



Towards Positive Enforcement Of Laws Against Domestic Violence In Nigeria In Protecting Women's Human Rights: Lessons From Brazil

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ABSTRACT

This paper focused on the positive enforcement of laws against domestic violence in Nigeria and especially draws attention to the lessons that can be gleaned from the legal framework and implementation practices in Brazil towards the protection of women's human rights. It is trite that across the globe, women's activism has been a major driving force in the development of measures to address the issue. The respect for women's rights and a rejection of domestic violence is becoming more pronounced in different countries. Adopting a doctrinal research method, this paper therefore looked into positive implementation practices in Brazil, and how they affect the culture of domestic violence. It is the position of this paper that enforcing the Violence against Person (Prohibition) Act 2015 and the domesticated State laws require the public to be aware of the existing laws, as people cannot defend a right they do not know or believe that they have, especially in a country where illiteracy, ignorance of the law and poverty are rife. The paper found that following several enacted laws in Brazil, the Brazilian government, institutions and agencies have taken further implementation strategies to ensure the success of their laws. Furthermore, it was found that the Brazilian domestic violence legislations encouraged activists and the media to spotlight domestic violence instances and e-campaigns; with activists helping to shift public opinion and ignite a movement committed to ending the normalisation of violence against women. The paper therefore concluded and recommended amongst others, legal amendments, and the need for a specialized court on domestic violence in Nigeria.

Keywords: Domestic Violence, Human Rights, Women's Human Rights

1.0 INTRODUCTION

Issues that affect women reveal themselves in different experiences, different economies, and different ethnic locations, as they do not have a universal application. It is in the light of the obvious relativism of experiences that States are encouraged to adopt new and peculiar ways to dialogue and adopt new models for a discourse of differences in order to argue for the pursuit of women's human rights and justice based on each society's distinctiveness.¹ There is a rise in the use of human rights departments by feminists to

¹ C Kumar-D' Souza 'The Universality of Human Rights Discourse' in A Gnanadason, M Kanyoro and LA McSpadden (eds), *Women, Violence and Nonviolent Change* (WCC Publications, 1996) 30-31.

press for change against incidents of discrimination against women. The absence or denial of rights is seen as the root cause of vulnerability to violence.²

Since law itself is subject to evolution alongside its subjects, it stands to reason that it would undergo a constant process of revision in response to the changing nature and problems of society. Any rewritten or new legislation must adhere to constitutional principles or be nullified.³ However, without additional measures, laws against the culture of domestic violence such as the existing Violence against Persons (Prohibition) Act 2015 and domesticated legislations in different States in Nigeria will not eradicate domestic violence. Patriarchal nuances and sexism in both the law and social thinking must be eliminated. Domestic violence legislation must support victims and survivors within families and networks; back the efforts of victim advocates, service providers, health care providers, the legal system, and the leadership of survivors in working to end domestic violence, as well as push for more ways to infuse enforcement through people, communities, and institutions.

The international community continues to call for respect for women's rights.⁴ Humanity's eternal need for respect, freedom, and progress is reflected in the push for universal human rights. While much progress has been made toward the progressive actualization of human rights for all peoples,⁵ nations, and individuals since the Universal Declaration of Human Rights was first drafted, many universal human rights continue to be denied and violated by domestic violence. Domestic violence can be managed and eliminated with positive legal enforcement measures. This paper considers the issue of enforcement of domestic violence legislation. It looks into positive implementation practices in Brazil, and how this affects the culture of domestic violence. Human rights professionals are crucial in the legislative enforcement process, since they help to both enhance and safeguard cultural diversity. The fight for women's right protection against domestic violence is not of law alone but requires positive attitudinal changes to issues of women's rights.

2.0 Defining Domestic Violence

Domestic Violence has been defined in various ways according to circumstances.⁶ Under the Violence against Persons (Prohibition) Law 2020 applicable in Rivers State, Nigeria,⁷ it 'includes any act carried out on a person in a domestic relationship causing harm or the fear of harm to the person.'⁸ It is generally agreed that domestic violence encompasses a wide range of violent acts, including physical attacks, blows, beatings, shoving, aggressive behaviours, and maltreatment, most of which occur in private settings at home and are hidden from public view.⁹ Domestic violence occurs when a parent, household

² *Ibid.*

³ Convention on the Elimination of All Forms of Discrimination Against Women 1979, art 3; FN Ndubuisi and OC Nathaniel, *Issues in Jurisprudence and Principles of Human Rights* (FN Ndubuisi & OC Nathaniel, 2002) 74; S Anuja, *Rights of Women against Domestic Violence-The Law and Emerging Challenges* (Thesis submitted to the Cochin University of Science and Technology for the award of the degree of Doctor of Philosophy in the Faculty of Law, School of Legal Studies, Cochin University of Science and Technology Kochi-682 022, Ernakulam, Kerala, August 2013) 75; A Hussein, *Some Times There Is No Blood: Domestic Violence and Rape in Rural Srilanka* (International Centre for Ethnic Studies Report; Sri Lanka, 2000) 10; Amnesty International, *It's in Our Hands-Stop Violence Against Women* (Amnesty International Publications, UK, 2004) 69.

⁴ AM Ahmed and Others, 'Domestic Violence: With Emphasis on International Cultural and Societal Variations' [2016] (4) (1) *Majmaah Journal of Health Sciences*, 61 at 67; C Kilmartin, 'Men's Violence Against Women: An Overview' in AJ Johnson (ed), *Religion and Men's Violence Against Women* (Science+Business Media, New York, 2015)17; IP Enemo, 'Effectiveness of Nigeria's International Obligations in Curbing Domestic Violence' [2018] (1) *NAUJILJ*, 3.

⁵ N Hoang, 'Human Dignity and Fundamental Freedoms –Global Values of Human Rights: A Response to Cultural Relativism' SSRN (December 10, 2008) 36.
<https://papers.ssrn.com/sol3/Delivery.cfm/SSRN_ID1317071_code1153485.pdf?abstractid=1314288&mirid=1> accessed 20 July 2023.

⁶ V Berry, and Others, *Building Effective Responses: An Independent Review of Violence against Women, Domestic Abuse and Sexual Violence Services in Wales* (The Connect Centre, University of Central Lancashire, Welsh Government Social Research, 2014); G Stratemeyer, 'Domestic Violence Theories and Mediation' *Academia* (May 2019)
<https://www.academia.edu/39141365/Domestic_Violence_Theories_and_Mediation_Domestic_Violence_and_Mediation> accessed 20 July 2023.

⁷ Rivers State Violence against Persons (Prohibition) Law 2020 (VAPPL).

⁸ BA Garner, *Black's Law Dictionary* (8th edn, West Publishing Company, 2004) 1801.

⁹ Enemo (n4) 1.

member, or former household member causes physical injury to a household member or causes the household member to reasonably believe that physical injury or harm may be inflicted.¹⁰ It is carried out by persons in domestic relationships.¹¹

The extent to which the government is responsible depends on how broadly the term ‘domestic violence’ is interpreted. As the scope of domestic violence is expanded by any legislation, so too does the scope of governmental responsibility.¹² Despite the fact that the Declaration on the Elimination of Violence against Women 1993 is a non-binding international instrument, local law in Nigeria, such as the Violence against Persons (Prohibition) Law 2020, requires adherence to its provisions.¹³ Physical, sexual, and psychological violence against women are all explicitly named in the Declaration, along with other forms of sex-based oppression.¹⁴ According to the Centre for Family Justice, there are various types of domestic violence, including direct physical contact,¹⁵ the use of emotional and psychological violence, abusive financial or economic practices, harassment and stalking, assault of a sexual nature,¹⁶ and cultural norms that have a negative impact on women's health and wellbeing.¹⁷

3.0 International Call for Enforcement of Laws against a Culture of Domestic Violence

The respect for women's rights and a rejection of domestic violence is becoming more pronounced in different countries. In *Opuz v Turkey*¹⁸ where the applicant's mother was murdered after years of abuse by the applicant's husband, the European Court of Human Rights held that Turkey failed to exercise due diligence. The court ruled that Turkey's refusal to immediately initiate criminal proceedings or issue protective orders amounted to a violation of customary international law, since it amounted to a denial of the applicant's right to life and freedom from torture or ill-treatment.¹⁹

Human rights have always given minimal importance to addressing domestic violence against women. Historically, States have been hesitant to take on formal violence that has its roots in cultural norms, religious beliefs, or historical practises.²⁰ Although domestic violence is just one class of assault millions of women face every year, it is incredibly common.²¹ All forms of domestic violence against women are

¹⁰ Garner (n8) 1601.

¹¹ VAPPL 2020, s 44.

¹² VN Azu ‘Cultural Ideology and Domestic Violence against Women in South-Eastern Nigeria’ [2020] (25) (10) (5) *IOSR Journal of Humanities and Social Science*, 63; Stratemeyer (n6).

¹³ EM Misiaveg, ‘Important Steps and Instructive Models in the Fight to Eliminate Violence Against Women’ [1995] (52) (3) *Washington and Lee Law Review*, 1109.

¹⁴ CFJ, ‘What is Domestic Violence?’ *The Center for Family Justice* <<https://centerforfamilyjustice.org/faq/domestic-violence/>> accessed 20 July 2023.

¹⁵ AO Alenkhe and CM Akhigbe, ‘Domestic Violence: Victimization against Who in Benin City, Nigeria’s [2020] (3) (3) *International Journal of Management, Social Sciences, Peace and Conflict Studies (IJMSSPCS)*, 109-120, 109.

¹⁶ CFJ (n14).

¹⁷ Azu (n12) 61; CFJ (n14).

¹⁸ *Opuz v Turkey*, Application no. 33401/02, Council of Europe: European Court of Human Rights, 9 June 2009 <<https://www.refworld.org/cases,ECHR,4a2f84392.html>> accessed 20 July 2023.

¹⁹ *Ibid*; WOMEN'S Link Worldwide, ‘Turkey, European Court of Human Rights Opuz v. Turkey DATE 09-06-2009’ *WOMEN'S Link Worldwide* <<https://www.womenslinkworldwide.org/en/files/2966/gjo-echr-opuz-en-pdf.pdf>> accessed 23 July 2023.

²⁰ World Conference on Human Rights, Viena Declaration and programme of Action, para.4, 1993; United Nations Department of Public Information DPI/2035/D-mai2000, Violence against Women, Facts Sheet no.4 <www.un.org/womenwatch/daw/followup/session/presskit/fs4.htm> (based on Review of the Implementation of the Beijing Platform for Action: Report of the secretary-General, U.N. Doc.E/CN.6/2000/pc/2) accessed 20 July 2023; I Brownlie and GS Goodwin-Gillate, *Basic Documents on Human Rights* (5th edn, Oxford University Press, 2006) 140.

²¹ S Paul, ‘Combatting Domestic Violence through Positive International Action in the International Community and in the United Kingdom, India, and Africa’ [1999] (7) *Cardozo Journal of International and Comparative Law*, 227; University of Oslo, Faculty of Law, *State Responsibility and International Human Rights. A Case of Domestic Violence against Women in Norway* (University of Oslo, Faculty of Law, Candidate number: 503524, December 2012) <<https://www.duo.uio.no/bitstream/handle/10852/35938/1/HUMR5200-EmmaxGabrielxAlexander.pdf>> accessed 23 July 2023.

matters of legitimate concern of the international community, and States have obligations under international human rights law to combat this problem, if violence committed by non-state actors, including violence committed in the private domain, is qualified as a human rights issue.²²

With an appreciation of cultural differences, it stands to reason that people's perspectives on relationships and domestic violence might be influenced by their upbringing, which in turn can affect how they treat and interact with victims.²³ Additionally, recognising underlying cultural components in a domestic violence dynamic can influence best practises when working with survivors of domestic violence. It is possible to show more empathy and compassion for victims and survivors of domestic violence within cultural norms when one has a firm grasp of the nuances of cultural diversity around the world.²⁴ Understanding the mechanisms that engage with victims of domestic violence requires an awareness of cultural norms and distinctions.

Some countries and social organisations within various countries have used cultural grounds for limiting women's human rights in order to protect cultural tradition.²⁵ It is not just the government that is using culture as an excuse to limit women's rights, but social groupings within numerous countries are doing the same thing.²⁶ There is a lot of legal writing, standard setting, and programme planning going on, according to former Special Rapporteur on Violence against Women; Radhika Coomaraswamy, but the major difficulty is that people are using culture and religion to deny women's rights.²⁷ Thus despite the presence of prohibiting laws in most countries, the enforcement of these laws against domestic violence is low, slow and shows little result in eradicating violence against women. What steps have some counties taken to boost enforcement by women, institutions, and special persons? Any approach to tackle violence must address the root of the abuses, in addition to serving the immediate needs of victims.

This requires renegotiating the power dynamic between women and men at all levels of society and confronting the social attitudes and ideas that underpin men's violence. The petitioner in *Jessica Lenahan (Gonzales) Et Al. v. United States*,²⁸ was a domestic violence survivor whose estranged husband violated a restraining order and kidnapped her three daughters, a situation that ended in the death of the girls after the mother made numerous calls to the local police department.²⁹ The Inter-American Commission on Human Rights concluded that the United States of America failed to be cautious in safeguarding Jessica and her daughters from domestic violence.

4.0 Positive Efforts to Enforce Laws Against Domestic Violence in Brazil

Domestic violence in Brazil takes numerous forms, and experts blame a culture of violence on a socialization process in which men are educated to think they can control women and women have little independence in society. Violence against women in Brazil is fueled by a Latin 'macho' mentality and a violent society,³⁰ and the Brazilian saying "*Em briga de marido e mulher, ninguem mete a colher*"³¹ meaning "You should not meddle in husband-wife arguments" fuels female subjugation. Feminists

²² United Nations, *Women's Rights are Human Rights* (United Nations Publication, 2014) 75.

²³ A Matos, 'Domestic Violence and Culture: How Cultural Perspectives Impact How We Understand Domestic Violence' *Genesis Women's Shelter and Support* (November 17, 2020) <<https://www.genesisshelter.org/domestic-violence-and-culture/>> accessed 20 July 2023.

²⁴ Matos (n23).

²⁵ WEMC, Rejecting 'cultural' justifications for violence against women: Strategies for women's rights advocates (A Strategy Paper by the Research Programme Consortium on 'Women's Empowerment in Muslim Contexts: Gender, Poverty and Democratization from the Inside Out' - WEMC) 4.

²⁶ WEMC (n25).

²⁷ United Nations (n22) 76.

²⁸ Case 12.626, Inter-Am Comm'n H.R., Report No. 80/11(2011).

²⁹ *Ibid*; RJA McQuigg, 'Domestic Violence and the Inter-American Commission on Human Rights: Jessica Lenahan (Gonzales) v United States' [2012] (12) (1) *Human Rights Law Review*, 122.

³⁰ TP Ávila, 'Facing Domestic Violence against Women in Brazil: Advances and Challenges' [2018] (7) (1) *International Journal for Crime, Justice, and Social Democracy*, 17.

³¹ B McLoughlin, 'Female and Fed Up: Tired of being beaten and abused, Brazil's women are fighting back online' *U.S. News and World Report* (October 20, 2016) <<https://www.usnews.com/news/best-countries/articles/2016-10-20/in-brazil-online-activists-fight-violence-against-women>> accessed 20 July 2023.

lobbied the Brazilian Parliament to pass the Maria da Penha Law no. 11.340 in 2006 following Penha's case.³² Until August 7, 2006, the laws said nothing about the danger of domestic violence.

Article 9 of the Maria da Penha Law 2006 seeks to achieve, among other things, the provision of specialised police assistance for women in educational, public, and societal settings; the training of the Civil and Military Police on gender and race or ethnicity issues; and the promotion of educational programmes that disseminate ethical values.³³ Every woman experiencing domestic violence is entitled to the services of Public Defense or Free Judiciary Assistance, and she must be accompanied by an attorney during all civil and criminal procedural acts. Courts for Domestic and Family Violence against Women established pursuant to Title V, article 29 of the Maria da Penha Law 2006 rely on a multidisciplinary assistance team composed of specialists with expertise in the psychosocial, legal, and health fields.

Furthermore, in order to combat domestic and family violence against women across Brazil's national territory, the Law No. 14,188, which specifies the cooperative programme 'Red Signal' against domestic violence, came into effect on July 28, 2021. The legislation revised the Maria da Penha law of 2006. The *sinal Vermelho*, or the act of drawing a "red X" on one's palm to indicate domestic violence, became officially recognised as one of the actions taken to combat violence against women thanks to the revision of Law No 14,188.³⁴ The Red Signal Program Law No. 14,188 revised the Penal Code to establish a new criminal classification of law or psychological violence against women and to include a punishment for simple physical damage perpetrated against women on the basis of their gender. Article 2 of Law No. 14,188 establishes the Red Signal Program against domestic violence and authorises the integration of the executive and judicial branches, public prosecutor's office, public defender's office, public security agencies, and private entities in accordance with the Maria da Penha Law 2006.

If they are to provide aid and protection to the victim from the moment she announces her need for help, these organisations must immediately establish a communications channel with private companies across the country participating in the programme. According to the plan, the sufferer can reach out for assistance by drawing an X on her palm, preferably in red. Government support in Brazil helps to combat Domestic Violence. Jair Bolsonaro signed Law No. 14,232, the National Policy of Data and Information Related to Violence Against Women, on October 28, 2021.³⁵ This policy unites, organises, systematizes, and shares violence against women data. The Brazilian National Policy on Data and Information Related to VAW (PNAINFO) integrates executive, legislative, and judicial databases that help women in violent situations and transparently produces and manages Violence Against Women data. Updated and reliable statistics encourage public participation and critical review of Violence Against Women programmes.³⁶

The Brazilian National Justice Council (CNJ) advises victims to show the red X signal on her palm to an attendant at any of the 15,000 pharmacies, city halls, judicial bodies, and Bank of Brazil branches across the country that are taking part in the campaign. This will prevent the aggressor from noticing the signal.³⁷

The attendant, in a calm and collected fashion, uses the available resources to take down the alleged victim's name, phone number, and address, contacts the Military Police, and, if possible, transports the victim to a designated area to wait for the police. The Government and non-state actors have adopted several strategic efforts to help the Maria da Penha Law survive in a culture hostile to women. The Maria da Penha Law 2006 considers all violence against women a violation of human rights and sets prevention, victim protection, and criminal processes.³⁸ The 2006 Domestic Violence and Special Justice Court

³² Maria da Penha Law Law no 11.340 of August 7, 2006; Ávila (n31).

³³ *Ibid*, Chap IV, Arts 27, 28 (Judiciary Assistance).

³⁴ Red Signal Program Law No. 14,188 of 2021, art 1.

³⁵ Library of Congress, 'Brazil: National Policy on Data and Information Related to Violence Against Women Created' *LOC* (2021) <<https://www.loc.gov/item/global-legal-monitor/2021-11-18/brazil-national-policy-on-data-and-information-related-to-violence-against-women-created/>> accessed 20 July 2023.

³⁶ Lei No. 14.232, art 1; PNAINFO art 2 (I)–(III).

³⁷ Red Signal Program Law No. 14,188 of 2021, art 4.

³⁸ Ávila (n31).

handles all domestic offences. The 2015 Femicide Law criminalised femicide, and Law 14,188 of 2021 banned psychological gender-based violence.³⁹

The Maria da Penha Law 2006 called for interdisciplinary, transversal, and integrated justice, police, social assistance, health, education, employment, and housing policies. It previewed school prevention initiatives and social efforts. The 2003-founded National Secretary of Women's Policies coordinates federal, state, and local gender violence efforts.⁴⁰ The 2011 'National Pact to Face Domestic Violence' proposes a network of services, including specialised women's centres, shelter houses, women-only police stations, Domestic Violence departments for legal aid, prosecution offices, and Magistrates Courts, the National Gender Violence Hotline ('call 180'), Domestic Violence health services, and immigration support services.⁴¹

Gender violence marches have increased since the Maria da Penha Law encouraged activists and media to highlight domestic violence cases and e-campaigns and disseminate online. Brazilian culture now inspires a new generation of tech-savvy female activists to fight female violence.⁴² Brazil divides female murder victims by race. Black women are murdered almost twice as often as white women.⁴³ The Maria da Penha Law 2006 challenged the concept that intimate partner violence is private. In an authoritarian and punishing country, using the criminal law to acknowledge human rights breaches and change society has immense symbolic power. Due to government policies and Non-Governmental Organisations' involvement, Brazil's femicide and domestic violence rates have dropped.⁴⁴ Conservatism makes Maria da Penha Law implementation and evaluation harder. Despite its limitations, the Maria da Penha Law has laid the groundwork for a revolutionary problem-oriented judicial system integration in Brazil. Brazil has women-only police stations, the House of the Brazilian Woman, specialty courts, and prosecution offices.⁴⁵

Law No. 14,188, the Cooperative Red Signal Program Against Domestic Violence, requires community and police cooperation. According to Maria da Penha Law, Article 2 of Law No. 14,188 permits the governmental and judiciary departments, Public Prosecutor's Office, Public Defender's Office, public security agencies, and commercial organizations to promote and implement the Red Signal Program against Domestic Violence to support women victims of Domestic Violence.⁴⁶ Maria da Penha Law involves an education campaign and continual training of program experts to connect the victim to local specialized care.⁴⁷ Criminal, civil, labor, and employment laws address domestic violence. Furthermore, Brazil enforces community law. Brazilian markets, barbershops, and streets fight domestic violence.⁴⁸

The Hands committed against violence programme, created in 2017 in the Brazilian central-west state of *Mato Grosso do Sul*, trains professionals in beauty salons to identify and help victims of domestic violence. But the court remains the last hope for the Brazilian woman. The Maria da Penha Law creates first-instance Courts of Domestic and Family Violence Against Women with judges experienced in family-related criminal and civil cases (alimony, separation, and custody of children). Judges must understand Violence Against Women (physical assault, injury, rape, threat, intimidation, theft, and related civil and family concerns) committed by a man or woman in at least one of three situations: familial, domestic, or intimate.⁴⁹

³⁹ *Ibid.*

⁴⁰ MPL 2006, art 8, item I, II.

⁴¹ Ávila (n31) 18.

⁴² T Moraes, 'Government, NGOs Uproot Culture of Domestic Violence in Brazil' *Global Press Journal* (September 10, 2012) <<https://globalpressjournal.com/americas/brazil/government-ngos-uproot-culture-of-domestic-violence-in-brazil/>> accessed 20 July 2023.

⁴³ McLoughlin (n32).

⁴⁴ McLoughlin (n32).

⁴⁵ Ávila (n31) 25.

⁴⁶ Red Signal Program Law No. 14,188 of 2021, art 2.

⁴⁷ *Ibid.*, art 3.

⁴⁸ B McKenzie, *Fighting Domestic Violence- Brazil* <<https://resourcehub.bakermckenzie.com/en/resources/fighting-domestic-violence/latin-america-and-the-caribbean/brazil/topics/1legal-provisions>> accessed 20 July 2023.

⁴⁹ McKenzie (n49).

The Maria da Penha Law 2006 eliminated required conciliation hearings before criminal proceedings to encourage victims to dismiss accusations for "pacification of conflict." When procedural conditions are met, the Maria da Penha Law indirectly forbids plea negotiations, necessitating prosecution. The judge may arrest a criminal who breaches an intervention order. The Maria da Penha Law required criminal rehabilitation instead of fines or donations. Despite uncertain legislation, some legal interpretations allow obligatory intervention orders to attend these programs.⁵⁰ Research indicated that police inquiries and requests for protective measures are the fastest way to help domestic violence victims. Protective measures cannot be given without sufficient proceedings, delaying them and endangering women.⁵¹ Maria da Penha Law implementation is tough despite the new law's benefits.⁵² At the end of 2016, the Nationwide Council of the Prosecution Office created a national domestic violence database, which began accepting data in 2017. Defining the service network is complicated and rarely studied. Lack of service provider integration reduces women's demand, leading some stakeholders to think the services are ineffective. Maria da Penha Law execution and adequacy are challenged. So, there is constant need for improvement.

6.0 Tackling Domestic Violence through Legal Enforcement: Lessons for Nigeria

Culture changes with time, adjusting to fit the conditions under which it exists. Given the fluid nature of culture, Africans have had to adapt to a wide range of cultural shifts and their subsequent effects. Both the analysis of modern African cultures and the advancement of women's rights share a focus on the impact of Christianity, colonialism, westernisation, industrialization, and modernity. As a result of these ideas and beliefs, the status of women has undergone rapid transformation in Nigeria.⁵³

Enforcing the Violence against Person (Prohibition) Act 2015 and the domesticated State laws require the public to be aware of the existing laws. People cannot defend a right they do not know or believe that they have, especially in a country where illiteracy, ignorance of the law and poverty are rife. Preventative education programmes in Brazilian schools and public awareness campaigns against domestic violence were made possible by the country's Minimum Policy Law. In order to educate the public on how they may help end domestic violence against women. Information and data about administrative records and specialised services related to women in situations involving violence, as well as public policies that combat violence against women, were stored in the PNAINFO used in Brazil as an electronic Unified Registry of Data and Information about violence against women, established under the Maria da Penha Law. The register entries detailed incidents, cases, victims, and perpetrators.

The Maria da Penha Law encouraged activists and the media to spotlight domestic violence instances and e-campaigns, and spread over the Internet, and Brazilian activists and Non-Governmental Organisations frequently used marches against gender violence. This helped shift public opinion and ignite a movement of activists committed to ending the normalisation of violence against women. Additionally, Brazil has delegated to local governments the duty of safeguarding women from domestic violence. Streets, markets, beauty parlours, and barbershops are all front lines in Brazil's fight against domestic violence.⁵⁴ After decades of military control in Brazil, women began to organise in the country in the late 1970s. By the 1980s, as part of the country's re-democratization, the first Police Station for Women's Defense was established in the city of So Paulo. It was Brazil's first major public policy change aimed at giving victims of domestic violence easier access to the legal system. Eventually, news of this success made its way to countries like Bangladesh, India, Peru, and Costa Rica.⁵⁵

In Brazil, shelters for battered women have also served as a tool to combat domestic violence. As part of their duties as judicial police, stations are responsible for keeping crime records, publishing "occurrences

⁵⁰ C Sardenberg, *What Makes Domestic Violence Legislation More Effective?* (Pathways Policy Paper, October 2011, Brighton: Pathways of Women's Empowerment RPC) 8.

⁵² *Ibid.*

⁵³ *Ibid.*

⁵⁴ T Falola, *The Power of African Cultures* (University of Rochester Press, 2003) 250.

⁵⁵ Law Society of South Africa, 'Discussing the court's role in domestic violence' *De Rebus* (November 1st, 2020) <<https://www.derebus.org.za/discussing-the-courts-role-in-domestic-violence/>> accessed 20 July 2023.

notifications," and conducting any necessary investigations. In order to commence criminal proceedings and bring them to a judicial conclusion, they must collect technical evidence and witnesses to back up the cases and complaints that will be filed to the Prosecution Offices. These police stations are intended to serve as specialised units providing aid to women experiencing violence, and as such, they are expected to provide assistance that is both gender-specific and gender-neutral.⁵⁶

The Violence Against Persons (Prohibition) Act 2015 and state laws in Nigeria need to be amended to change the definition, role, and obligations of security guards. The Act should specify who a security officer is answerable to, what kind of training they must have, and what kind of legal understanding they must have. It is imperative that the Violence Against Persons (Prohibition) Act 2015 be updated to detail the roles and responsibilities of coordinators and designated duty organisations in providing support to law enforcement and the judicial system. It is recommended that the Violence against Persons (Prohibition) laws in States be revised to allow for the creation of one-stop-shop Centres on domestic violence, as well as hotlines which are accessible to rural and urban women.

It is imperative that domestic violence be recognised by law as a valid basis for divorce in Nigeria. Legislators shouldn't accidentally downplay the significance of domestic violence challenges, and like Brazil, Nigeria is in need of a dedicated domestic violence court in all Magistrate court districts. The origins of specialised courts can be traced back to judges and prosecutors who used a therapeutic approach to dealing with unique social problems. Most specialised courts are founded on and structured around a problem-solving mentality, with a primary emphasis on addressing their designated area of expertise's unique set of challenges. Participation from all parties involved in the legal proceedings to pool resources and find creative solutions to the unique challenges at hand. The criminal justice system can contribute to these issues by handling an excessive number of cases, increasing the number of people locked up, and lowering public trust in the system. One's issues may take on a more personal character, such as when one seeks to lessen his or her own substance abuse. Specialized courts are designed to help those who have already had some contact with the legal system by addressing the problems that led to their engagement.

The public needs to be educated so that they see assault as a social problem and understand that the offender is ultimately responsible for his or her actions. The government and established institutions have an obligation to combat victim shaming and the notion that women should avoid culturally deemed "risk" settings. Men and boys in Nigeria need to be educated on the topics of consent, physical autonomy, and accountability, and their voices should be heard as the country moves forward. Knowledge of women's rights could spread if young advocates were given the tools they needed to become effective change agents. It is important to provide young couples with seminars and workshops on the prevention and treatment of domestic violence. Teachers would be better prepared to help victims, survivors, and witnesses of domestic violence if the topic was incorporated into the curriculum.

Alliances and coalitions between the government and non-governmental organisations are one example, as they involve the most engaged and knowledgeable partners, women's groups, and networks, in the process of developing and executing programmes. Building alliances amongst parties pursuing diverse goals is essential. This shared understanding can help generate the critical mass of public opinion to end the acceptable use of "culture" as an explanation for Violence Against Women. This would recover culture from patriarchal opportunists who are distorting it under religion and tradition in order to oppress and abuse women and remove a crucial mechanism for sustaining Violence Against Women.

Using a human rights based approach, it is crucial to develop a policy evaluation guide that can aid agencies and departments in proactively considering how policies and actions affect efforts to prevent domestic violence and meet the needs of survivors. Possible unfavourable results can be uncovered with the aid of such a technology, and thus avoided. The need for additional research and data could potentially be highlighted by using such a device. Collecting and sharing worldwide best practises for law enforcement's response to gender-based violence for use in domestic programming and publications requires collaboration with foreign partners.

⁵⁶ *Ibid.*

The state in Brazil's central-west takes up the fight against Domestic Violence on the same streets, marketplaces, beauty salons, and barbershops as the rest of the country thanks to the 2017 Hands Committed Against Violence Programme. Strategies that encourage validation of Women's Rights and involve the streets, marketplaces, beauty salons, and barbershops, among others, are available to the federal government and state governments in Nigeria, just as they are in Brazil. The importance of strong public-private partnerships in combating domestic violence should not be underestimated, and state governments should be aware of this.

Physical location of courts and enforcement institutions and their accessibility to women are key issues that must be solved. Sadly, many women in rural areas are subject to domestic violence simply because they want to live among more traditional settings. While this does not mean that women in cities are safe from abuse, it does highlight the unique challenges rural women in Nigeria have when trying to voice their concerns, receive adequate response, and find a way out of violence. Smaller satellite locations for urban services such as help centres, hotline answers, housing/refugee facilities, and services should be established in rural regions. Many women have found ways to cope with domestic violence, and they often feel alone when they speak out against their abuser or try to leave their relationship. If they do not get quick and safe response or if their problems are not emphasized because of their location, they often go back to their abuser.

7.0 CONCLUSION

Across the globe, women's activism has been the driving force behind the normalisation of conversations about domestic violence and the development of measures to address the issue. Much of what women go through and the difficulties they face are influenced by cultural norms. Culture is used to justify gender inequality, and traditional gender roles and ideas about how rewards should be distributed contribute to this phenomenon. Women's low access to power in Nigeria is validated by cultural norms. By raising people's consciousness, Nigeria can show the future generation that all humans are created equal.

When it comes to gender roles and human rights, the state must take the lead in influencing young minds. Nigeria must take advantage of specialised courts because they focus on finding solutions to cases rather than merely processing defendants and these special courts must work with redefined laws. Enacting laws that protect women from domestic violence would curtail the extent of the problem, but punitive approach without adequate education, awareness, culture and mindset correction, and counselling may not yield the desired results. Perpetrators of domestic violence against women may need more social and psychological help under law, rather than mere punitive measures espoused in the laws. This requires the establishment of facilities for this purpose and incorporation of help centers and better institutions for law enforcement. As the core cause of violence against women is patriarchy, it is essential to build solidarity across cultures, societies, and nations to spur the creation of coalitions based on this understanding.

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