of their rights under the laws and policies yet it is not right hence a detriment to their rights and freedoms due to the various points discussed above.

RECOMMENDATIONS

The Researcher while conducting this research came up with various recommendations to the various institutions that uphold the laws and policies of domestic violence. These recommendations will be discussed as follows below;

Carrying out sensitization sessions of the male victims.

Male victims should be engaged in sensitization sessions in order for them to get exposed. Sensitization sessions assist the uninformed male victims about the various laws and policies that protect them against domestic violence, expose them to the dangers that come with domestic violence as well as the consequences.

The researcher recommends small sensitization sessions where victims will be free to share issues concerning their experiences in domestic violence.

This will also assist them open up to expose the challenges that are associated with domestic violence in those small groups.

The researcher while conducting the research realized that there are many under educated male victims who actually desire small sessions to learn more from the learned about issues pertaining domestic violence like practitioners, non governmental organization representatives.

Establishment of a separate court system.

The researcher recommend that men should have a different court system which handles their affairs other than having their cases handled like any other court case. There should be a different division in the court system that handles cases like those associated with domestic violence. This will reduce on the chances of embarrassment, shame, rejection that male victims face as they report cases. This will aid information sharing and easy resolution of cases.

The researcher recommends that the Judiciary should appoint separate judicial officers especially those experience in family matters and those informed to handle cases relating to domestic violence to overcome the limitation of lack of awareness among service providers.

Provide specific ingredients of domestic violence.

Domestic violence constitutes any act or omission of a perpetrators which injures or endangers the health, safety, life, limb or well being whether

mental or physical of the victim or tends to do so and includes causing physical abuse, sexual abuse, emotional, verbal and psychological abuse and economic abuse.¹⁰⁰

The definition of domestic violence is too broad and the fact that it has different forms like physical, sexual among others, they should be able to provide what amounts to the various forms of domestic violence so that the resolution of the cases becomes easier for judicial officers.

This specificity will as well assist in reducing confusion between battery and assault and domestic violence. This is because in most cases when domestic violence cases regarding men are reported, they are often confused and regarded as battery and assault which is detrimental to the male victims of domestic violence due to the shape of bodily harm sustained by the victims.

Offering training services to the male victims of domestic violence.

The researcher suggests that male victims who are under educated or uneducated should be offered training sessions regarding the laws and policies. This can be done by the organizations and persons with expertise in the field of family law and other areas concerning the issue of domestic violence against men. This is to assist male victims open up and address their minds to aspects related to domestic violence like awareness, causes, challenges and consequences of domestic violence regarding men.

¹⁰⁰ The Domestic Violence Act , 2010, Section 2

In addition to the training services to the male victims, these will provide a platform for understanding and confidential conversations. Male victims who would participate in these forms training service have higher chances of making new friends, families to confine in. This would earn them encouragement to accept the situations and find solutions to those various challenges the face that come with domestic violence relating to the men.

The researcher recommends counselling sessions for the male victims which should be private and handled in discreet to assist male victims to easily open up to solve the problem of under reporting the domestic violence cases regarding men because it is associated to shame ridicule and rejection with professionals.

Conclusion

In conclusion, this paper aimed at assessing the laws and policies on domestic violence regarding men. The researcher analyzed the already existing relevant literature about domestic violence regarding men and identified gaps. The researcher has analyzed all gaps and answered all the set of objectives of the study like assessing the level of awareness among men about the issue of domestic violence and laws and policies that address it, examining the extent to which awareness about domestic violence affects the response of law enforcement, service providers and wider community, identifying the challenges and barriers that prevent the

effective implementation of laws and policies as well as development of recommendations for improving awareness.

The researcher in this study analyses the various international and national laws and policies on domestic violence regarding men that provide for protection of individual rights and freedoms from the inhuman and degrading treatment. The international Conventions include the Convention on the Elimination of all forms of Discrimination against women, Universal Declaration on Human Rights, International Covenant on Civil and Political Rights among others.

The National laws on domestic violence regarding men include the 1995 Constitution as amended, the Domestic Violence Act, 2010, the Domestic Violence Regulation, 2011, the Uganda Human Rights Commission Act, the Penal Code Act, the Prevention and Prohibition of Torture Act, 2012. The policies on domestic violence regarding men include the Uganda Gender Policy 2007, the National Policy on Gender Based Violence in Uganda 2019 among others.

The researcher further establishes the various institutions that uphold the laws and policies discussed in the study above like the Judiciary, the Uganda Police Force, Non-Governmental Organizations and the Uganda Human Rights Commission.

The research while conducting the study above found out that indeed male victims of domestic violence are not aware that they suffer domestic

violence especially those that have experienced violence in the childhood since they consider it the normal way of life. Also, the researcher identified that law enforcers, service providers are actually not aware of the effective laws and policies on domestic violence regarding men. In addition, the researcher discovered reasons for lack of awareness as cultural influence, insufficiency in the court systems, illiteracy, limited exposure and lack of education.

The researcher proposes certain recommendations to answer all the various objectives stated in Chapter one and the suggestions include carrying out sensitization sessions of male victims establishment of a separate court system and offering training services to male victims of domestic violence regarding men.

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