

VIOLENCE AGAINST WOMEN: COMMON EXCUSES AND THE COST TO SOCIETY

INTRODUCTION

Violence against women has no age limit or cultural barrier, and indeed females experience various forms of violence through out their lives. As babies they may be malnourished, sometimes tortured to death due to male child preference. Many cultures allow child marriage which leads to child bearing before the girl's body is fully developed. There are cases from all over the world of young girls being frequently sexually abused and defiled, sometimes by relatives and those that are supposed to be protecting them. As women, females are raped, beaten, injured and disfigured and traumatized through all manner of behaviour and practices. Five International Legal Instruments deal extensively with the issue of violence against women. They include: the Declaration of the Elimination of Violence Against Women, adopted by the UN General Assembly in 1993, the Platform for Action from the United Nations fourth World Conference on Women held in Beijing, the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) 1979, the Universal Declaration on Human Rights 1945, the Vienna Declaration and World Conference on Human Rights 1993. All establish that any form of VAW is an abuse of their human rights.

There are various dimensions of Violence against Women as the following definition in the Beijing Declaration and Platform for Action shows: *“any act of gender based violence that results in or likely to result in physical, sexual, or psychological harm or suffering to women including threats of such acts, coercion or arbitrary deprivation of liberty whether occurring in public or private life”*. Violence against women can happen anywhere, on the street, in the work place, at home or at school. There is also systemic violence in which certain acts of violence against women are accepted as part of cultural or traditional practices. Patriarchy made man the centre of society right from the level of family unit to the larger public sphere; consequently authority is derived from the male. By this system the female child was first her father's property and then later her husband's. In the olden days any female that tried to escape that destiny was punished and some tortured to death. This is still going on silently in some communities. The implication of all these is that patriarchal ideology used and still uses violence as an instrument of power; violence helps the powerful to maintain the status quo. Women are assigned subservient roles, and they are expected to be submissive, while men are assured of positions of dominance both in the private and public spheres. At the earliest opportunity boys and girls are socialized to regard the female as inferior and the male as superior. This attitude is played out daily at different levels of social life, and where there seems to

be any difficulty in asserting or accepting the rule, the dominating party or the party that feels 'righteous anger' can, and quite often does resort to violence.

VAW and HIV/AIDS

Violence against Women (VAW) is a scourge that is increasingly assuming alarming dimensions. It has recently been established that there is a link between women's higher predisposition to HIV/AIDS and VAW. In 2003 it was estimated that 17 million of the 37.5 million people afflicted with the virus were women. Today, 58% of adults living with the pandemic in sub-Saharan Africa are women; and 2/3 of young people who are infected are also females. Globally, over 50% of people currently infected are women and girls. Back here in Nigeria, a sero survey carried out by the Ministry of Health estimated that of the 3.3 million people that tested positive, 1,900,000 or 57% were women. That women and girls are at higher risk of being infected than males is no longer a matter for speculation. Several factors have been identified as responsible for this. They include cultural practices such as female genital cutting and male dominance in society with its attendant denial of access to reproductive health information for women. Among the cultural factors are also harmful marriage practices; for example young girls being given in marriage to old men with whom they cannot negotiate safe sex as a result of the inhibitions and respect; and there is also polygamy which poses a lot of challenges. Apart from the cultural, there is also commercial sex work and violence against women. Of all the factors that predispose women to HIV/AIDS violence is continuously assuming alarming proportions.

The concern over sexual violence has become more frantic with the spread of HIV/AIDS and reports that rape is increasingly featuring in cases of armed robbery. The social stigma attached to rape makes it an invisible crime which also threatens to frustrate the fight against HIV / AIDS.

EXCUSES FOR VIOLENCE AGAINST WOMEN

Case studies of domestic violence carried out by Gender and Development Action (GADA) show that the abuser often believes that there is a justifiable reason for his or her action. This belief in 'righteous anger' is usually strong in cases of domestic violence, especially wife battering. And the bad news is that many law enforcement agents tend to share the view that women invite physical violations by what they do or fail to do as daughters, wives and mothers whose behavior must at all times must mirror societal values. In other words, there is always the tendency to blame the victim of VAW, as it is the case in many other aspects of discrimination or suppression of women. One strong issue in domestic violence is the reluctance of female victims to report to the Police. This is attributed not just to the feeling of humiliation and fear of stigmatization but also the antagonistic response or at best indifference of

the law enforcement officers charged with receipt of complaints. This negative mind set largely accounts for the mismanagement of domestic violence cases by the police and is also responsible for the culture of keeping silence over abusive personal relationships.

Case studies show that there are many excuses for VAW. They fall under five main categories namely; economic, socio- cultural, psychological, religious and sexual.

Economic

- Request for maintenance money for the family
- Unemployment
- Attempts to keep and control the woman's income

Socio –cultural

- Belief in the inferior status of the woman as the man's property
- Attempts by the woman to assert herself
- Cultural and traditional practices e.g. widowhood rituals or other cultural ceremonies/practices, Female genital cutting; forcing woman to swear oaths of fidelity, high incidence of birth to females
- Barrenness
- Polygamy
- Squabbles with extended family
- Societal tolerance of violence from men as way of wife chastisement
- Disapproval of dress style or make –up
- Use of foul or strong language by partner
- Keeping company unapproved by the man
- Alcohol, drug and or substance abuse

Psychological/Ego

- Self doubts/ inferiority complex on the part of the man
- Emotional or other form of insecurity on his part
- Raw assertion of manhood/exercise of power
- Feeling insulted
- Wife's wealth or exalted position in society

Religion

- Disapproval of wife or partners religious beliefs
- Disapproval of frequent attendance at religious activities
- Involvement of either spouse in cult activities

Sex

- Rebuffing sexual advances or refusing to enter into a relationship
- Termination of a relationship
- Excessive sexual demands
- Frigidity
- Refusal of incestuous relationship
- Adultery/infidelity or suspicion of it

COST OF VAW

Violence against Women is as much a serious cause of death and disability among women of reproductive age as cancer, and a greater cause of ill health than traffic accidents and malaria combined. In the United States alone, VAW costs businesses up to \$1000m a year in lost wages, sick leave and non-productivity. All over the world irrespective of culture and religion, women are suffering physically and emotionally from different forms of violence. In Russia, 12,000 women die every year as a result of domestic violence. In Pakistan, the Human Rights Commission of that country says 80 percent of women there are victims of domestic violence. In South Africa, 49,280 cases of rape were reported in 1998 while the Non-governmental Rape Crisis Centre asserts that the actual number of rapes is higher since many incidents go unreported. In Bangladesh the killing of women by their husbands accounts for 50% of murders. In Peru, the National Police received 28,000 report of domestic abuse around the same period while in the United States, the Centre for Disease Control reports that at least 1.8million women are assaulted every year by the men in their lives. Also, a 1999 Government report in the United States indicates a serious problem of sexual abuse of women in State and Federal Prisons. And in Nigeria reports show that many babies are conceived, born and raised inside prison cells. A survey undertaken by the National Institute of Statistics in Metropolitan Lima shows that no less than 82 percent of the 2,460 women interviewed said that they knew someone who had suffered some kind of domestic abuse within the preceding twelve months.

Annual reports on VAW by Project Alert here in Nigeria show that there is a steady increase in violent attacks on women. A total of 169 cases were documented in the 2002 - 2003 report as against 142 for the two previous years. A breakdown of this number indicates that domestic violence / murder had 40 cases, rape / sexual assault 32, assault / murder 73, acid baths 3, kidnap / abduction 21.

INTERNATIONAL FIGHT AGAINST VAW

The United Nations Development Fund for Women (UNICEF) took bold steps to fight VAW in 1998. It initiated regional campaigns aimed at creating awareness on VAW and thereby changing attitudes that trigger the violations. The first campaign which was launched in Latin America and the Caribbean brought together United Nations agencies, top national and regional NGOs, 22 governments and thousands of community –based groups. The success of this first outing encouraged UNIFEM to carry the campaign to Africa, Asia and the Pacific. And in the Caribbean, a protocol for cooperation between Women’s Crisis Centres and the police

has been developed with the aim of improving response and treatment in cases of VAW. In Brazil, UN agencies in partnership with government and civil society have launched an “Intra-family pact for Non-Violence”, a national commitment to eliminate VAW.

In India, 40,000 posters detailing women’s rights were pasted in 14 official languages for distribution to every police station in the country, helping to restate that ignorance of the law and women’s rights is no longer an excuse for turning a blind eye to violence against women. In Kenya, South Africa and many other countries, the regional campaign stimulated unprecedented numbers of men to join together to march and speak out against gender-based violence.

Senegal was the first to enact a groundbreaking law banning the practice of female genital cutting (FGC). Some States in Nigeria notably Cross-River, Edo and Lagos now have similar laws. NGOs have taken advantage of the 16 days activism on VAW that comes up from November 24 to December 10, every year as another strategy to keep the issues in VAW alive at international and local levels.

COLLABORATIVE MANAGEMENT OF DOMESTIC VIOLENCE CASES

For the past six years GADA has been more concerned with domestic violence especially police management of cases that are reported to them. Domestic violence in Nigeria is a cause for special concern because of the complex nature and dimension that makes it almost invisible. Our priorities therefore have been to bring domestic violence out of the closet, search for effective ways to convict offenders and give necessary justice and succor to the victims. GADA is working in the area of institutional reforms. Through series of interface and training workshops for the police and other security agencies, we have come to a greater understanding of the nature of domestic violence cases and the peculiar cultural emotional, social and legal constraints affecting the processing of such cases. In many instances these constraints end up denying victims their rights to justice and also send the wrong signals to would be offenders. More importantly, we have also realized the need for a human approach to handling these cases that touch the core of the family value system. Conscious of the disruptive potential of domestic violence on family life and the larger society, our strategy is a two pronged approach that aims at changing the attitudes and practices, the unequal gender relations that foster violence and at the same time facilitate the creation of a more friendly and responsive environment for the receipt and processing of reported cases.

The first is a sensitization / training programme for future husbands and wives, heads of families the youths in tertiary institutions. The second is the collaborative establishment of Family Welfare Centres at designated

police stations for the exclusive handling of cases of domestic violence. Some of the unique features of this initiative include confidentiality, counseling, First Aid and legal aid. This may be new in Nigeria, but groups in other parts of the world have already started experimenting in partnership strategies with the police. It is encouraging that some other organisation working in collaboration with the Police has been able to establish human rights desks at the Divisional offices. It is also heart warming that Section 2 of the Domestic Violence Bill before the National Assembly which binds *“a police officer to assist a complainant of domestic violence either at the scene of the incident or when it is reported, either to find a suitable shelter and obtain medical treatment, or to explain to the complainant the remedies available to the complainant and the right to lodge a criminal complaint if applicable”*, is in tandem with the goals of the proposed Family Welfare Centres. The main problems here in Nigeria are the bureaucratic bottlenecks and the increasing difficulty in accessing funds for this type of project. When passed, the Domestic Violence Bill before the National Assembly will further give legal backing to the project especially for the involvement of the police and it is hoped that the police Authorities will rise to the occasion. We are encouraged that the bill defines domestic relationship in such terms that include non-blood and non marriage relationships embracing lovers, house helps servant and wards; this will give a backing for interventions that have a wider scope. Here in Lagos State, the Legislative Advocacy Coalition on Violence against Women (LACVAW) is working with other organizations to see the passing Domestic Violence Bill which is before the House.

In conclusion, I want to emphasize that the greatest obstacles to the fight against VAW in Nigeria are the veil of secrecy and the lapses in the existing laws. Whatever strategies we adopt for the war against VAW we must continue programmes that will encourage victims to report and it is our duty to ensure that the laws are not discriminatory or couched in such terms that make it impossible for victims to obtain justice.