

IMPACT OF DOMESTIC ABUSE ON FEMALE EMPLOYEES' PRODUCTIVITY IN THE NIGERIAN WORKFORCE

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Abstract:

The study examined the impact of domestic abuse on female employees' productivity among the Nigerian workforce. It is an exploratory study that delved into the various types of gender-based violence, the levels of gender-based violence, the forms and prevalence of domestic abuse, why some employers address the gender-based violence issues and why others do not, and the effect on the victims, employers, co-workers and organizations at large. Not only that the legal effects of domestic abuse: the law, policies and practices on the workforce, and the toll on productivity of the female workforce in Nigeria were the focus of the study. Thus, we concluded that domestic abuse on female workforce in Nigeria is a criminal matter under assault in the Criminal Code in which the victim(s) can bring a civil action under the tort of assault as this affects their productivity and ultimately their overall performance and the organization at large

Keywords: Gender, Domestic Violence, Productivity

Introduction

Gender-based violence has been the experience of millions of women worldwide which has affected their relationship in the homes, communities, places of work and largely their productivities in their various places of primary assignments (Amnesty International, 2005). It is a universal reality that had existed in all societies and human settlements regardless of class, income, culture or educational attainments. Hardly you will find a woman whom at one time or another in her lifetime had not experience violence in form of wife battery, sexual assault and abuse, rape, incest, female genital mutilation and other traditional practices harmful to women and girls; or

discriminated against on the basis of race, language, ethnic group, culture, age, religion and membership in a minority group. The World Health Organisation (WHO) also supported these claims when they estimated that at least one in every five of the world's female has been physically or sexually abused at some time (Population Reference Bureau, 2001). Amnesty International report on Nigeria submitted that on a daily basis women are beaten and ill-treated for supposed transgressions, even murdered by members of their family and in some cases leave them with horrific disfigurements as a result of acid attacks (Amnesty International, 2005). Thus, most of the cases of violence against women are perpetrated by their partners, husbands, even fathers. For instance, a woman could be beaten by her own husband or boyfriends for reasons ranging from drunkenness, financial problems, refusing to have sex, nagging, challenging the man's behavior, nor preparing meals on time, being under suspicion of having a sexual relationship outside the marriage to being accused of witchcraft.

Not only that, women are also subjected to multiple forms of violence in homes of which common forms which is known as wife battery includes; slapping, kicking, verbal abuse, rape and death. Moreover, three levels of gender-based violence can be identified. These include, home or family level, the community level, and the state level. This paper will focus on the home/family level which is the domestic abuse form of gender-based violence. Domestic abuse/violence includes but not limited to physical or sexual violence, emotional and/or psychological intimidation, verbal abuse, economic control, harassment or injury which take toll on the level of their productivity.

Domestic abuse not only affects the well-being of women but also the financial strength and success of the organizations they work for. CAADV (2012) corroborated this stance that 75% of women experiencing domestic abuse are targeted at work and often perpetrators use workplace resources like phones, email to harass or threaten their former partner. Domestic abuse will result into significant loss of paid and unpaid work time, lost work productivity, safety hazards, negative on workplace interpersonal relationships, decreased concentration on job performance, difficulty in meeting basic needs of self and family and trauma from witnessing the violence to mention a few.

Therefore, this study will delve into the various types of gender-based violence, level of gender-based violence, the forms and prevalence of domestic abuse, why some employers are addressing the issue of domestic violence and why some are not, effect of domestic abuse on the victims, co-workers, employers, organizations as well as managers.

Literature Review

The world we live in is characterized with violence against women. This is universally present in many forms like wife battering, sexual assault, abuse, and rape etc. Gender-based violence is the fate of millions of women all over the world and these are affecting their productivity both in the homes, communities and places of work (Gberevbie, Osibanjo, Adeniji and Oludayo, 2014).

There are different types of gender-based violence, which occur at different levels like within the family, community and state. Domestic violence, which typically occurs when a man beats his female partner, is the most prevalent form of gender-based violence and this occurs within the families and inside the homes. Violence against women within the general community includes battery, rape, and sexual assault, forced treatments and the exploitation and commercialization of women's bodies. The social exclusion of women in some parts of the world in general and the purdah system in the northern part of Nigeria in particular are among the violence against women that are perpetrated by the state. Gender-based violence is a universal reality existing in all societies regardless of income, class and culture. It would be difficult to find one woman, whom at one time or the other in her lifetime had not been afraid merely because she is a woman. Those women who are particularly vulnerable to violence are those who live in extremely precarious conditions or who are discriminated against on the basis of race, language, ethnic group, culture, age, opinion, religion or membership in a minority group. The World Health Organization (WHO) estimates that at least one in every five of the world's female population has been physically or sexually abused at some time (Population Reference Bureau, 2001). Gender-based violence arises from the patriarchal system which since time immemorial, has exerted control over women's lives (World March of Women, 2000). Gender-based violence affects both the physical and psychological integrity of women. However subtle the violence may be in form, it has no less devastating effect. Gender-based violence can affect the female psychologically, cognitively, and inter-personally.

The UN General Assembly, in adopting the 1993 declaration on the elimination of violence against women defined gender-based violence as any art of violence that results 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 (Population Reference Bureau, 2001)

There are three levels of gender-based violence. These are the home or family level, the community level, and the state level; however this research seeks to focus majorly on domestic abuse. Domestic abuse is the most prevalent form of gender-based violence. It typically occurs when a

man beats his female partner. Psychological abuse always accompanies physical abuse and majority of women abused by their partners are abused many times. Physical, sexual and psychological violence against women between a couple and in the family consists of battery, sexual abuse, female genital mutilation and other traditional practices harmful to women and girls, marital rape, dowry-related violence, incest, non-spousal violence like a son's violence against his mother and violence related to exploitation and deprivation of freedom. Population Reference Bureau, (2000) reported Murray and Richard's findings of 1986 that in the United States, more than a million and half women are beaten by their partners each year. It also reported that in the 1995 Egypt Demographic and Health survey, 35 percent of women were reported being beaten by their husbands during marriage. There is no accurate information on gender-based violence in some countries. A culture of silence surrounds cases of violence against women in most countries like Nigeria, making it difficult to get a true picture of its extent. Some of the reasons why it is difficult to get an accurate account is that most of the gender-based violence occur in the private sphere within families, inside homes, and out of sight. Domestic violence is a pattern of coercive behavior, including acts or threatened acts, that is used by a perpetrator to gain power and control over a current or former spouse, family member, intimate partner, or person with whom the perpetrator shares a child in common.

Domestic violence includes, but is not limited to physical or sexual violence, emotional and/or psychological intimidation, verbal abuse, stalking, economic control, harassment, physical intimidation, or injury. Employers face numerous human resource concerns, with limited time and money. Often a decision to focus on a specific problem is not made until the problem becomes significant and costly. Historically, problems with a social stigma are less likely to receive attention, as both employers and employees may be reluctant to acknowledge that these problems exist.

Domestic violence was a hidden concern that did not come up until recently. Some employers are addressing it, but many more are not.

Reason 1. Domestic abuse affects many employees. It may affect their productivity, emotional and physical health and well-being, and they may also face increased risk of workplace violence. If there are perpetrators of domestic violence in the workplace, this may also affect the business costs and productivity and workplace safety. It is therefore, crucial that domestic violence is seen as serious, recognisable, and preventable, and an important issue for business that cannot be ignored. How does it affect colleagues? Colleagues may have to cover for other workers while they are off. They may be unaware of the abuse, or not know how to help; or they may have to

try to fend off the abuser if he makes unwanted phone-calls or visits; and they may fear for their own safety.

Reason 2. Domestic abuse is a security and liability concern, as employers who fail to protect their employees from violence at work may be liable. Domestic violence affects employers by impacting on the productivity and financial strength and success of the organisation. Organisations also have a legal liability for health and safety. The perpetrator – who may already know his partner’s work times, phone numbers, colleagues, and security entry systems – poses an increased risk of workplace violence.

Reason 3. Domestic abuse is a performance and productivity concern. In Nigeria, in any one year, more than 20% of employed women take time off work because of domestic violence, and 2% lose their jobs as a direct result of the abuse (Eze-Anaba, 2010).

These figures are likely to understate the true impact of domestic violence on a woman's career: research in Nigeria has suggested that up to 50% of women have at some stage in their lives had to give up a job because of domestic abuse. By taking action to effectively address domestic violence in the workplace, employers will not only increase employee productivity and morale, and reduce employee turnover, but will also reduce the risk of violence in the workplace and save lives.

Forms and Prevalence of Domestic Abuse

According to a 2014 press release from the Nigerian Police Force, nearly one in four large private industry establishments (with more than 1,000 employees) reported at least one incidence of domestic violence, including threats and assaults, in the past year (Gberevbie, Osibanjo, Adeniji and Oludayo, 2014).

According to an Amnesty International report on Nigeria (2005): on a daily basis women are beaten and ill-treated for supposed transgressions, and even murdered by members of their family. In some cases, vicious acid attacks leave them with horrific disfigurements. Such violence is too frequently excused and tolerated in communities, and not denounced. Husbands, partners, and fathers are responsible for most of the violence against women.

In Nigeria, women are subjected to multiple forms of violence in the homes. However, the most common form of violence is wife battery ranging from slapping, kicking, verbal abuse, denial of financial resources, rape, and death. Due to poor official statistics, it is difficult to establish the extent of domestic violence. However, it is believed that domestic abuse is of “epidemic proportions, and is “seldom reported because of fear of reprisal and lack of response from law enforcement officials. Statistics relating to this

problem would not be available until women are motivated to report domestic and other forms of violence.

A woman could suffer violence for refusing sex, nagging, or challenging the man's behavior; for example, if he took a second wife or is an alcoholic. She could be subjected to violence for not preparing meals on time, having, or being under suspicion of having, a sexual relationship outside the marriage, or being accused of witchcraft. Interestingly, under certain circumstances, women, more than men, tend to justify the infliction of violence. In a survey conducted in 1999, a higher proportion of female than male respondents justified "wife beating," and this proportion was found to be higher in the northern central zone and lowest in the southwestern zone.

In another survey carried out by Project Alert in 2001, women and girls in Nigeria were asked about abuses within the family unit. Participants in the survey were picked randomly and included women working in the market, women in other work places, and students at the university. In Ogun State, more than half of the participants confirmed their partners - boyfriends or husband had beaten them. Some of the reasons why they were beaten included drunkenness, financial problems and refusing to have sex with the perpetrator. Many of the participants had reported physical injuries and threats to their family, the perpetrator's family and to their religious leaders while some just endured the abuse. There was no report of any respondent filing a complaint with the police or seeking redress in court.

Domestic Violence Issues at Work: Acts of domestic violence infrequently occur at the worksite, though harassment from abusers. Despite relative isolation from the issue, employers understand the effects on victims and their organizations. Participants identified many problems resulting from domestic violence including absenteeism, inability to focus, poor self-esteem, low productivity, and low morale.

The majority of small employers in the focus groups stated that the health and safety of their employees takes priority over any other issues that stem from domestic violence, such as reduced productivity and absenteeism.

Toll on Productivity

A 2005 study using data from a national telephone survey of 8,000 women about their experiences with violence found that women experiencing physical intimate partner violence victimization reported an average of 7.2 days of work-related lost productivity and 33.9 days in productivity losses associated with household chores, child care, school, volunteer activities, and social/recreational activities (Cipd, 2013). In this study, 98 percent had difficulty concentrating on work tasks; 96 percent reported that domestic abuse affected their ability to perform their job duties;

87 percent received harassing phone calls at work; 78 percent reported being late to work because of abuse; and 60 percent lost their jobs due to domestic abuse.

Domestic abuse not only impacts on the well-being of women, but it affects the financial strength and success of the companies for which they work. Seventy-five per cent of those experiencing domestic abuse are targeted at work and it is often possible for perpetrators to use workplace resources such as phones, email and other means to threaten, harass or abuse their current or former partner. One in four women will experience domestic abuse at some point in their lifetime. This means it is likely that all workplaces will have staff that have experienced or are experiencing domestic abuse as well as those who are perpetrators of abuse (Cipd, 2013).

Domestic abuse causes a significant loss of paid and unpaid work time, lost work productivity, and safety hazards for employees. As a result, efforts by employers to prevent domestic violence can positively impact their bottom line.

Domestic abuse negatively impacts the physical and mental health of victims and sometimes even leads to death. Another less known, but highly prevalent, effect of domestic violence is the inability of victims to fully participate in the workforce. Studies show that domestic violence causes victims to miss work, lose their jobs, and have difficulty performing on the job (Eze-Anaba, 2010).

Also, in the study of Gberevbie, Osibanjo, Adeniji, and Oludayo (2014) on “Gender Discrimination and Employee Performance, they reiterated that perceived female expected productive/performance is a function of variables such as emotional stability, psychological status and total physical/mental energy that when there is any form of violence against women, it is expected that there would be a shift in their emotional status, which tends to affect their productivity and overall performance.

Domestic abuse not only affects victims, but employers as well. Increased absenteeism, higher turnover, and poor performance result in lower productivity and higher costs for employers. Although domestic abuse usually occurs within the home, the effects of the violence spill over into the workplace in numerous ways. As a result, domestic violence has a considerable impact on victims, employers, and co-workers. The multiple connections between domestic abuse and work make the workplace an important and effective avenue for domestic violence intervention (WHO, 2013).

2. *Impact on Victims*

Domestic abuse can affect the ability of victims to maintain employment or effectively perform their jobs.

Job Loss: Research has estimated that 24% to 30% of abused female workers lose their jobs partly because they are being abused.

Absenteeism: Domestic violence causes employees to miss work – 62% of victims report being late for work or leaving early as a result of the abuse.

Poor Work Performance: Employees are likely to bring the emotional and physical distress suffered at home to work, which can negatively impact job performance.

Impact on the Victim
<i>Physical and emotional health impacted</i>
<i>Isolation from friends and family</i>
<i>Difficulty meeting basic needs of self and family</i>
<i>Absenteeism, tardiness</i>
<i>Decreased concentration of job performance</i>
<i>Workplace interruptions</i>
Impact on Workers
<i>Concern for the victim</i>
<i>Fear violence will come to the workplace</i>
<i>Concern for personal safety</i>
<i>Negative impact on workplace interpersonal relationships</i>
<i>Productivity decreases, work stops</i>
<i>Resentment toward the victim (additional work falls to co-workers, perceived special treatment from manager)</i>
<i>Trauma from witnessing the violence</i>

Source: Adapted from Cambridge Public Health Department, 2013

3. *Impact on Employers*

(i) The high prevalence of domestic violence suggests that most employers will have workers who experience violence at home. Domestic abuse has implications for employers in terms of lost productivity and other costs, as well as liability.

(ii) ***Productivity Loss and Employer Costs***

The impacts of domestic abuse on the ability of victims to work – absenteeism, poor job performance, and employee turnover – have considerable implications for employers.

The cumulative effect of these impacts results in significant costs for employers through lost productivity and hiring new employees. In addition, domestic abuse can increase health insurance expenditures for employers.

Impact on Organization
<i>Compromised safety in the organization</i>
<i>Increased threat of violence</i>
<i>Increased health care costs</i>
<i>Turnover and recruitment costs</i>
<i>Productive decreases, work stops</i>

Source: Adapted from Cambridge Public Health Department, 2013

4. *Impact on Managers and Co-Workers*

Domestic abuse has an impact on the co-workers and managers of victims. Co-workers may fear for their own safety, be involved in protecting an employee from an abuser's calls or visits, or may be required to fill in for victims who miss work or are unproductive. Managers may not know how to address the issue of domestic violence, particularly in terms of threats to employees in the workplace or disciplinary actions against victims with poor work performance. Research has found that 44% to 60% of victims report being reprimanded for work behavior was related to domestic abuse (Eze-Anaba, 2010). Managers may not recognize the signs that suggest an employee is being abused. In addition, they might ignore the situation because they are unsure about how to address domestic abuse or reluctant to get involved in something they believe to be an employee's personal problem.

The Role of Banking Policies on Female Employee Work-Family Life.

Work family conflict is increased in banking sectors due to long working hours, marketing targets and work policies. Long working hours is a traditional norm in banking sector. Furthermore working women with children are experience more imbalance in work and family life and desire to reduce the working hours in banking industry, as well women without children but married are given different rules such as not to get pregnant in five years or are pushed by marketing targets to break the rules guarding their family life.

Married women with kids, in particular, are not being able to pay enough attention to their loved ones and kids and known cleaning and child care as major difficulties to their creative performance. Women face lot of difficulties on the job, she faces pressure from work to meet expected targets and from the family because she is supposed to take care of the home and when these issues come up and conflicts arise in the home, domestic abuse could easily result, further affecting the female employee work output and this has to be a source of concern as an emerging issue in human resource management.

Legal Effect of Domestic Abuse

Domestic Abuse; Law, Policy and Practice in Nigeria

Domestic abuse as earlier explained is a global phenomenon which cuts across all nations of the world both the developed and the undeveloped nations. It has been argued that there is no general definition of the term. Ogunmosunle (2012), however made an attempt by describing it as a pattern of abusive behaviours by one partner against another in an intimate relationship such as marriage, dating, family, or cohabitation. He further

stated that domestic violence is not limited to physical abuse alone but also includes “endangerment, criminal coercion, kidnapping, unlawful imprisonment, trespassing, harassment, and stalking to gain or maintain power and control over another intimate partner”.

As worrisome as the phenomenon of domestic abuse is and considering the steps taken by many nations to curb the menace, some countries still do not have specific laws prohibiting domestic abuse and punishing its perpetrators. (Hernandez-truyol, 1997). Nigeria for instance till date has no federal law prohibiting domestic abuse although some aspect of the nation’s Criminal Code Act makes it an offence to engage in acts of violence. A bill addressing the issue has been pending before its Parliament since 2003, just recently in March 14, 2013 the Federal House of Representatives passed the Violence Against Person Prohibition Bill (VAPP) Bill, but thus far, the bill is yet to be passed in the Senate despite the alarming rate of this menace in the country. Whereas, America legislation on the other hand, has legislated several laws that don’t only guide against domestic abuse but protect its victims as well such as; The Violence Against Women Act - this Act protect and help victims of domestic abuse; The Gun Control Act - this Act makes it an offence for people involved in domestic abuse in certain situations to hold guns. Suarez (2003) canvasses that although these American laws are Federal laws, the States most times prosecute violators as the offences are regarded as State laws as well.

In Nigeria, the 1999 Constitution in Section 24 (c) recognises the respect of the dignity of human persons and the need to live in peace and quietness. In spite of these constitutional provision recognizing the need to abstain from any attitude that infringes the right to peaceful co-existence, there is no federal legislation presently that expressly punish perpetrators of domestic abuse, so legal relief is usually based on Section 360 of the Criminal Code which prescribe two years punishment for any person who unlawfully and indecently assaults a woman or girl, and other common law tort provisions.

However, some States in the Country, Lagos State for example, has taken steps to see that domestic abuse is either eradicated or reduced to the barest minimum by passing into law in 2007 a bill; Protection Against Domestic Violence and for Connected Purposes. This law is meant to protect victims of domestic abuse, but the short coming in this enactment is that according to Ogunmosunle (2012), years after its enactment, most people are not aware of the existence of the law, neither is its impact felt.

The Human Rights Dimension

As a member of the United Nations, Nigeria has signed and ratified several international human rights laws recognising women’s rights as

human rights and guiding against all forms of domestic violence and discrimination against. By virtue of Section 12 of its Constitution, international treaties can only be enforced once a corresponding domestic law has been enacted by its National Assembly. One of laws is The United Nation Declaration on the Elimination of Violence Against Women which addresses violence in the family as one manifestation of violence against women, and defines it as:

“Physical, sexual, and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation.”

Also, the African Charter on Human and Peoples’ Rights, ratified and domesticated by Nigeria, recognizes women’s rights in three clear provisions.

Article 18 (3) provides for the elimination of every discrimination against women and ensures protection of women.

Article 2 contains a non-discrimination clause, providing that the rights enshrined in the Charter shall be enjoyed by all irrespective of race, ethnic group, colour, sex, language, political or any other opinion, national or social origin, fortune, birth or other status. While the equal protection clause in Article 3 provides for equality before the law and equal protection before the law.

The Charter has however been criticised as being inadequate in protecting the rights of women in Africa as it failed to take into consideration critical issues pertaining to the custom and tradition of the people especially in the area of marriage (Eze-anaba, 2010).

Conclusion

In conclusion, domestic abuse in Nigeria is majorly considered a criminal matter under assault in the Criminal Code. Victims however can also bring civil action under the tort of assault and battery against perpetrators although this is not common in domestic affairs the reason being that the Nigerian legal system is more adversarial than reconciliatory and the outcome of such judicial action can strain or even terminate the relationship of the parties.

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