

The impact of domestic violence legal regulation and enforcement in Ireland on Nigerian immigrants

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“There has been an over-concentration on the consequences of political violence and not enough on domestic violence. We need to think a lot harder about how we tackle these issues”.
(Anke Hoeffler & James Fearon, 2014)

► Introduction

- High prevalence of domestic violence in Nigeria (Amnesty Int., 2005)
- Research indicates many Nigerians do not perceive domestic violence as a crime or abuse of their human rights (Oyediran & Isiugo-Abanihe, 2003)
- Traditional, cultural & religious beliefs and practices hinders the understanding and combating of domestic violence in Nigeria (Ajetomobi, 2015)
- Lack of adequate legal regulation, enforcement and awareness campaign to combat domestic violence (Ito-ro-Eze Anaba, 2007)
- Conflict and discriminatory laws - The penal code of Northern Nigeria, section 55 (1) (d) gives a man the right to chastise his wife for the purpose of correction as long as he does not inflict grievous bodily harm, and so far as the native laws and customs of the couple permit it
- Article 42 (1) of the Constitution of Nigeria forbids discrimination on the grounds of “ethnic groups, places of origin, sex, religions or political opinions”
- Article 34 (1) stipulates that: “Every individual is entitled to respect for the dignity of his person, and accordingly - (a) no person shall be subject to torture or to inhuman or degrading treatment...” (Constitution of the Federal Republic of Nigeria 1999)



Research questions

What is the efficacy of legal regulation, enforcement and awareness campaign against domestic violence in the transformation of peoples’ perception/attitude towards it?

1. What is the impact of domestic violence law and its enforcement in Ireland on Nigerian immigrants’ perceptions/attitudes regarding it?
2. How do Nigerian immigrants in Ireland feel about the protection of their human rights, safety and dignity as a result of the approach to tackling domestic violence in Ireland compared to the approach in Nigeria?

Theoretical framework

- *Feminist legal theory – Liberal, sexual & dominance models*
- Viewing law as an instrument for perpetuating women’s subordinate status
- *International Human Rights – Universalism versus cultural relativism debate*
- The state’s responsibility to take positive steps to uphold and protect the citizen’s human rights

Comparative considerations

- The legislative process in the two jurisdictions
Legislation and enforcement of national laws and policies on domestic violence
- Ratification of international human rights treaties
- Awareness campaign and involvement of the NGOs in the process
- Emancipatory laws to achieve gender parity
- Dedicated government parastatal to oversee domestic violence issues

Potential impact flow

- Create awareness of domestic violence and its consequences
- Assist to overcome traditional, religious and cultural beliefs and practices that hinder the understanding and combating of domestic violence
- Contribute to the rationale for legal regulation and enforcement of laws against domestic violence
- Contribute to body of knowledge in the field



A socio-legal research design

An interdisciplinary approach to ascertain the efficacy of the law as an agent of social change in raising the awareness of domestic violence and transforming perceptions/attitudes regarding it

- Empirical research
- Research method: Qualitative - Phenomenological
- Participants: Nigerian immigrants in Ireland, adult men and women, which meet the selection criteria
- Sampling: Maximum variation purposeful sampling strategy
- Data collection: Semi-structured in-depth face-to-face interview
- Inductive open coding concept
- Data analysis: interpretative phenomenological analysis (IPA) - descriptive framework of analysis

References

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