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GENDER VIOLENCE IN NIGERIA: AN UNREMITTING ALLOTMENT OF A FRANKENSTEIN

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ABSTRACT

Gender violence in its various forms, is endemic in communities around the world, cutting across sex, class, age, religion, tribe, ethnic groups and boundaries. The exposure to this mournful act significantly increases girls and women's chances of early sexual debut experiencing forced sex, engaging in transnational sex, and non-use of condoms. The consequence of this has not only been a personal but also a colossal national loss. Its consequences vary from high rate of morbidity and mortality, low industrial productivity, low capacity building, HIV/AIDS, among other health conditions, to an impediment in the achievement of the Millennium Development Goals. While the female folks are the most visible survivors of this Frankenstein, the male counterpart are not exempted. Not until drastic actions are taken to curb this Frankenstein, then we might be heading into the abyss. The paper examines the definition and nature of gender based violence, its various forms, consequences, role of the government in curbing this Frankenstein and the effectiveness of government policies so far in Nigeria. The work concludes by asking if none has ever been dressed by this Frankenstein.

Keywords: Frankenstein, Gender, Gender Violence, Millennium Development Goals, Nigeria

INTRODUCTION

Historically, gender based violence is as old as man. It is a violation of human rights. This kind of violence perpetuates the stereotyping of gender roles that denies human dignity of the individual and logjams human and sustainable development. The overwhelming majority of the victims or survivors of sexual and gender-based violence are women and girls. Sexual and gender-based violence includes much more than sexual assault and rape. Although it may occur in public contexts, it is largely rooted in individual attitudes that condone violence within the family, the community

and the State. Until this Frankenstein is curbed, then the Millennium Development Goals (MDGs) might be nothing more than a chimera. Frankenstein here means any act, action or inaction that relates to gender based violence or any display of stereotyping between the sex.

The era c.753BC during the reign of Romulus in Rome, wife beating was accepted and condoned under the laws of chastisement. Under these laws, the husband had absolute rights to physically discipline his wife. Since by law, a husband was held liable for crimes committed by his wife, this law was designed

to protect the husband from harm caused by wife's actions. These laws permit the husband to beat his wife with a rod or switches as long as its circumference was not greater than the girth of the base of the man's right thumb, hence "the Rule of the Thumb". The tradition of these laws is perpetuated in English Common law and throughout most of Europe (Minnesota Centre Against Violence and Abuse, 1999).

About A.D. 300, the Church fathers re-established the husband's patriarchal authority and the patriarchal values of Roman and Jewish law. The Roman Emperor, Constantine the Great, had his wife burnt alive when she was no longer of use to him (Minnesota Centre Against Violence and Abuse, 1999). Even in the 16th Century, Lord Hale, an English jurist, sets the tradition of non-recognition of marital rape. He states that when women married, they "gave themselves to their husbands" in contract, and could not withdraw that consent until they divorced. "The husband cannot be guilty of a rape committed by himself upon his lawful wife, for by their mutual matrimonial consent a [sic] contract with wife hath given herself in this kind unto her husband, which she cannot retract". This is the basis of the "contractual consent" theory. Lord Matthew Hale burnt women at the stake as witches and has been characterized as a misogynist. Though Abbé De Brantôme raises the question, "but however great the authority of the husband may be, what sense is there for him to be allowed to kill his wife?" (Minnesota Centre Against Violence and Abuse, 1999). This question asked centuries ago is again asked today, but then, what is gender based violence?

Gender Based Violence: Definition and Nature

Gender Violence has become one of the most topical reproductive health and rights, gender and public health issues of our time. (Fatusi and Alatise, 2006). Now recognized as one of the most insidious, shocking and underreported form of violence and a major disease burden, Violence against Women has continued to attract considerable attention in international social policy and public health circles (Fatusi and Oyeledun, 2002).

Sexual violence, gender-based violence and violence against women are terms that are commonly used interchangeably. All these terms refer to violations of fundamental human rights that perpetuate sex-stereotyped roles that deny human dignity and the self-determination of the individual and hamper human development. They refer to physical, sexual and psychological harm that reinforces female subordination and perpetuates male power and control. However, Gender -Based Violence is defined in article 1 of the United Nations Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) as:

...any act that is likely to or results in physical, sexual or psychological harm or suffering to women, including threats or acts of... coercion, arbitrary deprivations of liberty... private or public... in the family, community. (United Nations, 1992)

Included here are such actions as; battery, rape, sexual abuse and molestation of children, dowry violence, female genital mutilation and other traditional practices that are harmful to women, harassment and intimidation at work and in educational institutions, trafficking in women, forced prostitution and state-sanctioned violence against women. The scope of the definition is here expanded to include the forced sex, sexual coercion and rape of adult and adolescent

men and women, and child sexual abuse. The definition also includes:

- The use of physical violence or psychological pressure to compel a person to participate in a sexual act against their will, whether or not the sexual act is consummated.
- A sexual act (whether attempted or consummated) involving a person who is incapable of understanding the nature or significance of the act, or of refusing, or of indicating his or her refusal to participate in the act, e.g. because of disability, or because of the effect of alcohol or other substances or because of intimidation or pressure.
- Abusive sexual contact (World Health Organization, 2003)

The United Nations High Commissioner for Refugees (UNHCR) employs an inclusive conception of sexual and gender-based violence that recognises that, although the majority of victims or survivors are women and children, boys, men, and the handicapped are minority groups who are also targets of sexual and gender-based violence. It could occur in different levels; the home, community, state and interstate. The nature of this Frankenstein cannot be over-emphasised. It has sprouted its ugly fist on children of sexes, men and women across the world. It can happen at any time and anywhere. Though mostly used as a weapon of war in earlier times, it has however become a "trend" in form of a Frankenstein in modern everyday lives. But is Nigeria and Nigerians immune from this?

Forms and Gender Violence

The forms by which this Frankenstein is

being perpetuated in Nigeria are:

Sexual Abuse and rape in intimate Relationship: Sexual abuse and rape by an intimate partner is not considered a crime in most countries, and women in many societies do not consider forced sex as rape if they are married to, or cohabiting with the perpetrator. This is also known as domestic violence. The World Health Organization (1997) defines domestic violence as "the range of sexually, psychologically and physically coercive acts used against adult and adolescent women by a current or former male partner." These include all forms of cruelty, denigrating a woman by treating her as if she was a child, ignoring her, refusing to give her any affection or sexual satisfaction. It includes forcing a woman (married or not) to have sex when she does not feel like. It also includes lack of moral support and the effects of forcefully or unwillingly sharing a husband and attempting to control a woman's relationships with the wider community, friends, colleagues or relatives. The assumption is that once a woman enters into a contract of marriage, the husband has the right to unlimited sexual access to his wife. Surveys in many countries reveal that approximately 10 to 15 percent of women report being forced to have sex with their intimate partner (UNICEF, 2000). Moreover, population-based surveys in different parts of the world have shown that 10 and 50 percent of women have been physically assaulted by their current or former intimate partners at some points in their lives (Watts & Zimmerman, 2002). Sometimes, sexual violence occurs without physical violence. For instance, 23% of women in North London, England reported having been the victim of either an attempted or completed rape by a partner in their lifetime. Similar figures have been reported for Guadalajara, Mexico

(23.0%), Leon, Nicaragua (21.7%), Lima, Peru (22.5%) and for the midlands Province in Zimbabwe (25.0%), etcetera (World Report on Violence and Health, 2002)

Sexual abuse of mentally or physically disabled people is also common in Nigeria. They are abused either because of their status or for ritual and spiritual cleansing purposes. How does one explain nursing mad women on our streets? Though, statistics may not be available, however, she has a share in this Frankenstein. No wonder the Daily Times Newspaper (2011) reported how a pastor of a global evangelical movement based in the United Kingdom was arraigned for sex offences against former members of his congregation, one of the charges alleges indecent assault of a child under the age of 16. It is gathered that he was charged with two offences - an indecent assault of an under 16 year old, and the sexual assault of another male teenager. It is believed that the alleged assaults took place in 2003 and 2004. It is also perpetuated by officials of the state with impunity. The PM Newspaper (2011) also reported the case of how a Nigerian Ambassador to Kenya was charged for assault, battery and cannibalism on his wife. Recently, a police corporal was convicted for raping a 2-year old baby (Onwuka, 2013). However; it has not always been a one-sided show, some women have also done same to their husbands and male counterparts (Eta, 2012; Ebegebulem, 2013; Moses, 2013; BBC, 2014)

Femicide: Murder of women by their batterers is another phenomenon that should be regarded as a separate category when recording domestic violence. Studies carried out in Australia, Bangladesh, Canada, Kenya, Thailand and the United States of America have documented the incidence of

femicide within the domestic sphere (UNICEF, 2000). In 2007, about seven cases of Nigerian men killing their wives was recorded in the United States for various reasons (Lawore, 2008). Also in Southern Africa, women's groups have begun to document the increasing incidence of femicide, and data on this issue are available from Botswana, South Africa, Swaziland, Zambia, and Zimbabwe. The News Agency of Nigeria reported a case of an unemployed graduate who allegedly stabbed his wife, a banker with a first generation bank, to death on 21 June, 2011 at the couple's residence in Lagos, Southwest Nigeria. Much recently, Eniola Akinkiotu of Punch Newspaper (2014) reported how an undergraduate was gruesomely murdered by some unsuspected cultist at Alakuko area, Lagos.

Forced Sexual Initiation: A growing number of cases of forced sexual initiation is rampant among adolescent girls (mean age 16.3 years), and even among boys *via* the anus, although, it has been higher among the girls than the boys. For example, nearly half of the sexually active adolescent women in a multi-country study in the Caribbean reported that their first sexual intercourse was forced, compared with one-third of the adolescent men (UNICEF, 2000). In Nigeria, such cases are recurrent. In April 2010, neighbours caught a 65 year old man as he attempted to defile a 2-year old infant at Aremo area of Ibadan; In May 2010, a man who claimed to be an Islamic cleric was accused by the Police in Surulere, Lagos, of raping a 14 year old girl whom he kept in Akute, Ogun state. In August same year; a 48 year old sailor was arrested for raping his 2-year old infant daughter. The report noted that he had penetrated her at least four times and that he had been violating her since she was a year old; and many more (Punch

Newspaper, 2010). The Lagos State police command arrested a man who allegedly raped a seven year old girl, damaging her private part and distorting her urination at Ojodu Berger area, Lagos State. (Aluko, 2014)

Gang rape: rape involving at least two or more perpetrators is widely reported to occur in many parts of the world. Systematic information and statistics about this act is scarce. In Johannesburg, South Africa, surveillance studies of women attending medico-legal clinics following a rape found that one-third of the cases had been gang rapes (UNICEF, 2000). National data on rape and sexual assault in the United States reveal that about 1 out of 10 sexual assaults involve multiple perpetrators. In Nigeria, there is no difference. It is perpetrated by armed robbers, occult groups, peer-group, families etc. Akunnu Ejim (2013) explained that since 2000, the incidence of baby and child rape, usually of girls under 10, replaced that of adult rape with a current statistics of up to 70 percent child rape out of the total rape in the country. Jude Ugochukwu (2013) explains how in July, 2012 a post-graduate student of Nasarawa State University and clothing retailer was murdered in Lagos by friends she met on facebook. The rapists lured her to a hotel in FESTAC Town, drugged and raped her before she was murdered. He also gave an incident when five undergraduates believed to be students of Abia State University who conspired and raped a young woman. Despite the pleadings of the young girl, the young men still took turns to satisfy their devilish lusts on her. The videos of that incident shook the nation as investigation was launched into the incident but nothing seems to have come out of it.

A non-government organisation, the Centre for Environment, Human Rights and Development, through its group's Project Officer, told the News Agency of Nigeria in Port Harcourt that "No fewer than 1,200 girls were allegedly raped in 2012 in Rivers State, of this figure, gang rapes were more frequent." The Chairman of Child Protection Network, said 49 cases were reported to the network while 800 others were treated by "doctors without borders." The remaining figure, he said, "was reported to other civil society organisations, 49 cases, 11 were gang rape while others were ordinary rape cases." (Punch Newspaper, February 28, 2013).

Sex selection abortion, female infanticide and differential access to food and medical care:

In societies where higher value is placed on sons, discrimination towards female children can take extreme forms such as sex-selective abortions and female infanticide. The woman is blamed for not bringing forth a male child in the family even though it is known that there is medical evidence to prove that the man determines the sex of the child. In many countries the discrimination that leads to the neglect of the girl child is the greatest cause of sickness and death among girls between the ages of two and five years (UNICEF, 2000b). Girls in many developing countries receive less nourishment, education and care than boys, and they are more likely to suffer mental or physical disability or even die, as a result of poor nutrition. Less access to health care also exacerbates the much higher mortality rate among girls. Sex-selective abortion, female infanticide, and systematic differential access to food and medical care have led to the phenomenon known as the "missing millions" of women and girls. An estimated 60 million

women are simply missing from the population statistics. In other words there are 60 million fewer women alive in the world than should be expected on the basis of general demographic trends (UNICEF, 2000). In an interview with an elderly woman, she explained how she was denied access to education by her late father because of her gender. In her words:

I really loved to go to school but my father would not allow me because I was the only girl-child. Till date I regret not going to school, especially when I see youth corporers in their uniforms when they come to visit [Yeye] Awolowo, but now it's too late.(Thompson, 2011)

Traditional and Cultural practices: Nigeria is bedeviled with a number of harmful home education practices. They are harmful both to individuals and to the process of national development. Some of these include early marriages, female circumcision, male child preference, child labour and begging assistance (Ameh, 2002). Oleribe (2006) gave some examples of traditional and cultural practices on the Nigerian Child in his research in rural communities in north central region of Nigeria. Some of which includes; therapeutic violence, marital violence among others.

It has been estimated that nearly 130 million women worldwide have undergone Female Genital Mutilation (FGM) and that approximately two million undergo the procedure every year. FGM takes place in about 28 countries in Africa (both eastern and western), in some regions in Asia and the Middle East, and in certain immigrant communities in North America, Europe and Australia. It can lead to death and infer-

tility, and long-term psychological trauma combined with extreme physical suffering (UNICEF, 2000). In Nigeria, communities that practice FGM are those from the Northwestern part, the Igbos, Ibibio, Ijaw or Ijo, Efik, Ogoni and Undoni people. The procedure is a highly valued ritual, whose purpose is to mark the transition from childhood to womanhood. In these traditional societies, FGM represents part of the rites of passage or initiation ceremonies intended to impart the skills and information a woman will need to fulfill her duties as a wife and mother. The function of this practice, whether mild or severe, is ultimately to reduce a woman's sexual desire, and so ensure her virginity until marriage. The more extensive procedure, involving stitching of the vagina, has the same aim, but reducing the size of the vagina is also intended to increase the husband's enjoyment of the sexual act (IRIN, 2005). The question is; is sex supposed to be enjoyed by the man alone?

Even though India has legally abolished the institution of dowry, dowry-related violence is actually on the rise. More than 5,000 women are killed annually by their husbands and in-laws, who burn them in "accidental" kitchen fires if their ongoing demands for dowry before and after marriage are not met. An average of five women a day is burnt and many more cases go unreported. Deaths by kitchen fires are also on the rise in certain regions of Pakistan. The Human Rights Commission of Pakistan reports that at least four women are burned to death daily by husbands and family members as a result of domestic disputes. Though in these regions, women pay the dowry (UNICEF, 2000). In Nigeria, men have in the name of the stupendous dowry they pay perpetrated sexual violent acts. The practice has been a matter of concern to many women and groups as it

has caused many women; sorrow; frustration; and unnecessary grief. In fact, in some areas in Eastern part of Nigeria, marriageable women have been delayed marriage because of the gargantuan and outrageous dowry insisted by their parents or clans. According to a renowned Nigerian Sociologist Adewale Oke:

In most cases, the amount to be paid depends on the quality of the bride: whether she is a school or high school or a university graduate. As a result, women university graduates are finding it increasingly difficult to find young, eligible men who are able to pay an exorbitant bride-price. One consequence is late marriage: in the thirties among men, and late twenties, or even middle-thirties among the women (Oke, 2006)

In more recent times, especially since 1999, most parents have seen weddings as competitions and a source for generating fund in which they want their daughters and sons to marry not according to the dictates of their children's but their selfish and personal savour.

In several countries in the world including, but not limited to, Bangladesh, Egypt, Jordan, Lebanon, Pakistan, and Turkey, women are killed in order to uphold the "honour" of the family. Any reason – alleged adultery, premarital relationships (with or without sexual relations), rape, falling in love with a person of whom the family disapproves – are all reason enough for a male member of the family to kill the woman concerned. The celebrated case of Aminat Lawal cannot be over-emphasised here in Nigeria (Okereke, 2002). Some women and girls have been killed for speaking in strange tongues. In these societies, they believe the victims are possessed.

Early marriage, with or without the consent of the girl, constitutes a form of violence as it undermines the health and autonomy of millions of young girls. The legal minimum age of marriage is usually lower for females than for males. In many countries, the minimum legal age for marriage with parental consent is considerably lower than without it; more than 50 countries allow marriage at 16 or below with parental consent (UNICEF, 2000). Early marriages are most common in Africa and South Asia, though it also occurs in the Middle East and parts of Latin America and Eastern Europe. In Ethiopia and parts of West Africa, for instance, marriage at the age of 7 or 8 years is not uncommon. The Nigerian Constitution 1999, section 29(4a) puts the marriageable age at 18 but the mean age at first marriage is 17 years, but in Kebbi State of northern Nigeria, the average age at first marriage is just over 11 years. For example, the legal case of *Mohammed v. Knott* (1969) where a Nigerian Muslim aged 26 was married to a Nigerian girl aged 12 in a potentially polygamous marriage. In recent times, a former Governor cum Senator of Nigeria was also ensnared in similar act where he had to divorce one of his wives to add a 13 year old Egyptian girl to his "merchandise".

It can be said that there is no group more affected by the sin of omission than widows. It is worthy of note that the experience of widowhood is deeply gendered, it is a condition shared by both men and women, but differences in experiences along gender line has made it more of women's problem (Olapegba & Chovwen, 2006). In the words of Cavallo and Warner (1999), the loss of a wife rarely altered a man's status, while the loss of a husband invariably and irrevocably brought about a change in a woman's life.

This reflects the patriarchal nature of the society we live in: heavily tilted against women. They are painfully absent from the statistics of many developing countries, and they are rarely mentioned in the multitude of reports on women's poverty, development, health or human rights published in the last twenty-five years. The United Nations Division for the Advancement of Women (2001) describes the growing evidence of their vulnerability; both socio-economic and psychological now challenges many conventional views and assumptions about this "invisible" group of women. Widowhood is a multifaceted tragedy. It is overwhelmingly a woman's problem which reveals atrocious social injustice. It joins a woman into the category of the marginalized defenseless and invisible being. Under the Igbo culture, widowhood is used as slang for being defenseless. It is believed in some Eastern Nigerian tradition that when a person is assaulted and such a person effectively fights back, it is common to hear the person attacked taunt the surprised attacker as follows, "Perhaps you thought you were dealing with a widow." Supporting the aforementioned assertion, Korieh (1996) cited an Igbo saying which says, "Why should a man who goes to his widow concubine be in a hurry to depart. Is it that he does not know where her husband had gone?"

Forced prostitution: Forced prostitution or other kinds of commercial exploitation by male partners or parents is another form of violence against women and children reported worldwide. Destitute families, unable to support their children, often hire out or sell their children, who may then be forced into prostitution. Very often the young girl or boy is sent as a domestic worker, in which case he or she may be physically and

sexually exploited by his or her employers. For example, in West Africa – from Senegal to Nigeria – tens of thousands of children of destitute families are reportedly sent to the Middle East each year, many of them ending up as prostitutes (UNICEF, 2000). Among some tribes in Nigeria, it is Italy, Spain or France. However, prostitutions within the country especially in commercial centres like Lagos, Abuja, Benin city, Port Harcourt, Ibadan, Calabar, Asaba, among others, are common. This also involves trafficking, the procuring and transfer of women and girls with or without their consent for commercial sex work, forced domestic labour or other slave-like practices both within and outside the country. For example, girls are taken from their communities to cities and the male (husband and sons) members of the household rape them. A Nigerian Pastor was jailed for Child Trafficking in the United Kingdom. The mother-of-five was the first person to be jailed for trafficking children into the UK for domestic servitude. However, such have been ongoing for decades. The discovery of some 'baby factories' in the country is also ridiculous and begs the question.

Sexual Violence in Schools, Health Care Settings, and Conflicts: Aside the home, another place where sexual violence is rampant is the school. In an extreme case of violence in 1991, 71 teenage girls were raped by their classmates and 19 others were killed at a boarding school in Meru, Kenya (Dwyer & Ridder, 1991). A report by Africa Rights found cases of teachers attempting to gain sex in return for good grades or for not failing pupils in the Democratic republic of Congo, Ghana, Nigeria, Somalia, South Africa, Sudan, Zambia and Zimbabwe (UNICEF, 2000). In Nigeria, in particular, students sexually harass lecturers; lecturers

harass students, and even nonacademic staffs-a vicious cycle. No wonder in the wake of the new century, a musician satirically sang a song titled "Mr. Lecturer" where he explained the escapades of this supposedly noble group in Nigerian ivory towers. Though, there may not be an exact statistics on this act, it is so pervasive in the nation's ivory tower. An online reporter in 2007 reported how the Pro-Chancellor of the University of Benin (UNIBEN), Edo State, Senator Alex Kadiri announced the dismissal of a 65-year old Professor of the institution, over sexual harassment. The PM newspaper (2011) reported the case of a senior lecturer, of a University in Lagos, Southwest Nigeria, alleged that she was sexually harassed by the Dean of her faculty hence, dragged the institution before a Federal High Court in Lagos in 2010. The case of a Professor in a South-South University caught naked in a student's room cannot also be swept aside. In this scenario, the female students are mostly the prey. Feyi Afinsulu (2013) reported how hundreds of students went agog over the issue of sexual harassment by their lecturers who they acknowledged were supposed to be their mentors but turned tormentors. In June 2013, the University of Benin also sacked some lecturers of which some of the cases were on sexual harassment. It is of note that there are many unreported cases and those reported are swept under the carpet.

Sexual violence against patients in health facilities has been reported in many places and in others, nothing is heard. In Nigeria, cases of forced gynaecological examinations, doctors harassing nurses; nurses harassing doctors are also rampant, though most cases are unreported. Nigeria has been a relatively stable country with no civil conflict since 1970; however, the pocket of un-

rest in certain parts of the country gives room for conflict base sexual violence. The Niger-Delta Revolutionary Movement, Niger Delta volunteer forces and more recently the Boko Haram group have all been fingered in a number of sexual violent related cases.

Discrimination in Work Place: This simply means the unfair treatment of one person or group, usually because of prejudice about race, ethnicity, age, religion or gender. Though, the male folks are also victims of this in some aspects, but the women suffer more in other respects. There are certain jobs that are designated as specific for the male folks, and some specifically for the female folks. Especially in banks, some Directors and Managers prefer to hire the female folks so as to use them for 'marketing' and also to quench his sexual taste. Most office, institutions and organisations do not make laws and policies that will aid the nursing mothers and in some places they are retired earlier because they feel they are no longer useful and youthful while their male counterparts enjoy longer years in service.

CONSEQUENCES OF GENDER VIOLENCE

The consequence of this Frankenstein is so inhuman, sardonic, excruciating and enormous that one may not be able to examine all of it. It varies from religious, social, physical, economic to psychological and physiological. However, most crucial consequence of gender violence is the denial of the fundamental human rights of the victim, whether psychologically or physically.

Secondly, it affects human and sustainable development goals and capacity building. Capacity building means building abilities, relationships and values that will enable organization, groups and individuals to im-

prove their performance and achieve their development objectives (UNEP, 2002) It involves social progress, economic growth and environmental protection, each must depend on other (UNEP, 2002) There are indications that countries cannot be developed if women and children are not integrated and recognized in the developmental process. An adage says "for every successful man, there is always a woman", vice versa and for the children they are the leaders of tomorrow. According to Rahman (2010):

Persistent food importation, poor quality of food resources and chronic malnutrition are evidences of food insecurity. The problem of food insecurity can be partly attributed to lack of attention to the role of women in food production, processing and marketing in policy formulation and implementation of agricultural development programmes. There is a strong relationship between gender and food security. Women must have enabling environment to realize their potentials and to play their role efficiently and effectively. (Rahman, 2010)

Thirdly, physiological and psychological trauma on children and the aged since in most cases, they are always at the receiving end of this act. Children who have been sexually abused may become solitary, fretful or depressed on one hand; on the other hand, the child may become aggressive and exert control over younger siblings. Sometimes they even become wayward, nympho, lesbians, gays, bullies and sometimes become the angels of this Frankenstein. For the aged, they become cold, scared, and apprehensive. They may lose their eating appetite, sleep, affection and love. Ogedengbe (2011) posits that these victims may develop trauma known as Rape Trauma Syndrome (RTS) and the Post Traumatic Stress Disorder

(PTSD). The ripple effect of this act include; flashbacks, stress, recollections and nightmares, dissociation, amnesia, insomnia, loss of concentration, hyper vigilance, anger outburst and exaggerated startle response, mental problem and social ostracization. In some societies, it is believed that women and girls are responsible for provoking sexual desires in men or boys so once they are raped, they mandate the woman to marry the rapist. Some also try to commit suicide.

Fourthly, it could also hinder the achievement of the Millennium Development Goals. In order to address the problem of poverty and promote sustainable development, the United Nations Millennium Declaration was adopted in September 2000 at the largest ever gathering of heads of States committing countries both rich and poor to do all they can to eradicate poverty, promote human dignity and equality and achieve peace, democracy and environmental stability. The goals include those dedicated to eradicating poverty, achieving universal primary education, promoting gender equality and empowering women, reducing child mortality, improving maternal health, combating HIV/AIDS, malaria and other diseases, ensuring environmental sustainability and developing a global partnership for development (UNDP, 2000) There is the need for social and cultural re-orientation especially a reopening of gender issues to meet some of the goals. For instance, the goals on women and girls require a new kind of mindset to achieve them. There is no doubt that women are instrumental to the achievement of the MDGs.

Finally, the consequence of Gender Violence is embroiled in the health implications it has on the survivors or victims. Domestic violence against women leads to far-reaching

fatal outcomes. While physical injury represents only a part of the negative health impacts on women, it is among the more visible forms of violence. Assaults result in injuries ranging from bruises and fractures to chronic disabilities such as partial or total loss of hearing or vision, and burns may lead to disfigurement. The medical complications resulting from Female Genital Mutilation (FGM) can range from Vesico Vaginal Fistula (VVF) haemorrhage and sterility to severe psychological trauma. Studies in many countries have shown high levels of violence during pregnancy resulting in risk to the health of both the mother and the unborn foetus. In the worst cases, all of these examples of domestic violence can result in the death of the woman – murdered by her current or ex-partner. Women in violent situations are less able to use contraception or negotiate safer sex, and therefore run a high risk of contracting, tuberculosis, infection during child birth, cancer, heart diseases sexually transmitted diseases and HIV/AIDS (Heise, Pitanguy & Germaine, 1994). The impact of violence on women's mental health leads to severe and fatal consequences. Battered women have a high incidence of stress and stress-related illnesses such as post-traumatic stress syndrome, unintended pregnancies, gynaecological problems, induced abortions, adverse pregnancy outcomes, including miscarriage, low birth weight and fetal death, panic attacks, depression, sleeping and eating disturbances, elevated blood pressure, alcoholism, drug abuse, and low self-esteem. For some women, fatally depressed and demeaned by their abuser, there seems to be no escape from a violent relationship except suicide. The social and economic costs of violence against women are enormous that they may suffer isolation, inability to work, loss of wages, lack of participa-

tion in regular activities, and limited ability to care for themselves and their children. They may even damage their wombs.

THE ROLES AND EFFECTIVENESS OF GOVERNMENT LAWS ON GENDER VIOLENCE IN NIGERIA

Domestic violence, whether it is committed by individual, groups, government officials, private or state actors, constitutes a violation of human rights. It is the duty of the state to ensure that there is no impunity for the culprits of such violence. Trafficking in women was criminalized in Nigeria by the criminal code in 1904 and the penal code in 1960 (UNESCO,2006) However, the criminal penal codes did not deal with the issue comprehensively enough,(UNESCO,2006) failing to accurately define what constitutes trafficking and leaving its various forms unaddressed. The following states the position of some of the laws applicable in Nigeria vis-à-vis the different aspects of violence against women: the Criminal Code¹ and the Penal Code², Sharia law after the Maliki School, and Customary Laws. Customary Laws vary from place to place in Nigeria. However, on the issue of violence against women the various customary laws in Nigeria tend to agree in many respects.

The National Human Rights Commission of Nigeria established by Decree No. 22 of 1995 is mandated to promote, protect, investigate and monitor human rights violation as well as receive and treats complaints from citizens including children about violations of their rights. The Constitution of the Federal Republic of Nigeria (1999) states discrimination against women is not allowed. The section on Fundamental Human Rights says that a citizen of Nigeria of a particular community, ethnic group, place of origin,

circumstances of birth, sex, religion or political opinion shall not, by reason only that he or she is such a person, be discriminated against. Since the ratification of the United Nations Convention on the Rights of the Child (CRC), the AU Charter on the Rights and Welfare of the Child and other relevant international instruments, Nigeria has instituted various legislative and institutional measures at both the Federal and State levels, aimed at addressing various forms of violence against children. Some recently enacted legislations include:- Edo State Criminal Code Amendment Law 2000; Bauchi State Hawking by Children (Prohibition) Edict of 1985 CAP 58; Cross River State Girl Child Marriages and Female Circumcision (Prohibition) Law 2000; Ebonyi State Law No. 010 (2001) on the Abolition of Harmful Traditional Practices Against Children and Women; Edo State Female Genital Mutilation (Prohibition) Law 2002; The Child's Rights Act (CRA) 2003; Trafficking in Persons (Prohibition) Law Enforcement and Administration Act 2003; The Sharia Penal Codes of Zamfara, Kano, Kebbi, Kaduna and Sokoto States of Nigeria equally protect children against various forms of physical and psychological violence (Federal Ministry of Women Affairs, 2004)

In respect of Female Genital Mutilation (FGM) there is a National Policy and Plan of Action on the Elimination of FGM in Nigeria passed in October, 2002. This Policy views FGM as a form of violence against the girl child and an infringement on children's right to life, health, human dignity and integrity. The Trafficking in Persons (Prohibition) Law Enforcement and Administration Act 2003 provides for the prohibition and prescription of punishment for traffic in persons, particularly women

and children. It also established a National Agency for the Prohibition of Traffic in Persons and other Related Matters (NAPTTP) vesting it with the responsibility for investigation and prosecution of offenders thereof and the counseling and rehabilitation of trafficked persons.

The CRA 2003, in Part III protects children against discriminatory, harmful and exploitative practices. Specifically, Section 21 prohibits child marriage and provides punishment for those who violate this provision and there is liability on conviction to a fine of five hundred thousand naira or five years imprisonment or to both. In November 2013, another bill called Sexual Offences Bill was sponsored making provision for Sexual Offences, their Definition, Prevention and the Protection of all Persons from Harm, Unlawful Sexual Acts, and for Purposes Connected therewith, scaled through the second reading at the Senate Plenary. But despite these numerous instruments to checkmate gender violence so far, how effective have they been?

Though the judiciary has tried to curb this Frankenstein, however there is much to be done. Legal pluralism operates in Nigeria causing confusion and generating controversy. It has left a gap that permits choice of laws. The interests of the woman are particularly affected by the operation of multiple legal systems governing family law in Nigeria. As for the Sharia law, while it protects strangers from being assaulted by a man, it does not protect that man's wife. Depending on the place of residence, type of marriage, ethnic group, or religion, a woman's right and responsibility to marriage, inheritance, ownership and widowhood practices may be governed by one of the systems under discussion. Boundaries of the three family law

systems are complex and the customary laws are not unified. The multiplicity of the applicable legal system has been a problem for the courts that are faced with determining not only the problem of law that is applicable, but which of the several customary laws is applicable. There are further complications because the federal system of government that operates in Nigeria places customary law with the legislative competence of the states but retain federal jurisdiction over statutory marriage. A particular feature in the Nigerian legal system is the attitude of the people. Most disputes involving family law are regarded as private. When contested in public, such disputes are usually taken outside the formal court system, and decided at the village or local administrative level. An example is the native courts or the "Umuadas" in Igbo land and the "odionwere" in Bini land. At such level, precedence is given to the customary law of the people.

However, recent decisions have shown the progressive changes in the higher courts in evoking the principles of natural justice. There are many reasons why family issues are taken before the village administration in preference to the formal courts. These include: High cost of filing papers; Bureaucracy in the formal courts; High legal fees for counsel; and Long and complex procedure of formal courts, double standards of the legislation, influence of political chicaneries, suspiciousness of the government, undependability of the judiciary and sheer rate of corruption.

For example, how many lecturers have faced disciplinary actions for sexual assaults and harassment in their schools without the students' solo efforts? Where is the Deji of Akure, today whose wife's death can be linked to him? Where is the Profes-

or whose act ended the promised future of supposed Engineer, Judith which she pursued for sex for grades? Where is the traditional ruler in Obokun Local Government Area of Osun State who raped a female youth corps member serving in his domain? Where is the Rear Admiral and his cohorts who assaulted one Miss Uzoma Okere? Where is the Governor who came all the way from distant Owerri to Lagos and assaulted a woman identified as Mrs. Elizabeth Udodoh in the presence of her two children in 2008, and finally where are our distinguished Senators, government officials and security custodians who perpetuate these crimes with impunity? Are these not supposed to be tried by a public court? And if they are, they are only asked to pay a token (Soniyi, 2014) and then roam freely on the streets as heroes and conquistador!

CONCLUSION

Gender violence is a common, serious, atrabilious, and sardonic public health problem affecting millions of people each year throughout the world with so many unreported cases. Where they are reported, the victim is tagged as the *casus belli*. It is driven by many factors operating in a range of socio-political, cultural and economic context. It has continued to thrive in the name of paternalistic culture of Nigeria. However, culture is not irrepressible. It is dynamic. In the same way, human consciousness is needed for a cultural change in practices that are discriminatory, oppressive and dehumanizing, especially where it affects the weaker ones—the aged, women and children. All efforts must be made to preserve the positive aspects in all cultures but at the same time global changes must not be ignored. It is conceded that not all global changes are ideal; however, notable changes that do not destroy the fabric of the Nigerian culture,

but are for the well-being and development of the general population should be embraced. In order to achieve the Millennium Development Goals and get to the dream land promised to our ancestors, the constitutional, legal, judicial and electoral frameworks need be more gender sensitive. In a world where millions of children and women suffer sexual violence committed with impunity in the context of conflict, affluence and culture, the message need be made clear "Sexual Violence is a crime against humanity."

The 35 percent Affirmative Action promised to women in the present dispensation and governance is still a chimera. Most Nigerians took to the streets in protest of the late Head of State, Alh. Umaru Musa Yaradua's unofficial absence but who will do same for these helpless women and children? How many female Vice-Chancellors, Deputy Vice-Chancellors, Provost, Ministers, Inspector General of Police, Chief of Staff, among others do we have today in our Institutions and ivory towers? Or why can we not have a man as the Minister of Women Affairs? The question today was asked centuries ago. Who amongst us has not been guilty of romancing with this Frankenstein, knowingly or unknowingly, overtly or covertly, consciously or unconsciously? This Frankenstein called Gender Violence must stop.

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