


Chapter 15

The Politics of Domestic Violence Laws Against Women and the Dignity of Womanhood: An Appraisal of Human Factor Issues in Emerging Polities

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ABSTRACT

Studies on domestic violence against women (DVAW) reveals that the patriarchal and socio-cultural mindset of Nigerians, which tend to dignify the roles of men over women, thus encumbering the full implementation of the laws designed to protect the dignity of womanhood, is at the crux of factors militating against women. With the culture violence theory as theoretical framework for the study, Marilyn's ex-post-facto research method was adopted since the chapter utilized data gathered from previously analyzed studies on the subject of DVAW. Socio-cultural and the lackadaisical behavior of politicians were identified as pertinent factors influencing the rising cases of DVAW recorded, despite the presence of the Violence Against Persons Prohibition Act (VAPPA) laws that prohibit violence against persons in states, a factor impeding most women from attaining their full potential and dignity in African societies. The need to strengthen and increase sensitization about the essence of VAPPA laws and what women and girls stand to achieve by its enforcement were emphasized.

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INTRODUCTION

Background to the Study

Domestic Violence Against Women' (DVAW) has since become an age long phenomenon (Kaur & Garg, 2008) discussed more frequently among human right's scholars, lawyers and activists for over a century now. Hence, issues concerning DVAW are known to cuts across race, religions, culture, and international boundaries with rising cases in the number of women and children who are placed in harm's way every day (Oyediran & Abanihe-Isiugo, 2005; Abayomi, Kolawole & Olabode, 2013). Most scholars argue that reports about cases of DVAW and several other kinds of abuse have become a menace which has eaten deep into the fabric of nations where these cases are rampant. It is reported that this kind of violence is responsible for more of the sudden death cases recorded among women in contemporary societies around the globe (Abayomi, Kolawole & Olabode, 2013). The scenario is worse off for women and young girls living in war torn and crisis infested areas. Such women are more prone to losing their dignity and womanhood to all kinds of violence. Some of the types of violence women are confronted with in include: gang rap, intimidation, all kind of sexual harassments, often leading to the use of women and young girl as instruments of war by rebel's forces that are opposed to the government (Oyediran & Abanihe-Isiugo, 2005). Other kinds of domestic violence meted on women include: female genital mutilation, various forms of physical abuses, forced marriage, sexual assault, and so on (Oyediran & Abanihe-Isiugo, 2005).

The menace of DVAW seems to persist because it has become more like a norm or an acceptable way of life by many African cultures that are largely founded on patriarchal lines. Hence, these cultures accept some forms of violence as measures and avenues for discharging some form of discipline to erring wives and women under their care (Aihie, 2009). Viewed from this perspective, DVAW becomes a function of the very low perception and position which the women folks fall into, considering the hierarchy or status which women in African societies are accorded in their cultures and communities. It has thus been argued that in societies where there are clear cut roles assigned to each gender in a male dominated society, the women folks are often not equipped to protect themselves from the kind of abuse that are often directed at them by their male counterparts. Hence, the World Health Organization (WHO, 2002) observed that husbands who commit battery on their wives do so under the guise of exercising their cultural giving rights by law, to subjugate and conquer their wives any time they fall out of line and go beyond their boundaries in the family or in the society (Kaur & Garg, 2008; Hart, 2015). This kind of violence against the womenfolk is often perceived as the prerogative of the husband to discipline his wife who by nature, is prone to behaving in ways regarded as inimical and a threat to the position of the man who by nature and traditions, is heads of the family in virtually every society. Consequently, such gross acts of indiscipline must be curbed by the husband with appropriate sanctions (Oyediran & Abanihe-Isiugo, 2005; Aihie, 2009).

Would this factor explain why the rate of DVAW in African and in Nigeria in particular, continues to increase? Going by the recent report by CLEEN Foundation who conducted a survey in 2013 on the frequency of the cases of reports on DVAW, the summary of their survey results indicates that the past three years had witnessed an increase (21% in 2011 to 30% in 2013) in the number of cases of DVAW recorded in the country alone (CLEEN, 2013). This implies that Nigeria have one of the highest rates of cases of DVAW in the African continent. Could the lackadaisical behaviour of politicians in the African continent be one of the causes for the rising cases of DVAW reported so far? Could this explain why the

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