

PROBLEMS AND PROSPECTS OF CURBING DOMESTIC VIOLENCE AGAINST WOMEN IN NIGERIA IN THE POST COVID-19 LOCKDOWN ERA

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Abstract

The COVID–19 pandemic has impacted a great deal on individuals and societies across the globe in several ways. Gender inequalities are typically worsened by crisis and the Corona virus context is no different, as women are hit harder by its effects. Nigeria, Africa’s most populous nation with over 200 million people, has reported several cases of domestic violence affecting women, including killings and rapes within and in the post COVID-19 lockdown era. The attacks on women have sparked out widespread reactions online using social media platforms as well as street protests championed by women and civil society organizations. This scourge of rapes and other forms of domestic violence against women have further destabilized the lopsided gender balance in Nigeria with the female gender being the greatest victim. This review paper, anchored on ‘attitude and gender schemas theory’ by Huston Abbey (1991), thus examined the types, causes and or the relationship between COVID-19 lockdown era and domestic violence. It was noted that lockdown era which began on 23rd March 2020 brought victims (women and girls) and the perpetrators of domestic violence in close proximity over a prolonged period of time with severe consequences for the victims and society. The study also revealed that weak legal framework universally as well as lack of trained law enforcement officers promotes domestic violence against women in Nigeria. The study recommended counseling, use of family courts and alternative dispute resolution mechanisms to mitigate this social problem of domestic violence in Nigeria.

Keywords: Pandemic, Gender, Vulnerable Groups, COVID-19, Rape, Domestic violence

Introduction

Nigerian women and girls often encounter forms of domestic violence before they turn 18 years of age. A prominent form of such violence is sexual abuse of which majority of cases are not prosecuted. The frequency of occurrence of cases of sexual and domestic violence, especially during and within the post COVID-19 lockdown era may be the reason for Nigeria's launch of her first National Register of Sexual Offenders, a move seen as an important step towards clamping down on abusers.

It is noteworthy that a major implication the mandatory state lockdown which began in Nigeria on 23rd March 2020 is that survivors of Violence against Women and Girls (VAWG) remained trapped at home in close proximity with their abusers. Hence, the lockdown led to an increase in rape and other forms of domestic and sexual violence. The prolonged period that survivors remained in close proximity with perpetrators had implications for the numerical strength and severity of recorded cases of domestic violence during the lockdown and post lockdown era.

These incidences of domestic violence have far reaching consequences for woman and girls which cut across physical effects like unwanted pregnancies, diseases or health problems, and certain disruptions on the woman's natural bodily functions. On the other hand, psychological effects range from self-pity to the more striking suicidal tendencies as well as mental or emotional traumas. All these call for serious attention in the area, hence this review paper which examined the types, causes and or the relationship between COVID-19 lockdown era and domestic violence. The study also looked at consequences of domestic violence on victims and society, and articulated possible solutions to mitigate the social problem of domestic violence particularly in Southeast zone of Nigeria.

Theoretical Framework

This paper is anchored on Attitudes and Gender Schemas theory which was developed by Huston Abbey in 1991. Cultural myths about violence, gender scripts and roles, sexual scripts and roles, and male entitlements are represented at the individual level as attitudes and gender schemas. These hypothetical entities are expectancies that give meaning to and may even bias interpretation of ongoing experience, as well as provide a structure for the range of possible responses. Acceptance of beliefs that have been shown to foster rape has been demonstrated among a variety of Americans, including typical citizens, police officers, and judges.

Once a violence-supportive schema about women has developed, men are more likely to misinterpret ambiguous evidence as confirming their beliefs (Abbey, 1991). Formally aggressive men more strongly endorse a set of attitudes that are supportive of rape than do nonaggressive men, including myths about rape and the use of interpersonal violence as a strategy for resolving conflict.

Beliefs and myths about rape may serve as rationalizations for those who commit violent acts. For example, incarcerated rapists often rationalize that their victim either desired or deserved to experience forced sexual acts. Similarly, culturally sanctioned beliefs about the rights and privileges of husbands have historically legitimized a man's domination over his wife and warranted his use of violence to control her. Men, in general, are more accepting of men abusing women, and the most culturally traditional men are the most accepting (Greenblatt, 1985). Batterers' often excuse their violence by pointing to their wives "unwifely" behavior as their justification (Dobash and Dobash, 2009; Adams, 2018; Ptacek, 2018).

Overview of the Concept of Domestic Violence

Domestic violence is the intentional and persistent abuse of anyone in the home in a way that causes pain, distress or injury. It refers to any abusive treatment of one family member by another, thus violating the law of basic human rights. It can also be defined as a situation where a particular person is subjected to an act of force in the home which cause pain either physically, emotionally, psychologically and which infringes on the person's rights.

Domestic violence is a global phenomenon that has affected women all over the world. It violates the fundamental human rights of women in the society. Domestic violence has devastating effect on women and it is one of the widespread violations of right directed against women. Women often experience more domestic violence than men because in most societies women are regarded as the weaker vessel who are expected to be submissive to their husbands.

Domestic violence is a significant proportion of all violent crime in the UK and 43% of all violent crime against British women. Generally, domestic abuse has been estimated to be experienced by one in four women in their lifetime. Domestic violence is also a significant problem in the United States where it is estimated that approximately 2 million women are severely assaulted by their partners each year. In South Africa, the Department of Justice estimates that one out of every four South African women is a survivor of domestic violence.

In Nigeria, women and girls are subjected to multiple forms of violence in the homes. Due to a lack of official statistics, it is difficult to establish the extent of

domestic violence as hundreds of cases go unreported and undocumented. Domestic violence is seldom reported because of many reasons. Some could be as a result of fear of reprisal and lack of response from law enforcement officials. Other reasons include the shame of women having to admit they are being abused by their husbands especially for those that live in small communities coupled with the ignorance of the fact that it is wrong and could be corrected.

The experience of being a victim of violence can generate strong negative feelings about the self, including feelings of guilt and shame. Battered women frequently report feeling ashamed about getting involved with the abuser or not acting on the warning signs of the abuse. The victim may believe she is to blame for her abuse and such feelings of responsibility may decrease the likelihood that victims will report the abuse. In addition, the victim may engage in reasoning strategies such as denying the abuse occurred, minimizing the threatening nature of the abuse, or rationalizing why the abuse happened. These strategies may help the victim to cope with the abuse, but they further decrease the likelihood that the abuse will be reported. The battered woman may also feel very strong positive attachment towards her abuser through a process termed traumatic bonding. These feelings of love may increase the difficulty of reporting the abuse, perhaps because of feelings of disloyalty or guilt over “betraying” the husband. Some may not decide to take any formal proceedings against the perpetrator for reasons such as financial threat, that is, lack of money to prosecute their cases; fear of further violence; and fear of losing the children, their home, employment or family and having nowhere else to go. Similarly, a fear of loneliness and hope that things would change can deter women from leaving violent situations.

Domestic violence cuts across all communities in Nigeria and at times is excused by a woman’s actions or failure to act. When a woman suffers violence due to failure to meet some socially accepted standard of behaviour, such failure is usually an accepted excuse for the violence she suffers, especially within the family context. A woman could suffer violence for refusing sex, nagging, or challenging the man’s behaviour. She could be subjected to violence for not preparing meals on time, having, or being under suspicion of having a sexual relationship outside the marriage.

COVID-19 Lockdown Era and Domestic Violence

The relationship between COVID-19 lockdown era and domestic violence has been more of the lockdown fueling or giving rise to more cases of domestic violence. It must be noted that lockdown era which began on 23rd March 2020 in Nigeria brought victims (women and girls) and the perpetrators of domestic violence in close proximity over a prolonged period of time with severe

consequences for the victims and society. Indeed, Nigeria witnessed more cases of domestic violence during the lockdown and post lockdown era,

Types of Domestic Violence

Physical Abuse

Physical abuse can be defined as a maltreatment of a person which can result in harmful and adverse effects in respect of his or her physical health. Physical abuse may involve hitting, shaking, throwing, poisoning, drowning, suffocating, burning or scalding a person. A recent form of violence against women in Nigeria is the use of acids, which are corrosive chemicals usually used in laboratories and factories, and cause permanent disfigurement of the victims. Many cases of acid baths are a result of the refusal of the woman to renew, or at times submit to, a relationship with the perpetrator.

Sexual Abuse and Rape For many women and girls, sexual coercion and abuse are defining features of their lives. Forced sexual contact can take place at any time in a woman's life and includes a range of behaviours, from forcible rape to nonphysical forms of pressure that compel girls and women to engage in sex against their will. In such cases, a woman lacks choice and faces severe physical, social, or economic consequences if she resists sexual advances. Studies indicate that much non-consensual sex takes place within consensual unions and includes a woman being compelled to have sex when she does not want it, or to engage in types of sexual activity that she finds degrading or humiliating. Reasons why men rape women may include as a strategy of dealing with rejection; to entrench or express power and feeling superior to women; as revenge or as a manifestation of psychological problems

Psychological and Emotional Abuse Psychological and emotional abuse could include neglect, lack of proper care, verbal insults and a situation whereby such victims are made to feel worthless and less confident of herself. Neglect could also extend to the stage of pregnancy whereby the woman is left alone to care for herself and her baby without the needed support. This type of abuse could escalate mental health problems and suicidal tendencies.

Traditional and Cultural Practices There are many cultural practices perpetrated against women which constitute a form of abuse to them. One of such forms of abuse is Female Genital Mutilation which comprises all procedures that involve partial or total removal of the female external genitalia and or injury to the female genital organs for cultural or any other non-therapeutic reasons. The procedure is typically performed on girls aged between four and thirteen, but in some cases, it is performed on new born infants or on young women before marriage or pregnancy. A number of girls and women die as a direct result of the procedure from blood loss or infection, either following the procedure or subsequently in childbirth. The operation is extremely bloody

and painful, and performed without anesthesia. The immediate and long-term risks to health include; death due to hemorrhage, postoperative shock, septicemia, tetanus, human immunodeficiency virus infection; uterine and urinary infection; and infertility caused by endometriosis when the menstrual flow cannot escape.

Causes of Domestic Violence

Violence in Family of Origin Most times, men unconsciously follow in the footsteps of their fathers. Men who come from abusive homes and who have watched their mothers being mercilessly beaten by their fathers have the tendency to do the same to their partners or wives. Ladies who have witnessed their domestic help being beaten by their mothers have a tendency to do the same to their domestic help later in life.

Lack of Education The level of education a man has achieved affects his thinking and therefore his reaction whenever he is provoked. Some uneducated men usually have an attitude of inferiority complex and when they are wronged by their wives, their perception is that their honour has been put to the test so, inadvertently, they resort to beating their wives to prove that they are still men and the head of the home.

Culture Culture can be defined as the traditions and way of life that are encompassed by a number of people living in a particular community. The culture of a particular society affects their way of life to a large extent and this affects also, the manner in which women are treated and accorded respect in the family and community. Customary practices across Nigeria generally hold that the man is the head of the house and has the greatest control and decision-making powers. Due to this fact, the woman is regarded as the property of the man and he is therefore entitled to discipline her as he sees fit. The notion of subjugation of women is so entrenched that many people in Nigerian society tend to accept violence against a woman as justified

Poverty Poverty is a state of being poor or having little money and other basic resources of life like shelter, food and clothing. Poverty causes educational disadvantage and gender discrimination and these potent factors could force people to engage in child marriage and domestic violence. There is a link between poverty and mental health challenges, including stress, depression and anxiety which are risk factors for engaging in the act of domestic violence.

Religious Orientations Nigeria is a very religious nation and on the basis of the scriptural message that wives should be submissive unto their husbands, many men have abused their wives either physically or verbally. Such men assume they should be accorded with all respect due to a master and anything

outside of this behaviour is met with a measure of their physical strength against their wives. This practice has been evident in the earlier periods and is still prevalent in some communities.

Weaker Sex Generally, human beings have the tendency to commit violence against people who are weaker than them. That accounts for the reason why some women abuse their domestic help and treat them in a manner which is detrimental to their wellbeing and health.

Behavioural Risk Factors In trying to recognize assaultive men, numerous risk factors have been identified including use of alcohol, violence toward children, anger, stress, depression and low self-esteem. Specifically, men's perpetration of violence against their wives and partners are linked to symptoms of depression, posttraumatic stress disorder, borderline personality disorder, and substance abuse and drug use.

Effects or Consequences of Domestic Violence on the Victim

Effects of Rape to the Victim The consequences of rape to the woman or man can be classified either as physically, mentally or emotionally traumatic. Among the physical effects include unwanted pregnancies, diseases or health problems, and certain disruptions on the woman's natural bodily functions. On the other hand, psychological effects range from self-pity to the more striking suicidal tendencies.

Unwanted Pregnancy Of course, the most immediate physical effect of rape is the risk for the victim of getting pregnant. Dependent on the age of the victim, she may conceive a child even if she is just reached puberty.

Risk of Abortion In many instances, rape victims who become pregnant opt to abort the child despite its risks. In some cases, the situation is further complicated due to abortions not being a legal option for the victim.

Exposure or Transmission of Certain Diseases Domestic violence leads to health problems that compromises women's physical and mental health, and erodes their self-esteem. In addition to causing injury, violence increases women's long-term risk of a number of other health problems including sexually transmitted diseases, chronic pain, physical disability, drug and alcohol abuse, and depression; psychological consequences of abuse are even more serious than its physical effects.

Damage or Disruption of Body Organs or Functions Since rape is a form of forced intercourse; the victim's body usually suffers physical injury particularly to the vagina, uterus, and other parts of the reproductive system. The risks are greater if the rape victim is a child or a very young teen. In addition, the rape

victims are often beaten up and tortured during and after the rape, which might even lead to losing their life in some cases.

Trauma and Paranoia The foremost psychological effect of rape and other forms of domestic violence will be emotional trauma and paranoia. At times, the victim will exhibit symptoms of mental and emotional trauma through solitude and exclusion. They also develop fear in mingling and socializing with strangers and other people especially men. These effects can last throughout the victim's lifetime.

Self-Pity or Self-blame Apart from making her aloof and isolated, rape can also lead the victim to pity or blame herself for the crime. This effect is partly caused by the social stigma or shame that societies or communities wrongly attribute to the victim. She is often deprived of the care she should receive from families and society at large.

Suicidal Tendencies The most striking effect that domestic violence like rape can produce in a victim is the thoughts or tendencies of committing suicide. Because of trauma, self-pity, and seclusion, rape victims often feel that there is no longer hope and they could no longer recover and that they are not worthy of living.

Stigmatization The fear of been stigmatized in the society is one of the reasons victims of domestic violence remain silent despite its physical and psychological effect. There is also the issue of shame and social stigma associated with being unable to sustain a family. Such women are considered imprudent and irresponsible.

Effects of Domestic Violence (e.g. Rape) on Nigerian Communities

This will essentially revolve around the response the community makes. In Nigeria, rape victims are neglected or the crime itself is not prioritized, while community response is often in the negative. It could be either in the form of neglect, absence of social and legal justice, and putting the blame on the victim herself. She is often considered as an outcast in the society and is left alone to battle with the aftermath of the rape.

Denial of Fundamental Rights Violence against women is recognized as a violation of human rights. As early as 1984, the Universal Declaration of Human Rights adopted by the UN General Assembly identified violence against women as an abuse that threatens the security of women and their fundamental rights to life and liberty, as well as freedom from fear and want. Also in December 1993, the United Nations High Commissioner for Human Rights published the Declaration on the Elimination of Violence against Women or Violence against Men. Section 34(1)(a) of the Constitution also provides that

every individual is entitled to respect for the dignity of his person, and accordingly, no person shall be subject to torture or to inhuman or degrading treatment.

Lack of Development Violence against women causes human suffering, impediments to personal development and reduction in the contribution women can make to the lives of others. Violence against women does not avail women the power to protect themselves from unwanted pregnancy and sexually transmitted diseases. Domestic violence against women has incalculable costs to present and future generations and limits a woman's personal growth, her productivity and her socio-economic roles.

Impact on Children Parents and the family constitute very important factors in determining whether or not a child is protected. Unfortunately, often times, the family becomes a frequent source of violence, abuse, discrimination and exploitation. Such situations leave lasting effects on the child. Children whose mothers were subjected to domestic violence, tend to deal with their wives in similar way in their adulthood.

Legal Framework for the Protection of Women against Forms of Violence in Nigeria (including Domestic Violence)

There have been increased efforts to enhance the protection and promotion of women's rights through the international, regional, and national enactment of laws and policies. Such efforts have resulted in documents like the Convention on the Elimination of All forms of Discrimination against Women (CEDAW) and the Beijing Platform for Action at the international level. Some countries have passed laws and policies incorporating such international standards into their domestic laws.

For example, Nigeria has incorporated the United Nations Protocol to Prevent, Suppress, and Punish Trafficking in Persons, (especially women and children), and the United Nations Convention against Transnational Organized Crime (UNTOC) and the Convention on the Rights of the Child (CRC) into domestic law.

However, there is no National Law in Nigeria that deals with the protection of women against domestic violence until recently. The bill titled 'Violence Against Persons (Prohibition) Bill' (VAPP) was passed by the House of Representatives of the National Assembly in March 2013. The law aims to eliminate or reduce to a minimum the cases of gender based violence includes a comprehensive definition and harsh sentences for rape and other sexual offences, compensation for rape victims, institutional protection from further abuse through restraining orders and a new fund to support the rehabilitation of victims of violence. It covered a wide spectrum of violence, including female

genital mutilation, early and forced marriage, rape and harmful widowhood practices etc. The bill also recognized the rights of all to safety (both in the workplace and at home).

There are however, few states in Nigeria which have passed laws to protect women in their respective states. Such states include Lagos State, Ekiti State, Ebonyi, Cross river and Jigawa States. In Lagos, the Law that was set up to protect women is referred to as the Protection against Domestic Violence Law 2007. The Law prohibits any person from committing any act of domestic violence against any person in Lagos State.

Recommendations (Strategies for Curbing Domestic Violence in Nigeria)

Counseling To remedy the domestic violence situation in Nigeria, seminars, talks and enlightenment campaigns must involve all stakeholders; the communities, schools, religious groups, institutions, government at all levels.

Family Courts Family courts which deal with sensitive issues such as rape, battery, sexual assault, among others, should be private and only parties, their lawyers and the judge should be allowed to witness the proceedings. This is because many victims of domestic violence would prefer their matters being kept out of the public glare. Family courts have been inaugurated in some states in Nigeria like Ekiti and Lagos states for the purpose of ensuring justice for women and children and promoting peace in the family.

Alternative Dispute Resolution Women don't usually want their partners who have battered them to go to jail because of the financial consequences to them and their children. For these reasons some victims of domestic violence are reluctant to take their cases to the courts. Domestic violence cases could be better handled through Alternative Dispute Processes. Alternative dispute resolution involves settlement of disputes without going through the strict procedure of the court of Law. This process is resorted to with a view to reducing the burden of legal proceedings pending at different levels of courts, cost of proceedings and length of time required for disposal of litigation.

Public Enlightenment Seminars and workshops should be organized for the purpose of alerting people on the need to put an end to domestic violence and to educate people about its consequences. Thus, the public should be enlightened as regards all these through programmes in the communities, media, efforts of NGO's, among others.

National Legal Framework and Implementation National frameworks protecting women from domestic violence should be put in place in Nigeria. States should also enact laws to protect women. Apart from putting these laws in place, implementation is very important. Law enforcement officials have to

be trained to enable them have a clear picture of the demands of the new legislation.

The Health Care System The health care system is well-placed to identify women who have been abused and refer them to other services, as the vast majority of women visit a health facility at some point in their lives for example, during pregnancy or to get treatment for themselves or their children. Thus, the health care system should be responsive to women suffering from domestic violence. Training for health care providers is necessary to guide them on the early screening and identification of women who are suffering from domestic violence. Health care practitioners must also be willing to testify in court or provide documents to show abuse or violence and its impact as this may help the case

Shelters Reasonable number of women who have been victims of abuse (especially intimate partner abuse), stated that they could not leave their partners as they did not have anywhere to go to. Shelters should be considered as a way out of the scourge of domestic abuse especially by intimate partner as continued cohabitation or visit may lead to further abuse. Shelters should come with options of not just accommodation but proper jobs

Conclusions

A proactive legal framework, establishment of confidential and well equipped family courts, training of law enforcement officers, shelters and counseling centres can reduce the abuse of women in Nigeria. The physical, sociological and psychological effects of violence against women are unquantifiable. To achieve a fair and balanced society, women must be valued, respected and supported and not battered either by stick or word of mouth.

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