

Strengthening Abuja Original Inhabitants Traditional Justice System in Combating Sexual and Gender-based Violence

(with special focus on the rights of FCT Indigenous' Women)

Introduction

This thematic brief documents learning from the **Resource Centre for Human Rights and Civic Education (CHRICED)** support to strengthen the Abuja Original Inhabitants traditional justice system to combat sexual and gender-based violence at the community levels in the Federal Capital Territory.¹ All over the world, violence against women is still perpetuated despite advances in human rights laws.² *One in every three women experience physical, sexual or intimate-partner violence; are victims of trafficking or are subject to harmful social norms.*³ Thus, Sexual and Gender Based- Violence (SGBV) is seen as a public health challenge, a human rights violation, and a barrier to civic, social, political, and economic participation. In the context of Abuja Original Inhabitants (AOIs), SGBV accentuates the prevalent burdens of human rights violations arising from the surreptitious structural exclusions. The indigenous women bear the brunt of societal pains and gender bias given the preexisting discriminations. From the brunt of demolition to socio-economic marginalization, the vulnerability of AOIs' women to SGBV remains very high.



**STOP
GENDER
VIOLENCE**

Scope of the Problem (Understanding the Nature, Character and Impacts of SGBV)

As one of the most persistent and widespread human rights violations globally, sexual and gender-based violence affects almost every society across the world and represents a significant impediment to development. It presents a challenge that significantly constrains women's autonomy and opportunities. According to a World Bank assessment,⁴ gender-based violence is one of the most oppressive forms of gender inequality, posing a fundamental barrier to the equal participation of women and men in social, economic, and political spheres. The economic costs of SGBV include expenditures on service provision, foregone income for women and their families, decreased productivity, and negative impacts on human capital formation, which are burdensome to developing economies.

Due to the high prevalence of female survivors, some organizations use the terms *violence against women [and girls]* to describe the focus of their SGBV-related work.⁵ Essentially, the SGBV indicators include intimate partner

violence, non-partner sexual assault, Female Genital Mutilation (FGM), sexual exploitation and abuse, child abuse, female infanticide, and child marriage etc. Such violence impedes gender equality and the achievement of a range of development outcomes.

Apparently, SGBV affects both men and women, but women are much more vulnerable because violence reflects and reinforces existing gender inequalities. Put differently, anybody can be a victim of SGBV based on their gender identity, but women and girls are mostly affected. While much of the focus of SGBV is rightly on women, sexual violence can also be directed against men. Data shows that 14% of the SGBV survivors who reported to the Sexual Assault Referral Centers (SARCs) were males and most often boys under 14 years old. Many believe that official statistics vastly under-represent the number of male survivors; as male survivors seem less likely than female to report abuses.⁶

1 Implemented by Abiodun Essiet Initiative for Girls (AEIG)

2 See, Preface to *Gender Violence: Women Victims in Man's World*, Prabhakar, Vani [ed.] (2012). *Gender Violence: Women Victims in Man's World*. New Delhi: Wisdom Press

3. See NDHS 2018

4 See, Qasim, Farwah; Asubaro, Wumi (2019). *Gender-Based Violence: An Analysis of the Implications for the Nigeria for Women Project (English)*.

Washington, D.C.: World Bank Group. <http://documents.worldbank.org/curated/en/731521555064925144/Gender-Based-Violence-An-Analysis-of-the-Implications-for-the-Nigeria-for-Women-Project>

5 *Gender-Based Violence: An Analysis of the Implications for the Nigeria For Women Project*

SGBV's National Data and the FCT's Situation

The Nigeria Demographic and Health Survey (NDHS 2018) found that 31% of women aged 15 – 49 years had suffered sexual violence and nine (9%) percent had also experienced physical violence. The 2018 NDHS also discovered that four (4%) percent suffered sexual violence before 18 years. In the context of FCT, 35.3% of women aged 15 – 49 have experienced physical violence by 15 years of age. About eight (8%) percent experienced physical violence in the last 12 months; three (3%) per cent of women aged 15 – 49 have also experienced sexual violence. Nationally, more than half of women (55%) who have experienced physical or sexual violence never sought help to stop the violence; for those who did, women's own families were the most common source of help (73%). Only one (1%) per cent sought help from doctors or medical personnel, the police, or lawyers.⁷

Theory of Change and Actions on Combating SGBV at the FCT'S OIs Communities' level

Given the underreporting of SGBV cases and trust in traditional structures at the grassroots levels, the theory of change revolves around strengthening traditional institutions across the six area councils for social justice delivery on SGBV with a focus on young women and girls, and people with disabilities. Traditional rulers are the first and sometimes the only point for reporting gender violence cases in most indigenous communities. This is because the people trust the community chiefs and rulers, and getting justice is faster and less costly. But unfortunately, most traditional rulers are not acquainted with how to handle cases of gender-based violence. The

strategy invigorated traditional justice systems⁸ to address SGBV incidents through preventive and restorative justice, raising awareness especially for persons with disabilities and indigenous women to achieve socially inclusive dispute resolutions. To this end, the CHRICED-powered intervention empowered traditional rulers with skills to handle SGBV cases.⁹ For example, given the sensitivity of the sexual abuse cases, the traditional leadership have been sensitized to be mindful of addressing rape or other sexual abuse cases in a town-hall meeting which would further likely traumatize the victim.

Debunking misconceptions/ myths of what constitutes SGBV

The conventional thinking within the communities presupposes husbands have unfettered right to demand sex from their wives. Feedback indicated that both male and female did not view the concept of marital rape as an abnormality. To them, since the husbands had fulfilled the cultural requirements and paid the necessary bridal prices, their wives got to be available for sex whenever needed. However, the intervention empowered the community traditional structures to unlearn harmful practices and attitudes such as marrying off female raped victims to their victimizers as claimed by a community chief, wives' batteries, etc. to respect sexual and reproductive health rights of women.¹⁰

COMBATING SGBV THROUGH TRADITIONAL JUSTICE SYSTEM (LEARNING AND SUCCESS STORIES)



The CHRICED's cohort Abiodun Essiet Initiative for Girls (AEIG) intervention has been impactful. "Gender-based violence has been reduced because community members can now observe how well the traditional rulers handle cases. In addition, watching the abuse perpetrators go to prison has made people even more vigilant." AEIG addressed over 25 cases of wife battery and child rape in partnership with other organizations, such as the FCT Traditional Rulers' Wives Association, NAPTIP and other relevant government agencies. Other

success stories are highlighted below:

- i. The school outreach sensitized over 800 students, and contributed in creating more awareness within the school environment and their communities to break the culture of silence by speaking out; including instituting school based, students-led anti-SGBV watchdogs' ambassadors to make the schools environment safer for girls.
- ii. The capacity development programme empowered over 150 communities' structures (traditional rulers

6 Ibid., CF. WHO (2002). World Report on Violence and Health. Geneva: WHO Publication.

7 See NDHS 2018

8 More often, traditional justice system is understood conventionally as consisting of historically generated rules and norms. In African societies, it is referred to all those mechanisms that African peoples or communities have used in managing conflicts/disputes, including crimes and criminalities since time immemorial and which have been passed from one generation to the other.

9 Abiodun Essiet Initiative for Girls trained over 150 traditional rulers from the six area councils within the FCT on case management, reporting, and how well to address the survivors of SGBV. As a result, some community rulers and members for the first time realized that spousal rape, battery, intimate partner violence and FGM are forms of abuse that should not be dismissed or downplayed as family issues.

10 The women were astounded to learn they could report their husbands for beating them or forcing them into having sex without consent as they never considered such domestic violence or marital pain as abnormal having endured them for a while. After all, they had seen it happen to their mothers and

and their wives, Community Development Committee members and officers in charge of Primary Health Centers) on ways to respond to SGBV cases and survivors in the six area councils. building skills on the restorative justice system as gatekeepers in their communities.

- iii. The public awareness sensitization (through radio programs and jingles) as well as the town hall meetings conducted raised level of communities' awareness and sensitized the general public on SGBV issues emphasizing the need to report the perpetrators and promoting dedicated SARCs' hotline numbers for reporting incidents.
- iv. Accountability mechanisms were developed and deployed with action plan as well as scorecard to monitor the commitment of traditional rulers to end

SGBV in their communities in the FCT. The scorecard also helps to build, strengthen and reinvigorate the network of SGBV responders around the various traditional and community institutions for an effective and impactful referral system.

- v. Sexual Assault Referral Centers' readiness assessment conducted with recommendations on improving awareness of SARCs services and activities widely disseminated to communities and other relevant partners.
- vi. Sustained strategic engagement with government agencies and relevant stakeholders on prioritizing SGBV's funding needs in their budget, including provision of safe shelter for survivors.

Identified Gaps and Challenges:

- a. Nigerian government's response to SGBV and its prevention is multi-sectoral involving multiple agencies (MDAs) at both national and subnational levels.¹¹ However, the peculiarities of FCT with obscure second tier level of democratic governance presents institutional challenges and gaps for effective state-led response.
- b. Harmful cultural practices (attitude, behaviours, and norms) that support violence against women and restrict women's access to sexual and reproductive health and rights. Inadequate awareness on the part of survivors and communities about their rights, and on redress mechanisms.
- c. Poor coordination and institutional weaknesses among response agencies, including around capacity, expertise, knowledge, personnel, equipment and facilities, among others.



Lessons learnt to improving SGBV's response:

1. Participatory approach aided by active listening skills produced impactful results in debunking huge misperception of what constitutes SGBV at the community levels.
2. Learning, unlearning and relearning harmful cultural practices and or attitude are crucial to address preconceived views about SGBV held by the community members.
3. Strategic stakeholders' engagements, including capacity building of traditional rulers, and their wives, religious leaders, student outreach, etc. invigorated the whole of the society approach, particularly traditional justice systems in combating SGBV cases as most community members report cases to them. This approach helped in getting everyone involved in understanding the issues and committed to combat the SGBV cases and prevention at the community levels.
4. Media mainstreaming facilitated improved awareness on the need to break the culture of silence on SGBV and speak out.

grandmothers.

¹¹ The Ministry of Health oversees the management of SGBV health issues, the Ministry of Women Affairs and Social Development is responsible for ensuring that policies on gender equity are developed and implemented; the MWASD, in conjunction with the Ministry of Education, is also responsible for education and gender awareness training in both formal and informal educational processes; the Ministry of Justice is responsible for providing legal support services for survivors and their families.

Recommendations

1. Sustain community structures' capacity strengthening in handling SGBV cases with adequate knowledge of various MDAs to be carried along in such cases.
2. Increase capacity of response points, especially traditional rulers and health facilities on VAPP Act grassroots implementation, as well as SGBV care for persons with disability and original inhabitants of the FCT.
3. Ensure effective coordination across agencies and institutions responding to SGBV at both FCT and six area councils' levels. This will encourage synergy amongst institutions responding to SGBV at all levels to ensure effective response to cases of SGBV in the FCT.
4. Promote zero-tolerance for SGBV, including orientation of law enforcement officers, and health workers on case management. The police and other law enforcement agencies should be proactive in dealing with perpetrators, and survivors should be given proper care during interrogation; including provision of safe space (shelters) for SGBV survivors; with free medical services for SGBV survivors.
5. Prioritize SGBV cases for speedy prosecution, prolong trials often wear out and frustrate the survivors, and furthering their traumatization during court processes. Survivors should not be asked to pay for case files and other things at the investigation level in police station to report cases.
6. Increase the Sexual Assault Referral Centers, at least one in each of the six Area Councils; and link or integrate selected PHCs across the communities with the SARCs for an effective referral system.
7. Make SARC hotline phone number functional leveraging on community referral; and explore a more sustainable way of running the SARCs to guarantee continuity of services and availability of commodities and drugs, including posting of permanent staffs to deepen uptake of services.



Women in Kano State led by CHRICED march in unity, commemorating the International Day for the Elimination of Violence Against Women and Girls in 2022 —a powerful display of strength and solidarity.

Conclusion

Despite the growing policy and legislative measures adopted in favour of gender justice in contemporary societies, countless women continue to be victims of violence. Beyond the formal criminal justice response, including bottom-up naming and shaming approaches, the needs of SGBV's survivors are better addressed historically and the interventions of stakeholders at the community levels are critical for promoting local participation. As well conscientized in this brief, SGBV cuts across geographical, cultural, socio-economic, ethnic or other lines. However, its prevalence and effects cut deeper for the poor and marginalized communities. The poor indigenous communities within the FCT continue to struggle with basic amenities, lacking adequate knowledge and resources to report or follow up on cases of abuse once in court. Without legal support, the cases drag, and most complainants give up or "settle out of court" – the latter being code for the assailant going scot-free or paying a token fine. Therefore, the CHRICED's supported interventions documented in this thematic brief presented evidence to underscore the fact that traditional justice systems could play critical roles in combating SGBV for both the victims and society at large if well capacitated.

About

CHRICED

Established in 2006, with offices in Abuja and Kano, the Resource Center for Human Rights and Civic Education is a registered Nigerian non-profit promoting human rights and advancing a democratic, representative, and inclusive political culture in Nigeria. CHRICED work is anchored on the United Nations Universal Declaration of Human Rights, the African Charter on Human and People's Rights, and the Nigerian Constitution. CHRICED is a reputable organization with a track record of partnering with foundations, religious organizations, and development partners across Europe and North America, including Bishopliches Hilfswerk MISEREOR, e.V (the German Catholic Bishops' Organisation for Cooperation) and the Katholische Zentrastelle für Entwicklungshilfe e.V (Catholic Central Agency for Development Aid), the John D. and Catherine T. MacArthur Foundation, and Open Society Foundation, to mention a few.

For core programming, CHRICED uses civics, research and publication, advocacy, information sharing, grassroots organizing, networking and outreach to mobilize vulnerable and marginalized segments of the population to implement innovative grassroots-focused programs aimed at energizing community action to resist injustice, curb corruption and foster accountability; and bring about fundamental changes in societal norms and behaviors, which fuel injustices and corruption.

Over the years, CHRICED has amassed the requisite experience and track record in project management in the areas of human rights promotion, deepening accountability and mobilizing marginalised groups to amplify their concerns in governance processes. In terms of strategic alliances, CHRICED has a strong relationship with community actors across Nigeria, including youth networks, indigenous people's groups, farmers' collective, women activists, traditional leaders and social influencers. CHRICED also has a name recognition, which would boost its ability to convene stakeholders on the demand and supply side of human rights, including inhabitant self-determination groups. Also, as a result of the consistency of its messaging on human rights, and accountable governance, CHRICED has become a credible voice in the debate on the democratic process in Nigeria.

CHRICED's key philosophy is that civic education dissemination is cardinal to the empowerment of the citizens.



Issued by:

RESOURCE CENTRE
for HUMAN RIGHTS
& CIVIC EDUCATION

With support from:

The John D. and
Catherine T. MacArthur
Foundation

MacArthur
Foundation

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