

Strengthening Domestic Violence Prevention in Nigeria: A Call to Action

¹Precious M. Wagwula , ¹Athanasius C. Ofem , ¹Ukanwoke C. Chelsea , ¹Eunice O. Afi ,
¹Chidera C. Nwigene , ²Emmanuel A. Essien 

Affiliations: ¹Medical student, Faculty of Clinical Sciences, University of Calabar, Nigeria ²Department of Psychiatry, University of Calabar, Nigeria

Corresponding Author: Precious Miracle Wagwula, University of Calabar, Cross River State, Nigeria
Email: zemawagz@gmail.com

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Abstract

Domestic violence, a significant public health concern, remains prevalent in low- and middle-income countries. While developed nations have successfully implemented preventive measures that have led to a reduction in domestic violence incidents, developing countries, such as Nigeria, encounter enduring challenges. This article delves into the patterns of domestic violence across Nigeria's socio-culturally and economically diverse geopolitical regions, analyses effective strategies employed in developed nations, and proposes approaches suitable for the unique context of Nigeria.

Keywords: Domestic violence, Intimate person violence, Prevention, Strategies

Background

Domestic violence is a multifaceted issue that affects all genders, adversely impacting physical and mental health.¹ A World Health Organization (WHO) study across 161 countries found higher rates in lower- and middle-income countries. Developing countries in Sub-Saharan Africa, Northern Africa, parts of Asia, Latin America, the Caribbean, and Oceania averaged a 37% prevalence rate. In contrast, developed regions, including Europe, Northern America, Australia/New Zealand, and Japan, averaged a 16% prevalence rate.² This highlights the disparity in domestic violence incidence worldwide. Factors contributing to its occurrence include unequal wealth distribution, lower education levels, societal norms, and ineffective prevention strategies.³ The substantial burden of domestic violence underscores the need for comprehensive and targeted prevention strategies to address its root causes and mitigate its impact.

International Approaches to Combatting Domestic Violence in Legislation and Policy

Developed nations implement a variety of laws and policies specifically designed to combat domestic violence. This includes the criminalisation of its forms, as well as targeting specific situations and ingrained beliefs that may perpetuate domestic violence. A prime example of this approach can be seen in the United States, where the Domestic Violence Act stipulates penalties such as fines and imprisonment for perpetrators.⁴ This Act not only penalises the perpetrators

but also includes provisions for compensatory fines to be paid to victims. This aspect of the law is particularly significant as it contributes to survivors' financial independence and empowerment. Additionally, protection orders are a standard legal tool in these cases, preventing contact between perpetrators and victims. In the United States, prosecutors also have the discretion to press charges against an alleged abuser even if the victim withdraws their testimony, provided there is sufficient evidence to support the case.⁴

Many other countries have incorporated similar strategies within their criminal codes, allowing for domestic violence to be charged and prosecuted under various legal provisions. Some countries have enacted policies to specifically address cultural or traditional practices that contribute to domestic violence. For instance, India passed the Dowry Prohibition Act in 1961, criminalising dowry exchange during marriage. The dowry system not only fosters the objectification of women but also reinforces the notion of women as possessions, potentially escalating to violence. In addition, over fifteen African countries prohibit female genital mutilation because this practice fosters child marriage and sexual violence.^{5,6} These laws and policies have had a positive impact, as evidenced by the increased reporting of domestic violence and related crimes in the countries where they have been implemented and a growing willingness for victims to disclose abuse.⁷

However, there are opposing views regarding the criminalisation of domestic violence. Some critics argue that this approach does not prioritise the welfare of victims, focusing instead on punishing perpetrators. They contend that criminalisation may exacerbate major contributing factors such as poverty and unemployment, which could ironically lead to an increase in domestic abuse incidents. In some countries, domestic violence rates have not significantly decreased despite the implementation of stricter punishments. This suggests that severe penalties alone may not effectively reduce abuse rates.⁸ These critics advocate for the adoption of victim-centred strategies and rehabilitation programs for both the victims and the abusers. They believe that such approaches, rather than solely relying on the incarceration of perpetrators, could more effectively prevent the recurrence of domestic violence.⁹

Many countries have developed policies that work in tandem with the law to create a more practical approach against domestic violence. These policies form an all-encompassing strategy that includes preventing domestic violence, encouraging timely reporting to authorities, ensuring ongoing legal processes, and facilitating the reintegration of victims into society with a focus on justice. Law enforcement agencies are guided by detailed procedures that span from the initial report of domestic violence to the rehabilitation stage. Additionally, advocacy and awareness campaigns are conducted, and anonymous helplines are established to offer support. Shelters are provided for victims, offering a haven until they can safely reintegrate into society without the risk of returning to abusive environments.

In Egypt, an innovative approach has been adopted where social workers serve as the first responders in domestic violence cases before police involvement. This strategy is designed to mitigate pressure on victims to withdraw charges or settle the matter as a civil issue. In Australia, the police have the authority to enter private premises without a warrant if domestic violence is suspected, allowing for more immediate intervention. Similarly, some South American countries have revoked spousal testimonial privilege, enabling victims to testify against their partners in court. These varied policies are aimed at protecting victims from further harm and supporting their independence post-litigation.¹⁰

Case Study: The Landscape of Domestic Violence in Nigeria

In Nigeria, the incidence of domestic violence has remained high over the years. Studies indicate a nationwide prevalence rate between 31% and 61%.^{10,11} Regionally, the rates vary: in Southern Nigeria, the prevalence is 37.9% (78.8% in the South-East, 41% in the South-South and 29% in the South-West)¹²⁻¹⁴ while in Northern Nigeria, the rate stands at 42%.¹⁵ In Northern Nigeria, the rate stands at 42%. Research focusing on pregnant women in Northern Nigeria found that 34.3% had experienced domestic violence. Husbands, co-wives, and in-laws accounted for 37%, 32%, and 27% of these incidents, respectively. Furthermore, the study highlighted that women in polygamous marriages face domestic violence not only from their spouses but also from other family members, at rates higher than those in monogamous marriages.¹⁶ This underscores the pervasiveness of domestic violence across all regions of Nigeria, transcending religious and cultural boundaries.

Nigeria has enacted various laws at the federal and state levels to combat domestic violence. In 1984, the country ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which mandates legal systems to be based on gender equality and to amend discriminatory laws.¹⁷ Despite this, a significant disparity in punishments for similar offences is evident in Nigeria's Criminal Code, particularly in sections 353 and 360. Assaults on men are deemed felonies, resulting in a three-year sentence, whereas assaults on women are considered misdemeanours, warranting a two-year sentence.¹⁸

The penal code in Northern Nigeria lacks explicit laws against domestic violence, implicitly suggesting that a man's assault on his wife may not constitute an offence.¹⁹ To address this, the Nigerian National Assembly passed the Violence Against Persons Prohibition (VAPP) Act in 2015. This act aims to eliminate all forms of violence, offering protection and support to victims while ensuring offenders are punished. However, the VAPP Act's jurisdiction is limited to the Federal Capital Territory (FCT), though other states can choose to adopt and implement it. Sixteen states in Northern Nigeria have adopted the VAPP Act. Zamfara state has approved the bill, awaiting executive assent, while Kano and Katsina states have yet to pass it. In contrast, all sixteen states in Southern Nigeria have domesticated the VAPP Act.²⁰ Additionally, states like Ekiti and Lagos have enacted the Gender-based Violence Prohibition Law and the Protection Against Domestic Violence Law, further strengthening the legal framework against domestic violence.^{21,22}

A limited number of government agencies in Nigeria are tasked with formulating policies related to domestic violence. The National Human Rights Complaints Commission collaborates with organisations such as the International Federation of Women Lawyers (FIDA) and the Civil Liberties Organization.²³ Their joint efforts focus on providing legal assistance and counselling services to domestic violence victims, significantly enhancing the management of such cases.²⁴ Additionally, the Lagos State Domestic and Sexual Violence Response Team plays a crucial role in preventing domestic violence. This is achieved through strategic partnerships with various private and government entities.²⁵ These organisations are instrumental in advocating for and implementing new policies that improve the welfare of victims. Given the scope of domestic violence, there is a clear need to establish more dedicated bodies at all governmental levels to prevent and address domestic violence in Nigeria effectively.

In addition to governmental efforts, various non-governmental organisations (NGOs) are actively involved in combating domestic violence in Nigeria. These include 'The Mirabel Centre', 'Alliances for Africa Mission', 'The CLEEN Foundation', 'ACTS Generation', and others. For instance, 'Alliances for Africa Mission' has developed 'kpoturum', a web application that serves as a reporting platform for victims of domestic violence. This innovative tool allows victims to report instances of abuse confidentially.²⁶ Another notable NGO, 'Gender and Developmental Action (GADA)', based in Cross River State, Nigeria, mobilises volunteers to engage with families and communities, spreading awareness about gender-based violence.²⁷

'The Mirabel Centre' is particularly noteworthy for its comprehensive support to domestic violence victims across Nigeria. It has partnered with various NGOs and BOLT, an Estonian mobility company. This collaboration aims to provide emergency transportation for victims needing to escape from unsafe domestic situations.²⁸ These NGOs are crucial in directly supporting victims and advocating for legislative changes. They work in conjunction with the government to push for the enactment of laws that further the fight against domestic violence.

Despite the significant efforts of NGOs and legislative bodies to address domestic violence in Nigeria, several challenges persist. These include ineffective punitive measures, laws that are either limited in scope or outdated, and prevailing gender biases. A notable issue is the tendency of law enforcement agencies to treat domestic violence as a private matter, often showing reluctance to initiate legal proceedings. Additionally, the court process can be excessively lengthy and traumatic for victims, deterring them from pursuing charges.

While a step forward, the Violence Against Persons Prohibition (VAPP) Act is not entirely comprehensive and suffers from limited national implementation.²⁰ Furthermore, specific laws like the Cross River domestic violence and maltreatment of widows' prohibition law suggest an exclusionary view where men are not recognised as potential victims of domestic violence.²⁹ Perhaps most concerning is the aspect of the penal code that permits husbands to 'discipline' their wives, a provision that not only undermines efforts to combat domestic violence but also perpetuates harmful cultural norms.¹⁹ These limitations highlight the need for more robust, inclusive, and effective legal and societal responses to domestic violence in Nigeria.

Other significant barriers to effectively combating domestic violence in Nigeria include the absence of essential services such as rehabilitation, financial support, psychological evaluation, and security for victims. A significant challenge is the reluctance of victims to act against their family members; often, victims retract their statements, leading to case dismissals. Additionally, a general lack of awareness about constitutional rights among citizens results in many not seeking justice.

A critical gap in the system is the lack of infrastructure to support survivors and their dependents. This includes safe shelters, access to medical care, and systems for child custody and financial compensation. The absence of comprehensive policies addressing these areas hinders the ability to provide holistic support to those affected by domestic violence. Hence, there is a pressing need for the development and implementation of policies that cover these crucial aspects to better support and protect victims of domestic violence in Nigeria.³⁰

Various cultural and social factors in Nigeria impede the effectiveness of strategies aimed at preventing domestic violence. Practices such as polygamy, child marriages, and the tradition of paying a bride price can contribute to the prevalence of domestic abuse.^{30,31} The concept of bride price, involving the transfer of substantial gifts, can imply ownership over the bride, potentially fostering abusive behaviour. Additionally, the patriarchal nature of the society and specific religious beliefs that advocate for female submission perpetuate a culture of shame and guilt. This cultural backdrop often dissuades victims from reporting abuse, thereby perpetuating the cycle of violence.³⁰

Moreover, poverty is a significant contributing factor to domestic violence. It leads to a host of issues like unemployment, financial dependency, limited educational opportunities for women, and the prevalence of child marriages. These conditions, rooted in poverty, create environments where domestic violence can thrive, making it a complex social issue that requires multifaceted solutions addressing both cultural norms and socio-economic conditions.³²

Recommendations for Addressing Domestic Violence in Nigeria

The need for better prevention strategies in Nigeria cannot be overemphasised. Proven tools employed in developed countries can be utilised and adapted to the local context. Protection for all Nigerians against domestic violence should be ensured through the updating of laws, encompassing detailed guidelines covering domestic violence from the point of reporting to complete rehabilitation. In addition, law enforcement agencies should be appropriately trained on how to handle domestic violence reports. Access to physical and mental health services is crucial for preventing further complications. Widespread community awareness campaigns are essential for providing related information and education to help destigmatise victims. Support services such as counselling, helplines, shelters, and resources needed for escaping abusive situations for survivors and their children should be established and improved.

The government can effectively utilise existing community structures to control domestic violence. In rural areas, empowering village heads and community chiefs to establish laws that render domestic violence a taboo can be a significant step. This approach should include culturally resonant punishments for offenders, integrating these norms into the traditional justice systems already prevalent in many Nigerian villages. Given that Nigeria ranks as one of the world's most religious countries, religious institutions also play a pivotal role in this effort. Leaders across all faiths – Christianity, Islam, and traditional religions – should be engaged in advocacy efforts against domestic violence. For example, churches could be encouraged to develop specialised programs and shelters to reduce domestic violence and support its victims, thus leveraging their influential position in communities to effect meaningful change.

Healthcare workers play a crucial role in preventing domestic violence in Nigeria and in supporting victims. They are often the first point of contact for victims, addressing immediate health concerns and linking them with broader support networks to disrupt the cycle of domestic violence. Healthcare workers need to be trained in identifying signs of domestic violence, which can include physical injuries, psychological distress, or changes in behaviour. Guidelines for their practice should be developed to ensure standards, including informed consent during assessments and documentation. Health workers must provide a secure, non-judgmental space where victims can receive emotional support and empathy, encouraging them to share their experiences without fear. Accurate and confidential documentation of injuries and incidents is vital, serving as crucial evidence for legal proceedings. Healthcare workers also have a responsibility to educate patients about domestic violence, its impact, and the resources available for help and prevention.

Collaboration with social workers, law enforcement, and NGOs is vital in developing an all-encompassing support system for victims. This collaboration ensures victims receive referrals to specialised services such as counselling, legal assistance, or shelters catering to their immediate and long-term needs. When legally mandated or when a patient's safety is at risk, healthcare workers should be obligated to report cases to the appropriate authorities.³³ Such practices not only aid in providing immediate care but also contribute to the broader effort of addressing and mitigating domestic violence in Nigeria.

Conclusion

In conclusion, domestic violence remains a pressing concern globally. The legal frameworks and rehabilitation strategies implemented in developed countries have been effective in reducing domestic violence incidents. Nigeria faces numerous challenges in its efforts to address this issue. However, by adopting and adapting successful methods from developed nations, Nigeria has the potential to improve its domestic violence statistics significantly. This requires a combination of legal reforms and strategic interventions, which should be tailored to the local cultural and socio-economic context.

It is a collective responsibility to mitigate domestic violence and its far-reaching consequences. Healthcare workers, given their proximity to victims, play an essential role in this fight. Their ability to provide immediate support and connect victims with necessary resources is invaluable. Additionally, professionals from various fields must collaborate to enhance awareness, strengthen laws, and shape policies to prevent domestic violence. Such a multifaceted approach is crucial for creating a safer and more just society.

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