

## Abstract

Violence against women (VAW), particularly wife abuse, is one of the most wide spread and socially tolerated human rights violations, which require committed political response to eradicate. This thesis examines what the government and local women's rights NGOs are doing to combat wife abuse in Nigeria, and to what extent they are working from the feminist theoretical Gender and Development (GAD) approach. This thesis reveals that there is a serious absence of will from the government to address wife abuse, whereas initiatives to address the problem are carried out by the NGOs. Despite the NGOs' initiatives carry the potential to combat wife abuse, they are, however, short-term, small scale and mainly centralised in one part of the country, which reduces the potential for changing existing gender roles, and from achieving greater gender equality in all parts of Nigeria.

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# Abbreviations

ADR: Alternative Dispute Resolution

APRRRW: African Protocol on Peoples' Rights and the Rights of Women

CEDAW: Convention on the Elimination of All Forms of Discrimination against Women

CIC: Community Information Centres

CIRDDOC: Civil Resources Development and Documentation Centre

CSO: Civil Society Organisation.

CSW: Commission on the Status of Women

DAWN: Development Alternatives With Women for a new Era

DANIDA: Danish International Development Assistance

DFID: Department for International Development

ECOSOC: United Nations Economic and Social Council

ENHANCE: Enabling Hiv/AIDS and Social Sector Environment

FGM: Female Genital Mutilation.

FMWAS: Federal Ministry of Women Affairs

FMWASD: Federal Ministry of Women Affairs and Social Development

GAD: Gender and Development

GBV: Gender-based Violence

IEC: Information, Education and Communication

IDS: Institute of Development Studies

ILO: International Labour Organizations

IPV: Intimate partner violence

JAVAW: Journalists Against Violence Against Women

LEDAP: Legal Defence and Assistance Project

MDG: Millennium Development Goal

MSG: Male Support Group

NASS: National Assembly

NCP: Nollywoods Concepts Promotions Limited

NDI: National Democratic Institutions

NGO: Non-Governmental Organization

OSIWA: Open Society Initiative for West Africa

PA: Project Alert

PARP: Policy Analysis and Research Project

UN: United Nations

UNICEF: The United Nations Children's Fund

UNIFEM: United Nations Development Funds For Women

USAID: United States Agency for International Development

VAW: Violence Against Women

WACOL: Women Aid Collective

WARDC: Women Advocates Research and Documentation Centre

WB: World Bank

WID: Women and Development

WODEF: Women Optimum Development Foundation

WRAPA: Women's Rights Advancement and Protection Alternative

# 1. Introduction

Enhancing gender equality has for several decades been on the international political agenda and an essential goal within the area of development, as gender inequality is understood as a major hindrance to a country's development. A newly linked issue to gender inequality is violence against women (VAW), also referred to as gender-based violence (GBV). Since the 1990s the United Nations (UN), partly influenced by the women's rights movements, have rapidly drawn up a series of international conventions, declarations and resolutions manifesting VAW, as a violation of universal human rights.

VAW is proclaimed to be universal, existing at various levels in the majority of societies, although varying widely in form and prevalence (Green, 1999, p. 1). Some of the most common forms of VAW include rape, wife abuse, sexual harassment, trafficking, female genital mutilation (FGM), forced child marriage, denial of inheritance rights and harmful widowhood rites (UNIFEM, n.d.). VAW has increasingly become recognised as *"a manifestation of historically unequal power relations between men and women"* and one of the *"crucial social mechanisms by which women are forced into a subordinate position compared to men"* (Green, 1999, p. 2). Many feminists, gender and development scholars agree that VAW is a clear sign of the inequality between men and women in society. It is further stressed, that VAW perpetuates and promotes hierarchical gender relations, with the aim of preserving male control over resources and power (Green, 1999, p. 1-2).

Despite VAW having been put on the international development agenda, and thus becoming a subject to international scrutiny, political responses to address the problem remain inadequate in many countries. Whereas internationally VAW is framed as a human rights, health and development problem, there exists little consensus among national states as to what constitutes VAW. What for some represents a violation of rights, constitutes for others a custom or tradition grounded in a specific gender order, and thus is widely tolerated.

Of all developing countries, Nigeria seems, at face value, to be a prime candidate for gender progress. It is the largest growing economy in the world and a significant player in contributing to regional co-operation and development (UM, n.d.). In addition it is also one of the largest democracies in Africa, which can be seen as a valid precondition for gender participation and development. Yet, in many ways Nigeria also appears to be static when it comes to gender equality and has a long record of VAW cases, with wife abuse being one of the most outspread (AI, 2005, p. 1; Afrol new, 2003). Recently, the government of Nigeria has however acknowledged this problem, with an official commitment to address various forms of VAW, including wife abuse (Nigeria Gender Policy, 2006, p. 6).

Local human rights non-government organisations (NGOs) have over a period of several years played a key role in protecting and advancing women's human rights in the country. Despite their role in redressing wrong, no earlier research has been carried out which examine responses of NGOs regarding wife abuse. The object of this thesis is therefore to take a closer look at what the government and local NGOs in Nigeria are doing to combat wife abuse, and, furthermore examine to which extent their initiatives carry the potential of changing existing unequal power relation between men and women, which feed this type of violence. To guide me in my request to explore this, the Gender and Development (GAD) approach will be applied as it focuses on gender and emphasises a mixed strategy approach to transform gender inequality.

This leads me to formulating the following research question which is the basis of my thesis:

***What does the government at the federal and state levels and the local NGOs do to combat wife abuse in Nigeria, and to what extent are they working from a gender and development (GAD) approach?***

## **2. Methodology**

The aim with this chapter is to outline my methodological considerations and choices, thus enabling the reader to see how and where I have collected material and information, which allows me to answer my problem statement. It includes a presentation

of my research design, data methods, theoretical consideration and choice, my assessment of the thesis' intersubjectivity and validity. I will also present my personal location, which is aimed at providing the reader with insight into my self-reflection as a researcher. Finally, I will outline the limitation of the thesis. I will, however, first clarify which definition of wife abuse I have adopted for the purpose of this thesis.

Wife abuse is often described as, "*the violent victimization of women by the men to whom they are married or with whom they share a marriage-like relationship*" (Green, 1999, p. 25). Typically it involves a combination of physical, emotional and sexual assault and brutality (Green, 1999, p. 25). As with torture, wife abuse often results in physical and mental pain, disfigurement, temporary and permanent disability, miscarriage, maiming, and in some cases death (Green, 1999, p. 25). The term wife abuse is also conceptualised as wife battery, spousal abuse, wife beating, marital violence, intimate partner violence (IPV), domestic violence etc. (McCarry, 2007, p. 410). The last term is however broader, covering violence perpetrated towards any household members. For the purpose of this thesis, I subscribe the term wife abuse as husbands violence towards their wives in heterosexual marriages. This is not to deny that women are not capable of being violent, but the weight of evidence shows it is overwhelmingly husbands who perpetrate this type of violence (AI, 2005, p. 5; Okereke, 2002, p. 39; Bowker, 1998; CROME, 2005; DeKeseredy & Swartz, 2005; Flood, 2005; Hauge & Malos, 2005; Home Office, 2003; Kelly, 1988; Kelly & Redford, 1996; Mirrlees-Black, 1999; Stanko, 1985; Websdale & Chesney-Lind, 1998 cited in McCarry, 2007, p. 404).

## **2.1. Reason for Field trip**

In recent years wife abuse are slowly started to become an issue for examination in Nigeria, although it is still a highly under researched topic. Therefore, the government and especially the NGOs responses to the problem have not yet been closely examined. Existing research on wife abuse has almost exclusively been carried out by local NGOs and the publications are only accessible through personal collection. In light of that, I chose to undertake a fieldtrip to conduct primary data and secondary data collection in Nigeria stretching from August to the beginning of October 2008, supported by a travel

grant from the Danish International Development Assistance (DANIDA). Below, I will present my design.

## 2.2. Triangular Design

Often a study is based on several methods of collection, which ensure that the collected information has depth and detail, which is essential in order to achieve validity. I will, in this thesis, use, what Denzin (1978) has classified as "methodological triangulation", which consists of the use of more than one method and often involves mixed methods to study a single problem or programme. The logic of triangular data collection is "*...no single method ever adequately solves the problem of rival causal factors. Because each method reveals different aspects of empirical reality, multiple methods of observations must be employed. This is termed triangulation...*" (Denzin, 1978, p. 28). By using various data collection methods, one can to a larger extent avoid the weaknesses inherent in using only one method and which, in a worst-case scenario, can undermine the validity and reliability of one's study (Patton, 1987, p. 60-61).

Those advocating a mixed method approach emphasise that it is more a way of thinking than a real design demand. According to Greene et al. (2001) the use of mixed method as a design gives a promise of gaining a better understanding of a phenomenon or how a program works. However, it is not in itself an expression of the quality of the study (Greene et al. 2001 cited in Krogstrup, 2003, p. 37). In relation to my thesis, I find the use of a triangular method approach highly useful, especially taking into consideration that I am studying a topic as sensitive as wife battering in a cultural context other than my own. It provides me with the opportunity to cross check the information I receive, which is particularly relevant in order to prevent cases of cultural and linguistic misunderstanding. My triangular design consists of three types of methods hence interviews, observations and documents, which I will present below.

## 2.3. Primary Data

### 2.3.1. Interviews

My primary data consists of qualitative semistructured interviews (see Appendix 3). The questions are structured with a view to collecting information about which initiatives government and NGOs have used to combat wife abuse and why particular

these initiatives have been chosen. In addition, I aim to obtain knowledge about which constraints abused women face and which barriers the NGOs face regarding working with women's rights, hence combating wife abuse in Nigeria. It is my opinion that interview is a very good method to collect this type of information, as it aims to understand a phenomenon/subject from the perspective of the respondents (Kvale, 1997, p. 38). In this thesis, it means understanding the issue of wife abuse from the perspective of members of government agencies and local NGOs, who are dealing with cases of wife abuse.

### **2.3.1.1. Interviewees**

In many studies, respondents are selected from one or several criteria (Kvale, 1997, p. 228). My main criteria have been interviewing staff members from government institutions and local NGOs working with wife abuse, as they hold knowledge about how these institutions work regarding to this issue. Some of the interviews are conducted as single and others as group interviews. Respondents from government agencies includes staff from the Federal Ministry for Women Affairs and Social Development (FMWASD), which is the governmental body assigned the task promoting gender equality and working towards eliminating all social and cultural practices which result in discrimination of women. Police officers from the Nigerian Police Force have also been interviewed as part of the criminal justice system.

The NGOs selected are the largest and most active local women's rights organisations in the country (WACOL, 2008, p. 70) and consist of Women Aid Collective (WACOL), BAOBAB, Project Alert, Civil Resources Development and Documentation Centre (CIRDDOC), BAOBAB, Women's Rights Advancement and Protection Alternative (WRAPA) and Women Advocates Research and Documentation Centre (WARDC). They all work with women's rights, hence combating various forms of gender-based violence including wife battering. My informants consist of Executive Directors, Program Officers and Legal Aid Officers from these NGOs. For full overview see Appendix 2.

All the NGOs headquarters are situated in bigger cities such as Lagos, Enugu and Abuja, although several of them have local offices in other parts of the country. As part

of my data collection, I travelled to Lagos and Enugu and to places close Abuja, the capital, which was my main base. I have not been able to identify any notable NGOs working with wife abuse in the northern part of the country, which can be explained by the limited history of NGOs activities, particularly with regards to women's rights, in this part of Nigeria (WACOL, 2005, p. 10).

8 out of 12 interviews have been recorded and are to be found on a CD marked "Interviews, wife battering, Nigeria, 2008". Interviews which are not recorded have been put noted with key words and are to be found in Appendix 4. They are often shorter and less comprehensive.

I have also chosen to include interviews I carried out during my first stay in Nigeria stretching from October 2007 to the end of March 2008, where I was an intern at UNIFEM Anglophone West Africa Regional Office, Abuja. As part of my studies, I conducted an investigation of the failed domestication process of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in Nigeria in 2007. I aimed to identify major barriers behind the failed domestication process, and as a method, I conducted interviews with various stakeholders from the government, development donor institutions and Civil Society Organisations (CSOs)<sup>1</sup>. These interviews provide in-depth information about the last attempt to domesticate CEDAW, which also will be touched upon in thesis. The interviews are semistructured narrative, as the informants were encouraged to tell their version of the domestication process in addition to verifying the outlined hypotheses. The interviews were retrospective as the majority of the questions were centralised around the last domestication process, which took place intensively from the beginning of 2007. The recorded interviews are also to be found on a CD in the appendix named "Interviews CEDAW, Nigeria, 2008".

### **2.3.2. Observations**

My second method is observation, which was conducted during my fieldtrip and during my internship period. During my data collection trip, I visited several NGOs

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<sup>1</sup> CSO refers to the arena of uncoerced collective action around shared interests, purpose and values. In theory the institutional forms are distinct from those of the state and marked, however, in practice the boundaries can be blurred. It often includes registered charities, NGOs, community groups, women's organisations, faith-based organisations, professional associations, trade unions etc. (Wikipedia6).

offices. One of the NGOs invited me to observe how they deal with cases of violence against women, hence how they practise their alternative dispute resolution (ADR) method. Although they did not have any direct cases of wife abuse that day, I did observe how NGOs in general works with gender-based violence cases.

## 2.4. Secondary Data

### 2.4.1. Qualitative and Quantitative Data

In this thesis, I use both qualitative and quantitative secondary data. Documents, only consisting of qualitative data are government policy, legislation, the Nigerian Constitution, international and regional treaties, research of legal reforms in Nigeria and NGOs newsletters. My quantitative data consists of statistical information about Nigeria and gender-based statistics. Other documents are a combination of qualitative and quantitative data, some of the most frequently are the Federal Ministry of Women Affairs' (FMWAS') report "*Nigeria 6th Country Periodic Report on the implementation of CEDAW* from 2006 and the responses to it, NGOs annual reports from 2004-2007 and NGOs report "*CEDAW and Accountability to Gender Equality in Nigeria. A Shadow Report of the implementation of CEDAW*" from 2008, Project Alert "*Sophia's Place. Experiences Running The first Battered Women's Shelter In Nigeria*" from 2004 and Project Alerts study "*Beyond Boundaries. Violence Against Women in Nigeria*" from 2001. Amnesty International Report "*Unheard Voices. Violence against women in the family*" from 2005 has also been used.

NGOs annual reports and FMWAS country report on the implementation of CEDAW have been particularly useful in complementing my interviews regard to mapping out government and NGOs initiatives, as they contain more precise information about the initiatives than that obtainable through interviews. Through these documents, I have also been able to double check presented information received from my respondents in order to limit misunderstandings caused by language difference.

Other documents that will be used in my analysis consist of information that supports and elaborates certain perspectives presented by my respondents. This is possible as some of the documents build on information from the same respondents as I

have chosen, particularly staff from NGOs. Some of these documents do also consist of specific case studies of violated women and gender analysis on a macro level.

In an attempt to avoid what Frye (1983) has termed “arrogant perception”, which many Western feminists often have been accused of having (Frye 1983 cited in Green, 1999, p. 9), I have stressed to incorporating research conducted by local women rights activists in Nigeria. Including their material gives a voice to a section of women rarely heard. This is grounded in the rationality that Nigerians have more native knowledge concerning the complex issue of wife battering, which I find highly important to include. Particularly, in light of the fact I am analysing a topic as sensitive as wife battering in a culture, where I do not have my original location.

## **2.5. Theoretical Considerations and Choice**

I have assumed a relationship between wife abuse and gender inequality rooted in a patriarchal order. This interrelation is well substantiated by feminists, gender and development scholars where patriarchy is viewed as operating to achieve and maintain gender inequalities essential for the subordination of women. Thus violent acts against women are a clear outcome of this unequal power relation, in addition it is a means to maintain a patriarchal gender order (Caputi, 1992 cited in Valiente, 1996, p. 171; Walby, 1994, p. 27). For the purpose of this thesis, I have chosen the feminist theoretical approach Gender and Development (GAD) as my theoretical framework. It is an approach, which places its emphasis on gender - the socially constructed relations between men and women, which focuses strongly on the subordination of women. Although, the GAD perspective does not lay out a specific action plan to eliminate wife battering, the approach identifies men's violence towards women as a sign of women's subordination as a gender. The key rationale behind the GAD approach is to transform women's subordinate position in the society by applying a mixed strategy of meeting women's short term practical needs while changing the structure of subordination (Connelly, et al., 2000, p. 62).

The GAD approach differs from other feminist approaches, in that it emphasizes involvement of men in enhancing gender equality and transforming women's subordination. It is believed “*masculinities do not first exist and then come into contact*

*with femininities. Masculinities and femininities are produced together in the process that constitutes a gender order”* (Connell, 1995 cited in McCarry, 2007, p. 405). Both men and women are therefore required to change existing gender relations. Furthermore, the approach does also emphasise state responsibility and involvement in enhancing gender equality, thus rejecting the idea that this can be achieved by the women’s movement alone.

As the objective of this thesis is to examine government and NGOs initiatives, applying the GAD framework permits me to analyse and discuss to what extent their activities meet abused women's short term needs and which, carry the potential to transform structural gender inequality in Nigeria.

I could also have applied other feministic theories for instance the empowerment approach as my theoretical framework. This would, however, have meant downplaying the role of the state, as well as, the role of men in solving the problem of gender inequality and subordination. Given that I believe these are fundamentally important strategies in combating wife abuse, I find the GAD approach particularly useful.

## **2.6. Intersubjective Reliability**

Here I will discuss intersubjectivity, which is subordinate to reliability (Kvale, 1997, p. 180; Bjereld et al., 1999, p. 105). Intersubjective reliability is the extent to which other researchers are able to reach the same results if they were to replicate one’s study (Kvale, 1997, p. 180). Elements that can weaken intersubjective reliability in a thesis of this nature, are, if quotations are taken out of a context that leads to misunderstanding and incorrect interpretations. Furthermore, it is also fundamentally important not to manipulate quotations or statements presented in official documents and in conducted interviews. I have been highly aware of this, and have, throughout the project double-checked my work concerning which quotations and which aspects of the statements are to be emphasized and how they are to be interpreted. Here my triangulative methodological design has proved to be useful as a reliability check. In order to show good intersubjective reliability I have, therefore, often chosen to include several sources and references to underline the same statement and findings, which thereby serve to substantiate a given interpretation.

Although I believe in the important of producing accurate, and systematic information about the world, I do to some extent question the essential understanding of intersubjectivity. I believe that one's personal experiences and observations obtained by researching in the field are difficult to separate from one's overall analysis. Earlier, it was believed that the objective of science was to produce neutral objective knowledge about the world by trying to remain outside the world during the period of study and thereby limiting "bias" in one's findings (Mbilyi, 1992, p. 52-53). However, in line with other critical feminists epistemologies (ibid, p. 55) I do not believe it is possible to remain neutral and carry out value-free science and knowledge. The researcher and students, like all others, are a part of the world under study, hence conception of the problem, chosen methods and our interpretation of data, are all together "coloured" by our multiple identities and belief systems. I have tried to deal with the problem of "bias" in several ways. I have stressed the importance of incorporating unheard Nigerian voices through interviews and research and thus tried to avoid being guided too much by my own notion of gender. I have also presented the premise of the thesis and my personal location, which will be outlined below. The premise of my study can naturally be opposed to, as all others interrelations in social science. However, I strongly believe in disclosing this, as it increases my own awareness and control of which values influence my judgment. It also allows the readers to judge the impact themselves.

## **2.7. Validity**

Validity has both a wider and a narrowly definition (Kvale, 1997, p. 233). Here I understand validity to be the extent to which I have studied what I set out to do (Bjereld et al., 1999, p. 102). The objective of this thesis is to examine what government both at a federal and states level and the NGOs are doing to eradicate wife battery in Nigeria. Furthermore, the aim is also to examine to which extent their initiatives address abused women's practical needs and which carry the potential to change structural gender relations, which subordinate women.

I am of the opinion that my thesis is valid, although, my study contains limitations, which reduce the validity of the thesis. A critical drawback is, that I have not visited all states in Nigeria so there may be initiatives, which I have overlooked. It would

have been particularly appropriate to have visited states, which have passed the domestic violence law and the CEDAW bill and examined how the government is implementing these laws. I do, however, not believe this has completely compromised the validity of the thesis, as I have found no evidence which points in the direction of these states having taken additional steps to combat wife abuse, besides passing these legislation.

## **2.8. Personal Location**

I identify myself as a GAD and Third World feminists. The latter refers to critical analysis of the imperial relation, not a geographical nor physical trade. My thinking draws heavily on the social construction of gender and I believe women experience oppression differently according to their race, class, colonial history, culture and position within the global economic order. I see our identities as plural, divided and not reducible to our origins, skin colour, or material locations etc.

I see masculinities and femininities as variable and changing across time (history) and space (culture) within societies and throughout life. This makes them liable to be contested and reconstructed. In line with McCarry (2007) I see male violence having two interrelated functions, on the structural level where it has the effect of perpetuating a system of male domination and on an individual level, where it is used by men to exert power and control over individual women. It is essential for me to underline, that I do not see all men as violent. In fact, I am convinced that there are much more non-violent men in the world. Nor do I contest women are not capable of violence. However, the weight of evidence concerning wife abuse in heterosexual marriages, shows that it is overwhelmingly husbands, who are violent towards his wife. In line with other GAD feminists, I advocate engaging men to become agents for change around all related issues to gender inequality. I believe that excluding men from enhancing gender progress carries with it the danger of limiting the effectiveness of development interventions and diminishing its transformatory potential towards eradicating wife battering and enhancing gender equality.

## **2.9. Limitation of Study**

The following section will outline which of the limitation of the study are relevant to the research.

A notable weakness regarding my choice of method is the lack of accurate information from the interviewed respondents about the organisations initiatives. Whereas they were able to inform me about their activities in general, specific information on how many participated in their various training sessions, and where and when they took place etc., was often not remembered. To fill these gaps my interviews are complemented with information from secondary documents. Another weakness regarding my interviews is that some of them have less depth compared to others. This is, however, very difficult to avoid, as some informants were more open and sharing than others. Despite, trusting my respondents, I do admit that some may have been less critical of the organisations, in which they are employed, and therefore less open to criticism. I sensed for instance, that some of the police officers were defensive in their answers, either because they believed their answer would affect their job in a negative manner, or felt that I, as a “white” foreigner, was interfering into how they were doing their job, or simply because, they did not trust me to a degree whereby they could be completely honest. A real weakness regarding this method is that informants only reveal things, which they want you to know.

Another limitation is linked to my observations. I had hoped I would get the opportunity to carry out more observations than I ended up by doing. For instance, I had hoped to get the opportunity to observe how the two NGO shelters for abused women were run in practice. However, this was not possible, as I was not allowed to visit the shelter by one of the NGO, because is kept secret for the general public. The other NGO did however invite me, I was unfortunately not able to go with the staff due to lack of time when I was in Lagos.

A significant limitation of my study is the lack of information from state agencies in Ebonyi, Lagos and Cross River states concerning the implementation of the domestic violence law. I have however been subject to time and particularly financial constraints. Nigeria is not a particularly safe country, so travelling to certain areas would have required staying in more expensive accommodation, which would have provided more safety. I do however admit that I have prioritised collecting data from NGOs to a larger extent, as I found no evidence pointing in the direction of these states having taken noteworthy steps towards implementing legislation or other intervention. My judgment is

supported in the FMAWAS report to CEDAW committee, which builds on data from all states, and from where it is clear that no additional initiatives had been undertaken regarding implement the law.

The most significant danger in analysing sensitive topics as gender and wife abuse is being too "coloured" as a researcher. Gender is a highly personal issue of our lives, which concerns our bodies, emotions and, intimacy etc. Thus, the very nature of gender ensures certain biases among all actors involved in a thesis like this. All persons are formed by certain ideas about gender, which are unavoidably reflected in their understanding of wife abuse. Despite this, one may assume that my informants, who either represented a government or non-government organisation, would have a professional distance to their own personal opinion thus preventing them from being too biased. One may also assume this professionalism also exists with the researcher behind the secondary material. I have however been aware of these pitfalls throughout the thesis.

### 3. Theory

In this chapter I will present the GAD approach, which will be used to analyse to which extent initiatives from the government and local NGOs address abused women's short-term needs and which carry the potential to achieve greater gender equality in the country. In order to understand why the GAD framework has emerged as a popular feministic development approach embedded in development politics, programs and strategies, I will briefly introduce another feministic approach; Women and Development (WID) which has previously influenced and dominated the development thinking and policy.<sup>2</sup> This will be done by outlining its development.

#### 3.1. Women in Development (WID)

The WID approach<sup>3</sup> originates from the first wave of feminism in the beginning of the 1970s. The term WID was introduced by the Women's Committee of the

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<sup>2</sup> Despite the conceptual shift from WID to GAD adopted by international development institutions and finance institutions such as ILO and World Bank (WB), several studies have documented that the GAD approach is more rhetoric than practical (Barriteau, 2000, p. 170-173).

<sup>3</sup> Inherent in the WID approach are several perspectives, hereby the welfare, equity, the anti-poverty and the efficiency approach (Moser, 1993, p. 61). The different WID approaches are embedded in various

Washington DC, a network of female development professionals who were influenced by the work of Ester Boserup<sup>4</sup> and other “new” anthropologists (Moser, 1993, p. 2). WID feminists criticised the development policies and planners for ignoring women in the developing countries as active contributors to the family economy and therefore key actors in the economic system. The WID feminists viewed the absence of women in the development process, plans and policies as the main problem and the goal was therefore to include women in this development process (Connelly, et. al, 2000, p. 57). In light of that, WID feminists focused on women project, on women’s components of projects and on integrated projects, increase women’s productivities and income and increase women’s ability to look after the household (Connelly, et al, 2000, p. 57, 141). From a WID perspective women’s oppression is grounded in their economic positions as “housewife”. The solution is to get women into the labour market, into wage employment so they can earn they own cash and become independent of husbands and other men (Mbilinyi, 1992, p. 47).

The WID approach stems from a liberal feminist worldview (Connelly, et al. 2000, p. 56). Women are viewed as equal to men, which is an assumption that builds on a liberal rationality. The quest for equality thus implies that equality is the same as similarity (Arnfred, 1996, p. 254). As Kabeer (1994) has described “*WID advocates sought to emphasize women’s similarities with men (mental) at the expense of their differences (biological)*” (Kabeer, 1994, p. 28). Moreover: “*The WID objective was to demonstrate that in the marketplace women were as good as men; that men could be as good as women did not, in this context, appear to be an important consideration*” (Kabeer, 1994, p. 29). The conclusion was that, equality came to mean equality of the market (Arnfred, 1996, p. 254-255). From a WID approach the main gender problem is that prejudice, values and norms deny women equal access to the opportunities, resources etc. that society provides. WID feminist solutions were to remove the barriers to women’s

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reasons for integrating women in development. In the equity approach the integration of women is an aim in itself, while in the anti-poverty and efficiency approach it is more a means to effectuate other objectives like economic growth (ibid, p. 66-73).

<sup>4</sup> Boserup’s book *Women’s Role in Economic Development* from 1970 challenged the dominating discourse of women in development by arguing against the invisibility of women’s productive role in the society (Connelly et al., 2000, p. 56).

freedom of choice and demand equal access and treatment in the society (Johnson, 2005, p. 115). It should be pointed out here, that liberal-feminists draw the line between the public and private sphere differently than other liberal theorists, as they are also focused on issues such as domestic violence. They advocate some regulation of the domestic sphere in order to protect women's safety and well being (Connelly, et al., 2000, p. 116). Within this perspective, there is an intense focus on the individual rather than the power of the social system. That serves to explain why liberal feminists do not recognize patriarchy as having any significance. They do to a large extent ignore patriarchy, which they turn into an individual problem only remotely linked to a larger institutionalized system that promote and reproduce it (Johnson, 2005, p. 115).

WID feminists tend to focus on addressing women's practical needs, which are the needs women often identify according to their situation in the society, which is the immediate sphere of experience. These practical needs are short-term and often related to daily needs, for instance food, shelter and health. Even though addressing practical needs can improve the conditions of women's lives, for instance increase women's productivity, income and ability to look after the household, it does, in general, not challenge traditional roles and relationships (Connelly, et al., 2000, p. 142-143). Indeed, practical needs arise directly from the existing structures of subordination (Moser, 1993, p. 230).

### **3.2. Gender and Development (GAD)**

At the UN World Conference in Nairobi in 1985, the WID approach was widely criticized for solely focusing isolated on women alone whilst ignoring social, cultural and political relations that women were a part of, and which determined their roles in the society. In response to the criticism of WID, a new strategy was promoted for taking women's issues into account, named Gender and Development (GAD) (Connelly, et al., 2000, p. 62; Pearson, 2000, p. 390). This approach focuses on gender, the social relationship between men and women in which women have been systematically subordinated (Moser, 1993, p. 3). The approach emerged from feminists belonging to the groups called Development Alternatives With Women for a New Era (DAWN), which draw on grass-roots organizational experiences and writings of Third World feminists, as

well as Western socialists feminists' experiences and research of development issues (Connelly, et al., 2000, p. 62).

At the fourth World Conference on Women in Beijing in 1995, member states of the United Nations showed wiliness to adopt a gender perspective into all areas and at all levels of the development process and policy. *Gender mainstreaming*<sup>5</sup> was institutionalized in the Beijing Declaration and Platform for Action (1995), which constituted the leading principle of attaining gender equality. Originally, it signified shift from an integration strategy, where women's involvement was about integrating them into a development agenda laid down by others, towards a strategy that would allow the interests of women as well as men to carry the development process itself (Hannan, 2000, p. 287; Rai, 2002, p. 10; Pearson, 2000, p. 400).

The GAD approach draws on perspectives of various feminists'. GAD feminists focus on the issue of political economy by arguing that women's status in society is deeply affected by their material conditions of life and by their positions in the national, regional and global economies, which is particularly emphasized by socialist feminism (Connelly, et al., 2000, p. 62). GAD feminists do also recognize that women are deeply affected by the nature of patriarchal power in their societies at various levels, which is a central issue for radical-feminists (Connelly, et al., 2000, p. 62). Furthermore, women's material conditions and patriarchal authority are both defined and maintained by accepted norms and values that define women's and men's roles and duties in a particular society (ibid).

The GAD approach focuses on the interconnectivity of gender, class and race as well as social construction of their defining characteristics. It is believed that women experience their subordination differently depending on race, class, colonial history, culture, position in the global economy etc. (ibid, p. 63). This means that women's

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<sup>5</sup> Mainstreaming has been defined as "*a strategy for making women's as well as men's concerns and experiences an integral dimension in the design, implementation, monitoring and evaluation of polities and programmes in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated*" (ECOSOC, 2004, p. 1).

location in the larger social structure has important implications for the degree of manoeuvrability individual women have (Young, 1997, p. 367). This is also an essential point in the approaches of black and Third World feminism, which in addition to this advocates a more experientially and empirical grounded approach to the study of women (Connelly, et al., 2000, p. 63, 132).

### **3.2.1. Gender**

As mentioned above, gender is a key notion in the GAD approach. It is believed that "sex" is a biological fact that distinguishes men from women, whereby "gender" is a social construction formed through the array of social, political, historical, economic and cultural contexts in a given society, and at a given time (Moore, 2003, p. 230). Gender relations describe the social meaning of being male and female and thus prescribe expectation, duties and rights, which are variously dependent on social contexts and historical period (Pearson, 2000, p. 18). This is termed gender role (Andersen, 2006, p. 31-32). Gender is created not only within families and interpersonal relationships, but also within the structure of all social institutions, which shape our experiences. This includes schools, religion, the state and other institutions of authority such as the police, the military etc. (Andersen, 2006, p. 31). As gender is socially constructed, GAD feminists believe it is possible to change gender relations and thereby challenge women's subordinate position (Moghadam, 1995, p. 66). Placing gender at the centre of analysis has also led to new thinking about men, their roles and responsibilities which demands their contribution as being part of the solution (Pearson, 2000, p. 400).

Gender can be explored at the macro level, as a position in social structure, and at a micro level, as an identity that a person possesses (Wharton, 2005, p. 31-35). When addressed as a social characteristic, there follows an analysis of gender, focus on social structure (class, religion, race etc.), status divisions and social stereotyping. GAD feminists, such as Naila Kabeer (1994) & Anne Marie Goetz (1997) argue that gender relation analysis is prior to policy making, as it can provide the material to understand the social structures, the processes and relations that determine women's subordination

(Razavi & Miller, 1995, p. 28-29)<sup>6</sup>. When gender is addressed as a personal characteristic, the questions of personal psychology, individual personal development and “self-meaning” are analysed (Wharton, 2005, p. 35-38). In this thesis I acknowledge both levels are important in order to understand gender, as men and women are not only actors possessing a certain social statuses, power and specific social roles within a structure, but also having psychological characteristics which enable the individual to make choices of behaviour. For the purpose of this thesis, I will however focus at gender on the macro level.

### 3.2.2. Patriarchy

Below I will both define and clarify, what I understand by the term “patriarchy”, which is an essential element in the GAD approach.

Patriarchy can be defined as a *“type of society to the degree that it promotes male privilege by being male dominating, male identified and male centred. Furthermore, it is also organized around an obsession with control and involves as one of the key aspects the oppression of women”* (Johnson, 2005, p. 5).

In this thesis, I will subscribe to this definition of a patriarchal society.

Consequently, a patriarchal society is male dominated in the sense that positions of authority in, i.e. the political, economic, legal, religious, educational, military and domestic sphere, are generally reserved for men. This stretches from the head of the state, religious leaders, members of the legislature, all levels of government to the “head of the household” (Johnson, 2005, p. 5). Male dominance also promotes the idea that men are superior to women. If presidents, generals, legislators, popes etc. are all men, then men as a group become synonymous with superiority, even though far from all men are powerful on an individual level (Johnson, 2005, p. 6). It is important to clarify that male dominance does not signify that *all* men are powerful, because many men in a patriarchal society can be as disempowered as women. On the other hand, male dominance does not mean that

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<sup>6</sup> Gender relation analysis is mainly carried using comparative data which is gender divided. It looks at paid and unpaid labour, resources and income, time, mobility, class, race, ethnicity etc. (Moghadam, 1995, p. 66).

all women are powerless, but simply means that they are more the exception from the rule, because they stand out (Johnson, 2005, p. 6).

Patriarchal societies are identified as male in that core cultural idea about what is considered preferable, normal and real are associated with the institutionalized ideal of men and masculinity (Johnson, 2005, p. 6). Another element of male identification is the cultural description of masculinity and the ideal man in terms that closely resemble the core values of society as a whole, for instance showing qualities as rationality, competitiveness, calm under pressure etc. These qualities are often connected to the work ethic in politics, business, medicine etc. because these professions have been arranged in such a way, that these qualities are required for success (Johnson, 2005, p. 7).

According Johnson (2005), often these outstanding examples of women's power have nothing to do whether women in general are subordinated under patriarchy. This does not however mean that the "battle" of getting women into positions of power should cease, but purely making some women powerful does not systematically bring about fundamental change (Johnson, 2005, p. 8). In addition to being male dominated and having a male identity, patriarchy is male centred, which refer to that the focus of attention is mainly on men and what they do (Johnson, 2005, p. 12).

A fundamental element of patriarchy is an obsession with control as a key value around which social life is organised. Control, is an essential element of patriarchy; men maintain their privilege by controlling women and anyone else who might be a threat. Patriarchy is not simply organised with an obsession with control, but around an obsession with male control and the more men who participate in the system the more likely they are to see themselves as separate and disconnected from others (Johnson, 2005, p. 15).

### **3.2.3. Practical needs and strategic interests**

GAD adopted a two-pronged approach to the study of women and development. In line with the WID approach, GAD emphasizes addressing women's practical needs as well as strategic interests, which are the interests women identify as related to their subordinate status. Meeting strategic interests aims to achieve equality and justice for women in society. Strategic interests are, however, not always easy identifiable by

women, as they might be unaware of their disadvantage or potential for change (Connelly, et al., 2000, p. 141-143). According to Molyneux (1985) strategic interests from a theoretical perspective are moral and ethical objectives, which are in the interests of all women. However, they can at the same time be subject to debate, as to what constitutes the root of inequality between men and women is context specific (Molyneux, 1985 cited in Young, 1997, p. 368).

Kabeer (2001) describes, some needs and interests which are not self-evident in nature, as they are derived from a embedded level of reality. These are not always apparent in everyday life as they are manifested in “taken-for granted” rules, norms and customs in a given society (Kabeer, 2001, p. 27). She advocates that Bourdieu’s idea of “doxa”, which are aspects of culture and traditions that are taken for granted without being subject to critical judgement, is highly useful as it draws attention to different level of consciousness and the practical and strategic interests which they give rise to. It is suggested a “deeper” and more critical level of reality can be obtained by passaging doxa to discourse and introducing competing ways of “being and doing” which thereby become available as cultural possibilities (Kabeer, 2001, p. 27).

GAD feminists believe that women should and are capable to unite around a number of issues, which stem from their subordination as a gender and thereby subject to transformations. The most commonly identified topics are; male control of women’s labour, women’s access to economic and social resources and political power, and as an outcome of unequal power relation and distributions of resources – male violence and control of sexuality (Young, 1997, p. 368). Attaining strategic interests often involves change in laws, civil codes, systems of property rights, women’s control over their bodies, access to education, labour codes and social and legal institutions which underwrite male control and privilege (Moser, 1993, p. 76). It should be underlined that legislation for equal rights in itself is not enough to lead to fundamental change, as it needs be encompassed and recognized by all members of the society to have a real effect (Kabeer, 2001, p. 27).

Taking into consideration that the difficulty of strategic interests, women’s activists stress the importance of consciousness-raising and the need for collective

empowerment. GAD feminists believe that through empowerment of women their subordination will be more easily eradicated (Kabeer, 1994, p. 224). Both empowerment and participation of women in developing countries are seen as essential by GAD feminists (Moghadam, 1995, p. 65). It can lead to the collective understanding of the mechanisms and processes of subordination and make women capable of identifying appropriate strategies for transforming the structure, including the possibility of finding allies with a wider group of women and like-minded groups (Young, 1997, p. 369).

Some GAD feminists place more emphasis on individual empowerment and others on more collective empowerment (Parpart, et al., 2002, p. 12). Moser (1993) for instance places self-reliance and internal strength at the centre of empowerment, whilst Kabeer (1994) to a larger extent emphasises collective empowerment due to the fragility of the individual effort (Moser, 1993; Kabeer, 1994 cited in Parpart, et al., 2002, p. 12). For the purpose of this thesis, I will adopt the understanding of empowerment as including individual conscientization (*power within*), as well as the capability to work collectively which can result in politicized *power with* others which provides the *power to* bring radical alteration of the processes and structures which reproduce women's subordinate position as a gender.

GAD feminists' emphasise the important role of the state in reducing gender inequality. They underline that it is the duty of the government to respond to problems linked to women's subordination and unequal position in the society and participate actively in solving them (Connelly, et al. 2000, p. 143-144, 147). This rejects therefore the idea that solving problems in the society is entirely a concern of individuals, but a social matter (Young, 1997, p. 53).

Furthermore, the GAD perspective raises fundamental questions about the interrelationship of power and development (Rai, 2002, p. 72-73), which means that they question the institutionalized understanding of development. This includes both national liberation from colonial as well as neo-colonial domination from dominant international organisations, and agencies (Moser, 1993, p. 75-76). The long-term strategy in the GAD approach, therefore takes a step further than merely meeting and addressing practical needs and strategic interests. It is also concerned with transforming unequal power

relations between the developing countries and the Western world –both between nations and international organisations (Rai, 2002, p. 72).

### 3.3. Critique of GAD

For the purpose of this thesis I regard the GAD approach as a very useful theoretical framework, I do however acknowledge the limitation inherent in it. Some of the most outspoken criticism is linked to the practical version of GAD. Some argue, that despite the good intentions of politizing GAD thinking in the development context, the term gender has implied a de-politization of women's issues in development. As Baden & Goetz (1998) have stated, *"a problem with the concept of gender is that it can be used in a very descriptive way and the question of power can easily be removed"* (Baden & Goetz, 1998, p. 25). The term gender has therefore to a large extent removed itself from the women's struggle by obscuring power relations, and, has turned gender into a matter of planning and monitoring (Arnfred, 2001, p. 75). It is further claimed that gender in the development field has become an issuing of checklists, planning and political correctness (Arnfred, 2001, p. 76). Leading on from this, it is further pointed out that the gender mainstreaming strategy has continued and exacerbated this trend. In contrast to integrating women into existing development agendas lay down by others, the original idea of mainstreaming was to make men and women set the development agenda (Hannan, 2000, p. 287). Furthermore, the strategy was also intended to reveal inequality and focus on the political aspect of promoting gender equality (Hanne, 2000, p. 287). It is thus argued that gender institutionalised into the mainstream development institutions has just become another manifestation of Western priorities and discourses dominating the field of development (Pearson, 2000, p. 393).

Other criticise, the GAD approach for being subject to a lack of emphasis on the power relation embedded in gender and sexuality (Sobrinho, 2006, p. 5; Gouws, 2005, p. 26). It argued, whereas the GAD approach primarily have been focus on an economic framework of resource allocation and decision-making within the household, it has failed to challenge the power relations embedded in gender and sexuality (Sobrinho, 2006, p. 5).

### 3.4. GAD Perspective on Wife Abuse

The GAD perspective does not directly provide a specific action plan to eliminate wife battering. However, the approach identifies men's violence towards women as a sign of women's subordination as a gender and therefore an issue, which should and can unite women in order to transform the situation (Young, 1997, p. 368). From this understanding, eliminating wife battering is a strategic interest. As the GAD adopts a two-pronged approach to the study of women and development, certain strategies and initiatives can be identified, which can be put in tandem to combat wife battering. I will below attempt to identify these.

Abused women might have several urgent needs, which arise from being victims of violence. From a GAD perspective these needs would be labelled as practical needs. They could be addressed through various services that provide women with medical care, food, psychological counselling, safety, housing etc. Addressing these needs is important in order to provide battered women with support and protection. However, they do not challenge or change the unequal power relations between men and women, which subordinate women in the society.

To transform structures of subordination involves long-term interventions which target gender inequality at all levels in the society. A starting point would be to break the silence of wife abuse with proactive awareness campaigns and other interventions that would label wife battering as a problem and spread new gender notions to the general public. This is particularly important if the public is to gain a deeper and more critical level of consciousness and absorb new ideas of masculinity and femininity. It should not be assumed that men will take the lead in transforming a gender system which benefits them, thus the empowerment women is of fundamental importance. The key to empowerment consists of increasing self-confidence and self-understanding, which enables them to view wife abuse as a violation of their rights. This could inspire them to challenge gender inequality, which manifests itself as violence towards them in the home and the society. Moreover, women need to organise themselves to encourage political mobilization and bring about collective action against wife abuse. It is through this empowerment process women have the potential to reject and challenge existing power relations and gain greater control over resources of power.

This transformation process cannot however be solely undertaken by women, Men need also be a part of it, as masculinities and femininities are produced together in the process that constitute a gender order, thus requiring both partners to change it. Moreover, as men are the main perpetrators of domestic violence, it is important to engage men to take a stand and to participate in scaling down levels of instance of wife abuse. It is additionally important to stress that programmes to male perpetrators of wife abuse should also be provided in order to prevent further acts of violence.

Combating wife abuse needs to be done in alliance with the government. The government should acknowledge wife abuse as a societal problem and take responsibility for solving it at all levels. This should involve new legislation or enforcement of existing law which specifically criminalizes wife abuse. This is grounded in the rationale that legislation has an important symbolic and educative function in shaping and changing people's attitudes. Prohibition of wife abuse by law would therefore be a moral statement of the unacceptability of wife abuse to the public at large and calling to account of perpetrators in the individual cases.

In addition, a comprehensive national policy and action plan that addresses violence against women as a breach of human right needs to exist and fully implemented. This would include various governmental prevention activities, which aim to target wife abuse at its roots. It would also include outlined coordination between various government services i.e. the criminal justice system, social welfare and health care centre, in order to increase accessibility for abused women and provide appropriate emergency mechanism. As gender inequality is systematically structured in social institutions, all major government institutions, especially those mentioned above, would need to be trained in dealing effectively and appropriately with victims of wife abuse in a gender-sensitive manner.

Leading on from that, the government must address factors promoting the equality of women at all level, especially ensuring equal access to education, employment, health, social rights, and political participation.

In the following the theoretical framework will be used to measure to what extent the government and the NGOs are working from a GAD perspective, hereby which

government and NGOs initiatives meet abused women's practical needs and which carry the potential for changing existing roles and for the enhancement of gender equality in Nigeria. That does also include an examination of which initiatives are provided by the government and which are provided by the NGOs, and how they refer to their responsibility areas.

## 4. The context of Nigeria

I will in this chapter highlight some characteristic traits of Nigeria, which aims to provide the reader with a contextual understanding of the country and women's situation viewed through a lens of gender equality.

### 4.1.1. Geography and Demographics

Nigeria is located in West Africa, shares land borders with the Republic of Benin to the west, Chad and Cameroon to the east, and Niger to the north. Nigeria is the most populated country in Africa with an estimated population of more than 140 million. Approximately two-thirds of the population lives in the rural areas (FMWA, 2006, p. 2-3).

### 4.1.2. Economy and Economic Development

Nigeria is a country possessing many natural resources. It is one of the largest producers of petroleum in the world and a significant exporter. Petroleum plays a large role in the Nigerian economy, accounting for 20 % of GDP and 80% of Government earnings. Nigeria has also a wide array of mineral resources, which include natural gas, coal, bauxite, tantalite, gold, tin, iron ore, limestone, niobium, lead and zinc. Agriculture still plays an important role of the country's GDP and accounts for the employment about two-thirds of the population (FMWA, 2006, p. 3; Wikipedia1).

Despite the country's enormous wealth in natural resources, economic development has been hindered by years of corruption, and mismanagement. In recent years there have been some attempts to combat corruption, Nigeria is still however one of the most corrupt countries in the world (TI, 2008; Wikipedia2). This has resulted, among other things, in a significantly high proportion of people living in poverty, deprived of a decent standard of living. This can be seen in the UN human poverty index, which

measures poverty in countries from three dimensions: living a long and healthy life, having access to education, and a decent standard of living<sup>7</sup>. Compared to 135 other developing countries, Nigeria ranked 111th in 2008 (UNDP 2008), which reveals a significantly high level of poverty in the country.

#### **4.1.3. A Complex Country**

Nigeria is a highly complex country, which comprises of approximately 250 ethnic groups each with a different history, culture, religion, class etc. Despite the diversity, regional patterns can be identified whereby the most notable is between the north and south. In general Christians dominate the south of the country while Muslims dominate the north. More than two-thirds of all Nigerians belong to one of the three largest groups: Hausa-Fulani, Yoruba and Igbo. Hausa-Fulani are Muslims while a large part of Yoruba and most Igbo are Christians (DIS, 2005, p. 8). The majority of Yoruba live in the South-West and Igbo live chiefly in the South-East of the country (Wikipedia 4, 5).

#### **4.1.4. The Structure of Government and The Legal System**

On October 1, 1960, Nigeria gained its independence from the United Kingdom. From 1969, Nigeria was under military rule until it entered its democratic era in May 1999 (FMWA, 2006, p. 1). Nigeria consists of 36 states and the Federal Capital Territory (FCT), Abuja, located in the centre of country. It is divided into six Geo-political Zones, which are North-East, North-West, North-Central, South-East, South-West and South-South. Nigeria is a presidential democratic system with three tiers, of government; federal, state and local. The government is made up of three separate branches, comprising of an executive, legislature and judiciary arm. These branches are the organs responsible for the promotion and protection of the human rights and hence women's rights. The executive branch comprises the President, his Vice-President, Ministers and special advisers. They implement policies and programmes of the executive and enforce the legislation made by the Legislatures. The legislature has the power to make laws, and

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<sup>7</sup> A long and healthy life is measured by the proportion of people, who are not expected to survive age 40, education is measured by the adult illiteracy rate, and a decent standard of living is measured by unweighted average population without sustainable access to an improved water source, and the proportion of children under age 5 who are underweight for their age (UNDP 2008).

is made up of two Chambers - the Senate and the House of Representatives (Rep.). The judiciary is empowered to pass judgments and interpret laws. The judiciary covers all the courts in the country (CFS & NGI, 2004, p. 6-7).

The Nigerian legal system is complex and makes up different laws hereby British Common law, Islamic Law and Customary Law, which operate geographically and give rise to different court systems. Briefly, the British-derived laws, also known as statutory law, include the Constitution and laws made by the government as well as government policies. Statutory laws have effect nationally and take precedence over all other laws (Atsenuwa, 2008, p. 14-17). In criminal matters the Penal Code (influenced by the Islamic Law/Sharia Law) prevails in the Northern Nigeria and the Criminal Code, fashioned after the British laws operate in the Southern part of Nigeria. In the Northern Zones, 12 States<sup>8</sup> have adopted the Sharia Penal Code. Customary laws, is a personal system of law, which operates throughout Nigeria where communities have adopted various customary laws and cultural practices. Customary laws govern personal matters like marriage, children, inheritance rights etc. These different types of law are enforced by three types of courts namely the formal court, the customary court in Southern Nigeria and sharia courts in Northern Nigeria (NCWD, 2005, p. 53; AI, 2005, p. 25; Eze-Anaba, 2006, p. 40).

## **4.2. Women's Situation**

For the purpose of giving the reader a fully understanding of the situation of women in Nigeria, I have chosen to present some gender-related indicators, which give a greater picture of gender (in) equality in the country.

### **4.2.1. Education and Literacy Rate**

Education is of fundamentally importance in attaining gender equality. Over the years some strides have been made to ensure greater achievement in this area, although female access to education still remains lower than male access at all levels of the system. Statistics from the National Country Report on the MDG's from 2005 show that 44 % of girls were enrolled in Primary School compared to 56 % of boys. At the secondary

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<sup>8</sup> The States consist of Zamfara, Sokoto, Kebbi, Niger, Kano, Katsina, Kaduna, Jigawa, Yobe, Bauchi, Borno and Gombe (DIS, 2005, p. 50).

schools 55 % enrolled were boys compared to 45 % girls. The picture is however worse at the tertiary level where only 40 % of graduates from Universities were female (WACOL, 2008, p. 44; Akande & Tyoor, 2007, p. 23). School dropout is also higher among girls due to pregnancies, early marriage, demand on girls' time to carry out household tasks, economic reasons etc. (Aina, 1998, p. 4).

There has been some increase in the literacy level in the last decade, although it still fairly low. In 2005 the national literacy rate was 62 %, where the literacy level of women was 15,5 % lower than that of men. In addition, the literacy rate was lower in rural areas compared to urban areas and lower in the northern compared to the southern zones (Akande & Tyoor, 2007, p. 24).

#### **4.2.2. Gender Divisions of Labour and Production**

Gender specific division of labour is very distinctive in Nigeria's employment pattern. Figures from the National Bureau of Statistics from 2006 clearly show that women are mainly employed in the agriculture and service sector, which are the most poorly paid sectors. This is particularly the case in the agricultural sector where about 70% women are employed. Women are highly underrepresented in positions as management staff where only 14 % women are employed, in the Industrial Sector where only 11 % women are employed and at the Federal Civil Service where 24 % women are employed. Well-paid jobs and positions of authority i.e. politics, economy, law, religion, education, and the military are generally dominated by men (Akande & Tyoor, 2007, p. 18-19; WACOL, 2008, p. 36-37, 55; FMWASD, 2008, p. 22, 26-27). This is a strong indication of a patriarchal society. See table 1 in Appendix 7.

#### **4.2.3. Public Participation and Political Participation**

Women are highly under represented in the public sphere, particularly in elected political positions. There is, however, a slight improvement in number of women elected into political positions in 2007 compared to 2003. In the 2003 election 21 female (5,83%) were elected to the House of Rep. out of the total of 360 members and 4 female (3,7%) senators out of 109. In the 2007 election, 8 female politicians were elected to the Senate (7,33%) and 23 (6,38%) to the House of Rep. (WACOL 2008; 36). See Appendix 8.

Despite some progress, participation in politics at all three levels of government (local, state and federal) is still a very male dominated affair (Akande & Tyoor, 2007, p. 7).

#### **4.2.4. Gender Role and Stereotypes**

Nigeria is an extremely complex country with many different cultures, although the most pervasive and deeply entrenched culture is however found to be the role of women in the society. The majority of girls are, from childhood, socialized into stereotypical roles bounded by motherhood and wifeness functions (Effah-Chukwuma & Osarenren, 2001, p. 24). Girls are socialized to be soft, meek and subservient while boys are socialized to be hard, aggressive and dominating (ibid). As a mother, a woman's primary responsibility and duty by devoting her energy to life-preserving activities of procreation i.e. having as many children as possible. She can particularly enjoy a higher social status by giving birth to boys (Aina, 1998, p. 6). The man is in general viewed as the "head of the family", thus having the main responsibility to provide food, shelter, clothing and protection to the family. This gives the man greater rights to exert authority over the family even when he fails to provide or the woman earns a higher income (WACOL, 2008, p. 63).

#### **4.2.5. Property Rights and Inheritance**

Every Nigerian is according to the 1999 Constitution Section 43 entitled to acquire and own movable and immovable properties. However customary law and practices of several communities do not support the rights to own immovable property by women (NCWD, 2005, p. 33). Nigeria is in general a patrilineal society, thus inheritance goes only through the male line of the family. Only very few communities practice matrilineal (Effah-Chukwuma & Osarenren, 2001, p. 26). Leading on from this, women and female children are in many parts of the country not entitled to inherit their husband's or father's property (NCWD, 2005, p. 71).

#### **4.2.6. Marriage and Family Relationships**

Women's status and rights vary according to which system of law they are married under. For instance a woman who is married under customary or Islamic law is treated differently from a woman who is married under the statutory marriage law, named the Matrimonial Causes Act. A Muslim can choose between a statutory marriage, or a

marriage under Islamic laws, couples though very rarely choose statutory laws, but instead Muslim law. Other parts of the country, especially in the South, it is common practice to marry both under the statutory and customary law. Although statutory laws in theory should have precedence over customary law, it is usually customary laws that govern the personal behaviour of the couple (NCWD, 2005, p. 62-72; AI, 2005, p. 25; Eze-Anaba, 2006, p. 40; WACOL, 2008, p. 60).

In Nigeria, the traditional form of family organization is based on the extended family, usually made up of generations of relatives living together and working as a unit. Marriage is commonly not viewed as a union of two individuals in Nigeria, but of two lineages and for life, meaning divorce is not encouraged at all (NCWD, 2005, p. 76).

Therefore, “traditional” Nigerian marriages are commonly understood as an alliance between two kinship groups for the purpose of realizing goals beyond the immediate interests of the husband’s and wife’s, namely procreation and survival. It is usually through marriage that men acquire rights over women and responsibilities to them, in terms of being the breadwinner amongst others (CEDAW, 2008, p. 63). Polygamy, the social practice where men marry more than one wife, is still outspread in Nigeria. Both Muslims and Christians are found to practices it (Effah-Chukwuma & Osarenren, 2001, p. 20).

#### **4.2.7. Violence As A Ground For Divorce**

It is in general possible for women to seek divorce. However, it is not an easy process and very few choose to do it. Under customary laws extreme violence is ground for divorce in all communities in Nigeria and women have the possibility to seek divorce, except in Akwa Ibom and River States, where it is only the man who can initiate a divorce (NCWD, 2005, p. 66). The statutory marriage law provides a series of offences which can give grounds for divorce, among which are having attempted to murder or attempted unlawful homicide, or intentional infliction of grievous harm or hurt or the intent to inflict either (Laws of the federation of Nigeria, 2004, Cap. M7, Vol.8). This provision requires that the petitioner (often the wife) waits for conviction of the respondent before the grounds can be accepted as valid. A woman cannot therefore lawfully get out of the marriage until she has this conviction. In addition to this, the rights

of women to reside in the matrimonial home do not exist in law and it is culturally widespread that the matrimonial home belongs to the husbands. Without the recognition of a right to reside, divorce laws provide little support to women in violent situations (NCWD, 2005, p. 38). The custody of children is also vested in the man in almost all parts of the Nigerian societies. However in some situation and in few societies it is possible for women to get custody of the children (NCWD, 2005, p. 77).

## 5. Empirical Findings

I will in this chapter describe initiatives, which the government both at the federal and state level and the local NGOs have taken to eradicate wife abuse in Nigeria. This chapter serve as the key platform for my analysis and discussion following after this section.

### 5.1. Federal Level

#### 5.1.1. The Executive Branch

##### 5.1.1.1. *National Gender Policy*

The Federal Republic of Nigeria has formulated a gender policy, called the National Gender Policy, which was adopted in 2006. It aims to mainstream gender in the national development plans and strategies. The policy paper reflect commitment of the government to incorporated the principles of CEDAW and other international and regional frameworks that support and promote gender equality and women empowerment in the country's laws, legislative processes, juridical and administrative system (National Gender Policy, 2006). Within the policy, wife battering falls under the larger category of gender-based violence without being addressed more specifically. It is stated that wife abuse needs to be tackled both in order to achieve the national development goals and out from a health and human rights perspective (National Gender Policy, 2006, p. 6).

##### 5.1.1.2. *Training of Law Enforcements and Judges*

The FMWASD provided training of the police in celebration of the annual 16 days of Zero Tolerance Activism on Violence Against Women in October/November 2005. The training was a sensitization-training program for about 50 police officers on the issue of gender-based violence, where domestic violence was strongly centralized.

During the training, it was further highlighted that domestic violence is not a private matter, but a human rights violation, which needed to be addressed seriously (interview 4; FMWASD, 2006, p. 20).

Human rights desks, which specifically deal with human rights cases, have been set up in all police divisions and areas of the federation (FMWASD, 2006, p. 6; interview 12). Each desk has about 5 staff attached, and all have received human rights training (interview 12). Records show, that in 2006 the National Human Rights Commission (NHRC), a governmental body, carried out gender training for 50 human rights desk officers of the Nigerian Police and Nigerian Prison Service (FMWASD, 2006, p. 29).

In December 2005 and May 2006, NHRC organised gender training for 50 Judges (FMWASD, 2006, p. 29).

#### ***5.1.1.3. Support Services for Victims***

In 2007 the FMWASD established a shelter for battered women and their children, which is located in the capital, Abuja. It can accommodate 25-30 people. However, while I was in Nigeria (September 2008-October 2008) it had just been decided to close the shelter, because it is expensive to run (interview 4).

### **5.1.2. The Legislature Branch**

#### ***5.1.2.1. Legislation on Wife Abuse***

In recent years various forms for gender-based violence have been prohibited at the federal level, for instance human trafficking. See Appendix 5. However, at the moment of writing this thesis there is *no law*, which specifically criminalizes wife abuse or domestic violence at the federal level (interview 11, AI, 2005, p. 23; Eze-Anaba, 2006, p. 20).

#### ***5.1.2.2. Signed and Ratified International and Regional Conventions***

The government of Nigeria has signed several International and Regional Declaration manifesting women's rights. The conventions Nigeria has signed and ratified which specifically address women's rights are the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which Nigeria have signed and

ratified on 13 June 1985 *without* any reservation<sup>9</sup> and the African Protocol on Peoples' Rights and the Rights of Women (APRRW) ratified by Nigeria on 18 February 2005. Nigeria has neither domesticated APPRRW or CEDAW on the federal level (WACOL 2008, P. 1, 18).

In cooperation with CSOs and various development partners<sup>10</sup>, the FMWASD has participated in trying to domesticate CEDAW into national law under the election period in 2007. The CEDAW bill was introduced in the National assembly in the first quarter of 2007, as an executive bill<sup>11</sup> with the FMWASD, as the line Ministry. The FMWASD took responsibility of engaging the President in to making CEDAW an executive Bill. The two chairpersons Hon. Daisy Danjuma (chaired the Senate Committee on Women Affairs) and particularly Hon. Saudatu Sani (chaired the Committee of House of Rep. on Women Affairs) took the leading responsibility of tabling the bill in the House. The CEDAW Bill met heavy opposition under the second reading<sup>12</sup> and was withdrawn (CEDAW interview 1, 4, 7).

### **5.1.3. The Judiciary Branch**

I have not been able to obtain detailed information about judged cases of wife abuse.

## **5.2. State Level**

### **5.2.1. The Executive Branch**

I have not able to identify any initiatives to combat wife abuse in any states.

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<sup>9</sup> When Governments become State parties to the CEDAW Convention, they can identify certain elements which they will be bound by and thereby take reservation (Ajoni, 2007, p. 14).

<sup>10</sup> The co-operation among the three partners, included the FMWASD and Committee on Women Affairs (House of rep. and Senate), development institutions (UNIFEM, UNICEF, UNFPA, OSIWA and Enabling Hiv/AIDS and Social Sector Environment (ENHANCE/USAID) and CSOs (National Democratic Institutions (NDI), Policy Analysis and Research Project (PARP), CIRDDOC and WRAPA (CEDAW interview 1, 4, 7).

<sup>11</sup> An executive bill is one initiated by the Executive comprises the President and the Ministers. All executive bills are initiated and presented by the President of the Federal Republic of Nigeria by a letter to the speaker of the House of Representatives and the President of the Senate (CFS & NDI, 2004, p. 17). It has been stated, that an executive bill passes faster than other bills (CEDAW interview 1, 3, 5).

<sup>12</sup> The second reading is the period where debate concerning the bill, occur. A Bill goes through five stages before it is passed by the legislature. The First Reading, Second Reading, Committee Stage, Report Stage and the Third Reading (CFS & NDI, 2004, p. 21-26).

## 5.2.2. The Legislature Branch

### 5.2.2.1. Legislation on Wife Abuse

In recent years, various states' legislation have enacted laws which prohibit other types of gender-based violence for instance maltreatment of widows, FGM, withdrawal of girls from school for marriage etc. (interview 8, 9). See Appendix 5. Cross River State, Ebonyi State and Lagos State have recently passed laws, which prohibits domestic violence. In 2004 Cross River State passed a prohibition law on domestic violence whereby Ebonyi State followed in 2005 and Lagos State in 2007.<sup>13</sup> The law makes it an offence to physically or verbally attack or abuse anyone with whom one has a domestic relationship. This includes a spouse, mother, sister, brother, grandmother, house boy or house girl and any member of a family.

Under the law the police and social workers have a duty to protect a victim of domestic violence by arrest the offender without a warrant, find suitable shelter and assist the victim to obtain medical care. A victim has the right under the law to apply the court to get a protection order<sup>14</sup> to stop a violent domestic person from committing any act or further acts of violence against the person. It is also stated in the law, that the court can compel the person found guilty to provide for the safety, health and well being of the victim and her children, which may include paying rent, medical and feeding needs for the victim. The offence carries a penalty of imprisonment for 1 year or a fine of N20.000 (approx. US\$ 135) for the first offence. Subsequent offences carry a penalty of 3 years or N60.000 fine.

In other states in Nigeria, the most common used provision in cases of wife abuse is Section 353 of the Criminal Code (Nwankwo, 2008, p. 5), which deals with assault in general. The criminal code operates in the Southern part of Nigeria and state; *“Any person who unlawfully assault another and thereby does him harm is guilty of a felony and is liable to imprisonment for three years”* and Section 360; *“Any person who*

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<sup>13</sup> For further review of the domestic violence law, see Appendix 6.

<sup>14</sup> A protection order can be an interim or a substantive protection order depending on the risk of danger for the victims.

*unlawfully and indecently assault a women or girl is guilty of misdemeanour and is liable to imprisonment for two years”*

(Laws of the Federation of Nigeria, Cap. 77).

Some of the provisions of the Nigerian law empower the man to beat his wife. For instance in §55 (1) (d) of Sharia Penal Code, the criminal code enforced in the Northern Part, a man is empowered to correct an erring child, pupils, servant and wife. The section provides:

*“Nothing is an offence which does not amount in infliction of grievous hurt upon any person which is done by ....*

*(d) A husband for the purpose of correcting his wife, such wife and husband and wife being subject to any native law or custom in which such correction is recognized as lawful”.*

Grievous hurt is defined as; emasculation, permanent deprivation of sight of an eye, of the hearing of an ear, or of the power of speech, deprivation of any member of joint, destruction or permanent impairing of the power of any member or joints, permanent dislocation of the head or face, fracture or dislocation of bone or tooth, any hurt which endangers life or which causes the sufferer to be during the space of twenty days in severe bodily pains or unable to follow her ordinary pursuits (Penal Code, Section 241).

#### ***5.2.2.2. Laws Following International and Regional Treaties***

On the federal level, laws drawing on the same contend as CEDAW have recently been passed on the state level. In 2007 Imo and Anambra States passed the Gender and Equal Opportunities Laws. Drawing on the language of CEDAW, the law prohibits discrimination and formulate CEDAW’s values and standards and gives credence to the treaty at the state level. The law in Imo State explicitly states that its specific purpose is to *“give effect to the; The Elimination of all forms of discrimination and destruction against persons on the basis of sex as is presently obtainable in Imo State”* (s.3). The law in Anambra State is very similar.

### 5.2.3. The Judiciary Branch

I have not able to obtain any detailed information concerning court cases of wife abuse in any of the states.

## 5.3. Local NGOs Initiatives

### 5.3.1. *Advocating for Legislation on Wife abuse*

The majority of the NGOs examined are trying to improve the status of women by advocating for legal reforms. The first attempts were done on a piece-meal basis with theme-specific bills<sup>15</sup> being developed and presented to the legislatures. Two bills have been presented both on the national and state levels.

In February 2001, a coalition of CSOs formed a Legislative Advocacy Coalition on Violence Against Women (LACVAW) and drafted a “Bill on Violence Against Women” (Prohibition) Bill 2002. Some of the NGOs examined were a part of this coalition (WRAPA, 2002, p. 3; CIRDDOC, 2006, p. 2-3; interview 1, 6). The Bill was submitted to the National Assembly (NASS) during the last legislative session in 2003 (Eze-Anaba, 2006, p. 23; FMWASD, 2006, p. 20; Effeh-Chukwuma, 2005, p. 46), where legislative advocacy was initiated. The intention of the bill was to address obstacles to the practice of all types of gender-based violence and lay down conditions for issuing an interim and a substantive protection order for survivors of violence. In addition, the bill was aiming at widening the responsibility of the police officers as well as broadening the power of arrest. The latter was to allow individuals suspected of having committed an act of violence, listed in the bill to be arrested after a complain had been made, without a court order or warrant order (Eze-Anaba, 2006, p. 23-25). The Bill failed to pass into law under the last period of legislation (2003-2007). After more than five years the bill has still not been listed in the Order paper for a hearing<sup>16</sup>. At the time of writing this thesis, it is very difficult to get precise information concerning the position of the Bill. At a

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<sup>15</sup> In addition, bills on unsafe abortion and access to reproductive health services have also been developed and presented to legislatures by local NGOs (Atsenuwa, 2008, p. 12).

<sup>16</sup> A bill goes through 5 stages before it is passed by the legislature, which includes the First Reading, Second Reading, Committee stage, Report Stage and the Third Reading. At the last reading, the bill is placed before the legislature for a finale vote. A bill has to be listed in the Order Paper for a particular day before it can go through the first reading, which is a formality of informing the Members that a bill has been introduced (CFS & NDI, 2004, p. 21-25)

meeting organised by the House Committee on Human Rights there raised concerns were about the slow process of the Bill. A member of the Committee in the House of Representatives explained that the provision of marital rape was delaying the passage of the bill into law, as this provision was viewed as Western and against the culture of Nigeria (Eze-Anaba, 2006, p. 25).

Another attempt to bring about legal reform is the Domestic Violence Bill advocacy project at state level promoted by the Legal Defence and Assistance Project (LEDAP) a membership organization of lawyers in Lagos. The NGOs examined are part of this coalition. This bill was submitted between 2003-2004 to 12 state Houses of Assembly in the 6 geo-political zones<sup>17</sup> by LADAP and CSOs, followed by a series of advocacy/sensitization workshop for stakeholders within these states (Effah-Chukwuma, 2007, p. 6; Eze-Anaba, 2006, p. 25-30). This bill is the one, which has been passed into law in Cross River, Ebonyi and Lagos State. See section 5.2.2.1. Legislation on Wife Abuse.

### ***5.3.1.1 Advocating for Domestication of CEDAW***

The NGOs have several times attempted to get CEDAW domesticated into national law. The most united effort was in 2007 under the election period (CEDAW interview 1, 2, 5, 7). In alliance with FMWASD and various development partners, a bill to domesticate the Convention were presented to the last legislative assembly. In order to facilitate the passing of the bill, several activities were carried out; an advocate visit to the speaker of the Federal House of Representatives, a media briefing, a national stakeholders' forum and a public hearing. A Technical Committee was formed, which had the main responsibility of facilitating the bill. Two of the NGOs examined, CIRDDOC and WRAPA, were part of this committee. A larger CEDAW coalition was also formed, where the other NGOs examined were attached. The NGOs and the international development partners provided technical assistance and the international development partners funded various advocacy activities.

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<sup>17</sup> The 12 States are Cross River, Benue, Jigawa, Edo, Ekiti, Enugu, Akwa Ibom, Ebonyi, Katsina, Kaduna, Lagos and Plateau. The bill was funded by the Department for International Development (DFID) and UNIFEM (Eze-Anaba, 2006, p. 26).

Much of these above mentioned advocacy activities for legal reforms have been undertaken with the support of international development donors such as UNIFEM, the WB, USAID/Enhance and DFID (Atsenuwa, 2008, p. 11).

### ***5.3.2. Training of Law Enforcements Officers***

Several of the NGOs are engaged in providing training to law enforcement officers and developing simplification to existing laws and a training manual to police officers (WACOL 2006, p. 13; CIRDDOC, 2006, p. 20). In 2004 WACOL organised a one-day training workshop for senior police officers in Enugu State. The aim of the training was to sensitize and build the capacity of senior police officers towards gender related issues. They were drawn from different Commands and Divisions of the state and numbered in total about 40 officers (WACOL, 2004, p. 13). Similar training was provided by WACOL in 2006, which trained 30 police officers in gender-based violence in Enugu, Edo, River and Anambra States (interview 7, WACOL, 2006, p. 12). In 2007 Project Alert facilitated a 2-day training workshop on GBV to police officers and staffs at the Immigrations Service in Calabar, Cross River, Benin and Edo State (PA, n.d.).

In 2005 BAOBAB organised a one-day theatre presentation on violence against women for the police in Lagos to sensitize them towards violence against women, especially domestic violence (BAOBAB, 2004, p. 59).

In 2006 WACOL started a tripartite model project, involving building the capacity of the police force, hospital and communities to provide rapid response to female victims and survivors of violence in Anambra, Rivers and Edo States. Police officers received training on how to handle cases of violence against women and received copies of more reader friendly laws, which address issues of violence against women (WACOL, 2006, p. 12-13).

### ***5.3.3. Training of Judges and Magistrates***

Several NGOs are engaged in sensitizing and training members of the judiciary (interview 5, 7, 9). In 2004 WACOL carried out a three-day training course for judges to enhance their knowledge and skills in relation to resolving cases in their courts, which involve discrimination and women's rights abuses in accordance with the principles of

equality and non-discrimination contained in CEDAW and the APPRRW. The training was held in Abuja where partly 40 judges from various states participated in the training (WACOL, 2004, p. 23). In 2005 WACOL carried out another three-day capacity building session for judges, prosecutors, law enforcement agents and doctors on torture prevention and management in Enugu. Under that training the participants learned that gender-based violence is another form of torture, which they should be alert to in their occupation (WACOL, 2005, p. 6-7). In 2006 BAOBAB provided training on human rights from a gender perspective for legal officers and the police in the following northern states- Katsina, Kaduna, Bauchi, Borno, Yobe, Niger, Zamfara and Gombe (BAOBAB, 2006, p. 12).

#### ***5.3.4. Legal Aid and Alternative Dispute Resolution (ADR) Method***

The NGOs examined provide free legal aid service, which includes free legal representation in court for women who cannot afford paying for this service themselves. A part of the legal aid service, many NGOs are engaged in settling disputes outside the courtroom by mediation and reconciliation between couples using alternative dispute resolution (ADR) method (interview 1, 2, 5, 6, 7, 8, 9). Practically, it means when an abused women approaches an NGO for help, the legal aid staffs speaks with her about what has happened and informs her about her rights. Subsequently, they try to identify the women's interest while at the same time making her realise the consequences of her actions. Thereafter follows a formal letter summoning the partners to the NGO for an informal mediation session (personal observations 18 September 2008, Lagos, Project Alert's Office). Often members of the extended family get invited. If reconciliation takes place, the NGOs follows up with phone calls and sometimes group meetings for the women (interview 5, 8).

#### ***5.3.5. Training Paralegals***

Several of the NGOs are engaged in training paralegals in some of the most remote areas. Paralegals are selected community members who have no legal background, but are trained to interpret the law out in the rural communities. CIRDDOC have 15 Community Information Centres (CICs) located in Anambra, Enugu and Ebonyi. Legal aid is an integrated part of the CICs services, which is provided by paralegals

(CIRDDOC 2006; 2). In 2005 CIRDDOC provided a two-day refresher course for the paralegals in Enugu (CIRDDOC, 2005, p. 12). In 2004, WACOL trained paralegals from states in the South-South, South-East, mid and northern part of Nigeria (WACOL, 2004, p. 7). In the same year BAOBAB organised 14 paralegal training workshops in Lagos, Kwara, Kogi, Edo, Kano, Kaduna, Taraba, Adamawa, Katsina, Osun, Plateau, Borno, Zamfara, and Oyo, where about 25 participated under each training session (BAOBAB, 2004, p. 91).

### ***5.3.6. Support Services to Victims***

Many of the NGOs examined provide various support services for victims of wife abuse. In addition to legal aid, many NGOs provide free medical treatment, if the women approach the NGOs with physical wounds (interview 1, 5).

Two of the NGOs have also established shelters for battered women and their underage children. One of the shelters is located in Lagos run by Project Alert called Sophia's Place and the other is run by WACOL in Enugu. Both places have secret locations and are not accessible for the general public including external family members and husbands for security reasons. Sophia's Place can accommodate about 24 people and had during its first three years, housed approximately 100 battered women (Umar, 2004, p. xvi). WACOL's shelter can accommodate around 15 people (interview 5). Besides housing, women do also get free food, professional therapy, counselling and sometimes clothes, toilet articles, small amount of money (Umar, 2004, p. 14; interview 5, 9). At both of the places, women are not expected to stay for more than 4 weeks (Umar, 2004, p. 39).

### ***5.3.7. Awareness raising to the General Public***

All the NGOs examined are to some extent engaged in awareness activities that target the general public, for instance through Information, Education and Communication (IEC) materials including posters and stickers with various slogans. In addition, some NGOs are also engaged in conducting research about wife abuse by providing up to date information and statistics on the prevalence, causes, patterns and emerging trends. This is both used to enhance awareness to the population and used as an

advocate tool for law reforms towards government officials, policy makers, legislators etc. (interview 1, 2, 5, 6, 7, 8, 9, WACOL, 2004, p. 6).

Some of the NGOs do also use the media as a communication tool to address issues of gender-based violence and women's rights, often in forms of radio programmes, jingles or television programmes (interview 5, 7, 8). In 2002 Project Alert in collaboration with Women Optimum Development Foundation (WODEF) produced, with the help of grants from the UN Trust Fund (TF), a TV drama series on violence against women, titled TRAUMA. The series was aimed at educating the public about gender-based violence including domestic violence and influencing policies and legal reforms. The 5-episode, 30 minutes TV drama series was aired on 7 different TV stations in Nigeria. (PA, 2003a)

Project Alert have also produced and aired a 15 minutes radio drama called Beyond Tears 1& 2, where the issue of domestic violence also was addressed (PA, 2003b).

In 2004 BAOBAB organised a theatre campaign against violence against women in two commercial vehicle garages in Lagos. It aimed to produce debates and create awareness amongst the public, by highlighting various forms of violence against women (BAOBAB, 2004, p. 59).

### ***5.3.8. Sensitizing Specific Groups***

The NGOs do also organise workshops and seminars, which target specific groups in the society, for instance journalists, key members in the film industry, community gatekeepers such as religious leaders. Often these workshops and seminars address different types of violation towards women which is outspread in certain parts of the country for instance harmful widow practices, FGM, child marriage, wife abuse etc. (interview 1, 5, 6, 8, 9).

To sensitize journalists BAOBAB have carried out a 3-day forum on violence against women for 20 members of both the print and electronic media in 2006. It aimed to promote gender balanced and adequate reporting of cases of violence against women, to enhance Nigerian journalists' awareness of VAW and form a network of journalists against violence against women (JAVAW) (BAOBAB, 2006b, p. 2-3; interview 9).

Project Alert have also been engaged in sensitizing members of the Nigerian film industry, Nollywood, in order to make them create and spread more positive images of women through films (interview 8). In 2008 the organisation organised in collaboration with Nollywoods Concepts Promotions Limited (NCP) a one-day advocacy visit, where various stakeholders within the movie industry attended (PA, 2008, p. 4). Nollywood is the third largest movie industry in the world. It distributes somewhere between 1,000 and 2,000 films annually, which go straight to DVD and VCD discs. Nollywood films are mainly watched in Nigeria and other parts of Africa (Wikipedia3).

Some NGOs have also started to target religious figures in their sensitization or have plans of doing so in the future (interview 5, 6, 7, 8, 9). In 2005 WACOL organised training workshops for catholic priests in South-East Nigeria on gender, human rights, health and reproductive rights (WACOL, 2005, p. 8-9; interview 7). In October 2008 Project Alert started a new project aimed at sensitizing religious leaders in the southern part of domestic violence and improving their awareness to enhance their response to these cases (interview 8).

### ***5.3.9. Male Support Groups (MSGs)***

Two of the NGOs are engaged in sensitizing men and in forming men's groups. In 2006 Project Alert organised 3 consultative forums in Ebonyi in South-East Nigeria, where a total of 110 people, mostly men, participated. It was aimed at sensitising them to combat gender-based violence, discussing the role of men as perpetrators of violence and identifying possible causes. Male support groups (MSGs) were formed to work on their own whilst at the same time acting as allies to women's rights NGOs in combating of gender-based violence. Strategies and plans were also developed for individual and collective actions in the home, institutions, and communities, as well as the policy and political spheres in transforming negative male behaviours. The MSGs still exist today (Effah-Chukuwuma, 2007, p. 16; interview 8). Similar was done in 2008 where Project Alert organised a two-day forum which took place in Lagos and Calabar (PA, 2008, p. 2).

The NGO BAOBAB has carried out similar activity. As part of their 16 days of Activism against Gender-based Violence campaign titled "Men against Violence against Women", anti-gender based violence stickers were distributed at commercial bus stops

and men, who previously had received training on this issue, were engaged in public advocacy on the rights of women (BAOBAB, 2006a, p. 37). MSGs were also formed, as part of the campaign and they still exist today. Many of the men are friends and relatives to the staff at BAOBAB (interview 9).

## 6. Analysis

In this chapter I will analyse from a GAD perspective what the government at the federal and state level and the local NGOs are doing to eradicate wife abuse in Nigeria. They will be analysed separately.

### 6.1. Initiatives on the Federal Level to Combat Wife Abuse

#### 6.1.1. The National Gender Policy and Legislation Gap

From a GAD perspective, the government serves as an important agent in improving gender equality and empowering women. Thus the government of Nigeria play a crucial role in combat and protect women victims of wife abuse.

The government of Nigeria official acknowledges wife abuse as a crime in its national gender policy. It is broadly viewed as a violation towards individual women and society as a whole and is acknowledged as contributing to hindering progress towards national development goals. Despite government policy acknowledging and having intentions of eradicating wife abuse, assessing it more thoroughly reveals weaknesses and gaps. The policy paper is very general and lacks details in the form of an action plan, which maps out cooperation and coordination between various government agencies, which aims to address abused women's needs and increase their accessibility to services. Prevention interventions are also missing in the paper. More serious probably is that the policy paper has no legal force. As there is no law, which specifically prohibits domestic violence or wife abuse at the federal level, the national gender policy is only a guideline without any legal force. The federal government is not legally bound to follow it, which makes the policy very weak. This is due to the nature of policies which can only elaborate and specify goals, values and standards to which existing laws should aspire and may be useful in guiding programmatic interventions by government (Atsenuwa, 2008, p. 18). Gap in the legislation is particularly problematic, because of the multi-layered and

complex Nigerian legal system, where the status of Nigerian women varies according to the legal system, which is applicable to her. It is only through federal legislation that all women can be protected in cases of wife abuse despite place of residence, ethnic group, religion and type of marriage. From a GAD perspective it is very clear that the government on the federal level is not fulfilling its obligation of protecting abused women and is not truly engaged in combating wife abuse.

### **6.1.2. Lack of Domesticating CEDAW**

Before international and regional treaties become part of national binding legislation across the country, they need to be domesticated. This is stated in the 1999 Constitutions of the Federal Republic of Nigeria article 12.3: *“A bill for an Act of the National Assembly passed pursuant to the provisions of subsection (2) of this section shall not be presented to the President for assent, and shall not be enacted unless it is ratified by a majority of all the House of Assembly in the Federation”*. In other words, international and regional treaties such as CEDAW and APPRRW can only apply in all states of Nigeria when it has been approved by the majority of the House of Assembly (2/3) at the federal level.

Despite the APPRRW and CEDAW have been signed and ratified by the government of Nigeria several years ago, the Convention and regional protocol have still not been domesticated into national law. This is a clear infringement of both its international commitment as well as its own official commitment to the principle of non-discrimination, as enshrined in the 1999 Constitutions of the Federal Republic of Nigeria. The Nigerian Constitutions provides equality in law *“Every citizen shall have equality of rights, obligations and opportunities before the law”* (article 17 (2)(a), and condemning discrimination *“either expressly by, or in the practical application of any law” on grounds of “community, ethnic groups, place of origin, sex, religion or political opinion”* (Article 42(1)), and in spite of the fact that the Nigerian Constitution official has affirmed *“respect for international law and treaty obligations...”* (s. 19(d)) as a fundamental objective of the Nigerian State.

Despite lack of domesticating CEDAW, the FMWASD has recently been forthcoming in domesticating the Convention by taking responsibility for making it a

executive Bill and tabling it. The partnership with the CSOs and international development donors was the first close co-operation between the partners, which previously has been characterised as fragmented and disharmonized. It has been stated that, the lack of strategic co-operation between the three partners played a negative role under the last legislation (1999-2003), where a previous attempts to domesticate CEDAW was made (CEDAW interview 2, 3, 4, 5, 6).

During my internship period, I did also observe that the FMWASD was very forthcoming regarding re-introducing CEDAW after last attempt. They housed, for instance several meetings where the CSOs and international development partners discussed how they could re-introduce the CEDAW bill to the federal legislature. I do, however, also have a different opinion of the Ministry concerning others gender related issues. At for instance the pre-meeting for 52nd Session of the Commission on the Status of Women (CSW) held the 19 February 2008 in the UN House in Abuja, the government showed a lack of interest in including views from the CSOs. The overall topic of the meeting was to discuss the government CSW report and incorporate perspectives from the civil society. This was however not possible as the Director and other critical members of the Ministry were absent and the delegates of the Ministry had not participated in writing the report and for that reason unaware of its contents. This was of great disappointment to the CSOs and UNIFEM, particularly because the Ministry had broken its promise to work closer with these organisations. The meeting ended as a big failure.

### **6.1.3. Weak Criminal Justice System**

As stated in the theory chapter, gender is systematically structured in social institutions, which participate in shaping and spreading certain gender ideas. In light of that, members of the criminal justice system e.g. police officers, judges and magistrates play a highly important role regarding wife abuse. They need to have knowledge of existing laws and the capacity to enforce them in order to protect and bring justice to battered women. Moreover, their attitude does to a large extent determine how women's rights are protected.

The criminal justice system seems however to be very weak in Nigeria. The police force has a reputation of not taking wife abuse seriously (interview 1, 2, 3, 5, 7, 8, 9, 11) and of neglecting cases by classifying them as a “private matter”, which should be settled within the family. It is therefore not uncommon that the police fail to investigate the matter or press charges (Effah-Chukwuma & Osarenren, 2001, p. 23) on the grounds that the state cannot interfere in, so called, husband and wife disputes. In many cases they advised the women to go home and sort out the matter. Even in situations where the woman’s life is seriously threaten (interview 1, 2, 3, 5, 8). These views indicate a lack of understanding of wife abuse as a violation of human rights. Furthermore, it would appear that dominating motivation for the police is towards keeping the family intact instead of pursuing a case of wife abuse.

A police spokesperson in Lagos clearly reveals that they do not take violence in the family seriously “*unless it is a case of the rape of a child or the husband kills his wife*” (AI, 2005, p. 12). The few women who goes to the police to report a case of abuse against their husband are frequently asked questions like; “Are you sure you did nothing wrong?, Was the food ready when he got home?, Are you sure you didn’t disobey him?, Did you deny him sex? etc.” (Effah-Chukwuma & Osarenren, 2001, p. 23), Questions, which automatically imply, that a husbands’ violence towards his wife is self-inflicted because the woman has behaved in a manner that legitimates such a violent act.

In an evaluation study of Project Alert’s shelter project from 2004, several women interviewed agreed with the criticism of the police. They stated that the police did not treat the cases seriously and often took the side of the man. One survivor who has experienced the lack of police response is Mrs. X from Delta State. She was married to an Igbo man, but after 2 years marriage, the man started to beat and abuse her verbally. Over time it became worse, until one day he attempted to strangle her, in fear for her life, she went to the police to fill in a complaint. However, later her husband came and denied everything. The police officers believed him and accepted his denial. Her complaint was annulled (Umar, 2004, p. 91-97).

The attitude of the police force and behaviour towards wife abuse has caused concern in several international organizations. In Amnesty International’s report for

instance, it is stated that “*Amnesty International believe that the failure of law enforcement officers to register adequately and investigate cases of violence in the family and to prosecute suspected perpetrators, indicates a lack of willingness to treat violence in the family as a criminal offence and a violation of human rights*” (AI, 2005, p. 13). Inadequate response to threats and violence towards women does, however sometimes result in costs of lives. I will below provide one example.

Dr. (Mrs.) Nnalụ Chukwudebelu reported threats to her life in July 2000 by her husband Mr. Wilfred Chukwudebelu, a professor of Gynaecology and appointed member of the Anti-Corruption Commission. At the time they had been married for over 30 years. Five days before her death she had reported these threats to the Enugu State Police Commissioner who, instead of acting immediately, asked her to come back in four days time. She never kept that appointment as she was murdered at night in her home on the evening prior to her appointment of Monday 24 July, 2000 (Effeh-Chukwuma, n.d). For more examples see Appendix 11.

Despite heavy criticism of the police force, the Deputy Commissioner of the Police Force in Abuja, Mr. Mohammed Ladan states that the police treat these cases vary serious by registering and investigating cases of wife abuse in line with procedures common with other criminal offences (interview 12). However, judging from my respondents, as well as from other studies there is strong evidence showing that this is not the reality in countless cases (AI, 2005, p. 13), in fact, critical voices are even to be found among members of the police force. Mrs. Ivy U. Okoronkwo, Assistant Inspector General of Police who through her long working life experienced and observed neglected cases of husband-to-wife violence by the police force. The same criticism and observations are to be heard from Mrs. Dorothee Gimba, who has previously worked in the police force for many years, and is now the head of anti-human trafficking and a gender expert (interview 11). They do, however, also underline that the legislation gap is a significant part of the problem (interview 11). This cannot be denied plays an important role in forming the behaviour of police officers. Without a law, which specifically criminalizes the police officers legal power, can in some situation, be uncertain and prevent officers from dealing with this issue. In addition, the legislation gap contribute to reproduce certain gender

notions and behaviour amongst the police, where wife abuse is not understood as a violation of human rights.

It is a general fact that the amount of cases reported to the police does not reflect the true picture of how outspread wife abuse is (AI, 2005, p. 7). This is supported by the police force in Abuja, which state that they only receive a few cases of this matter (interview 12). Interestingly, one of the police officers believed that all battered women report to the police, whereas another disagrees and states that women do not report to the police, because they do not want to bring public attention to their problems and prefers settle the problem by themselves (interview 12). Many respondents have stated that the majority of women who actually raise a case towards their husbands withdraw their complaints after a couple of days, due to pressure either from their husband, extended family members or by themselves after re-thinking their situation (interview 1, 2, 3, 7, 8, 9, 11, 12). This can perhaps partly explain why the police officers do not treat these cases more seriously.

There is a combination of factors, which explain why few women report cases of abuse. Many women may remain silent because they are unaware of their rights, or are of the opinion that nothing good will come out of taking the complaints to the police as they will not be taken seriously. They may endure the abuse for fear of marriage and family break-up, which they are held responsible for keeping together (Green, 1999, p. 106). Economical insecurity due to the economic dependency and social exclusion from the family and religious angle are additional factors (interview 5, 7, 8, 9). Probably most important factors is the widespread cultural belief grounded in patriarchal ideas, which discriminate women from birth to adulthood and make wife abuse a “normal” aspect of gender relation, thus a legitimate act (WRAPA, 2006, p. 27; Effah-Chukwuma & Osarenren, 2001, p. 24).

This is, for instance, reflected in one of the few official surveys of public opinion on violence against women in the home in Nigeria. Interestingly, the proportion of women justifying wife battering is higher than men on the following reasons

the husband thinks that the wife is unfaithful (women 52.5, men 31.0)

the women neglects her children (women 39.3 percent, 25.4 percent)

the wife goes out without telling her husband (women 36.3 percent, men 21.3 percent)

the wife refuses to have sex with her husband (women 34.4 percent, men 19.1 percent)

the wife argues with her husband (women 33.3, men 18.3 percent) and meals are not ready on time (women 23.7, 13.0 percent)

(AI, 2005, p. 6)<sup>18</sup>

What is most significant here is that women seem to have absorbed a stereotyped picture of themselves as they have acted in a certain way that provoke the beating. This can be explained by the logic of the socialization process (Andersen, 2006, p. 44), where women from childhood and throughout adulthood are socialized into specific gender roles, closely linked to a set of norms and expectations. Breaking these gender expectations is viewed as a provocation, which carries the consequence of being “corrected” by one’s husband.

It has been further stated that cases, which make it to trial are met with new barriers, as judges and magistrates are found to be highly discriminating in judging cases of wife abuse and other cases involving women’s rights (interview 5, 7). My respondents and other international organisations have stated, that prosecutors and judges lack sensitization and training on issues of violence against women, particularly violence in the family (interview 5,7; AI, 2005, p. 12). As a consequence the whole court process is a hinderence to women seeking justice. This is further underlined by the UN Committee on the Rights of Children in 2005, which expressed deep concern about the “*generally high level of acceptance of domestic violence among law enforcement officers and court personnel*” in Nigeria (UN Doc. 2005 cited AI, 2005, p. 12).

It can be argued that the attitude amongst members of the criminal justice system is aggravated, by the fact, that until recently they have rarely been given any training in

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<sup>18</sup> Other studies conducted in Nigeria reached similar result where the proportion of women justifying wife battering was higher compared to men (FMWA, 2006, p. 23) and other studies showing a similar high proportion of men and women justifying violence with the purpose of “correcting” the wife/wives (Pearce, 1987).

how to address, respond, investigate, prosecute and judge family violence or wife abuse. Police officers for instance only receive training in how to investigate wife abuse as a general criminal offence, which is an integrated part of the police education (interview 12). As shown in my empirical chapter efforts have been made at the federal level to improve the system by providing gender training to members of the judiciary and police force. However, taking into consideration the large amount of criminal justice members in the country<sup>19</sup>, the training provided is on a very low scale, which is far from adequate to address this institutional gender problem.

Moreover, there seems to be disagreement amongst government sources and statements from NGOs regarding the human rights desks. According to the NGOs, the desks were established with pressure from the CSOs (interview 1, 8), but only exist in a few police stations (interview 1, 2, 4, 9; WACOL, 2008, p. 12). It is furthermore claimed that they operate with inadequate numbers of staff, where many of them lack training on human rights issues. It is also claimed that the majority of these officers are not human rights experts, but hold a bachelor or master in sociology or psychology (interview 9). It is difficult to assess how true the official picture is. During my fieldtrip, through the Police Headquarters in Abuja I requested the exact number of existing human rights desk and which stations had received gender training in the country, despite intense attempts that data, however was never provided to me for unknown reasons. One likely reason could be that they do not hold this information.

#### **6.1.4. Lack of Support Services for Victims**

From a GAD perspective addressing abused women's practical needs is essential. One important government service which did so, was the FMWASD' shelter, until it was closed. This is another backwards step for the support of abused women, yet another strong indication of the low political priority of protecting women's rights in Nigeria.

That the improvement of gender equality including the combating of wife abuse has a low priority in Nigeria is further reflected in the budget of the FMWASD, as well as, the states Ministry of Women Affairs, which receive the lowest budget compared to

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<sup>19</sup> Officially, there are 371,800 police officers, 21,905 comprising senior officers from the ranks of ASP II to IGP, and 349,895 junior officers from constable to inspectors of police (Nigerian Police, 2007).

other Ministries (interview 4, WACOL, 2008, p. 27)<sup>20</sup>. Additionally, FMWASD is very understaffed, lacking gender expertise, and has a high turn over of directors and staff members at the management levels compared to other ministries (interview 2, 7, CEDAW interview 1, 5, 7). These factors do not favour a concentrated action in targeting wife battering or enhancing women's rights. In addition, during my fieldtrip the Principle Women Officer in FMWASD Mrs. Funke Olaibibo, had just received the news that the Ministry might be cut off the MDG's support budget for the next year, as the work of the Ministry has not been seen as relevant to achieving these goals (interview 4). Ironically, as objective no. 3 of the millennium development goals (MDGs) is gender equality, which is a core goal of the Ministry's operation.

## **6.2. Initiatives at the State Level to Combat Wife Abuse**

### **6.2.1. Legislation on Wife Abuse**

As presented above, the states' legislators in Cross River, Ebonyi and Lagos State have recently enacted a domestic violence law, which is an important step viewed from a GAD perspective. The law contains several provisions, which address abused women's practical needs, for instance housing and medical care. It does also carry the possibility of providing more protection to women, because it outlines clearer areas of responsibility for police officers and social workers in these states, and because abused women can apply to the court for a protection order against violent husbands/women. Additionally, NGOs have also stated that the domestic violence act will involve less complicated and quicker legal proceedings compared to the criminal code (Bamgbose, 2008, p. 28). Hypothetically, this law can to a larger extent protect and bring justice for abused women, which speaks in favour of addressing wife battering legally different than violence committed by strangers.

Although, this law can only lead to any increase in protection for women, if members of the criminal justice system in these areas have the knowledge about it and the capacity to act accordingly to the law. During my field trip, it was not possible for me to

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<sup>20</sup> For instance by looking at the breakdown of the budget in Kebbi State from years 2003 to 2005, the budget allocation to the Women Ministry was 0.11% in 2003, 0.8% in 2004 and 0.58% in 2005 (WACOL, 2008, p. 26-27). See Appendix 9.

gather any information about which additional initiatives have been introduced to ensure full implementation of the law. One may however be sceptical about this progress.

According to the NGO BAOBAB, the domestic violence law in Lagos only received public attention for a less than a week, after which it stopped. This is of a great concern for the NGO, which have observed numerous members of the government system, who are not aware of the law (interview 9). The NGO Project Alert support this view and elaborate that it will take long time before members of the criminal justice system are fully aware about this law (interview 8).

In other states of the country, wife abuse is either treated as common assault or legally legitimate. In the southern part of the country, the referred provision of the Criminal Code is a clear example of a discriminating law, as assault on a woman is considered a misdemeanour while assault on a man is a felony. The lower sentence of two years means that assault on a woman is not seen as being serious as an assault on a man. Moreover, the criminal law offers nothing to the victim in terms of maintenance, shelter, custody etc. as it is confined to the prosecution and possible conviction of the offender. According to the NGOs, this law is only useful in cases of wife abuse when the women's life is seriously threatened and the marriage has completely broken down. As some of my informants have pointed out, it is highly difficult to use this law because it is a criminal law that place the burden of proof on the victim and demands a high standard of proof- beyond reasonable doubt (interview 8; Nwankwo, 2008, p. 5; Effah-Chukwuma & Osarenren, 2001, p. 21). The demands burden of evidence is however difficult to obtain because this type of crime usually occurs in the private sphere, where the victim may be the only witness, and because the investigations are carried out by the police, who often neglect cases of wife battering (interview 8).

In the Northern part of the country, wife abuse is accepted and enshrined in the law as long as its objective is to discipline the wife. The Sharia Penal Code justifies a reasonable amount of physical chastisement of a wife, as long no "grievous harm" takes place. Through this provision a husband is actually encouraged and empowered to abuse his wife in order to discipline her and by doing so, he is acting in line with the law. Without doubt, this element of the Penal Code clearly fails to recognition the very basic of human rights.

### **6.2.2. Passing the CEDAW Bill at States Level**

Despite lack of domesticating CEDAW on the federal level, Imo and Anambra state have passed the Gender and Equal Opportunities Laws. This can be viewed as an important step out from a GAD perspective, although, the law does not specifically address wife abuse or other types of gender-based violence. Furthermore, the wording in the law “discrimination” and “destruction” is open to wide interpretation. During my fieldtrip it was not possible for me to gain information about additional initiative taken to ensure successful implementation of the law. Alarming though, I was told by an anonymous source that passing the law in Imo State only succeeded with the help of money. Thus, one can raise the question, how realistic is it to believe that this law will be enforced effectively, as enhancing women rights was obviously not the main purpose of passing the law.

### **6.3. Initiatives from Local NGOs to Combat Wife Abuse**

I will in the following section analyse the initiatives the NGOs have taken to combat wife abuse from a GAD perspective.

#### **6.3.1. Advocating for Legislation on Wife Abuse**

For several years, the NGOs have attempted to strengthen and improve the legal framework in order to prohibit wife abuse and promote women’s rights. With very little success until now. Only the advocacy for the “Domestic Violence and Other Related Matters Bill 2000”, can partly be viewed as successful, as the bill has been passed into law in the three states mentioned above. One respondent stated one of the greatest barriers regarding this topic is “... *getting the lawmakers to pass these law (domestic violence law ed.) is one challenges we are having, because most of the legislators are batterers...see violence against women cut across all classes...*” (interview 8, 50 min.,48-56 sek.). Because it has proven to be extremely difficult to reform the legal system, it appears that the NGOs are now more focused on getting CEDAW passed, before tabling other specific bills on domestic violence (interview 1, 5, 7).

##### **6.3.1.1. Advocating for CEDAW**

NGOs have attempted domesticating CEDAW on the federal level several times without successful result (Atsenuwa, 2008, p. 9-12). It almost succeeded under the last

legislation, however as some of the articles touch upon highly controversial issue in a context as Nigeria, the bill met strong opposition and was withdrawn.

One of the most debated and controversial articles is Article 12. It addresses the issue of family planning, which has become associated with legalizing abortion. Abortion is illegal in Nigeria and this article in particular created strong opposition among religious groups, particularly the Catholic women's group (Opus Dei). They viewed CEDAW as an attempt to surreptitiously legalize abortion in Nigeria (CEDAW interview 5; Akinrimisi, 2008; p. 17-19). It should be noted that, the article has earlier been used by pro-choice groups in other countries to advocate for free abortion (CEDAW interview 6), which partly can explain, why CEDAW has been misinterpreted as being an abortion bill in the context of Nigeria. It is also strongly believed that the hostility to another bill (the Reproductive Health Services Bill), which was also viewed as an abortion bill, was transferred on to the CEDAW Bill that came before the legislature soon thereafter (Atsenuwa, 2008, p. 12). Ironically, CEDAW has been interpreted as an abortion bill, even though it was strongly emphasized at the United Nations International Conference on Population and Development in Cairo in 1994, that abortion should under no circumstance be promoted as a method of family planning (Nwankwo, 2007 cited in Akinrimisi, 2008, p. 16).

The strongly resistance to domesticate CEDAW does also show existing disagreement among women's groups concerning the content of the bill. GAD feminists argue, that the exact nature of strategic interest cannot be specified in advance, but must be determined through women's struggles in a particular context (Goetz, 1998, p. 242). Although one can raise the question - what if there is disagreement among women themselves in a given context? The general diversity and fragmentation among these women groups is still a concern to some pro-CEDAW people, as the majority of women from faith orientated groups, are more tied to their religious beliefs than women's issues (CEDAW interview 2, 5, interview 10). This makes it more difficult for women as a group to speak on the same platform. This is also a point which several of my respondents pointed out as problematic in relation to combating wife battering (interview 1, 5). As wife battering is accepted and viewed as a legitimate violence act in Nigeria, not

all women see it as being something wrong. This is, for instance, reflected in the surveys presented under session 6.1.3. Nevertheless, NGOs state they will keep sensitizing women and men and hope in the future they both will realise cultural and religious interpretation are dynamic and can be changed (interview 5).

### **6.3.2. Training of Law Enforcements Officers**

View from a GAD lens the government should provide training to members of the criminal justice system in order to ensuring that all police officers are trained to deal effectively and appropriately with victims of violence in a gender-sensitive manner. However, in the context of Nigeria, this training is almost exclusively being done by the NGOs. According to the NGOs they are starting to see small improvements amongst police officers, which have received training. They claim that the police previously always blamed the women and would never register or investigate reports of violence, even cases with serious assault. This is, however, slowly starting to change according to one NGO (interview 7), though they still face situations where they quarrel with the police, as the police perceive that the NGOs are interfering in private matters (interview 7). Interestingly, this happens even amongst those police officers who have received gender training (interview 7).

Despite the NGOs having provided much more training to the police force than the government, the training only targets a small number of police officers compared to the total number of officers in Nigeria. Additionally, a lot of the training has been restricted to include senior police officers and not lower level officers, in most cases who are those the women first meet in their reporting of wife abuse and those which deals with it on a daily basis (interview 7, WACOL, 2004, p. 13). The trained senior police officers are, however, expected to go back and spread their acquired knowledge to the other officers. Although, as there is no binding commitment, the NGOs staffs acknowledge it is difficult to know, if that actually happens (interview 7, 11). One can thus assume that it depends upon the priorities of the individual senior officer and how important this issue is viewed.

It has further been emphasised by the NGOs, that they lack authority amongst the police. Some NGOs have pointed out that they are not always taken seriously by police

officers, as they do not have the same legitimacy to execute this type of tasks compared to the government (interview 7, 9). In accordance to WACOL, if the government were committed prioritizing this issue, they would be taken more seriously (interview 7).

The NGOs point out that the training is not sufficient, as it needs to be more consistent and reach more groups, particularly lower level officers, in order to effect fundamental change. However, due to funding problems they do not have the financial capacity to provide the required amount of training sessions (interview 8, 7). Leading on from this, the NGOs state that there are general problems in getting financial support from government agencies (interview 1, 2, 5, 7, 8). One NGO staff explains that mostly men are working within these institutions and their perceptions of the women rights NGOs are that they aim to take power from men, and naturally, they are not interested in supporting that aim (interview 5). As a consequence, the NGOs are highly dependent up on foreign donors in carrying out activities aimed at combating wife battering and other gender related activity. This is also reflected in the annual and account reports I have been able to gain access to (WACOL, 2005, p. 34; 2006, p. 7, 40; BAOBOB, 2006, p. 83-84; PA, X; CIRDDOC, 2005, p. 33; 2006, p. 32). See Appendix 10.

### **6.3.3. Training of Judges and Magistrates**

In addition to criticism directed towards the police, judges and magistrates have also been assessed as being highly discriminatory in judging cases of wife battering and other cases involving women's rights (interview 5, 7). To address this problem several of the NGOs are engaged in training members of the judicial system in order to improve this. The NGOs therefore are trying to make the trial process less discriminatory to allow more women use it.

The NGOs have stated that taking a case to court is a long and very expensive process, therefore they only press the case forward, if the reconciliation fails and they judge the case to be strong (interview 7, 8). Therefore it is often only the grave cases with physical evidence of abuse, which go to court (interview 8, 9). As one Nigerian woman stated at a workshop *"The thing is that it is very difficult to get a conviction for battery*

*except (when ed.) the bodily injury is so severe. Battery is just not taken seriously”.*<sup>21</sup>

This is despite wife battering often involving as much physical as mental pain. It has been stated that the most insidious forms of violence do not involve overt brutality, but psychological cruelty that results in anguish and the disintegration of the self (Kelly, 1988 cited in Green, 1999, p. 25). When it works most effectively, women themselves believe in the legitimacy of authority over them, which for instance, is reflected in been “corrected” by their husbands.

#### **6.3.4. Legal Aid and Alternative Dispute Resolution (ADR) Method**

Many of the NGOs are engaged in providing legal aid to abused women whereby the ADR method is an integrated part of this activity. The ADR is a way of solving cases of wife abuse outside the court, which is often preferred by the women and the NGOs, as many abused women are unprepared to end the marriage and it is highly difficult to take these cases to court (interview 1, 2, 5, 7, 8, 9). Indeed, the majority of cases the NGOs receive are settled through the ADR method (interview 5, 8). This is, for example, reflected in the amount of cases going to court. Legal officers in WACOL in Enugu estimate that they receive about 15-20 clients a day, where about 6 cases are about wife abuse. In 2006 WACOL had 355 cases going to court where only 26 of them were cases of assault/battering (WACOL, 2006, p. 24). This is very few compared to how many cases they actually receive totally. WACOL in Abuja have stated that they never have had any cases going to court on the ground of abuse, only as a ground for divorce (interview 5). According to the NGOs the demand for legal aid has increased over the years as a result of enhanced awareness of the service (WACOL, 2004, p. 6; *ibid*, 2006, p. 10). In fact, legal aid is an activity many of the NGOs use a lot of resources on compared to other initiatives related to eradicating wife abuse (interview 7)<sup>22</sup>. This initiative, and all others NGOs activities regarding wife abuse are almost exclusively supported by foreign grants (WACOL, 2004, p. 10; *ibid*, 2005, p. 34; *ibid*, 2006, p. 7, 40; BOABOB, 2006, p. 83-84; CIRDDOC, 2005, p. 33, *ibid*, 2006, p. 32).

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<sup>21</sup> This was stated by a participant at a two days workshop at Igbo-Ora in 2006, who claimed her case was thrown out of court for lack of evidence (Omonubi-McDonnell, 2003, p. 39).

<sup>22</sup> It's not directly shown in the NGOs Annual Reports, how much of their budget are spend on legal aid, although it is state which donors are funding which activity and the amount. Out from that, it is possible to get an approximate indication, how much NGOs are using on legal aid.

The NGOs legal aid workers believe in most cases that the violence will stop after they have talked to the man under the mediation session, as they try to identify what is behind his violent behaviour. The NGOs do also believe it keeps the man in check as it helps to illustrate that there are places where women can receive help and he is under observation from the NGOs, which may take legal action if he transgresses again (interview 5, 8). According to the NGOs this is an important factor, which makes the man think twice before “lifting his hand”, as one expresses it (interview 5).

It has often been argued that women stay with their husbands because they want the abuse to end but not the marriage (Green, 1999, p. 40). This is also confirmed by one of my interview persons; “... *the women don't really want the marriage to end, they just want the violence to stop*” (interview 8, time: 4min, 26-29 sek.). This is very much related to the social and religious stigmatisation women are exposed to if they get divorced, and which often places them in a more unfavourable position. According to the NGOs many of the violated women are afraid of the consequences of the incarceration of their husband which can result in loss of face or social status in the family and leave them without any source of income (interview 5, 7, 9).

In cases of abuse, divorce is often not seen as an optimum solution by the NGOs. This is for instance reflected in the following statement “...*at the end of the day, divorce is not the best because of the psychological effect it would have on the children, on the family, especially on women in this part of the world we are living in (Nigeria ed.). Over there in the West, there is a lot of empowerment, I mean, there is not that much poverty unlike here...*” (interview 7, time: 44.min, 17-32 sek.). However, at the same time the NGOs do not believe “*Marriage should not be a death sentence on anyone*” (PA, 2005, p. 23) and believe in the sanctity of life over marriage.

The ADR method is a way of including the husband in being a vital part of the solution, as well as a way of direct confronting him with his violent behaviour. As the ADR method aims to address the root problem of the violence by identifying the reason behind it, it carries with it the potential to change unbalanced power relation between the husband and wife. However, as pointed out by the NGOs there are times when this does not occur and women return to the NGOs for help (interview 8). In addition, the inclusion

of family members in the reconciliation process is a way of showing respect and draw on the authority of the extended family structure. However, according to the NGOs including the extended family in this process may be positive in some cases, but sometimes also negative, where interference of in-laws contributed to domestic violence (PA, 2001, p. 26). Moreover, it has also been stated by the NGOs that sometimes the family pressure the couples to reconciliation, despite the fact that the problem has not been solved (interview 5).

Another way to increase women's access to legal aid is by training paralegals out in the more remote areas. This is particularly important, as many of the local NGOs' offices are located in the bigger cities, thus difficult for the majority of rural women to gain access to professional legal aid and receive knowledge about their rights. It is, however not without problems institutionalising the idea of using the more official juridical system out in the communities. One of the big challenges has been the resistant from local authority figures, which is known to run customary courts and have the last saying in most cases. For instance in a community in Anambra State, a traditional ruler warned the women to take their grievances outside the community without first exploring settlement in the Chief's Palace, and warned them not to use the centre or face the consequences (CIRDDOC, n.d., p.4). Another challenge has been the lack of funding which has prevented regular refreshment courses to trained paralegals, which is crucial in order to properly groom them for the work (ibid).

### **6.3.5. Support Services to Victims**

The lack of government effort in dealing with wife abuse has made NGOs the exclusive provider of support services to victims of abuse. These services provisions are important from a GAD perspective as they address urgent practical needs. Free medical treatment is an important service both for the health of women, but also to document physical abuse if the case later goes to court. Another practical need is housing, which two of the NGOs provide in form of shelters. From a GAD perspective support services should be provided, both from government and non-government agencies. It has however be stated that the shelter were established as a response to the problem that victims of violence suffer both physical harm and psychological depression, which is not addressed

by the government (PA, 2004, p. 23). These shelters should not be viewed as a long-term solution for placement of abused women, but only as temporary accommodation, until they have found new accommodation or reached reconciliation with their husband (PA, 2004, p. 43). There are however examples where women have stayed longer than the prescribed maximum period of 4 weeks (PA, 2004, p. 39). As one NGOs staff explained, abused women come for shelter protection from far away states as there is no shelter in their nearby community (interview 8). The shelters are, however, expensive to run for the NGOs, because they provide many extra services (PA, 2004, p. xx, 14; interview 5, 9).

According to the NGOs, women who seek shelter have in many cases been thrown out of their marital home and have nowhere to go or no one to turn to. The shelter option is sought as a last resort, when all other options such as the religious angle, the extended family and friends have failed (interview 9, 7; PA, 2004, p. xx). In many cases the women have moved into their husband's house, which might be located in another community or belong to another ethnic group. In some parts of the country, for instance, in the South-South and South-East zones, the practices of the customary law mean that a wife loses her claim to ethnicity and becomes subsumed in her husband's house (NCWD, 2005, p. 63). Seeking help from her original family is therefore not always possible.

Other reasons might also be that the women's own family are dead or do not support her decision, as the majority sees wife battering as a part of marriage and not a legitimate reason for leaving one's husband. Wife abuse is widely regarded as a fact of life that must be tolerated in Nigeria (AI, 2005, p. 6; Rotimi, 2007, p. 245; Omonibi-McDonnell, 2003, p. 38). Moreover, there might be some strong personal interests from the extended family, particularly the women's family in preventing the break-up of the marriage as they risk losing from it, because many of Nigeria's customary laws allows the man to keep the house and the children (Omonibi-McDonnell, 2003, p. 42). Demands for the return of the dowry<sup>23</sup> which is money or goods paid by the groom to the family of

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<sup>23</sup> Dowry price, also referred to as bride price, is still practiced in many parts of the country. It is considered as an essential requirement of a valid marriage, but the amount varies depending on the ethnic group (NCWD, 2005, p. 64). Traditionally the idea behind the payment of bride prices is to strengthen the bond between the couples (Okereke, 2002, p. 47).

the bride has been identified as an additional factor, which makes the family less supportive of a women's decision of leaving an abusive marriage (Okereke, 2002, p. 47).

According to the NGOs, the shelters are important for abused women when the extended family structure fails to protect them. In addition to that, there are many urgent needs, which are being addressed while they are staying there. An ex-resident of the shelter told, that the shelter provided her with a safe and quiet place when she needed time and space away from her abusive environment. Other ex-residents have also stated that it gave them mental protection in the form of therapeutic counselling (PA, 2004, p. xx).

### **6.3.6. Awareness raising and Sensitizing Specific Groups**

Creating awareness about women's rights and promoting new gender notions is fundamentally important from a GAD perspective, as it is a precondition for any gender transformation. This is particularly important, as it has been found that abused women might not take the bold step of ending the abuse, because they might not be aware of their rights and legal options, this is particularly true, in rural areas (interview 5, 7; Green, 1999, p. 40). As mentioned previously in the empirical chapter many of the NGOs aim to raise awareness and educate both men and women on the issue of violence against women through various IEC materials, as well as research. However, due to the high level of illiteracy in the country (Akande & Tyoor, 2007, p. 24), many of these initiatives can be said to be more suitable to create awareness among the educated population. An initiative which can be said, to be targeting the less well educated is BAOBAB theatre campaign, which was performed in Lagos state. The use of the electronic media to spread awareness for instance in the form of radio programmes, jingles and television programs are also initiatives, which can be argued are more suitable to reach the illiterates part of the population. The NGOs emphasizes the use of the media as being crucial in creating awareness in and sensitisation of the general public, as it can reach and spread new gender perspectives (interview 5, 7). However, access to these electronic equipments is naturally a precondition.

The idea of spreading awareness to the public by sensitizing key members in the society, might be a highly effective way to gain a greater impact. In Nigeria, human

rights NGOs and journalists are the two main active contributors in the reporting of cases of violation of women's rights to the general public. However, according to BAOBAB there are several examples where criminal cases concerning wife abuse have not been well highlighted and adequately followed up by journalists. The NGO also claims that the journalists have a tendency to use sensational news headlines that are not commensurate with the gravity of the events. Journalists are also accused of portraying negative stories on women, and thereby re-emphasising a patriarchal order (BAOBAB, 2006b, p. 28). I can support this view through my own observations. During my internship, I read several newspaper articles about wife abuse, which had resulted in death of the women. It was not uncommon that the journalists, at least in my eyes, used inappropriate words to describe the fate of the women. Sometimes they even insinuated that it was the women's own fault, because she had used witchcraft or her behaviour in particular was not viewed as being appropriate for a women.

Members of Nollywood have also started to be target, because they participate in spreading certain negative gender roles to the general public. According to Project Alert, the film industry is responsible for painting negative and stereotypical pictures of women, where women are portrayed as weak, grossly dependent on men, unable to make rational decision, sex objects and at the worst frivolous (PA, 2008, p. 2). The NGO want them to create more positive images of Nigerian women and make film people ambassadors for null tolerance of violence against women (interview 8).

NGOs have also recently started to target community gatekeepers such as religious leaders, who have unique authority roles in the society. According to NGOs these figures strongly influence the informal justice system in the local communities, which makes them a highly important group to sensitize (interview 5, 7, 8). It has also been observed that they play a key role with reference to wife battering. According to NGOs women often seek help and advice in matters of wife battering from their traditional authority figure, often from their religious leaders (interviews 2, 6, 7, 8, 9). Sometimes the religious leaders will try to talk to the husband, but with mixed results. Despite their religious orientation, these religious leaders share however similar view on women as inferior to men (interview 6,7, 8, 9, 10; PA, 2001, p. 17-12, 21). In many cases they preach submissiveness on behalf of the women and for preservation of marriage

(interview 2, 6, 7, 8, 9). It is emphasised by NGOs that it is not the religious texts in themselves, which preach oppression and unequal status of men and women, but the interpretation of them by religious leaders. This message is to be found in several published in-depth-studies conducted by the NGOs (BAOBAB, 2005, p. 1-4; PA, 2005, p. 114).

One of the NGOs explained that they have begun to see small improvements as a result of the sensitization, as some religious leaders are starting to refer cases of wife abuse to the NGO. According the NGO, this did not happen previously (interview 7). It has also been observed that some churches are starting to see divorce as the only possibility out of an abusive relationship in some situations (interview 7). Without doubt religious groups in Nigeria have a strong influence on national decisions. This was also seen during the last domestication process of CEDAW, where several religious groups were identified as being a part in the negative media propaganda campaign (Akinrimisi, 2008, p. 7).

### **6.3.7. Male Support Groups**

From a GAD approach, men are presented as important allies in the process of working towards gender equality, thus important partners in eradicating wife abuse. All the NGOs examined target men through various activities, for instance training to members of the criminal justice system, religious leaders, journalists etc., as it is mainly men who hold such positions. BAOBAB and Project Alert are however also engaged in a more comprehensive mobilize of men, where they aim to promote a culture free from gender-based violence.

It is been state by the NGOs, that they are inspired by how other countries are working with eradicating violence towards women. One of the ideas they have adopted is the MSGs, which is inspired by global anti-violence movements lead by pro-feminists and feminists in other countries (interview 8, 9). Several of these global anti-violence movements, which originate from Western countries have also started to emerge in African countries, for instance The White Ribbon in South Africa (Morrell, 2000, p. 107-115). Officially, all these groups are dedicated pro-feminists, meaning they share a

political commitment to feminism, particularly around the issue of men's violence towards women (McCarry, 2007, p. 406).

A notable observation made by the NGOs is that men tend to listen more to messages coming from fellow men rather if they were coming from women (interview 8, 9). This can be argued as being a character trait of a patriarchal society. Several of the NGOs have mentioned when women start to talk about issues related to women and their situation, they tend to look at them as "feminists", and they are less likely to listen or take action (interview 8). One of the legal aid officers told about an episode at one of their training sessions, where a man over the phone said to another men "*I am in a meeting with all these women doing their women stuff*" (interview 7, time: 45 min., 39-43sek). This statement illustrates that improving women's rights and combating gender-based violence is not always seen as something, which concerns the men in general.

According the NGOs mobilising men and making them carry the message of zero-tolerance for gender-based violence speaks more to the common sense of other men (interview 8) and they believe they are making more impact this way (interview 9). Mobilization of men has until now only taken place in two larger cities, but the plan is to extend it to other parts of the country (interview 9).

## 7. Discussion

I will in this chapter discuss to what extent the government and the local NGOs effort to combat wife abuse are both sufficient and appropriate from a GAD approach. I will begin discussing the government effort, where initiatives from the federal and state level will be discussed together. A discussion of the initiatives of the NGOs will follow.

### 7.1. Lack of Government Effort

From a GAD perspective, the government are responsible for solving and responding to problems linked to gender inequality and subordination, therefore also wife abuse. Despite the federal government of Nigeria officially acknowledging the problem of wife abuse, when an assessment is made on which initiatives have been put in place, a serious lack of action is revealed. No federal laws exist which specifically criminalize wife abuse, which is the only type of law that can protect all Nigerian women. The

national gender policy lack details and is very weak due to the legislation gap at the federal. Despite initiatives to strengthen the criminal justice system having taken place by the provision of training of these members, it has been on a very small scale and clearly insufficient to improve the system in all parts of Nigeria. Only three states in the country have made strides to strengthen the system of justice by passing a domestic violence law, which gives abused women the possibility to seek a protection order and financial security. Hypothetically, this law address specific circumstances of gender-based violence in the marriage thus offers greater protection and justice for violated women, compared to the criminal code, which deals with violence in general.

One may however question how well suited the protection order is to the requirement of certain wife abuse situations, as a protection order does not guarantee control over a violent men. Analysts have shown that protection order have limited effect in situations where the perpetrator is extremely violent and has no respect for the law. In fact, surveys from other countries have shown that women who applied for protection orders have reported increases in violence (Human Rights Watch 1995 cited in Green, 1999, p. 116). In light of that, one can argue that a protection order can complement criminal proceeding and thereby offer significant protection in some instance. It can however never be a universal solution.

Most importantly, if the domestic violence law is to have a true impact, successful enforcement is the key. One may be sceptical concerning this, as my analysis reveals weak law enforcement and criminal proceeding in the country regarding wife abuse. Thus, consistent training sessions to members of the criminal justice system need to be provided to ensure a far stronger enforcement mechanism and judicial system. This requires, however sufficient funding from the government. I have not been able to review the three states budgets allowed for the implementation of the domestic violence law. However, studies of other countries, which have passed a domestic violence law, reveal serious lack of sufficient funding to implement them properly (Luciano, et al., 2003). Hence, it is very likely this also is the case in these states, particularly, when taking into consideration how low the government budget earmarked to enhance gender equality, is in generally.

The overall assessment of the government both at the federal and states level reveals a serious failure to take action to combat wife abuse. Thus, the government clearly participate in legitimating and reproducing a social order, where wife battering is a “normal” aspect of gender relation. One reason, which can explain why gender equality and action to combat wife abuse does not receive more political attention and priority, can be linked to the low representation of female in politics in Nigeria. The general assumption among GAD feminists and other feminists is that female politicians are to a large extent the ones, who put and promote women issues on the political agenda. This emanates from the idea that female politicians represent women’s interest and women share specific interests as a group that differs from men’s, because women experience the world differently from men as they universally are subordinated to men (Geisler, 2004, p. 33).

However, parallel with this assumption, studies have also shown that it cannot be assumed, that all women politicians are committed to representing women’s interest. Neither can it be assumed that all women politicians always have an interest in promoting politics from a feminist platform (Cornwall, et al., 2007, p.13; Goetz, 1998, p. 241). For instance in UNIFEM’s newly published report “*Who Answer to Women. Gender and Accountability*” (2008) the report points out that the political scene is often dominated by women from the educated elite, who might have different interests to the rural poor (UNIFEM, 2008, p. 26). The report does however also document a general link between high numbers of women in parliaments and a strong spending on priority areas of concern to women (UNIFEM, 2008, p. 26-27). According to my earlier research of the failed domestication of CEDAW in 2007, a lack of women in the political sphere and their inability to lobby was a big barrier (interview CEDAW 1, 3, 7). From a GAD approach, it can be argued that getting more female in the political arena is crucial to promoting women’s rights and combating violation of their rights in Nigeria.

## **7.2. NGOs Effort to combat wife abuse -Sufficient and Appropriate?**

I will below discuss to what extent the initiatives of the NGOs are sufficient and appropriate from a GAD approach. This also includes a discussion of the NGOs dependency of foreign donors regarding activities to combat wife abuse.

### 7.2.1. Legal Reforms

The NGOs have attempted to strengthen and reform the legal system by advocating for legislation on wife abuse and by providing training to members of the criminal justice system. These initiatives are important from a GAD perspective, as they aim to bring justice and protection for battered women. However, despite good intentions the NGOs training is on a low scale, mainly a one-time only intervention and mainly targets members in the southern part of the country. Naturally, this limits the effectiveness of strength the criminal justice system and lowers the potential of making the system more gender-sensitive in all parts of the country. Furthermore, even though the NGOs are starting to see improvements amongst members, who have received training, they do also state that they still sometimes quarrel with them. This supports the idea, that changing embedded gender notions is a long-term process, which requires consistent awareness and training. In addition, it seems somewhat problematic that the NGOs are providing training for members of the criminal juridical system in states, which has no law that specific prohibits wife abuse. There is no law, which clearly underlines or clarifies police officers' responsibility with regards to protecting women in these matters. Perhaps more importantly, the training should be provided by the government and not by the NGO, as it is one of the main obligations of a government. As the government has failed to act, it places the NGOs in a position where they have assumed the government's responsibility without the authority of the government, carrying with it the danger of lowering the impact of these training sessions, because they are provided by the NGOs and not by the government.

Moreover, the very notion of addressing wife abuse by reforming the legal system can be a subject for debate. One may argue that there is a potential conflict between the language of individual rights and women's experience of themselves as embedded in relationships, this cannot be rejected as it is an essential aspect which is pronounced in the context of Nigeria. As described earlier the traditional Nigerian family structure is based on the extended family, which makes marriage more than a union between two individuals. Additionally, women are held responsible for keeping the family together and are thus subject to social and religious exclusion, if they are in opposition to this gender role. The indications are therefore that Nigerian women are unlikely to define

themselves as separate individuals but part of a larger net of relationships built on collective values. As a result of that they might not take legal actions. Consequently, one may question if legal reform is a valid way of combating wife abuse in Nigeria.

As an offset there are however cases showing that Nigerian women are slowly starting to oppose to their prescribed gender roles and are willing to go through the system to seek justice. There is therefore a serious need to improve the whole system to bring about a more gender just legal system in Nigeria.

### **7.2.2. The ADR Method and Access to Legal Aid**

As elaborated on in the analysis many of the NGOs are solving cases of wife abuse through the ADR method. This mediation approach has been identified to be more acceptable and respected in traditional communities, especially those that place an emphasis on family privacy (Green, 1999, p. 114). This may explain why this approach is so popular in Nigeria, as it aims to protect the family and keep it intact as it focuses on reconciliation. Indeed, including extended family members in the counselling reflects attempt from the NGOs to draw on the traditional family structure to solve the problem. The NGOs working with wife abuse in Nigeria are faced with trying to find a balance between various interests. They are persistently articulating the issues women are facing while at being careful not to be viewed as attacking the family, which is considered as sacred in Nigerian society. A demanding tasks.

The question is if the mediation approach is appropriate for use in cases of wife abuse. One can argue it is an appropriate initiative from a GAD perspective as it carries the potential of creating a more equal gender relation between husband and wife thus restructuring the internal power relation. However, if a restructuring of the power balance does not occur then the mediation approach carries the danger of keeping women in abusive marriages and decriminalising wife violence, as it removes the option of judicial scrutiny and undermines the accountability of the violent husband. Despite a strong NGOs engagement of this method, it is interesting to note that none of the NGOs are engaged in rehabilitation or other forms of programmes for the male perpetrator. This can be argued is essential importantly if embedded violent behaviour is to be challenged and changed in the long run. Leading on from this, the extended family may, as pointed out in

the analysis, contribute in a positive way in to solving cases of wife abuse, although they may also press towards quick reconciliation, without solving the problem, which can lead to putting the women in serious danger.

One can hereby argue that the ADR method can be viewed as appropriate from a GAD approach, but it depends on the individual case. Perhaps most important, reconciliation may, for many abused women, be seen as the only realistic opportunity at this given time in Nigeria, as divorce often places them in a worse situation.

Training paralegals out in the community, can be argue is a good way of reaching rural women which may have difficulties in gaining access to professional legal aid. It can also be argued it is suitable that it is provided by the NGOs as they often are more in close contact with people at the grassroots. The question is, however, if women have the confidence to use the more official juridical system or they prefer, or forced, to use the local legal system controlled by traditional authority figures. I cannot provide any clear answer, however, it can be argued that it depend on the degree the NGOs succeed in convincing the locals, particularly the traditional authority figures as they have shown resistances, that it is appropriate and will strengthening the community.

### **7.2.3. Addressing Abused Women's Practical Needs**

Some argue as Asma Halim (1993), that public shelters are, not only unnecessary, but also inappropriate in much of the non-Western world, since extended family has traditionally provided abused women with shelter, the extended family provides physical and mental protection that cannot be achieved in shelters (Halim, 1993 cited in Green, 1999, p. 223).

In the context of Nigeria this seem not to be the case. As elaborated above, there might be many reasons why women cannot rely on getting help from the extended family or religious figures in situations of abuse. In addition to this, a growing number of women are recognizing that the traditional systems of protection, now under going transformation, do not provide women with sufficient security. Urbanization and rural migration have weakened the traditional extended family system and therefore it is difficult for individual family members to know what is happening to their relatives, and thus not being in a situation to help (PA, 2004, p. 74). In light of that, the shelters serve as

an alternative solution, which address several practical needs abused women may need in situations where the traditional extended family structure fails to protect.

Taking into consideration the large population in Nigeria, the existence of only two shelters located in two larger cities is clearly insufficient, which is clearly illustrated by the fact that abused women are coming for shelter protection from far away states, where no shelter exist. However, these shelters are expensive to run for the NGOs as they provide many extra services without any funds from the government, which may explain why there are not more NGOs providing shelters.

#### **7.2.4. Creating Awareness**

Creating awareness about wife abuse is crucial tackling gender inequality. Sensitizing specific groups can be seen as an effective way to spread new gender notions to the public. Journalists and key members of the film industry can through their professions reach a large number of Nigerians, and thereby contribute to increasing public attention towards this issue from a more gender balanced perspective. Religious leaders are also important groups as they hold particularly authority figures in the society, who strongly influence people's behaviour and attitudes.

The NGOs sensitization activities carry the potential to contribute to re-structuring gender inequality in the long run. Notwithstanding that, one may assume that more consistent and widespread sensitization activities, targeting in particularly religious leaders in all parts of the country is needed in order to have a powerful impact. This is highly important, as it is these authority figures that at the same time preach submissiveness on behalf of women and contribute to reinforcing certain gender notions, which keep women in subordinate positions. Until now the NGOs sensitization initiatives have only been on a small scale, a one-time only intervention, and have primarily taken place in the southern part of the country. Changing gender views and re-structuring gender inequality is a long-term issue, which requires restructuring of masculinity and femininity. This can only be achieved by consistent intervention.

The use of the media by NGOs to spread awareness carries the possibility of generating new views on gender and contributing labelling wife abuse as a social problem, although there is disagreement amongst social scientists how and to which

extent the media influences peoples gender beliefs and images (Andersen, 2006, p. 64-68), studies have shown that the influence of the various forms of media together can be extensive (Andersen, 2006, p. 59).

Broadcasting a program on the radio has long been recognised amongst grassroots organisations as a way of reaching the least accessible parts of the countryside. It has, however, in many cases proved to have limited effectiveness in terms of reaching women, as the radio may be the man's property or, the women simply do not have the time to listen (Green, 1999, p. 222). This might also be the case in Nigeria. Similarly, there problems with using television as a communication tool as a significantly large number of people have no access to TV and thus are not exposed to the messages the NGOs is trying to spread. Despite all the potential changes technology can bring about, particularly because of its potential to reach a large number of people, technology has been analysed as being spatially located itself – more accessible in the urban than rural areas, more accessible for middle classes than poor and in many cases more accessible for men then women (Parpart, et al., 2002, p. 14).

At the same time it is highly difficult to assess the true impact that TV and radio programmes have on reached people, as it cannot be measured in isolation. Moreover, one can argue whether it is realistic to believe that such programmes can ever have such a great impact on people that it can change embedded patriarchal ideologies, which place women in subordinated positions, producing and legitimatizing violence against women. This is not to minimize the importance of using technology as communication tool, only to be caution about the limits of its possibilities.

### **7.2.5. Engaging Men to Combat Wife Abuse**

As described in the empirical chapter, the MSGs discuss the role of men as perpetrators of violence and identify possible causes behind. It can be argued that this contributes to a better understanding of male violence and aids development of more practical tools of how to combat male violence towards women.

Moreover, the NGOs have observed, men tend to listen better to messages coming from fellow men. Thus, the use of men may have a more significant effect in getting MSGs to carry the message of “zero-tolerance” of violence towards women. Some

analysts argue that these anti-violence movements have had a major impact and have been the “most visible and well-developed aspects of men’s gender justice activities” (Flood, 2005, p. 458). Other social scientists, claim however that these anti-violence movements in other countries have not lead to a significant decrease in the level of violence (McCarry, 2007, p. 405). Criticism has also been directed towards the idea, that men will be willing to engage themselves in a reform of current gender constructions and thereby reject the practices and structures, which benefit them (McCarry, 2007, p. 411). In the case of Nigeria, it is too early to access if these MSGs can contribute to any change in existing gender notions. Although one may assume that many more of these groups are needed if any significant impact is to be achieved.

Further, it can be argued that it is even more important to work with men rather than against them, as men hold powerful positions throughout the Nigerian society. Political forces in Nigeria often assign power to men, and it is therefore crucial to include men in joining forces towards gender equality. Thus the inclusion of men can lead to a bigger share of funds being earmarked for gender initiatives. One can argue therefore that there is a greater risk by not including men, which can limit the effectiveness of the development initiatives, and diminishing its transformatory potential of enhancing gender equality.

Despite consistent effort from the NGOs to change the gender situation in Nigeria, it is interesting to note that none of them are engaged in any specific grassroots mobilization of abused women. Neither are there, any strong corporation among the NGOs around this issue, whereas the only close visible corporation between them refers to the different legislation advocacies.

### **7.3. NGOs Dependency on International Development Donors**

As touched upon in the analysis, the NGOs face big challenges in sufficient government funding (interview 1, 2, 5, 7, 8). As a consequence, local women’s rights NGOs are highly dependent upon funds from outside- bilateral and multilateral donation in carrying out activities to combat wife battering and other gender related activity. This can be argued as being quite problematic from a GAD perspective, which stress national liberation from ex-colonists from the West. However, as these bilateral and multilateral

donors are primarily from Western countries, one can argue the existence of a paradox here. Leading on from this, many of these donors have a tendency to support small-scale and short-term interventions, which is for instance reflected in the extent range of NGOs activities. Thus the potential to bring about structural gender transformation exclusively with the support of foreign donations, can be argued as being quite limited.

## 8. Conclusion

I have in this thesis examined what the government at the federal and state level and the local NGOs are doing to combat wife battering in Nigeria, and to what extent they are working from a GAD perspective.

The thesis reveals that there is a serious absence of will from the government to address wife abuse, which is manifested in lack of legislation, policy, service provisions and prevention initiatives. Only three states out of 36 have recently passed a domestic violence law which specific criminalize wife abuse thus indicating a growing acknowledgement of this serious issue. However, there is a serious danger of inadequate implementation of the law due to weak enforcement mechanisms in the country.

Local NGOs are the main driving force in terms of combating wife abuse. In many ways they have assumed the responsibility for provisions of gender sensitive training to members of the criminal justice system and other service provision, which should have been the responsibility of the government. In line with the GAD approach they are working out from a mixed strategy by meeting abused women's practical needs whilst providing initiatives, which aim to alter the current gender constructions. These initiatives carry the potential to enhance women's rights, but they are however short-term, small scale and mainly centralised in one part of the country, which reduces the potential for changing existing gender roles, and from achieving greater gender equality in all parts of Nigeria.

## 9. Recommendations

This thesis reveals that there is a long way to combat violence against and achieve a more gender equal society in Nigeria. To address some of the problem with reference to wife abuse, I will below give my recommendations to the government and local NGOs in Nigeria on how they can take a step further to enhance women's rights.

### **To the federal government and states authorities**

I urge the federal government and states authorities in Nigeria to:

- pass a domestic violence law, which specifically criminalizes wife abuse and ensure successful implementation and enforcement without weakening it, as a step towards improved protection of women from violence.
- ensure that parallel legal systems and formal legislation in force in Nigeria fully complies with Nigeria's obligations under international and regional human rights law for example CEDAW and APPRRW
- reform discriminatory legislation, particularly Section 353 and 360 of the Criminal Code and §55 (1) (d) of Sharia Penal Code.
- ensure that the provision of the Domestic violence law in Cross River, Ebonyi and Lagos States is fully implemented and enforced
- ensure all police stations establish human rights desks with a capacity to receive, register and investigate cases of violence against women, and to ensure that all police officers are trained to deal effectively and appropriately with victims of violence in a gender-sensitive manner
- provide gender-sensitive training to judges, magistrates and other officers in the criminal justice system so that they are properly informed about marriage violence and can protect women during court cases and prosecutions, which reflect the gravity of these offences, and if necessary amending sentencing guidelines
- develop a national action plan which coordinates the activities of various government services i.e. the police, courts, social welfare officer and health care

- service to enhance protection to women and set up mechanisms to monitor the coordination
- take a clear and strong position that demonstrates that violence against women is unacceptable and to undertake a thorough public education campaign on this issue in partnership with NGOs, both reaching both urban and rural areas
  - develop information materials about how women can report wife abuse and distribute it at i.e. police stations, social welfare offices, in the public health system, pharmacies, rural and urban community centres, schools and on websites
  - ensure health care practitioners are given training to respond to marital violence and to provide appropriate emergency mechanism
  - in coordination with NGOs take steps to help abused women by providing free access to service provisions i.e. shelters, psychological care by providing rehabilitation for male perpetrators to prevent further acts of violence
  - collect in-depth data across Nigeria which systematically measure the extent of violence and reasons behind it, including developing appropriate practical tools to combat violence
  - address factors promoting the equality of women by ensuring equal to economic and social rights including access to education, employment, property and inheritance, health, social entitlements and political participation

**To the NGOs I recommend that they:**

- continue to press for incorporation of international and regional human rights law into statutory law, especially CEDAW and APPRRW
- continue to press for legislation which specific criminalize wife abuse and reform of discriminatory legislation

- mobilise women rights NGOs and like-minded groups, develop a coordinated action plan in order to strengthen their voice and reach goals with reference to wife abuse
- develop a coordinated action plan with the government at all levels to outline responsibility areas and interventions to respond to wife abuse
- follow up and demand fully implementation and enforcement of the domestic violence law passed in Cross River, Enugu and Lagos States.
- press the government to take responsibility for strengthening the criminal justice system, ensuring that they provide gender-sensitive training to the police, magistrates, judges and other officials in the criminal justice system in all parts of the country
- press the government to provide gender-sensitive training to health care offices, social welfare officers etc. to identify and respond to wife abuse
- expand the awareness-raising in the general public to all parts of the country, especially amongst religious bodies and traditional authorities urgent them to take a stand combating violence against women
- expand MSGs to other parts of the country, and closely monitor their impact
- develop public education programmes and campaigns to spread awareness about wife abuse to all parts of the country in partnership with the government
- call on communities and individuals to combat negative images of women and to work to challenge the reinforcement of discriminatory attitudes that foster violence against women and girls
- work to create an environment that supports women and addresses the issue of violence by raising awareness about violence against them
- continue to provide service provisions to violated women as well as developing service provisions which help violent men

- develop and implement local strategies to confront violence against women together with the local communities, as well as building community structures and processes to protect women
- work strongly towards improving women's rights in all areas of the society, including equal access to education, employment, property and inheritance, health, social entitlements and political participation

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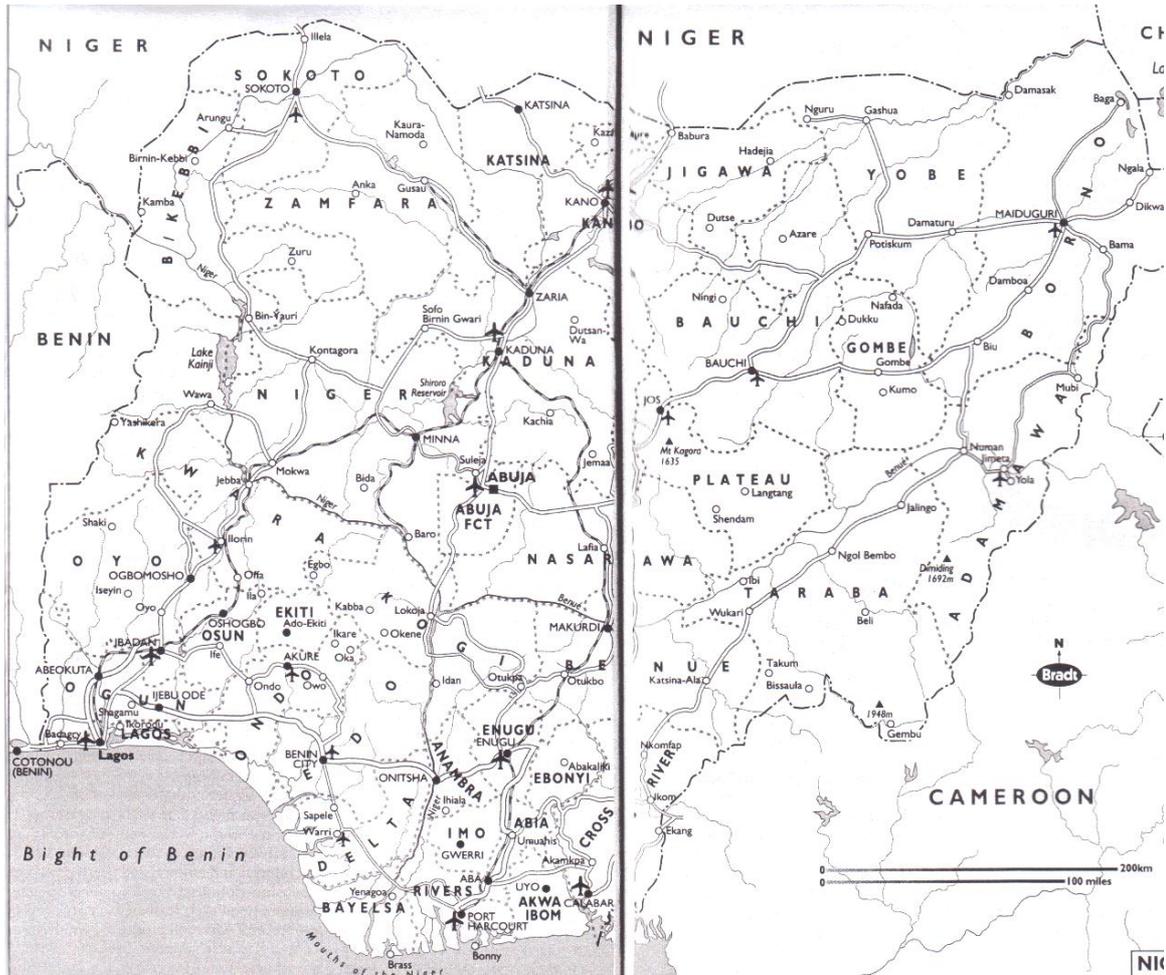
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# 11. Appendices

## Appendix 1: Map over Nigeria



## **Appendix 2: Interviewees.**

1. Executive Legal Officer at WRAPA, Mr. James Barister, Lawyer (taped interview)
2. Executive Director at WARDC, Mrs. Abiola Akiyode (not taped interview)
3. Ag. Director, Planning, Research and Statistics at National Centre for Women Development (NCWD), Abuja, Mrs. Princess Jummai Joan Idonije (not taped interview)
4. Principle Women Officer at the Federal Ministry for Women Affairs and Social Development (FMWASD) Abuja, Mrs. Funke Olaibibo (taped interview)
5. Legal Aid Officers at WACOL, Abuja, Mrs. Christel Mojekwe & Mrs. Thelma Ndabia (taped interview)
6. Executive Director at CIRDDOC, Enugu, Mrs. Oby Nwankwo (not taped interview)
7. Legal Aid Officers at WACOL, Enugu, Mrs. Chinelo Chigbo, Mrs. Troha Lykeegcechi & Mrs. Chizoba Ijioma (taped interview)
8. Program Officer at Project Alert , Lagos, Mrs. Louisa Ono Eikhomun, Mrs. Kate Ibeanusi & Legal officer, Mr. Benjamin Odeh (taped interview)
9. Program Officer at BAOBAB, Lagos, Mrs. Anne Adidu & Program Officer, Mrs. Falake Kuti (taped interview)
10. University of Abuja, Department of Sociology, Mrs. Margaret Ganny Kaneng PhD (not taped interview)
11. DCP Head of Anti Human Trafficking, Mrs. Dorothee Gimba (taped interview) & Assistant Inspector General of Police, Abuja, Mrs. Ivy U. Okoronkwo (not taped interview)
12. Deputy Commissioner of the Nigerian Police Force, Abuja, Mr. Mohammed Ladan, Chief Supr. Mrs. Olofu Rhoda & Deputy Supr, Mr. Jene Young Arrey (taped interview).

### **CEDAW interviews, Nigerian, 2008.**

1. Former Secretary Committee of House of Representatives on Women Affairs, Mrs. Ifeom Ofili, (taped interview).
2. Senior Advisor for Reproductive Health and Family Planning for ENHANCE/USAID, Mrs. Charity Ibeawuchi, (taped interview).
3. Executive Director of CIRDDOC, Mrs. Oby Nwankwo, (taped interview).
4. Professor in Human Rights (lead consultant for the Legislative House Committee of Women and Children matters), Mr. M.T Ladan, (taped interview).
5. Secretary General of WRAPA, Mrs. Saudatu Mahadi, (taped interview).
6. Child Protectionist at UNICEF, Mrs. Sharon Oladiji, (taped interview).

7. Principle women's officer in the Federal Ministry of women Affairs and Social Development (FMWASD), Mrs. Funke Olaibibo, (taped interview).

## Appendix 3: Interviewguide

- Name and position
- How is the organisation working with wife battering?
- Which initiatives & where in the country?
- Why these activities?
- Positive and negative aspects about the adopted initiatives? Some activities more successful than others? Elaborate.
- Which barriers does the organisation face in relation to combating wife battering?
- Women's possibility to seek help when they are in an abusive marriage.
- Any action plan between local NGOs and the government?
- Effort from the government? Any progress after the adoption of the National Gender Policy?
- Any co-operation between the NGOs regarding combating wife abuse?
- Other new initiatives and strategies, which could be useful to adopt in the future? Why these?

## Appendix 4: Interviews

### Interview 2.

Executive Director at WARDC, Mrs. Abiola Akiyode,

Hilton, Abuja, 26 August 2008.

WARDC provide legal aid, carry out legislation advocacy on women's rights and develop training manual. WARDC participated in the advocacy of the Domestic Violence law on state level. The domestication of the domestic violence law has taken place in Cross River state.

WARDC receive many cases of wife abuse. Many reported cases of wife battering are not proceeded to the end, but stopped somewhere during the way of prosecution. Often women redraw their complaints.

A major problem is that there is no justice for women's rights in Nigeria. There are gaps in the law to protect women's rights and therefore no enforcement of protecting women from wife battering.

One of their major barriers is the police, which do not see it as part of their job to interfere in cases of domestic violence, even in cases where women's life is seriously threatened. They view it as a private matter.

Some police stations have established human desk, from pressure from CSOs, but they do not exist in all police stations.

She does not feel that there is a lot of coordination and communication between the NGOs around wife battering. There is however sometimes partnership among one or two NGOs.

WARDC have found it more effectively in getting men engaged in combating wife battering and enhancing women's rights issue, if they are include in the process.

The national gender policy is not put into action. According to her, there is no improvement and there is still lack of government effort on this matter.

Many staff member at the Ministry of women affairs and social development have no knowledge about gender related issues. This is a problem as they are the ones, which should have an in-dept knowledge of this matter.

Some of the major barriers are embedded in the culture, institutional discrimination, lack of public knowledge of women's rights.

Some women prefer going to their religious leaders for help. It is often done in hope of, that they will talk to their husband and influence his behaviour. Sometimes it result in change of the husband's attitude, but often not. Often the religious leaders tell the women, they shall go back to her husband and be more submissive. If a woman is not sure that she want to end the marriage, she will never raise a case on abuse.

One main reasons, why there are not more NGOs working with wife battering in Nigeria is, because it is generally difficult to get funds. It is a general problem getting financial support from national government agencies.

**Interview 3.**

Ag. Director, Planning, Research and Statistics at NCWD, Abuja, Mrs. Princess Jummai Joan Idonije.

NCWD, Abuja, 28 August 2008.

There are several women development centre in Nigeria, however the one in Abuja is the largest one.

The police do not like to deal with cases of wife abuse, because often it is seen as a private matter, which should be solved between the couples or family. The police do not take these cases seriously. The women often redraw their case after a couple a days due to pressure from the extended family.

More focus on sensitizing gatekeepers in the communities (religious leaders, traditional leaders) as they are closer to the people and have more authority. Social workers, health workers in the community and young leaders etc are also important to target, as they often come across cases of wife abuse. .

**Interview 6.**

Executive Director at CIRDDOC, Mrs. Oby Nwankwo

CIRDDOC Office, Enugu, 4 September 2008.

CIRDDOC have 15 Communication Centre in the country, which offers free legal service. CIRDDOC do also carry out legislative advocacy, part of various advocacy networks. CIRDDOC train and sensitize the police and civil servant on women's rights. They do also conduct research, documentation and publication.

Last week CIRDDOC held a workshop about gender budget, which is a new thing. The issue of gender-based violence has a low priority in the government, because there are many men. They had invited religious leaders, as they also are responsible for stopping the violence and many women approach them for help. There was a big discussion. The religious leaders pointed out that women should be submissive.

Cultural understanding of women and wives is one of the biggest challenges. In Nigeria women are often viewed as the husbands property, which he has paid for (dowry).

**Interview 10.**

Ph.d. Sociologic Abuja University, Mrs. Margaret Ganny Kaneng.

University of Abuja, 23 September 2008.

Wife abuse is prevalent in most families irrespective of religious affiliation.

Many women do not report such violence to law enforcement agents and many women are even prepared to deny the occurrence of such violence. Nigerian women see themselves as committed to religion and since religion often prohibits divorce they stay in the marriage, despite serious abuse.

Culture support religion by instilling the concept of submissiveness on the women.

Major sources of conflict among couples is finance, lack of children, in-laws and lack of sex.

**Interview 11.**

Assistant Inspector General of Police, Abuja, Mrs. Okoronkwo, Ivy U.

Police Headquarter, Abuja, 24 September 2008.

Through her long working experience in the police force, she has observed many neglected cases of wife abuse. It is viewed as a private matter between husband and wife. Not an issue the police should interfere in.

Problematic with the legislation gap, as there is no clear law on this matter, which makes it difficult for the police to know their legal power.

Those women who report the abuse to the police, often withdraw the complaints after a couple of days. She thinks it is because of pressure from the family.

## Appendix 5: Passed laws Enhancing Women's Rights in Nigeria

### Federal Laws

1. The Trafficking in Persons (Prohibition, Enforcement and Administration) Act 2003.

### States Laws

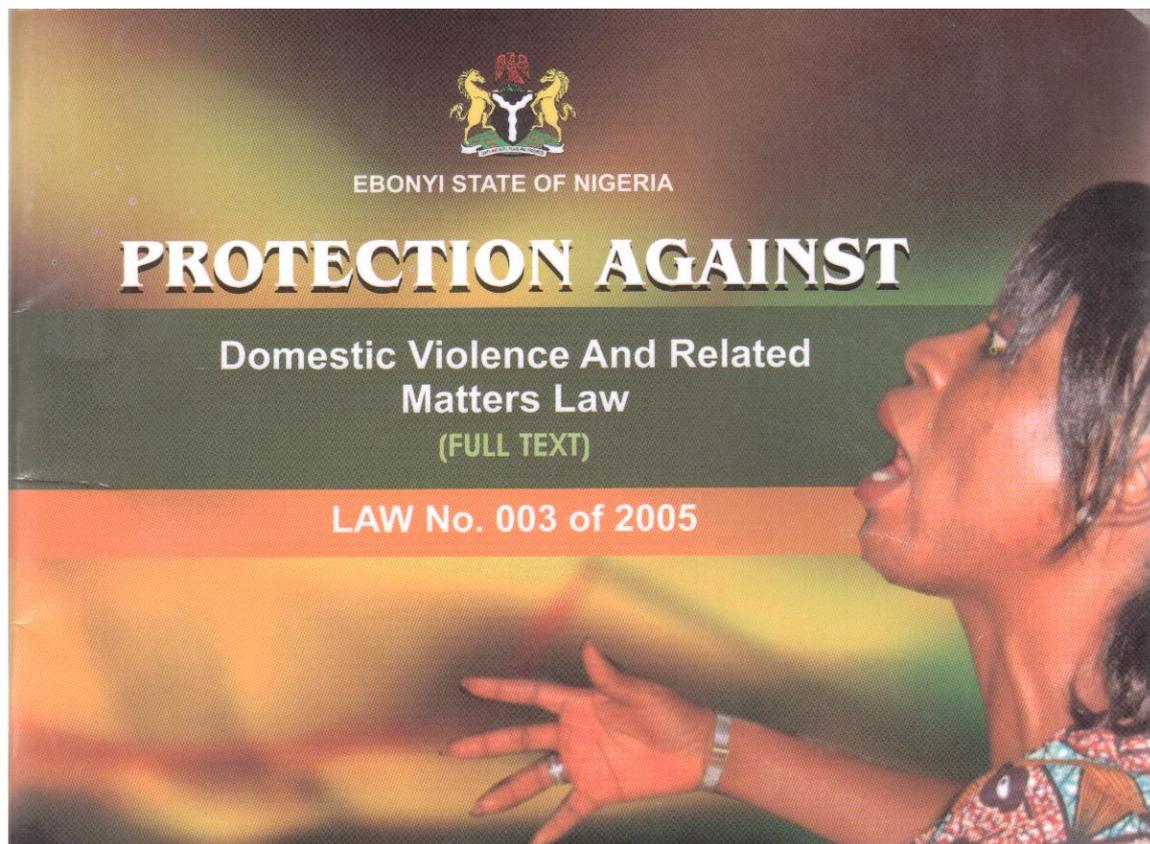
2. The Child Rights Act 3 of Nigeria (section 42). This act domesticates the UN Conventions on the Rights of the Child. Adopted by 18 states.
3. Enugu State, Prohibition of Infringement of a Widow's and Widower's fundamental Rights Law No. 3, 2001
4. River State, Abolition of Female Circumcision Law NO 2, 2001
5. Edo State, Female Circumcision and Genital Mutilation (Prohibition) Law NO.4 of 1999
6. Oyo State, Widows' Empowerment Law, 2002
7. Anambra State, Malpractices against Widows and Widowers (Prohibition) Law 2004
8. Bauchi State, Prohibition of Withdrawal of Girls from School for Marriage Law.
9. Ogun State, Female Circumcision and Genital Mutilation (Prohibition) Laws 2000
10. Anambra State, Law on Women's Reproductive Rights, 2005
11. Edo State, Law on Safe Motherhood.
12. River State, Law on Reproductive Health 2003
13. Delta State Law on Female Genital Mutilation (FGM).
14. Ekiti State Malpractices against Widows and Widowers
15. Lagos State, Administration of Estate (Small Payments) Law, 2004
16. Anambra, Imo, Ebonyi, Nassarawa, Plateau, Ogun, Ekiti, Abia, Cross Rivers (not signed) and Taraba State passed Child Rights Laws between 2004 and 2006.

17. Cross River State, Law on Girl-Child Marriages and Female Circumcision NO. 2 (Prohibition), 2000
18. Ebonyi State, Abolition of Harmful Traditional Practices Against Women and Children Law NO.10 of 2001
19. Edo State, Inhuman Treatment of Widows (Prohibition) Law, 2004
20. River State, Dehumanising and Harmful Traditional Practices Law, 2003
21. River State, School Rights (Parents, Children and Teachers) Law NO.2 of 2005
22. Cross River State, Reproductive Services Law NO.3 of 2003
23. Anambra State, Street Trading Restriction Law, 2004
24. Anambra State, Women's Reproductive Rights Law, 2005
25. Anambra State, Gender and Equal Opportunities Law, 2007
26. Imo State, Gender and Equal Opportunities Law, 2007
27. Kebbi State, The Prohibition of Early Marriages Act.
28. Kano State, the Retention in School and Against withdrawal of girls from school act.
29. Kebbi State, the Prohibition of Early Marriages Act.

### **States Laws on Domestic Violence**

1. Cross River State, Law on Domestic Violence Against Women and Maltreatment of Widows, NO. 10 of 26 of November 2004.
2. Ebonyi State, Protection Against Domestic Violence Law NO.003 of 22 of June 2005.
3. Lagos State, Law on Domestic Violence Against Women, 2007.

## Appendix 6: Simplification of Ebonyi State Domestic Violence Law



**PROTECTION AGAINST DOMESTIC VIOLENCE AND RELATED MATTERS LAW EBONYI STATE LAW NO. 003 OF 2005.**

**EXPLANATION**

This law came into effect on the 22<sup>nd</sup> of June 2005. The purpose of the law is to provide for protection against Domestic Violence. Domestic Violence according to this law means any physical or verbal attack or abuse capable of causing emotional and physical pain.

The provisions of this law prohibit the act of Domestic Violence and there by makes it an offence, to physically or verbally attack or abuse anyone with whom one has a domestic relationship.

This will include a spouse or former spouse, mother, child, sister, brother, grandmother, house girl or house boy and any member of a family.

By this law also the police and social workers have a duty to protect a victim of Domestic Violence, arrest the offender, find suitable shelter and assist the victim to obtain medical care. Any offender arrested under this law shall not be detained for longer than 24 hours. The police have a right to seize any arms or weapons of domestic violence, in the course of arrest and use it as an exhibit in court.

A victim of Domestic Violence has a right under this law to apply to the court for a protection order and if the violence is of such magnitude that it amounts to a crime, the victim shall report to the police. This will include rape, incest, attempted murder,

**EXPLANATION OF TERMS**

assault occasioning harm etc. The victim may engage the services of a lawyer or social worker to ensure proper investigation and prosecution.

Where there has been repeated incidents of domestic violence against a particular victim or undue hardship may be suffered by victim if a protection order is not issued, the court shall upon application by the victim, issue an *interim* protection order against the person causing the violence.

A notice of proceedings for protection order shall then be served on the person committing the offence of domestic violence within 2 days of issuing an interim protection order. Where the person neglects to attend court on the return date, the court has the power to

order his or her arrest.

On the day of hearing, the court will hear the parties and if it is of the opinion that there is need for a protection order, it shall issue the order. The law does not allow the complainant who is not represented by a legal practitioner to cross examine the person who committed the violence.

During the hearing no person shall come within hearing distance except officers of the court, parties to the proceedings, social worker, police or legal practitioner representing a party, witnesses or any other person whom the court in its discretion may permit to be present.

If the person accused of committing domestic violence fails to attend court on the date fixed for the case, and the court is satisfied that he or

she was properly served and that the application contains sufficient evidence that the acts of domestic violence were committed against applicant; or where the person attends court and after hearing, the court finds that he or she has committed, is committing or is likely to commit acts of domestic violence against applicant, the court shall issue a protection order.

The order must be served on the party within 48 hours of the giving of the order.

The protection order issued by the court under this law may stop the perpetrator of domestic violence from committing any acts or further acts of domestic violence against the victim or enlisting the help of any person to commit such

acts, entering a residence shared by the two of them, or a specified part of the residence; entering the victim's place of work or carrying out, engaging in, any act which the court considers harmful to the victim.

The court may also order the person found guilty to do acts necessary to protect and provide for the safety, health and well being of the victim and her children. This order may include the obligation to pay rent on the premises occupied by the victim or to pay for medical and feeding needs of the victim. In making these orders, the court should have regard to the financial status of the person against which the order is made.

Failure to obey the orders of court shall amount to contempt of court.

It is an offence under the law for any person to

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publish or broadcast the reports of proceedings or information which may reveal testimonies and identity of the parties. The offence carries a penalty of imprisonment for 6 months or a fine of Five Thousand Naira or both such imprisonment and fine.

A policeman who arrests a person committing domestic violence is empowered to seize any arms or weapons of domestic violence found in the possession of or premises of the accused person. The seized items shall be marked and used as exhibit during proceedings and shall not be returned to the owner except on the order of court. A social worker or any person helping a victim of domestic violence may also seize arm or weapon that is intended for violence against him and handing it over

to the nearest police station.

When the domestic violence has ceased or the protection order is shown to work hardship on the relationship, any of the parties can apply to court to change terms of the protection order or to set aside the protection order. The application will set out reasons for the application and may call a social worker or other witnesses to convince the court of the need to grant the application.

The court shall issue an order changing or setting aside the protection order if it is satisfied that good cause has been shown for variation or setting aside of the protection order. The registrar of the court shall issue a certificate of variation setting out new terms on the varied protection order and also serve on the person a certificate of discharge from the earlier order within 48 hours of such

variation or setting aside.

The courts, by this law can refer the parties to a marriage counselor or social worker for counseling, and the offender to a psychiatrist for examination if his conduct suggests mental illness. If the examination detects mental illness, alcoholism or drug abuse, the social worker shall contact his family for medical treatment.

Any Magistrates Court within the area of residence or place of business of either of the parties or where the domestic violence allegedly occurred has the jurisdiction to hear the complaint under this law and a protection order issued under this law is enforceable throughout the Federation of Nigeria.

It is an offence under this law for any person to refuse, neglect or cause

another person to refuse or neglect to obey orders, directives or decisions under this law or to willfully give information knowing it to be false during proceedings under this law. This offence is punishable with 3 months imprisonment or a fine of two thousand Naira or to both such fine and imprisonment.

The Chief Judge of the State shall make regulations prescribing the rules of proceedings, setting out the format of application orders and certificates, designating appropriate magistrate courts within a particular magisterial district to entertain complaints and application and laying down such other administrative rules relating to proceedings under this law as may be required.

The purpose of this law is to provide for Protection Against Domestic Violence and Matters Incidental thereto.

## **A Law to Provide for Protection Against Domestic Violence and for Related Matters.**

*Long Title*

The Ebonyi State House of Assembly enacts as follows:

*Enactment*

This law shall be cited as Protection Against Domestic Violence and Related Matters Law No. 003 of 2005.

*Section 1:  
Citation*

This law shall be deemed to have come into effect on Wednesday, the 22<sup>nd</sup> day of June 2005.

*Section 2:  
Commencemen*

In this law unless the context otherwise requires: -

*Section 3:  
Interpretation*

“*Arm*” means object or instrument capable of being used to inflict physical harm;

“*Complaint*” means any fact alleged by a victim or applicant under this law;

“*Court*” means Magistrate Court charged with proceedings under this

1. It shall be an offence from the commencement of this law for any person to mete out domestic violence on any person with whom he is or was in a domestic relationship.
2. Any person against whom domestic violence:
  - (a) Has been
  - (b) Is being or
  - (c) Is likely to be committed

*Section 4:  
Prohibition of  
Domestic  
Violence*

Shall be entitled to apply to the court for a protection order

- (1) Any policeman or social worker present at the scene of domestic violence or who learns of any incident of domestic violence shall: -
  - (a) Render such assistance to the victim as may be required in the circumstance, including: -
    - i. Using reasonable force to rescue
    - ii. Making arrangement for victims to find suitable shelter
    - iii. Directing victims to obtain medical treatment and
    - iv. Arresting the offender, provided that in the case of a social worker, report shall be made to the nearest police formation for such arrest.

*Section 5: Duty  
to Assist Victim*

- (2) Any offender arrested under subsection (1) of this section shall not be detained beyond a period exceeding 24 hours.

*Section 6:  
Formal  
Complaint*

- (1) A victim of domestic violence of a magnitude amounting to crime under the Criminal Code shall lodge a complaint to the police for investigation and prosecution.
- (2) A victim under this Section may involve a legal practitioner, social worker or women's rights group for assistance in ensuring proper police investigation and prosecution of complaint.

- (1) Where there has been: -
  - a. Repeated incidents of domestic violence against a particular victim or

*Section 7: Interim  
Protection Order  
for Related  
Incidents*

- b. Undue hardship may be suffered by victim if a protection order is not issued,

the court shall upon application by victim, notwithstanding the fact that respondent was not served notice of proceedings, issue an *interim* protection order against the respondent in such terms as the court deems necessary.

- (2) A notice of proceedings for protection order shall be served on the Respondent within 2 days of issuing an interim protection order.
- (3) The notice provided under Subsection (2) of the Section shall: -
  - a. Specify the return date and place
  - b. Direct the Respondent to show cause why a protection order shall not be issued.
  - c. Attach any supporting affidavits or information about the complaint.

Provided that the return date under Subsection 3(a) of this Section shall not be more than 7 days from date to be issued against such respondent.

- (4) Where the Respondent neglects to attend court on the return date the court shall cause a warrant of arrest to be issued against such Respondent.

- (1) Where the Respondent appears on the return date to oppose the application for protective order, or the Respondent is brought to court upon execution of warrant of arrest, the court shall:

**Section 8:  
Hearing on  
Return Date**

- a. Proceed to hear the matter and consider any additional evidence received and such affidavits or counter-affidavits or oral evidence, which in its opinion shall be relevant to the determination of the suit or otherwise for issuing a protective order.
- b. If it is of the opinion that it is desirable, order that in the examination of witnesses, a complainant or Respondent not represented by a legal practitioner shall: -

- i. Not be entitled to cross-examine directly a person who is in a direct domestic relationship
  - ii. Put such question to the witnesses as are necessary to decipher the facts.
- (2) No person shall come within hearing distance at proceedings under this law except: -
  - a. Officers of the court
  - b. Parties to the proceedings
  - c. Social worker, police or legal practitioner representing a party
  - d. Witnesses or
  - e. Any other person whom the court in its discretion may permit to be present.
- (1) Where the Respondent fails to attend court on return date and the court is satisfied that: - **Section 9: Issuing a Protective Order**
  - a. Proper service has been effected on respondent and
  - b. The application contains *prima facie* evidence that Respondent has committed or is committing acts of domestic violence against Applicant; or
- (2) Where a Respondent attends court and after hearing, the court finds on a balance of probabilities that the Respondent has committed, is committing or is likely to commit acts of domestic violence against applicant, the court shall issue a protection order in such terms as it deems desirable in the circumstance.

Upon the issuing of a protection order under Section 9 of this law, the Registrar of the court shall cause the original copy of such order to be served on Respondent within 48 hours of issuing the order.

- (1) The protection order issued under this law may restrain or prohibit the Respondent from: -
  - a. Committing any acts or further acts of domestic violence against Applicant or
  - b. Enlisting the help of any person to commit such acts

- c. Entering a residence shared by Applicant and Respondent
- d. Entering a specified part of such shared residence
- e. Entering the Applicant's place of work or
- f. Carrying out, engaging in, any act which in the circumstance the court considers harmful to the Applicant.

(2) The court may by protection order impose any conditions or mandate the doing of acts necessary to protect and provide for the safety, health and well being of the Applicant and children if any and in particular the protection order may: -

- a. Order the Respondent to discharge or continue to discharge obligation of rent or mortgage payments in respect of the Applicant.
- b. Order the Respondent to pay necessary monetary relief for medical and feeding needs of the Applicant, provided that in making such orders under this subsection regard should be had to the financial status of the respondent.

(3) Restraints, prohibition, directions and orders in a protective order under this law, shall have the effect of a civil judgment of the issuing court and disobedience thereto shall amount to contempt.

*Section 12: Non-Derogation, etc, from Matrimonial Causes Law*

Notwithstanding the provisions under this law, the court shall in appropriate cases refer to maintenance and custody under the Matrimonial Causes law in force.

It shall be an offence under this law for any person to publish or broadcast by any means, reports of proceedings or disseminate information, which may reveal testimonies and identity of parties thereto.

*Section 13: Bar to Publication*

Penalty: - Imprisonment for a term not exceeding 6 months or fine not less than Five Thousand Naira or both such imprisonment and fine.

(1) Any policeman who is in the course of effecting arrest under Section 5 of this law shall have power to seize any arms or weapons of domestic violence found in the possession of or premises of the Respondent;

*Section 14: Seizure of Arms or Weapons of Violence*

- (2) Any arm or weapon seized under subsection 1 of this Section shall be marked and used as exhibit during proceedings and
- (3) Shall not be returned to the Respondent or owner except on order of court made on such condition as the court may deem fit.
- (4) Nothing in this Section shall prevent a social worker or any person in aid of a victim of domestic violence from seizing arm or weapon that is intended for violence against him and handing over same to the nearest police station at the earliest opportunity.
- (1) Where a term or condition in a protection order is shown to work hardship on a domestic relationship or the precursor or object of domestic violence has ceased and domestic violence abated, either party can apply to court: -
  - a. For variation of terms of a protection order or
  - B. For setting aside a protection order

*Section 15:  
Variation or  
setting Aside of  
Protection Order*

- (2) The application for variation or setting aside of protection order shall be made as a motion on notice: -
  - a. Setting out reasons for the application
  - b. Attaching affidavits to support application; and
  - c. Calling a social worker or such witnesses, if any to convince the court of the desirability of granting the application.
- (3) The court shall if satisfied that good cause has been shown for variation or setting aside of the protection order, issue an order varying or setting aside the protection order as it deems fit.
- (4) The registrar of the court shall: -
  - a. Issue a certificate of variation setting out new terms on the varied protection order.
  - b. Issue a certificate setting aside the earlier protection order and
  - c. Deliver such varied protection order or certificate of discharge from earlier order to the Respondent within 48 hours of such variation or setting aside.

*Section 10:  
Service of  
Protection Order*

*Section 11:  
Minimum Content  
of Protection  
Order*

Nothing in the foregoing provisions shall preclude a court upon application for or after hearing parties from referring the complaint to a marriage counselor or social worker for counseling.

*Section 16:  
Referral to  
Marriage  
Counselor*

- (1) The court may refer a respondent to a psychiatrist for examination if: -  
a. The conduct or circumstances of a Respondent suggest likelihood of mental illness or

*Section 17:  
Referral for  
Psychiatric*

- (2) Where examination indicates mental illness, alcoholism or drug addiction, a social worker shall be mandated to liaise with Respondent's family for proper treatment and rehabilitation.

Processes of appeal and review in the Magistrates' Courts of Law of this State shall apply to proceedings, orders and decisions under this law.

*Section 18:  
Appeal and  
Review*

- (1) Any Magistrates Court within the Magisterial District where: -  
a. Applicant or respondent resides or carries on business; or

*Section 19:  
Jurisdiction*

- b. Where the domestic violence was allegedly inflicted shall have jurisdiction to entertain complaint or application under this law.

- (2) A protection order or any order under this law shall be enforceable throughout the Federation of Nigeria

*Section 20:  
Service of  
processes, etc*

Service of processes; notices and orders under this law shall be as applicable under the Sheriff and Criminal Processes Law in force in the State.

*Section 21:  
Offences*

It shall be an offence under this law for any person to: -

- a. Refuse, neglect or cause another person to refuse or neglect to obey orders, directives or decisions under this law or  
b. To willfully proffer or give information knowing it to be false in respect of or during proceedings under this law.

Penalty: - imprisonment for a term, not exceeding 3 months or a fine of two thousand Naira or to both such fine and imprisonment.

The Chief Judge of the State shall make regulations: -

- a. Prescribing the rules of proceedings under this law
- b. Setting out the format of application orders and certificates under this law
- c. Designating appropriate magistrate courts within a particular magisterial district to entertain complaints and application and
- d. Laying down such other administrative rules relating to proceedings under this law as may be required.

*Section 22:  
Regulations to  
Proceedings and  
form of process*

The purpose of this law is to provide for Protection against Domestic Violence and Matters Incidental thereto.

*Section 23:  
Object and  
Purpose*

## Appendix 7: Table over Gender Divisions of Labour in Nigeria

Gender Stratification within the Overall Economy and Private Sector

Economic Indicator	Men	Women
Below Poverty Line	35%	65%
Purchasing power	\$1,495	\$614
Fed. Civil Service	76%	24%
Mgt. Staff	86%	14%
Medical Doctors	82.50%	17.50%
Informal sectors	13%	87%
Industrial sector	30%	11%
Land ownership	90%	10%
Agriculture work	30%	70%
Line	35%	65%
Animal Husbandry	50%	50%
Food Processing	10%	90%
Marketing inputs	40%	60%
Properties disposable at will	95%	5%

Source: National Bureau of Statistics, CWIQ 2006

## Appendix 8: Table over Elected Female Politician in Nigeria

CEDAW AND ACCOUNTABILITY TO GENDER EQUALITY IN NIGERIA

Number and percentage of female candidates who successfully contested in the 1999, 2003 and 2007 General Elections

S/N	Position	No of Available Seats	1999		2003		2007	
			No of women Elected	% of Total	No of women Elected	% of Total	No of Women Elected	% of Total
1.	Presidency	1	0	0%	0	0%	0	0%
2.	Senate	109	3	2.75%	4	3.7%	8	7.33%
3.	House of Representatives	360	12	3.33%	21	5.83%	23	6.38%
4.	Governorship	36	0	0%	0	0%	0	0%
5.	Deputy Governorship	36	0	-0%	2	5.55%	6	16.6%
6.	State Houses of Assembly	990	12	1.21%	38	3.84%	52	5.25%

## Appendix 9: Breakdown of Kebbi State Budget

Breakdown of Kebbi State budget for years 2003 to 2005

S/N	SECTOR	% SHARE TO THE CAPITAL BUDGET		
		2003	2004	2005
1	Health	4.45	4.83	4.81
2	Education	16.87	16.58	15.08
3	Agriculture	13.05	16.66	12.69
4	Water	3.03	27.01	14.97
5	Information	0.97	2.34	1.71
6	Women	0.11	0.8	0.58
	<b>TOTAL</b>	<b>38.48</b>	<b>68.22</b>	<b>49.84</b>

## Appendix 10: Examples of NGOs Budget

### WACOL's Grants 2006

#### *WOMEN'S AID COLLECTIVE*

	2006	2005
	N	N
<b>3. ACCUMULATED FUNDS</b>		
Balance Brought Forward	16,948,639	18,631,779
Surplus/(deficit) for the year	<u>19,895,615</u>	<u>(1,683,140)</u>
At 31/12/2003	<u>36,844,254</u>	<u>16,948,639</u>
<b>4. GRANTS RECEIVED</b>		N
European Union		12,424,457
Mac Arthur Foundation		10,160,000
UNDP – In Kind Assistance		7,620,000
UNIFEM		7,580,508
Swedish NGO Foundation		6,654,798
UNVFVT		4,635,500
Heinrich Boll foundation		4,019,610
French Embassy (ADEN CENTRE PROJECT)		2,814,959
Royal Netherlands Embassy		1,952,000
Federal Ministry of Women Affairs		1,700,000
British High Commission (GOF)		1,651,000
IPAS		1,500,000
UNICEF		1,215,000
International foundation for education & self help (IFESH)		1,152,250
Global Right		904,000
PATHS		880,000
National Democratic Institute (NDI)		507,695
Gender & Const. Reform Network (GECORN)		500,000
COHRE		412,750
Action Aid International Nigeria		305,866
Centre for Reproductive Rights (CRR)		190,500
		<u>68,780,893</u>
<b>5. OTHER INCOME</b>	<b>2006</b>	<b>2005</b>
WACOL Contribution	2,359,986	1,594,880
Publication, Library Services & use of equipment	2,116,805	166,680
Interest and Commission	40,625	25,328
Miscellaneous Receipt	-	736,007
Prof. E. Uwazie	127,000	-

**CIRDDOC's Grants 2005**

		<b>2006</b>	<b>2005</b>
		<b>N</b>	<b>N</b>
<b>NOTE 4:</b>	<b>ACCUMULATED FUND</b>		
	Opening Balance at 1 <sup>st</sup> Jan	4,765,781	8,620,629
	Surplus during the Year	<u>84,832</u>	<u>(3,854,848)</u>
	Balance per Balance Sheet	<u>4,850,618</u>	<u>4,765,781</u>
		<b>2006</b>	<b>2005</b>
		<b>N</b>	<b>N</b>
<b>NOTE 5:</b>	<b>GRANTS AND SUBSIDIES</b>		
	OSIWA/WIN/NCAA	7,495,875	5,937,500
	Macarthur Foundation	9,995,625	-
	Global Fund for Women	3,873,750	2,500,000
	Ford Foundation	-	1,175,000
	Abantu	-	98,500
	National Coalition on Violation Against Women (NACVAW)	-	361,400
	Media Rights Agenda	578,740	-
	Partnership for Transforming Health systems (PATHS)	1,096,000	437,950
	Common-Wealth Education Fund (CEF)/ Actionaid	3,983,704	-
	Heinrich Boll Foundation (HBF)	9,508,521	8,233,600
	Department for International Development (DFID)/Global Rights	1,036,200	-
	Civil Society Coalition for Poverty Eradication	-	240,000
	United Nations Development Projects (UNDP)/CDD	421,770	-
	Legal Resource Consortium	-	450,000
	WIN Kaduna/ National Coalition on Affirmation Action (NCAA)	-	100,000
	Federal Ministry of Women Affairs	359,544	-
	United Nations Development Fund for Women (UNIFEM)	-	2,338,689
	IPAS	1,042,305	-
	Legislative Advocacy Coalition on Violence Against Women (LACVAW)	100,000	-
	Justice Development & Peace Commission	<u>490,000</u>	-
		39,982,034	21,872,639
	Add: Previous Years Balance	-	60,000
		<u><b>39,982,034</b></u>	<u><b>21,932,639</b></u>

## Appendix 11: Cases of Wife Abuse in Nigeria

**VOL.3 NO.3**
**VIOLENCE AGAINST WOMEN**

### Husband Cuts Wife's Leg with Knife

*By Mrs. Sugra H. Mahmood  
Bauchi State Coordinator, WRAPA*

**A** recent severe assault on a woman by her husband during which he reportedly cut her right leg has again increased the statistics of the alarming incidence of violence against women in Nigeria, especially domestic violence. The incident happened at Darazo town in Darazo L.G.A. The victim Amina Adamu is 35 years old and has been married for 20 years. She delivered 10 children, but lost two and eight are alive including a set of twins.

On 21<sup>st</sup> August 2002 at about 9.30a.m,

case and console her. On getting to the ward, the woman was found in a stable condition, but in severe pain. She was still bleeding from the injury site, one of her eyes was swollen due to the blow she received from the man before he finally cut off her leg.

When asked what led to the incident, she said there was no concrete reason. All she knew was that he accused her of exposing her body to a male nurse to

been received and are still being received. At the time of this report, the total sum of N142,870 had been received.

Meanwhile, Amina is still in the hospital receiving treatment while the husband is in prison custody. The case has already been taken to Sharia Court II at Unguwan Jaki Bauchi where it was first heard on August 27, 2002. The second hearing came up on September 27, 2002.

On October 14, 2002 Amina's husband was in court, but she was absent because she was still on admission in the hospital



*Amina's Severed hand that was cut while warding off the knife from her neck*



*Amina with only one leg now carrying her twin babies on the hospital bed*



*L. R Mrs. Sugra Mahmood, WRAPA Bauchi State Coordinator, Amina and WRAPA Secretary General Mrs. Saudana Mahdi during a visit to the hospital.*

Mallam Adamu Musa (the husband) about 45 years old was said to have sent all his children to the farm, locked the door to the house, then called the wife (Amina Husseni) who was in her room with her 28 days old twin babies. According to Amina, he called her as though he wanted to discuss something with her. He said to her "Ki kwantadda harukan ki" i.e. "take it easy". As soon as she got near him, he caught her and strangled her in order to stop her from crying. He brought out a knife and attempted to slaughter her, she quickly grasped the knife, but he pulled it out giving her a deep cut on the palm. While she was struggling to free herself, he quickly caught her right knee joint and removed the leg completely from the knee joint. He ran away and left her fainted and in a pool of blood.

The children came in shortly after the incident and met her in the pool of blood. They shouted for help and one of them (a ten year old girl) ran to the police station and the local government secretariat and reported the case.

The Chairman arranged for the immediate transfer of the victim to Darazo General Hospital where she received first aid treatment. On the 22<sup>nd</sup> August, 2002, she was referred to Bauchi Specialist Hospital for further treatment. WRAPA members around the hospital heard the news and alerted the officials. WRAPA officials immediately went to the ward where she was admitted to confirm the news, obtain the detailed history of the

receive an injection when she was sick. He also accused her of having an affair with his neighbour who once advised him to stop beating her and to treat her kindly.

On August 23, 2002, WRAPA officials took a trip to Darazo to see the D.P.O. and the local government Chairman. The aim of the visit was to find out their effort in arresting the man and seeking redress for the victim. Although, both of them were not available for an interview, it was reliably learnt that the man was arrested. WRAPA officials were also informed of the financial and moral support given by the L.G.A. Chairman and the Darazo Community.

On arrival from Darazo, WRAPA officials proceeded to see the Commissioner of Police to inform him of the case and solicit support for the victim. On hearing the news, the police commissioner expressed shock and sympathized with the woman. He immediately informed His Excellency, the Governor of Bauchi State. The two of them visited the woman in the hospital where the Governor donated the sum of N50,000.00 towards her hospital expenses and upkeep.

WRAPA also invited the media to cover the news. The case has so far received wide publicity and sympathizers have been traoping to the hospital to greet the woman and satisfy their curiosity. Donations in cash and kind from the Government, NGOs and individuals have

and needs more time to recover.

The case was therefore, adjourned to November 14, 2002.

WRAPA on behalf of Amina wishes to commend and appreciate the efforts of the following

- \* Bauchi State Government for the prompt attention given to the case and the financial assistance rendered.
- \* The Chairman, Darazo Community for financial and moral support
- \* The Emir of Bauchi for his moral and financial support
- \* The Bauchi State Police Commissioner and Darazo Divisional Police Officer
- \* Hajtya Habiba Gabarin – Member Bauchi State House of Assembly (Darazo constituency)
- \* Rahama Women Development, an NGO networking with WRAPA
- \* The Correspondents of National and International media organizations. The NTA Bauchi, Bauchi State Radio, Radio Germany, BBC, VOA etc.
- \* All other groups and individuals that have donated cash or kind or that have expressed sympathy for Amina Adamu.

In addition, WRAPA wishes to reiterate its call on the need for all to work to end violence especially Violence Against Women for whatever reason. Women are human beings and have rights as well as responsibilities under the law. If anyone including a husband feels aggrieved or

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*Ussy M.A. Sureja*

### **Husband Cuts Wife's Leg**

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offended he cannot seek redress by committing a crime which is what domestic violence or assault in all forms against a woman or wife represents. WRAPA appeals to men/husbands, women/wives to always explore amicable means of resolving disputes. Two wrongs will certainly not make a right. Anyone who pursues criminal means to settle a score must be prepared to face the consequences of that action. Looking at the 'reason' of Amina's husband WRAPA finds cause to reiterate the call for education as a necessary step for all. The complaint that she had 'exposed' herself to a male nurse may not have arisen if more women were educated and trained to serve their

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and psychological violence occurring in the family, i.e. on one member of the family by another member, or where the victim and the perpetrator have some form of familial or personal relationship or where they have had such a relationship in the past. This includes husband and wife, live-in partners, boyfriend/girlfriend etc. Domestic violence is endemic throughout Nigeria and 'wears many faces'. It embodies disrespect and powerlessness that permeate women's lives. It is a violation of human rights.

It comprises assault, battery, verbal abuse, demeaning comments, shouting at people, etc. In extreme cases, deaths do result. The common victims of domestic violence are usually women and children. It violates women's human rights i.e. rights to life and personal dignity, threatens their health and that of their children, restricts their labour force and participation in development and can make them to maintain public silence when they should speak politically. Women are created in the image and likeness of God. And all women have God given right to live in dignity and equality.

## Testimonies

1. **Mrs. 'O's** trouble with her husband started as an argument over their female child. Her husband beat her into stupor, and when that did not seem to satisfy him, he grabbed her by the head and tried to strangle her. He broke her jaw and caused so much harm to her head and neck that her tongue protruded and hung loose out of her mouth. She was hospitalized and treated by an expatriate doctor whose treatment included a surgical operation on her jaws to reposition the tongue (She displayed the scars on both chins). Up till date, she cannot engage in any strenuous labour nor put any load upon her head as a result of that violent attack by her husband. Mrs O is from Bayelsa State.
2. **Mrs S** is from Kaduna State. She got married in the year 2000, and almost immediately thereafter, started experiencing problems in the marriage. Her husband beat her up on a daily basis. Then she became pregnant and the beating did not stop. In the second month of the pregnancy, she was compelled by the beatings to run to her parents for protection. Her husband disowned the pregnancy. In the fifth month of the pregnancy, their matter was

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taken to court. She could not engage a lawyer, but her husband did hire a lawyer. The court process has been characterized by numerous adjournments. She put to bed and information about it was sent to her husband. Up till now, he has not cared to see the baby and his wife. Mrs. S's mother caters for the mother and the baby.

3. **Mrs. M** is the first wife of her husband. When he decided to marry a second wife, he did not consult with her over it. Prior to his polygamous act, he was in the habit of battering and beating her up. She has been pushed out of the matrimonial home and denied access to her five-year-old child. She begged this tribunal to restrain her assailant(s) from further battering her and as well to grant her free access to her own child.
4. **Ms. K** has been married for over 22 years. She has suffered various acts of domestic violence – sometimes physical and at other times, mental. Her husband sometimes commits acts of violence against her in the very presence of her mother. Worst still, her husband acted violently towards their children, which led to her daughter having a mental breakdown in England where they lived. He assaulted their daughter in the sitting room until blood flowed all over. He once hurled testifier down the stairs over the visit of their grandchild. Later, the matter went to court and the court made orders that effectively restrained him. Her husband it seems has a misconceived idea of the biblical mention of the man's headship over his wife. She expressed the hope that Africans and indeed, Nigerians would understand and appreciate the important place of the woman in society and especially the premier position of a woman in God's creation".
5. **Mrs. E's** husband had been misinformed that while he was away, she had an affair with their neighbour in Lagos. He got so infuriated that he beat her up mercilessly. While still on the floor, he made her swear with the lives of their two children that she did not commit any infidelity. She was about swearing with the Bible when he grabbed her and tried to strangle her. He threatened

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that he will make her blind. He immediately broke a bottle and stabbed her on the arm and around the hip. (*She bared herself to display the scars*). While reeling in pains from those stabs, the next thing she knew was a blinding stab on her left eye by him. At that moment, she passed out from uncontrolled bleeding from the stab. When she recovered consciousness, she found herself at the Lagos University Teaching Hospital (LUTH) where the doctor told her that she had lost sight in the eye from the stab. (*She sobbed while she removed the sunshades she wore to display the lost eye*). In spite of all these hostilities, she tried to put up with him, hoping that he would return to his senses. One day, while both of them were in the car together, armed robbers attacked them. He turned round to accuse her and her parents of masterminding the attack; hence he intensified his hostilities towards her and her brother whom he perceived as a counter force to his activities. Her brother now has mental breakdown as a result of her husband's persecution of him with the Police.

Her husband once invited the dreaded *Bakassi* boys who arrested and took her to Aba. After beating her up, they ordered her in the presence of her husband to strip naked. She looked at her husband enquiringly, but he shouted at her to comply. She did. The boys fiddled with her genital parts and probed into it with their fingers. They hung their juju on her neck ostensibly to elicit the "truth" from her. They beat her up until she passed faeces and urine on the floor. They ordered her to wipe these with her clothes and to wear the same again. She was detained there for three days. (*Sobs*). When they could not find anything incriminating against her, they forced her to sign an undertaking not to seek redress against her husband.

When she eventually returned to their home in Lagos, he resumed his hostilities towards her. She was compelled to invite the Police, but typically, he bribed the Police with N50,000 and they released him. However, she carried the matter further insisting that

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it he charged to court. Meanwhile, the matter is in court and BAOBAB is watching brief for her.

6. Mrs. 'V' is from Eastern Nigeria. She and her sister 'G' testified on behalf of their late sister Mrs. 'O', the wife of a prominent community leader. This man picked a quarrel with his wife over her condolence visit to a certain family, for which he beat her up. He went a dangerous step further by hurling her down from a Story building in their home. When their employee security guards ran to the scene, the man arrogantly ordered them to dump her into the boot of the car, which they shockingly refused to do. He then asked them to put her in the back seat of the car, before he sped off with her apparently to the hospital. At the National Orthopaedic Hospital, Igbobi Lagos, he misinformed the doctors that he did not know whom the woman (his wife) he brought was, but rather he was merely acting the good Nigerian who saw a road accident victim, picked her up and brought her to the hospital. Already, his wife was in a pool of blood at that moment and what he said sounded plausible. He dumped her there and left.

When his wife regained slight consciousness, she requested the nurses to telephone her brother who arrived later and deposited N60,000 for her treatment. She was then able to relate the things that had happened. She was certified paralysed from a broken neck and spinal cord. Perhaps, conscious that she might soon die, she requested to grant an interview to NTA to expose to the world the ordeals she had suffered at the hands of her husband. When the disgruntled husband got wind of these developments, he sought ways to silence both the testifiers and his almost dead wife for good. Unfortunately, on one of the few odd days he visited her in the hospital, his wife requested to eat her favorite Chinese rice. He returned with four packs of the Chinese rice later, but all three of her sisters who were staying with her in the hospital rejected the offer of the rice, except their sick sister who ate hers and soon developed serious complications and died 2 days later.

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They said that they were very distressed over the untimely death of their sister in the hands of her husband. They demanded that he be brought to book speedily. They asked for justice. He has been charged with murder but his rich friends are trying to get him out on bail so that he would flee the country.

