

## **Increase in Domestic Violence in Nigeria: The Implication of Mismanagement of the Public Sector, and the Weaknesses of the Judiciary**

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### **Abstract**

*Domestic violence is referred to abusive or violent acts committed by one or a group of family members against another. It is a global phenomenon that occurs between couples, parents and their children or family members and its implications have been a series of negative outcomes because government is not properly managed. The incipient outcome of crimes which occasioned not only some fundamental faults in crime management also caused the rationale for the need to strengthen the Judiciary particularly, in Nigeria and all over the world in general. The study examined the causes of domestic violence in Nigeria. It found that many cases of domestic crime occurred because of poverty and lack of financial capability to procure needs for the family as well as psychological problems that occasion a transfer of aggression due to lack or insufficiency of resources to sustain the family while accusation of infidelity are not left out. The aforementioned factors were linked to corrupt leadership in Nigerian Public Sector. For instance, studies have shown that some high profile government officials across the world including Nigeria, have exclusively regarded corrupt behaviour as fundamental rights of the public servants including some politicians in Nigerian leadership positions because punitive measure is prevented from being implemented after being found guilty. As it is prevalent across the world, various laws were in place to regulate it as well as in Nigeria but the management of the corruption to set deterrent lacks in Nigeria. Those identified acts caused the mismanagement of the public sector, some corrupt behaviours and the weaknesses identified in the judiciary which eventually led to occurrence and proliferation of domestic violence in Nigerian homes. It had had detrimental implications on the socioeconomic situation of Nigerians and in other countries where such behaviours flourished and not well managed. The study made use of library as source of its data which is in line with qualitative method of research. The study researched some measures to address it to sustain a lawful and peaceful society. The study suggests the policy implications and the needs for future research.*

**Keywords:** *Domestic Violence, Public Sector Mismanagement, Corruption, Judiciary.*

### **Introduction**

Domestic violence in Nigeria before and immediately after independence up till late 70s was at its very minimal and controllable stage. The Nigeria of 1978-1983 when democratic governance was in practice began to experience celebrated corrupt leadership. Nigeria began to witness either violent political attacks, corrupt behaviours among politicians and the committed offences were consequently, not managed or addressed with

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equitable punitive measures as if Nigeria had no legal statutory institutions that could place punitive measures on any indicted member among the Nigerians in leadership positions. The military under the leadership of Major General Muhammadu Buhari seized the power under military coup based on the accusation that lawlessness and corruption have been condoned in the country by the leaders. Within the month of December 31, 1983-August 27, 1985, discipline was swiftly restored and moral orientation on general lawful behaviour were in place. However, the government was seized again in a bloodless coup from the Buhari/Idiagbon regime by General Ibrahim Babangida (1985-1993) whose reign opened a wide door to lawlessness and practice of monumental corruption up to the regime of Gen. Sani Abacha (1993-1998) when Nigeria witnessed a complete deterioration in lawlessness and unprecedented cases of treasury looting of US\$2.4 billion, the restitution claimed by Enrico Monfrini, a Swiss leading lawyer hired by the Nigeria government of President Olusegun Obasanjo to dig out and repatriate all illicit bank accounts of Gen. Abacha's public stolen money (BBC, 2021 January 28). Some of the foremost public leaders in the Nigeria's democratic era of fourth Republic have become full-blown corrupt public figure but prevented with immunity. Many committed heinous crimes were unreported or the public servants/politicians involved in the crimes went scot free because they were in public positions of leadership while the well-intentioned but toothless legal institutions were under their control. All these weaknesses observed in the leadership level had caused many individuals to start committing violent crimes at domestic level against members of family, neighbours, friends and acquaintances. The worse of domestic conflicts were perpetrated by criminally minded individuals when Nigeria became a fully democratic country between 1999 and the present time of compiling the study under context. The normal process of governance began to lose its legitimacy as corruption in the public sector, unemployment, skyrocketing inflation and aggression due to frustration lead to lawless. The value of local currency depreciated and much money began to chase small quantity of goods and services while millions of workers' salaries were not paid. These series of unprecedented development gave rise to domestic violence as parents and heads of the family could not finance goods of necessities for the household. Salary of workers are withheld for months in some states while federal and states held back the payment of pension for months. An Empirical survey conducted by BudGIT (2022 July 28) found that 12 states owed at least one-month salary while some have not paid 6 months' salary of their public servants such as Abia and Taraba States. Ebonyin state is reported to owe 6 months' unpaid pensions while Ondo state too was listed as owing 4 months' salary of state tertiary institutions and the hospitals. Financial incapability is one of the major problems leading to violent events in many homes. The central government seemed to lack a legal jurisdiction to place any enforcement policy against the state leadership to help the concerned helpless states' public servants to get paid as at when due. That non-intervention policy against the central authority in the affairs of federation units may have to do with the constitutional autonomy of state government. The study found that lack of mean of survival in various households can be an explosive recipe to domestic violence because the married couple need to maintain life of the entire family and where the two have not, penitence may be exhausted in few days especially in a country like Nigeria where there is no social package policy for jobless couples or members of their family.

There are attacks in many Nigerian homes today as emotional individuals inflicts unimaginable injuries, tremour, bully and emotional treatment against their spouses. This behaviour has become rampant in the country now, a proper management of the public wealth and a regular spill over of the revenue be allowed to get to families. It takes the grace of strict justice to see a lawful Nigerian society again because atrocities, conflicts, corrupt behaviours and deceitful ideology are adhered beyond redemption. Therefore, from the backdrops, domestic violence is just a tip of an iceberg from the pool of other immoral behaviours currently witnessed in the Nigerian society of today as a result of mismanagement of the entire nation. The UN found that Exposure to violence was

highest among women in Kenya (80%), Morocco (69%), Jordan (49%), and Nigeria (48%). Those in Paraguay were the least likely to report such experiences, at 25% ((Punch 2022 August 22).

Domestic violence is a form of threat, psychological, physical, emotional or sexual actions that influences another person. It also includes any behavioural system that, isolates, frightens, terrorizes, coerces, threatens, hurts, injures and negatively controls another person (Adebayo, 2014; Oyelade, 2012). Essentially, this postulate a violation of human rights from a legal consideration (Nwankwo, 2003). At the same time, domestic violence violates the law of basic human rights, pointing to the assault against one's family member by another. It includes battering of intimate partners and others, sexual abuse of children, marital rape and traditional practices that are harmful to women (Ahiie, 2009). In addition, Scott and Marshall (2009) argue that domestic violence is specifically male violence (physical or psychological) against women. The term is believed to have been popularized by feminists in the 1970's, some of whom established refuges for battered women. They also argued that domestic violence is a reflection of gender inequalities in power and of women's oppression. Nevertheless, one thing that is common is the fact that domestic violence has negative effects on the parties involved.

Besides, this study does not want to limit the domestic violence to the abuse against women alone. There are cases of violence between and among groups of women, parents and their children and between a child and siblings as well as among neighbours. From the excerpt below, it is evident that domestic violence is not limited to intimate partners alone

Cases of domestic violence in Nigeria have taken an upward swing in recent weeks, especially the physical aspect of it. If it is not about a man beating, maiming or killing his wife, it is about a woman dealing with her husband in like manner. There have also been reports of a man stabbing his brother to death for wading into a feud between him and his wife and a woman beating and blinding her grandchild, among others.

(The Guardian, 2021 February 27).

#### Domestic violence in Nigeria

Domestic violence affects all social groups in the society and can consist of physical, sexual, emotional, economic and psychological abuse. Although men can also be victims of domestic violence, women and children suffer it most. The prevalent culture of silence and the effects of stigmatization experienced by the victims of domestic violence hinder public acknowledgment of the problem. Law enforcement agency, the police have been reluctant to intervene in incidents involving domestic violence; they prefer to regard the family as a private realm. Erroneously, wife beating is considered a "private affair" of the home. Wife battering is "culturally" acceptable; it is considered as a "normal way of life" and even as a "sign of love" (Nwankwo, 2003).

There are different types of domestic violence such as:

Economic Abuse;

Sexual Abuse;

#### Causes of Domestic Violence

Many studies have researched on domestic violence and various causes had been disclosed as

highlighted below from the studies of some scholars and stakeholders as well as government.

According to Ishola (2016) the causes of domestic violence in Nigeria includes but not limited to: family upbringing and moral value, cultural and religious belief, financial constraint, the issue of childlessness, male-child syndrome, drugs and alcoholism among

others. Which are predominantly the common causes of domestic violence between both sexes. In the study of Obarisiagbon and Omage (2019) which examined domestic violence against men in southern Nigeria, the result showed that causes of women violence against men are: drunkenness or keeping late nights, financial demands, infidelity, provocation or self-defense. Hamberger and Potente (1994) also argued that mental imbalance, alcoholism, various legal and political peculiarities such as inhumane and tyrannical behaviour are also causes of domestic violence.

However, domestic violence occurred between spouses in African societies is viewed as a private issue. It is considered as issues that are not necessarily require legal intervention. As a result, women bear the incidence of domestic violence in silence and it is traditionally viewed as part of challenges women accept as destiny in marriage life (Curran & Bonthuys, 2004). Meanwhile, Watts and Zimmerman (2002) asserted that it is not particular to the African region alone, but rather a global phenomenon.

However, the current study under context have discovered new causes which represent gaps in most of the literature. The studied gaps are the implication of the public sector corruption and the weakness of the Nigerian Judiciary. Their roles responsible for the prevalence of domestic violence in Nigeria because corruption create gap for laxity in society and the judiciary and the law enforcement agents are accomplices of lawlessness due to prevalence of corruption.

Psychologica experts deduced that some individuals are living with mental health problems. The latter may overpower them and could not self-regulate their emotions during the times of anger, fear or anxiety. They are even weak to control basic responses to issues and situations as at when due.

#### Public Sector Corruption as a Cause of Domestic Violence

For instance, corruption has drastically reduced job opportunity. Job creation by foreign investors was virtually unavailable for quite a while in Nigeria while the Foreign Direct Investment into the country was at low space due to the insecurity that was bred by the same corruption. Joblessness is a persistent challenge on the side of many spouse's causes of domestic violence. In the Nigerian context and Islamic context in particular, husband is the head of the family and he is expected to procure the necessities of life for the wife and the children. Once, there is no job for the husband, there can be no resources to take care of the family.

Delayed or unpaid salary of workers is a corrupt act that have indirect effect or implications on the event of domestic violence where women challenged their working husbands of inability to pay the school fees of children or not able to finance some items of necessities for the family. Some public leaders were indicted of laundering the salary of the public workers in bank-fixed- deposit account but blaming the cause of the delay on logistic or bureaucratic bottleneck that are not really responsible for it. The aim of the delay tactics is for the purpose of acquiring interest on the salary of workers deposited for a certain fixed period for himself at the expense of millions of public workers. Corruption in the public sector reduces the financial capability of many state governments hence, to pay salary of workers as at when due leads to trouble in family settings, husbands whose financial status is facing challenges may decide out of financial frustration to go out with girls or ladies who are CEO of organizations or private businesses who could support them financially. Wives and girlfriends are not comfortable seeing their spouses going out with another female friend even if there is no sexual relation between them

Furthermore, infidelity is a common issue of suspicion for cheating one another among married couples. This creates a lot of conflicts among the couples. In such situation, issues of infidelity become one of the major reasons for domestic violence among couples. There have been moments the husband may bully and threaten his wife at the pick of argument, possibly with dangerous weapon or having her locked up in a confined

or secluded place when confronted or attacked with abusive words, calling him names. Women, for being good at shouting when joining issues with their male partners do attract neighbours who may use it as access to interfere under the pretext of initiating peaceful settlement. Wives could be violent as well or attempt criminal offense such as putting poison in husband’s food to kill or expose him to bodily harms by attacking husband with dangerous chemical as means for self-defense.

Poverty has caused tremendous amount of conflicts among people of various families in Nigeria. Lack of items of necessity to keep average life is absent in many homes in Nigeria where people living under poverty level as at 2020 stands at 40% or 83 million out of over 200 million Nigerians (National Bureau of Statistics 2020); World Bank, 2020 May 28). The report showed that poor people live on 137,430 naira (\$381.75) per year. Definitely, almost 50% of the Nigerian population must have been scrambling for any available food not what they desired to eat. A country where job creation is extremely low, better wellbeing for the majority of the people will be chaotic. Some children have taken to the streets to beg for food as parents could not provide for them their daily meals. Members of the family have confronted some of the grown up among the children when they are observed to be involving in internet fraud like advance fees, love extorting practices with some female netizens online and cyber fraud activities. These had in many homes created conflicts between parents as to know who responsible for misfortune of children between couples.

Table 1. Relative poverty headcount from 1980 – 2010.

Year (%)	Poverty Incidence (Millions)	Estimated Population Poverty (millions)	Population in
1980	27.2	65	17.1
1985	46.3	75	34.7
1992	42.7	91.5	39.2
1996	65.6	102.3	67.2
2004	54.4	126.3	68.7
2010	69	163	112.47

Source: National Bureau of Statistics 2012 Report, cited in this Day Newspaper 26 Feb. 2012.

In reference to the Table: 1 above, the incidence of poverty in 2010 was at 69% of the total population of 163million while the numerical equivalent of the percentage stood at 112.47 million people of Nigeria. It means, just only 30% of Nigeria can feed themselves daily on the average with no data to know how many of the 50million living above poverty line are satisfy with quality of life. The lease population living under poverty line was recorded in 1980 when corruption was may have been a bit low or when there were enough resources to go round. It means distribution of wealth was fair prior 1980 and resources were either managed well or infrastructure was at better condition for individual to use for investment as SMEs while job availability was commendable during 70s and 80s when more investors were in active productive businesses in Nigeria.

The recent lock down order made by the government to prevent the spread of the Covid-19 pandemic aggravated the prevalence of domestic violence as inaccessibility to sources of livelihood deprived many parents from funding basic needs in the house. Similarly, the government’s promised palliatives meant for the citizens to complement household needs reported to be a scam because, more than 90% of the targeted beneficiaries had their hope dashed. The latter exposed the level of corrupt behaviour of some public officers in the

Nigerian public sector when the youth embarked on protest calling for an end to the operation of the Special Anti-Robbery Squad (SARS) police department in the country. The protesters discovered a large consignment of food items meant for distribution as palliative to the public in various warehouses months after delivery to the agencies and state governments for distribution to the members of the public. It is empirically found that corruption of the public officers is not only about public financial wealth, they even extend it to food items earmarked for distribution to the members of the public. Transport facilities that were barred from operating during the Covid-19 lockdown played a devastating roles as source of hardship against the members of the public hence, psychological and emotional factors were seemed to be sources of a number reported domestic violence in some identified homes, particularly in Nigeria. In another aspect, many could not move out to visit centres of Civil liberty organizations and NGOs where little assistance may be offered to them because of the lockdown and total restriction of movement.

#### Some Empirical Cases of Domestic Violence in Nigeria

According to the Nigerian Tribune, a 45-year-old father who was detained in September for allegedly having sexual contact with his biological daughter and impregnating her has spoken out about the incestuous deed. The daughter, who is also the first suspect's first child, told police that she and her father began having sexual intercourse in June 2021, and that the man threatened to kill her if she tells anybody. Despite her father's threats, she had to go to the police to file a complaint once she became pregnant. The randy guy confesses to having sexual intercourse with his daughter after being interrogated by the cops.

The Nation, 2020 April 18 reported that a scene at House 78 Amudalatu Street, Agodo, Egbe, a Lagos suburb, on Sunday March 29 ended on a brutal note when the landlord's wife allegedly picked up a razor and sliced the face of a female tenant, leaving her with a bloodied face and deep gash after a disagreement over unpaid electricity bills. According to the first report, the victim and several tenants in the building had allegedly defaulted on their electricity bills, resulting in their disconnection by the electricity distribution company authorities. Neighbors, on the other hand, claimed that the victim recently assaulted the landlord's wife and left her with a scar on her body as a result of the altercation. The landlord's wife was apprehended and handed over to Ikotun Division police, where she was held for three days while the victim was transferred to a hospital for treatment.

The Nation, 2020 April 4). I have no Regret killing my Mother-In Law- Housewife

Mrs Ashi Chem, Rosemary Osegba Chem's mother-in-law, was hacked to death by Rosemary Osegba Chem over the latter's alleged inappropriate intervention in the former's marriage. It was the only way to salvage her marriage, according to the suspect. She said that circumcision had wrecked her sex relationship with her husband and that the deceased woman posed a threat to her marriage. She described how her mother-in-law called her names and threatened to throw her out of the house since she had not given birth to a child after three years of marriage. "She insisted that I leave the house and that her son marry someone else. She even went so far as to get another girl for my husband, as she had threatened. "My husband chose to concentrate on the new girlfriend that his mother had brought for him. With my husband's permission, the girl would usually spend a week in my mother-in-law's apartment. law's Rosemary stated that she had no remorse for her actions and that she was prepared for the worst, claiming that she had not experienced serenity since her marriage to Chem.

The Nation, (May 25, 2020) reported that a concubine, Kamoru Ajibola chops off wrist of his mistress's husband. The unfortunate scene happened on Monday, 25 May, 2020 in Amuda Oba area, Modakeke Osun State where two friends, Kamoru Ajibola and Ismailah Mohammed as identified by the Nation's reporter, chopped off the left wrist of a 29-year-

old husband, Tunde Ajayi at 4 am when the two friends attacked the victim at his residence. An eye witness who is also a resident in the area informed the Nation that Ajayi confronted Ajibola based on the information that the suspect was having sexual affairs with Kemi, Ajibola's wife.

Adebisi Onanuga on (October 17, 2021) reported for The Nation, that a housewife poured boiling water on her niece was detained by the police at Ajao Estate, Airport Road, Isolo, Lagos. The victim, Chinaza Nwankwo, is just 11 years old. The event happened at victims' home at 11 Ramson Street, off Osolo Way, Ajao Estate, Lagos. Mrs Helen Ibeji Chinaza, the President of the International Charity Initiative and Woman Development Foundation (ICI-WODEF) said, the girl was discovered in an extremely painful condition at Glorious Supermarket along Osolo Way, Ajao Estate. Where Chinaza was found, suffering due to severe burns on her abdomen, caused by hot water poured on her by her aunt, Mrs Ikeyinna. The husband of the suspect, Alex sent a message that he has warned her wife many times to change from her evil behaviors, therefore must be reported to the Human rights office.

The Vanguard (2020 May 19) reported that a mother is said to have tied her son in a sack for four days. In Fesojaye neighbourhood in Osogbo, the Osun State capital, a mother simply named as Iya Ayo tied up her kid in a bag for four days. Before authorities rescued the boy on Sunday morning, it was said that the mother shoved the sacked toddler into her wardrobe. When a neighbour fumigating his surroundings heard the boy sobbing for help, the woman allegedly left him inside the house and went to church. They asked her why she tied up her child and locked him in a closet at the station, and she stated the youngster was possessed and stole a lot. The cops also inquired about the boy's father. She claimed that when the boy was three months old, his father planned to use him in a money ceremony, and she had to flee.

Global Upfront, (2020 May 09) reported that a woman poisons her husband to death and eventually slashed off his manhood as reported by Linus Oota. The event happened at Lafia in Zumbagwe, a small village in Nasarawa State's Karu Local Government Area where a marriage of eight-year ended tragically. Janet Ekpe, 33, poisoned her husband after accusing him of dating her best friend and watched him die slowly and horribly. This is a case of infidelity in domestic abuse. Moreover, the accused stated that in addition to allegedly dating her closest friend, Janet also accused her husband, Sunday Ekpe, of depriving her of sex while providing it to her friend. Janet remembered how she had become accustomed to marathon sex with Ekpe since their marriage, only for him to slow down after the birth of her second child and eventually withdraw completely.

The Vanguard, (2020 January 3) reported that a guy allegedly beats his wife to death over food. The incident occurred in the Titun region of Abeokuta South local government area of Ogun state, where Mutiu Sonola, 37, allegedly killed his wife Zainab following a brief quarrel over food. "Mutiu was a chronic beater of his wife at the slightest provocation," according to the report, and the most recent assault that resulted in the woman's death was sparked by a "small argument about food."

Naija News, (2020 April 26) reported that a man murders his only daughter as a condition of taking a second wife, according to a report from April 28. As a condition for marrying her future husband, a woman in Nigeria's Nasarawa State was said to have asked her fiancée to get rid of her stepdaughter. While the members of the vigilante group questioned the suspect, Igbo, revealed in front of the journalists that he was overwhelmed by his fiancée's love antics to take that decision. To gratify the wish of a new fiancée, Igbo threw his sleeping young daughter into a well. Domestic abuse against children and women was the subject of the case.

### Domestic Violence: Weakness of the Judiciary as Legal Authority

Corrupt criminal justice systems can exacerbate the problem by making it difficult for women to report bribery or seek help for victimisation. Because they lack the financial resources to pay bribes, women may be directly barred from important services like as health care and education (UNODC, June 2020). As a result of corruption in the law enforcement and judicial departments, women are routinely forced to acquire access to resources through the trade of sexual services.

In Canada, for example, a male immigration adjudicator charged with determining whether a South Korean woman should be granted refugee status threatened to deny her application unless she did "things on the side." In Tanzania, for example, a male court employee forced his female co-workers to sleep with him in exchange for extra pay. It was determined after an investigation that the HIV-positive supervisor had infected all of his female employees. (United Nations Office on Drugs and Crime, June 2020)

In a UNOD study on the challenges facing women who are victims of domestic abuse, Hossain, Musembi, and Hughes (2010) concluded that corruption had a role in acquiring and safeguarding women's rights since enforcement and judicial institutions relied more on anecdotal evidence. Officials in charge must rely on their own judgement to make decisions in such a situation due to a lack of knowledge based on rigorous investigation and factual reasoning. This situation is However, as the legal experts and editors of (Find Law, April 2020) pointed out, every experienced criminal defence attorney knows what to look for in order to deliver the best defence. seen to open the potential for corruption as members of the interested parties struggle for justice.

### Domestic Violence: A Diverse Legal Approach

#### Current Legal Position of Domestic Violence in Nigeria

According to Sierra and Boehm (2015), it is difficult to establish true facts regarding the amount of corruption's impact on women using quantitative methods of inquiry, therefore distinguishing between direct and indirect acts of corruption is more effective. When it was examined that domestic violence can be a tricky area of the law involving emotionally-charged events and perceptions, Find Law (2020) published a similar but more explicit argument to buttress the prevalence of anecdotal influence in deciding domestic violence cases at legal and enforcement institutions. Any domestic violence suspect's case is mostly based on evidence presented during the trial, which may or may not be true.

Nigeria's legal system is a mash-up of many legal systems, including statutory law, Sharia law, customary law, and international law. Domestically, certain Nigerian states have passed legislation prohibiting and punishing domestic abuse. For example, on May 18, 2007, the Lagos State legislature enacted a bill to provide civil protection against domestic abuse. It introduced a legislation that declared any sort of domestic abuse in Lagos to be insulting, regardless of the victim's gender. "No individual shall conduct any act of domestic violence against any person," according to the statute, which was marked (Protection Against Domestic Violence Law 2007). Regardless, any other law's provisions and application can be commenced on behalf of the victim by any other complainant. This is important in order to ensure the proper application of this law, which ensures that victims receive justice, despite the fact that it specifies that, it is not withstanding. Unless the complainant is a: organisation or teacher, social worker, health service provider, counsellor, or member of the Nigeria Police Force, who is concerned in the complainant's well-being. These are some of the parties:

- (i) mentally retarded;
- (ii) a person whom the court is satisfied unable to provide the required
- (iii) unconscious;



(iv) a minor;

(v) consent incapable to consent for fear of refusal; (Protection Against Domestic Violence law 2007).

Nigeria is also a signatory to the following international human rights treaties that promote women's rights and condemn violence against women, including domestic violence: the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 1979, and its Optional Protocol Declaration on Violence Against Women, 1993 Protocol to the African Charter on Human and People's Rights Nigeria has a legal obligation to neither allow or act in violation of these agreements, or to impede the fulfilment of the rights acquired, by validating them.

Nigeria, like most former British colonies, inherited the Transformation or Blackstonian theory, which limits the force of a treaty ratified by a country until its legislative body produces a law implementing the treaty's contents (Oyebode, 2006). Domestication is another name for this process. However, Section (1) of the 1999 Constitution of the Federal Republic of Nigeria has been amended to reflect the Nigerian context, stating that: No treaty between the Federation and any other country will have the effect of law unless and until it has been enacted into law by the National Assembly.

As a result of this constitutional provision, treaties outlawing domestic violence cannot be implemented in Nigeria unless the National Assembly domesticates them. Domestic violence victims rely on criminal or civil remedies if an enabling environment and the establishment of an enforcement organisation or system are not in place to ensure that domestic violence is curtailed in line with national law. Every person has a right to dignity and shall not be subjected to torture, cruel or degrading treatment, according to Section 34(1)(a) CFRN.

Domestic violence isn't acknowledged at all. Section 40 of the CFRN allows the High Court to enforce a violation of this basic right. Nigeria's criminal justice system is divided into two jurisdictions: Northern Nigeria and Southern Nigeria. The Penal Code, which applies in 19 states in Northern Nigeria, including the federal capital of Abuja, and the Criminal Code, which applies in 17 states in Southern Nigeria (Aduba et al. in Chikwanha, 2009), are the two primary legislation.

The chastisement of a wife by her husband is not a crime under Section 55(1)(d) of the Penal Code if their local law and custom allow it and it does not cause great pain or injury. In this case, grievous harm is defined by section 241 of the Penal Code to include, but not limited to, the loss of one eye, facial disfigurement, and limb loss. The penalty for causing grave harm can range from a fine to a four-year prison sentence to 14 years in prison (Osai, 2009).

In 1985, the United Nations General Assembly passed a resolution against domestic violence from a global viewpoint. Between 1986 and 1989, various UN and NGO projects highlighted the multifaceted nature of domestic violence against women, as well as how complex interactions among social forces can promote and condone violence against women.

The Committee for the Elimination of Discrimination Against Women played a key role in raising global awareness about this social blight (CEDAW). The Committee issued many suggestions between 1989 and 1992, including requesting that, nations should include information on this topic in their reports. The Committee's proposal 12 [43] indicates a definite shift to the human rights arena. According to the recommendation, violence against women should be considered a "form of discrimination against women that severely limits women's ability to enjoy rights and freedoms on an equal footing with men." (2003, Caracci). Gender-based violence was identified as a human rights issue at the 1993 World Conference on Human Rights. By formalising the position of the Special Rapporteur and the General Assembly, the Commission established the Vienna

Declaration and Program of Action (ohchr.org), which notably placed a focus on violence against women.

The fourth World Conference on Women in Beijing, which focused on Women and Human Rights that took place twenty years after the first, produced the crucial Beijing Declaration and Platform for Action (ohchr, n. d.) "Violence against women is the embodiment of historically uneven power relations between men and women, which have led to domination over and discrimination against women, as well as the restriction of women's full advancement," the paper states. "Governments and other actors should support an active forum and visible policy of mainstreaming a gender perspective in all policies and programmes," according to the statement, "so that before choices are made, an analysis of their effects on women and men may be made."

Article 1: on the Declaration of Elimination of Violence Against women

For the purposes of this Declaration, the term "violence against women" means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.

Article 2(b) states that:

Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution. The latter made a clear intention and wishes of women as an important part of the community in the world known and call for its respect and honour. This self-awareness proclaimed by the generality of women is meant to seek everlasting protection with legal backings for women of the world in totality.

Statistical Record of domestic violence in Nigeria

Table 1: Lifetime prevalence of intimate partner violence (physical and/or sexual) or non-partner sexual violence or both among all women (15 years and older) by WHO region

WHO region	Proportion of women reporting intimate partner violence and/or non-partner sexual violence, %
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Low- and middle-income regions:	----
Africa	45.6
Americas	36.1
Eastern Mediterranean	36.4
Europe	27.2
South-East Asia	40.2
Western Pacific	27.9a
High income	32.7

World Health Organization (WHO), 2013.

According to the World Health Organization (2013), it explains that the more recent studies from the Western Pacific Region using the WHO study methodology have since been published, however, it was not available at the time the data were compiled. The most important feature is the physical/sexual intimate partner violence prevalence rate was very high to the level of between 60% and 68% Consequently, the available data

obtained on African about the prevalence of the intimate partner violence and/or non-partner sexual violence may not be considered the highest taken the cognizance of the above table if the Western Pacific Region recent data had been provided and made available for publication. However, in relation to the available data, violent against women is more prevailing in African region than other regions according to the WHO result of 2013. It is rather incumbent on the authorities in Africa to become pragmatic to save women and alleviate their suffering under the influence of spouses and intimate partners who see women as vulnerable because of their nature and physical capability.

#### Measures against Domestic Violence

The Declaration offers three main strategic objectives:

First, the international community has the prerogative to call on all member states across the globe to strengthen domestic law against domestic violence and to be transparent in the administration of justice. It is practically immoral that the highest bidder goes home with justice irrespective of the term dictated by the law against and in favour of the parties involved in the adjudicated domestic conflict cases. Whatever the financial status of the litigant on domestic violence, that should not be the priority to circumvent the terms of law against him/her in favour of the defendant who may have influence either in the government or in the society. These situations increased the suffering of the women and they are always reluctant to report or institute cases against their spouse of intimate partner while their rights are being violated. From this backdrop, the government, particularly in Nigeria may need to be advised to create local customary courts with the service of whistle-blowers in each of the court who must be among the employees of the judiciary to keep watch on the administration of justice for the benefit of transparency. This step would give way to prevent infraction of the law in all court cases. It would also show that the government has the determination to help provide relief for women under bullying spouse as comprehensive measures to prevent and eliminate violence against women;

The Second, further research on the causes and consequences of violence against women as well as children of underage need a legislated act with strong policy option with effective, preventive measures and;

Third, the part of the human rights that allows people to use their body for their interest is broadening social ills that would certainly diminish the innovative good work of progress the unborn generations should inherit in the future. The right to use oneself for the business of prostitution is practically increasing the level of immorality, preventing the youth from embarking on scientific studies on how to make the world a more peaceful place to progress and achieve better innovation through scientific reasoning and research instead of socialising and portraying satanic ways of life to earn a living. Self-indulgence, especially from the women side causes a lot of problems among couples under the influence of human rights. Authorities of each country should come together in a forum and collectively outlaw prostitution and trafficking in women, assist victims of violence and those involved in prostitution and trafficking under the influence of traffickers who lured them with financial inducement as well as promise for real marriage into a kind of unsolicited prostitution duties abroad. So, violation of the rights of women and the minor must be guided against while systematic rape, and prenatal sex selection be abolished under strict law with heavy punitive measures.

As this study had identified public sector corruption as one of the major causes of domestic violence in Nigerian context, the study cited what the Nigerian president, President Muhammadu Buhari mentioned with remorse in his presentation on the celebration of the National Day of October 1, 2021

He said:

“We have been conscious of the havoc poverty is wreaking on the family. We, therefore, believe that poverty alleviation is central to safeguarding the integrity of our families. Our administration introduced a number of economic empowerment and poverty alleviation schemes. Some of these directly impact on families while others have indirect effect on families through their multiplier effects”.

This study is optimistic that with the notice made to the challenges facing the family and the level of poverty majority of Nigerians are passing through, the regime of Muhammadu Buhari would revisit the poverty alleviation program with robust budget that could create sustainable jobs for the concerned individuals living under the poverty line in Nigeria. The policy would be of immense importance to the average Nigeria if the implementation is transparently managed as corruption is the bane of all crimes in the country. The program is meant to reduce acts of violence against women and domestic violence in general but how evenly distributed would it be where in a country is still struggling to establish a data base of its people.

### **Finding of the Study**

The research found that women were susceptible to domestic violence due to their nature and the positions that the Creator subject them to keep. Their physique is not muscular and strong in nature that could withstand aggressive situation or be in readiness to prevent or defend violent event or attack. The mentioned outstanding tender nature that made them stay beautiful, loving, attractive and respectful in the society to opposite sex remained their power of influence. With these, women are vulnerable and so, endowed with assistance, protection and loving care, not only by well-meaning average men that cherish women as the most important desirable element of the society but also, the law that holds them in high esteem to be reckoned with. Unfortunately, it is the same tender nature that subject them to be overridden by some lawless individual male counterparts. The other side of the coin are the strange evidences of violent behaviour in which some women were found in the recent time that change people perception about them.

It is shocking to find a woman being reported to have sliced her mother-in-law into pieces while in a deep sleep as an attempt to revenge for advising her son who happens to be her husband to take one more wife. Where there is law, the victim forgets she would be prosecuted and jailed if found guilty. She forgets there may never be affection from the son of the murdered towards her as a result of the psychological feeling the son may have about the mysterious death of his mother in the hands of the same wife that needs his sincere love. The study found that the attitude of jealousy is ruling the world of the marriage or intimate partners and neighbours. The issue of infidelity takes the lead among reasons for domestic violence. It is also observed that due to the frequency of subjecting women to violent attacks by intimate partners, they have developed the sense of revenge regarding as self-defense to neutralize the violent attempt against them and children where necessary.

In addition, the traditional belief of who and where women should belong in the matrimonial home should be addressed by the civil society and the authorities and should not be left as the sole responsibility of the traditional or the cultural leaders in the society. In the meantime, the Ministry of Culture and Families should be equipped with the legal backed rights and resources to invest heavily on orientation that would promote genuine love and compassion for women so that the rest members of the family would see them as part of the extended family whose rights should be given due respect and be endowed with everlasting sense of belonging. In the religious aspect, the Muslim regard woman as part of the family but under the instruction of her husband who is created to take good care of her and to prevent her from lacking while he has the prerogative in decision

making but with no detriment to woman's convenience. Islam required women to be respectful to their husbands and heed their advice and warnings. It is similar to what the religion of Christianity preaches as it was mentioned in the Bible that:

"Wives, treat your husbands as if they were the Lord. Because the husband is the head of the woman, just as Christ is the head of his body, the church, and is its Saviour."

Ephesians (5)22-23

However, women in the modern days are struggling to be leaders which is causing controversies in the society. Balogun and Gusau (2012) explain that women have a great desire to respect and enforce aspects of human rights laws that safeguard their interests, particularly those that enable them to implement their own convenient personal and family decisions with or without their spouse's approval.

To this end, a well understanding procedural policy may be required among the domestic policymakers such as the Women Affairs Ministry and the International community by technically addressing the issue of women's leadership position in domestic and international institutions. Such a respect gives a relief to women who are striving with resilience to gain as much knowledge and skills as possible to fit in, in any position available for them as well as for their male counterparts. However, in response to the advocacy of women involvement in governance, Nigeria has approved 30% involvement of women across the public sector and politics in Nigeria. The countries all over should manage a policy that provide opportunities for women's position in the society.

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