



DIMENSIONS OF FEMALE NARRATIVE CAUSES: PATHWAYS TO PREVENTION OF ESCALATING CASES OF MARITICIDE IN NIGERIA

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Abstract

Purpose The Purpose of this mixed method study was to investigate the causes and modes of alarming rise of mariticide as narrated by Nigerian women who murder their boyfriends or husbands. Our secondary objective was to establish the responses of judges, counsels, social workers, police officers prison officials and government to mariticide which is a new phenomenon under the criminal justice administration in Nigeria.

Method Three women who are standing trial for mariticide were interviewed to determine the causes and to know the methods and weapons of execution of mariticide in Nigeria. We further interviewed stake holders in the criminal justice system such as judges, counsels, social workers, police officers and prison officials in order to know their responses. The interviews were semi structured. Another phase of data collection was done through a thorough survey of both decided and ongoing cases of mariticide in Nigeria's Newspapers. Qualitative analysis of the domestic legal framework on mariticide were also examined.

Conclusion Girls and women who perpetrated mariticide did so through stabbing with violent objects especially knives after they may have confirmed acts of infidelities on their husbands/boyfriends handsets. Other causes of mariticide were Jealousy, domestic violence, forced marriage, lack of sexual performance by the husband, husband having an illegitimate child and poverty. The absence of a large-scale national mariticide data set in Nigeria was a limitation for the researchers but the results from this study has provided an ease to this shortcoming.

Keywords: Mariticide, Girlfriends, Wives, Boyfriends and Husbands

Introduction

On the 6th of June, 2022, Hafsat Saidu was charged to court in Yola, Adamawa state for killing her husband in order to inherit his property (Ochentewu, 2022) and on Monday 5th of April, 2021, Dada, a married woman who is heavily pregnant of her 9th child, stabbed her husband to death in Uwehru town, Delta state, Nigeria. She got back home late from work, a fight ensued between the duo and it was reported that "They started arguing on the matter, but all of a sudden, the wife took a knife and started chasing the husband till she stabbed him to death" (Oluwatosin, 2021). In the same vein, on Monday 15th of March, 2021, at about 7.30 a.m., a pregnant wife named Okeimute also hacked the husband, a 27-year old man named Edafe, to death with a machete for an alleged infidelity. This sad occurrence happened at Ughelli, headquarters of Ughelli North Local Government Area, Delta State, Nigeria (Ochuko, 2021). This type of killing is known as mariticide and it is alarmingly on the rise in Nigeria.

In Nigeria, mariticide was believed to be a taboo and an event that was never heard of despite the constant cases of husbands/boyfriends killing their wives/girlfriends. Technological advancements, the fact that more Nigerian women became educated to the extent that they could fight for their rights beyond the specifications of religion and customs and the introduction of handsets into the country (Bakare, Ekanem & Allen, 2017) are some of the causes of mariticide. For these, mariticide became a novel case to be handled by prosecutors, prison wardens, defense counsels and the judges under the criminal justice administration. Unrivalled changes in the type, length and classification of inmost co-residential unions have made the study of marriage more compounded today than it used to be and this is because of rising cohabitations (Carlson & Meyer, 2014; Sassler & Litcher, 2020). In view of this, the study will also examine cases of girlfriends killing their boyfriends in Nigeria, since union formation has tilted towards cohabitation even in other sub-Saharan African countries (Pike, Mojola, & Kabiru, 2014; Calvès, 2016; Posel & Rudwick, 2013).

Women just like their male counterparts have diverse motives for committing murder on their partners; self-defense, under life threatening circumstances, lack of money, self-gain, mental disease, for exploiting or victimizing another for personal gain and as a result of influence of abusive substances. (Kandalepas, 2011; Jensen, 2001; Boulder, Lynne & Schwartz, 2012; Hickey, 2003; Mckee, Shea, Mogy, & Holden, 2001; Goetting, 1989; Putkonen, Collander, Honkasalo, & Lönnqvist, 2001; Putkonen, Weizmann-Henelius, Lindberg, Rovamo, & Häkkänen, 2008) A key contributing factor for women killing their spouse is the manner in which they handle stress. It is also important to note that female committers of violent crimes have suffered rough psychosocial conditions at early periods of their lives (Yourstone, Lindholm, & Kristiansson, 2008). More so, women just like men see murder as an answer to a crisis or difficulty (Shipley, 2001). Women who commit violent crimes are often times in conditions where the unfortunate person who suffers from the violence act mostly the male spouse who instigated the violence by being the first to attack and the woman responded in kind with violence. In a study conducted by Spunt, Brownstein, Crimmins, & Langley (1997) to critically inspect the diverse conditions which motivates or triggers women to perpetrate homicide, it was discovered these homicide

cases may have numerous motives and not just a single motive.

According to Goetting (1988) the usual incentive or motive that triggers the perpetration of homicide is verbal dispute or physical confrontation. When cases of mariticide are reported, the reaction of a good number of people, as Hokins & Easteal (2010) points out is, "why didn't she just seek help or call the police?" Such cases of spousal violence by the female partner are founded on acquittals either as a result of self-defense or insanity (Ramsey, 2006). From the studies conducted by Pretorius & Bester (2009) and Pretorius & Botha (2010), it seems that it is mainly centred on cases involving persons who commit murder as a result of interpersonal violence, with very limited publications on other forms of murders (Pistorius, 2004).

This study addresses the crime of mariticide as a novel one in Nigeria, considers its underlying causes from narratives from women who show the causes and the situation in play at the time of occurrence. The study further examines the weapons used, response of the judiciary and the legal framework regarding such a form of homicide. The article intends to contribute to the literature on this subject in order to enlighten all stakeholders on the new menace of the crime of mariticide in Nigeria.

Statement of Problem

In Nigeria, cases of mariticide are quite new to the criminal justice system and the societal responses have been so emotional and sensational. The execution of this offence is spreading round the countries even in areas where marriage is believed to be divined and therefore it is an "eternal" contract between a husband and a wife. Mariticide has also been committed in parts of the country where a wife is regarded as having no say at all in the marriage, in short, the husband is the "Almighty" in a marriage.

Another difficulty occurs when Judges in different parts of the country are also faced with balancing the law with religion and culture in giving their judgment on this emerging type of murder. Furthermore, culturally, a woman's rights is submerged once she is married to her husband to the extent that the man can marry as many wives as possible. On religious grounds,

in the Northern part of the country, a man can chastise his wife by canning and the wife will gladly take the discipline like normal. Recently in Nigeria, the trends in marriages are evolving from mere disobedience of a husband's wishes by the wife to the actual killing of the husband and such cases are alarmingly increasing.

The reactions from the media on women who commit the offence of mariticide also calls for concern. The media labelled such wives/girlfriends as "she-devils" without having recourse to what may have prompted the wife/girlfriend to murder the husband/boyfriend. Did she suddenly lose control of her tempers after experiencing years of trauma from physical, emotional and psychological torture and blackmail from man she calls her husband/boyfriend? The write ups on both the traditional and social media did not only condemn the act of mariticide but also the wife's personality, attitude and character over the years.

Theoretical Framework

Most of the cases of intimate partner homicide have males as the perpetrators, it is thus not a matter of surprise that the theories that take a closer look at intimate partner homicide have primarily concentrated on explaining behavioral patterns employed by male perpetrators of homicide (Daly, M., & Wilson, M. 1988). This article however makes use of the battered woman syndrome theory because of its relevance to the mariticide situation in Nigeria.

The battered woman syndrome is a theory propagated by Walker which embraces an array of specific features and the consequences of such an abuse on a battered woman (Douglas, M.A. 1981). Battered woman syndrome is referred to as the psychological effects and behavioral responses displayed by women suffering from domestic abuse (Lenore, E. A. 2009). Walker is of the opinion that it is not in all cases that battered women actually get to suffer from the "battered woman syndrome" but those who get to suffer from this syndrome are distinguished by the difficulty they have in responding well to the violence. The pointers of battered women syndrome are divided into three main groups; learned state of being hopeless, self-destructive coping responses to the violence and traumatic outcomes of victimization by violence. The term battered woman syndrome passes an indirect but strong perspective that battered woman all function in the same way, that they are all victims of psychological disability which keeps them from behaving 'normally' (Dobash, R.P., Dobash, R.E., Wilson, M., & Daly, M. 1992). Following the introduction of the theory in 1979, in criminal proceedings, the accused who suffered violence from their spouse have depended on battered woman syndrome evidence to elaborate why their claim and acts could be regarded as fair or just with regards to their claim of self-defense as was seen in *Ibn-Tamas v. United States* (407 A.2d 626, 631-35 D.C. 1979).

The battered woman syndrome relies or is based on the theory of the cycle of violence in relationships where battering is common, giving the explanation that the battering happens in repetitive cyclical phases. (Lenore, E. A. W. 2009). The cycle results in a situation where the battered woman begins to exhibit a sense of helplessness in which she believes that she lacks the power to change the circumstances she suffers from on account of her being unable to influence or foretell the coming eruption of violence (Joshua, D. 2002). He asserted that these "learned helplessness" would stop a woman in a battering relationship from thinking or intending to escape from such a relationship (Lenore, E. A. W. 2009). In a psychological sense, battered woman syndrome may be put to use in a case where a woman has suffered abuse for more than one time and demonstrates or shows symptoms such as despair, low self-esteem, depression, anxiety and self-blame (Lenore, E. A. W. 2009).

According to battered woman syndrome, a battered woman remains in such a relationship due to feelings of helplessness or fear. (Robbin, S. O., & Susan, J. 2002). Since a woman with battered woman syndrome is of the belief that she is unable to escape from such a violent relationship, she may come to the conclusion that employing lethal force is the only available option for her to escape from such a relationship. (Fulero, S. M., & Wrightsman, L. S. 2009). On account of the fact that jury members find it hard to comprehend the battered woman's psychological state at the time of the murder, Walker, L. E. (1984), lawyers have tried to bring psychologists as expert witnesses in court to make clear the perception, hyper-vigilance and persistent fear the extremely battered wife experiences to aid the jurors in comprehending the

reason the woman might have responded with such force. (Diane, R. F., Darlene, S. P., Elizabeth S. H., Lenne, H. D., Michael W. B., & Zanthia D. C., 1989).

Research Methodology

The researchers made use of empirical and descriptive data. The participants interviewed were representatives of law enforcement agencies such as a State High Court Judge, Area Commander of Police, and a Deputy Superintendent of Nigerian Correctional Service, a Director of Criminal Prosecution and a Social Worker. The interviews were semi structured and all set in their respective offices. The researchers were restricted by prison officials in granting interviews to women who were on trial for the offence of mariticide and we only gained access to interview four suspects of mariticide through their counsels. The interview with the suspects took place in Prisons. The researchers also relied on cases on mariticide to determine the causative analysis with respect to the escalating cases of mariticide in Nigeria. Each of the interviews averaged about 40 minutes, with some of the participants spending more time, which is expected. The interview questions were semi-structured.

The participants of the Semi- structured interview were;

1. Justice Yemi Ajayi a State High Court Judge, held on the 24th April, 2023 at Ibadan, Oyo State.
2. ACP Ojomo Francis, Area Commander of Police, held on the 24th April, 2023 at Ibadan, Oyo State.
3. DSP Joe E kang, a Deputy Superintendent of Nigerian Correctional Service, held on the 24th February April, at Ibadan, Oyo State.
4. Mrs. Yemisi Adejumo Esq., a Director of Criminal Prosecution, held on the April, 2023 at Ibadan, Oyo State.
5. Dr. Abimbola Soduntan, the Director of Social Work Department, Ministry of women affairs, held on the 25th April, 2023 at Ibadan, Oyo State.
6. Defendant "A", mariticide suspect held on the 26th April, 2023 at Ibadan, Oyo State.
7. Defendant "B", mariticide suspect held on the 16th May, 2023 at Kirikiri, Lagos State.
8. Defendant "C", mariticide suspect held on the 16th May, 2023 at Kirikiri, Lagos State.

Another phase of data collection was done through a thorough survey Both decided and ongoing cases of mariticide in Nigeria's dailies which played a key role in finding a pattern and relevant information that was not found in court records and provided insights into how the cases were handled. The data from the interviews was complemented with secondary data so as to increase the level of reliability of the findings gotten from the research. Some of the secondary data were also sourced from online data bases of academic journals, books and articles, and internet publications.

Concept of Mariticide

Mariticide is derived from the Latin word, 'maritus' which means husband and 'cide' from caedere which means 'to kill' or 'to cut'. Thus mariticide is referred to as a situation whereby a woman kills her intimate partner, her husband or boyfriend. It also can be used to refer the act or the person who perpetrates the act (Vocabulary, 2020). Mariticide should not be confused with matricide, which is the killing of one's mother. There are two prime examples of mariticide; The first example occurs when a spouse kills her partner during the course of a physical confrontation while the second prime example is frequently called "non-confrontational" killing on account of the fact the batterer or abuser was killed when he was asleep or in a state where there is no imminent threat of violence (Australian Law Reform Commission, 2010). When considering a mariticide act, two key perspectives have to be confronted; the evolutionary and situational perspective. Pertaining to violent behaviour, relating to commonness and the means by which such violent is executed, observable sex difference is noticed. It is worth mentioning that stab wounds shouldn't be measured from just a forensic iconography perspective, as the weapon employed will show the motivations for the act (Weekes-Shackelford, & Shackelford, 2004). According Watson, Weiss, & Pouncey, (2010) the motives for a good number of mariticide acts are gotten from interviews with the perpetrator, legal hearings, and for that reason a level of bias can be noticed, mostly from the lack of sincerity which the confessions of culprits is popular for, but this is not always the case. The commonly encountered motives for mariticide apart from

financial issues are jealousy/sex of infidelity. It was also discovered that women are liable to commit mariticide following an extended period of continuous abuse and in self-defense (Jensen, 2001; Seletswane, 2007).

Factors Responsible for Rising Cases of Mariticide in Nigeria

The root causes of mariticide as a novel crime are complicated and some may be interwoven. Some of these causes are influenced by financial, social, religious, familial or cultural foundations. In view of the foregoing, this section discusses factors promoting mariticide in Nigeria.

Poverty and Illiteracy

There is a connection between financial difficulty in females and criminal behavior (Seletswane, 2007). Aaltonen, Kivivuori, and Martikainen (2011) stated that low financial standing of a female in a society is a factor used in predicting her involvement in crime in comparison to males. The results gotten from studies that took a closer look at the connection between financial and social differences and intimate partner violence have been mixed. With certain results stating that women facing financial difficulties have a higher probability of experiencing violence and low with women who can easily get the needed support (Benson, Fox, DeMaris & Van Wyk, 2003; Van Wyk, DeMaris, & Van Wyk, 2003). From the result gotten from this research it is clear that there is a connection between intimate partner violence and economic and social stress. Other preceding studies reaffirmed this connection, even when other risk factors of violent behaviors were controlled (Benson, Fox, DeMaris & Van Wyk, 2003). According Bassuk, Dawson, & Huntington, (2006) poverty has been shown to be a key element that is usually present in relation to intimate partner violence.

Women who tend to kill their spouses are likely to be from amongst those who have little education or from a poor background (Pretorius, & Botha, 2010; Roberts, 1996). A woman of higher educational qualification is very likely not to commit the murder herself but would likely have someone else do it for her (Pretorius, & Botha, 2010). In certain cases, these women mentioned that they sought help before murdering their spouse, from close friends, family members, religious heads and social services but were often times victimized or did not get the needed help (Seletswane, 2007). This is clearly seen in Janet Ekpe's case, where she visited their family Pastor and the relatives of her husband to disclose the issue to them. Following the course events that later ensued it became evident that the issue was not however resolved by them (Linus, 2020).

DSP Joe Ekang, a Deputy Superintendent of Nigerian Correctional Service during her interview said;

"That women who murdered their husbands usually use knives or a log of wood to hit them to death. Some of those women while in prison, may refuse to eat because they claim they are fasting and praying for a way a miracle to happen so that they can be free. She further said "some others show regrets by crying and worry over who could take care of their young children like they would. The two women in our facility standing trial for killing their spouses claimed they fought over money. I have only met a suspect who claimed she killed her husband in self defence because the husband use to abuse her violently and she was sure that if she had not killed the husband that day, he would have killed her instead. This woman did not show regrets at all. We usually encourage the women and counsel them to stay strong to face their trials". (Akang, 2021)

Self-Defense

When a woman commits murder in self-defense, it is usually not intentional and thus without serious thought (Rosen, 1989; Seletswane, 2007). In such a murder, the usual weapons employed are kitchen knife or by setting the spouse on fire (Pretorius & Botha, 2010; Blackman, 1988). Strangulation, shooting or the using of poison are other ways women perpetrate the murder of their partners (Pretorius & Botha, 2010; Seletswane, 2007). For self-defense to be an acceptable argument for a murder case, the accused must have in all truth and reason to believe that the use of lethal force was required to defend her from an inevitable or impending threat of severe physical injury or death (Cathryn, 1986). It is difficult to prove that an abuser who is

asleep is a threat impossible to avoid in such a state. Courts that extend the traditional self-defense prerequisites to give consideration to battered women distort the traditional tenets of the law and may support or foster violent self-help (State v. Thomas, 1997; Bechtel v. State, 1992). From another point of view, jurisdictions that decline the request of battered women who commit mariticide to claim self-defense, as a result leading to murder judgment may not be in the right directions with opinions of substantive justice (See State v. Stewart, 1988; State v. Norman, 1989). To make an efficient self-defense claim, the accused must prove beyond doubt that she believed she was in a state of immediate danger with a very high possibility of severe physical *violence* or death at the period she reacted (Sana, 2001).

A number of courts have discovered *that* a self-defense claim has elements that are subjective and objective (See State v. Stewart, 1988). Before anything the accused in the criminal proceedings must in a subjective manner with absolute certainty accepted that she was exposed to harm or death and as such was required to apply lethal force (Holly, 1991; Commonwealth v. Watson, 1981; Robbin, & Susan, 2002). The second point being that her subjective belief with certainty is one that a "reasonable person" in *the* exact condition would have (Cathryn, 1986). For this reason self-defense is an acceptable reason or warrants the accused to kill the abuser (Kit, 2004; Robbin & Susan, 2002).

ACP Adekola Adekoyejo has this to say;

"For some years now, the police have frequently been arresting some women for killing their husbands. In the olden days in Nigeria, we never use to apprehend women for such a crime. After arresting them, they become instantly remorseful and will be saying it is the devil's work. Some of them will even say they were possessed by u known forces before the dastardly act. I want to believe some of these women are driven by unnecessary jealousy, anger or mental issues. Some officers effected the arrest of a woman that stabbed her husband about thirteen times while our men arrested another lady in another state for stabbing her husband to death and cutting off his manhood at the same time. It is the duty of the police to make necessary investigations and charge the culprit to court on time" (Adekoyejo, 2022)

Infidelity and Jealousy

According to the result gotten from a research by Xu, Zhu, O'Campo, Koenig, Mock & Campbell, (2005), mariticide is common in situations where the husband engages in extra-marital affair. Battered women in such a situation are very likely to get jealous if their husband's extra-marital affair and this jealousy may be the precursor for violent behavior and murder (Walker, 1984). It is thus imperative to say that adulterous activities may be seen as a risk factor in spousal violence (Jewkes, 2002).

Infidelity is referred to as a breach of an agreement between couples with respect to the state of being exclusive in the sexual or emotional sense (Weeks, Gambescia, & Jenkins, 2003). Infidelity is also defined as a breach with respect to the subjective feeling that one's spouse has dishonored laid out rules or certain standards in the relationship. The product of the violation is a case of rivalry and sexual jealousy (Leeker, & Carlozzi, 2012). Women who murder their partners because they develop a dangerous form of jealousy, have the perception of their spouses being pleasing to others or they tend to devalue themselves as a result of low self-esteem. Thus the motivation for murder is infidelity which could be envisioned in their mind or actually genuine. This pathological form of jealousy is the kind that motivates a spouse to start a fight (Gregory & Paul, 1989). Certain forms of jealousy are not extreme and stems from actual situations, however the pathological kind stems from the mind making up false images of infidelity.

Others commit this act as a means of acquiring certain gains and sometimes to pave the path for an existing sexual relationship with a lover (Adinkrah, 2000). In some cases, some wives murder their husbands as revenge for womanizing (Adinkrah, 2007). Several cases of mariticide in Nigeria have been reported to be along the lines of infidelity/jealousy. One of such cases is that of Mrs Udeme Odibi, who stabbed her husband to death after suspecting he was having an affair with another woman (Mydrim, 2019). Another of such cases on the grounds of infidelity is Janet Ekpe's case, who poisoned her husband and chopped off his private part for having an

affair with her friend (Linus, 2020). Regarding jealousy as a causative factor that promotes mariticide, the third defendant that was interviewed explained that;

"I have been beaten almost every day by my late husband who use to come home drunk. I endured this domestic violence for almost nine years because of my children, one day, I could not take the pains anymore and I stabbed him with a big knife on the chest and he bled to death. I did not know he would die. I am sorry....I still love him" (Defendant "C", 2022)

Early or Forced Marriage

It is a growing trend in Northern Nigeria, that girls forced into early marriage are seen as perpetrators or victims of spousal violence. Forced marriage is regarded as a situation where girls of very young age are given out in marriage without giving them the opportunity to have a say in the matter. In a majority of cases such girls will express their displeasure with such a union in both subtle and violent ways. Young girls forced into marriage who end up committing mariticide are often times thought of as too young to have a vague understanding of how brutal or cruel their actions are (Stein, 2015). A good number of high-profile cases have been reported in Northern Nigeria, were girls forced into early marriage elicit harm or take the life of their husbands. Thirteen year old, Maimuna Abdulmumin was found guilty in 2012 of setting her husband on fire in his sleep (Clarke, 2015). A similar case was reported in 2017 were Wasila Tasi'u poisoned the food which her husband along with his three friends ate (Pleasance, 2014). What tied these cases is the fact that these teenage girls were from poor families, had little or no educational qualifications and suffered abuse or rape from their spouses (Clarke, 2014). Though the issue of early or forced marriage does not have much literature, however a good number of studies have pointed out that this issue is source of "major psychological trauma" (Le Strat, Dubertret, & Le Foll, 2011) and an increased probability for these girls to experience psychological pain and disorder (Ahmed, Khan, Alia & Noushad, 2013; Günes, Selcuk, Demir, Ibiloglu, Bulut, Kaya, & Sir, 2016). This was observed in the case of Tasi'u who during her trial in court did not utter a word and wept uncontrollably and was later "withdrawn and scared". (Clarke, 2012; Stein, 2015). These incidents of violence can be seen as the consequence of psychological trauma and abuse suffered by these young girls forced into marriage. However research has proven that violence as a reaction to psychological trauma suffered by children is more commonly seen in males than in females, all those who suffer from such violent traumas usually tend to employ violence too and going by the evidence given by research; the greater majority of women guilty of murder are victims of domestic forms of abuse (Pickett, 2017; Unah, 2017; Craven, 2003). In the aforementioned situations the girls all did what they did in attempt to escape the unfavorable and traumatic conditions they were forced to live for the rest of their lives.

In Tasiu's case, it was recounted that she was supposed to share the matrimonial bed with her spouse on the night she poisoned him, this follows the incident of the husband tying her to a bed so as to rape her (Clarke, 2015). As regards the issue of mariticide, age-risk patterns are usually observed in such relationships with the male partner having high tendencies of being killed under certain age brackets. In certain situations this is the case when women are in a relationship were their spouses are extremely older than they are (Daly & Wilson, 1988).

Provocation

Provocation is referred to as a partial defense to the criminal act of deliberately committing murder (Lenny & Lynsey, 2012). However, the partial defense of provocation;

"...is only relevant if the jury is satisfied that the defendant acted with an intention to kill or do grievous bodily harm. If the jury is not satisfied, beyond reasonable doubt that the defendant acted with such an intention then the verdict will be not guilty of murder, and it will not be necessary to consider the partial defense." (Queensland Law Reform Commission, 2008)

The result of an analytical study of 'mate' killings conducted by Wolfgang (1958) shows that almost sixty percent of the women who killed their mates were very provoked. In Nigeria's present legal setting, the defense of provocation isn't exactly simple, especially in cases where there is no imminent threat. Shedding more light on the aforementioned statement, if a woman murders her spouse on his sleep, it would be difficult for the court to accept this as provocation.

According to the results gotten from an earlier study carried out by Wallace (1986), a majority of the perpetrators of intimate partner homicide weren't employed when they killed their mates. Provocation is defined by the Nigerian Supreme Court as

"Provocation is the act of inciting another to do a particular deed. It is some act or series of acts which would cause in a reasonable person and actually does cause in the accused, a sudden and temporary loss of self-control rendering him so subject to passion as to make him for the moment not master of the mind. Provocation which will reduce killing to manslaughter must be of such character as will, in the mind of the average reasonable man, stir resentment likely to cause violence, obscure reason and lead to action from passion rather than judgment". (Gambo Musa v. The State, 2009)

In ascertaining the reasonableness of the behavior of the defendant which makes up provocation in question, Nigerian courts considers the accused status in the community lives and the nature of the life he or she lives, in reducing the criminal offence of murder to manslaughter (Lada V Stale, 1999; R v Akpakan, 1956; R v Adekanmi, 1944; R v Igiri, 1948).

However, according to section 318 of the criminal code, the criminal offence of homicide may be reduced to manslaughter, in cases where the defense of provocation is well raised. Section 22(1) of the Penal Code states that:

"Culpable homicide is not punishable with death of the offender whilst deprived of the power of self-control by grave and sudden provocation". (Nigerian Penal Code, LFN, 2004)

Section 284 of the Nigerian Criminal Code, provides the defense for provocation as follows:

"A person is not criminally responsible for an assault committed upon a person who gave him provocation for the assault, if he is in fact deprived by the provocation of the power of self-control and acts upon it on the sudden and before there is time for his passion to cool" (Nigerian Criminal Code, LFN, 2004).

In Akpan v. State the Nigerian Supreme Court reiterated that there should be a just relationship between the act of provocation and nature of indignation;

"It would be taken into account that the mode of resentment to the provocation must bear reasonable relationship to the act which provoked the appellant...." (Akpan v. State, 1994 and Ogbonna v. The State 1985).

In Hart, Steytler stated that;

"The older cases shows a willingness to leave open the defense of provocation in a case which a person finds his or her spouse in an act of adultery" (Hart, 2003).

Nevertheless, of late it was stated that obstacles in a relationship is not enough cause for reducing the culpability of an offender. The DPP contested that it was not proper anymore for infidelity or threat to end a relationship to be the base for provocation (O.D.P.D, 2006). However, it is important to note that it is possible that certain women commit lethal violence without being provoked by their spouses (Byrd, & Davis, 2009).

Influence of Social Media and other Culture

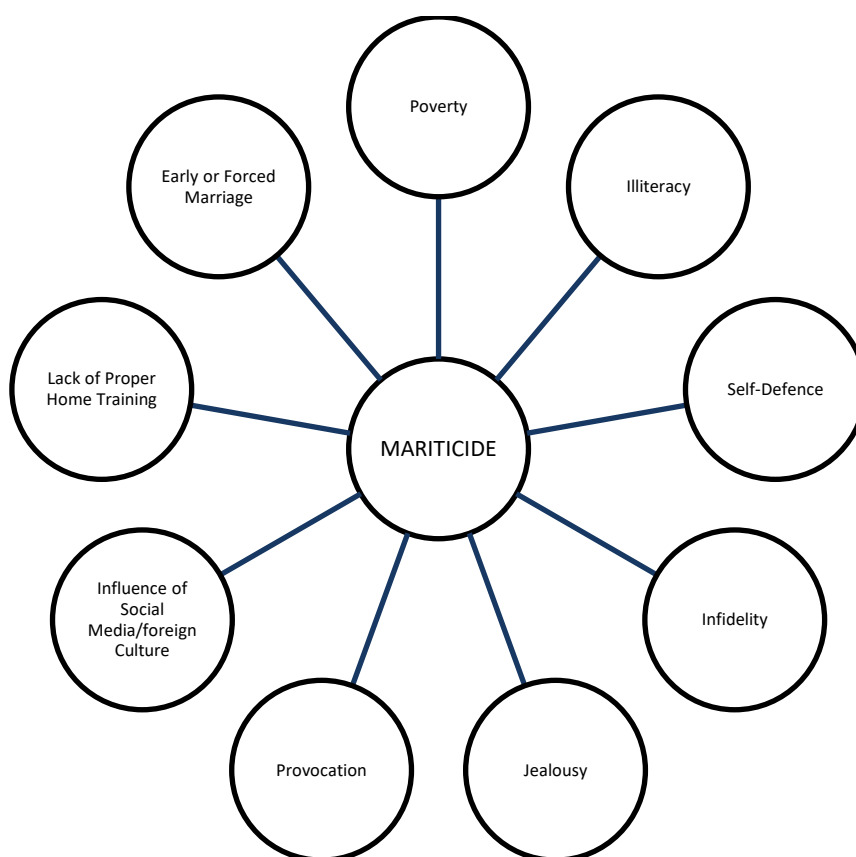
The exposure of some Nigerian women to social media and other culture cannot be over-emphasized and this could also be a motivation to the killing of their spouses. This type of exposure can be gotten through watching of films, reading write-ups of social media influencers on Facebook, Instagram and reading some non-Nigerian novels that portrays even violent revenge from a women in order to protect herself or affirm her rights in any relationship with the opposite sex. This view was confirmed by Hajiya Aisha Kabuga, the Executive Director of Women for Development and Empowerment for Kano in an interview with BBC when she said that the current rise in mariticide is caused by too much exposure to other cultures since mariticide was unheard of in the olden days Nigeria (Mansur, 2020).

Lack of Proper Home Training

Lack of proper and accurate acquisition of manners, good attitude and decent upbringing by some parents have been seen to be a catalyst for growing mariticide in Nigeria. In our interview with a suspect Bimbo Oyenuga, who was detained for killing her boyfriend in Oyo State Criminal Investigation Department, Ibadan, had this to say when asked why she killed her boyfriend;

"I am sorry for killing my boyfriend and I regret it. I have seen my mother severally used many objects to hit my father anytime she caught him with another woman to show her anger. I wanted to hit my boyfriend with a wood when I read some messages from another woman on his phone just to scare him the same way my mother used to do to my father. I didn't know he was going to die. The government should forgive me since I have realized my mistakes". (Defendant "A", 2022)

She was sobbing and requested the boyfriend's family members to please forgive her for killing their son. This narrative was further established when Hajiya Aisha Kabuga, the Executive Director of Women for Development and Empowerment for Kano opined that lack of parental responsibility of giving proper home training to a girl child is a major cause of mariticide in Nigeria and that parents are to teach their children how to cope with situations without resorting to violence. Hajiya Aisha Kabuga says this calls for deep concerns from religious leaders and government since between 2017 and 2019, nine cases of mariticide were record in Bauchi, Zamfara and Katsina states (Mansur, 2020). As shown in Figure 1 and as explored above, there are several causes of increasing cases of mariticide in Nigeria



Factors Responsible for Rising Cases of Mariticide in Nigeria

The Nigerian Legal Experience on Mariticide

In this section, the study explores the mariticide cases that are presently being prosecuted and the decided ones in Nigerian courts. These cases establish the reasons and patterns of the killings and further depicts the surge in cases of mariticide in Nigeria which was scarcely known to the criminal justice system. Culturally too, the killing of a husband/boyfriend by the wife/girlfriend using this new trend of stabbing used to be unknown. In an interview with Justice Yemi Ajayi, he had this to say;

"It is very unfortunate that the judiciary has been faced with unimaginable cases of women and young girls killing their husbands for some time now. Why would a woman kill her husband because he is having an affair with another woman? It is not only heinous but evidently morally and legally wrong, more so, a man's' marriage to more than one wife is permissible in the Nigerian customs and traditions. Judges are now forced to go beyond the law and forced to take

cognizance of different religions, cultures and traditions in Nigeria before delivering judgments on mariticide cases. Judges have also ensured that such cases are not delayed so that justice can be quickly seen to have been done by all stakeholders. Nigerian women are therefore advised to be patient and control their tempers anytime they find their husbands committing adultery with another women because the provisions of relevant laws will be strictly adhered to among other factors to deliver judgment. It is the duty of a judge to give a ruling that such a defendant be remanded in prison since murder is not a bailable offence under the Nigerian penal system." (Ajayi, 2022)

The Decided Cases

The State v Victoria Gagariga

In 2015, Victoria Gagariga, a thirty year old woman, stabbed her husband, Henry Gagariga, a Lawyer to death due to Jealousy at their residence in Yenogoa, Bayelsa state (John, 2018). In 2018, she was sentenced to death by hanging and to show how the Judge struggled with law, societal response and culture he had this to say;

"It is unfortunate that I can only pronounce the sentence prescribed by law. I wish I had the discretion to do otherwise. However, that discretion rests with the executive governor of Bayelsa State. I am only left with the compulsion to pronounce the sentence prescribed by law. I hope that person the discretion would look at the circumstance of this case and do the needful. I hereby pronounce my sentence. My sentence upon you is that you shall hang on the neck until you die. May the Lord have mercy on your soul" (Daily Post, 2018).

The State v Yewande Oyediran

The defendant is a Lawyer that was a staff of the department of the Public Prosecution, Oyo State Ministry of Justice, in Ibadan. She allegedly murdered her husband, Lowo Oyediran, by stabbing him with a knife on February 2, 2016, at Akobo area of Ibadan. She had accused the husband of having a child out of wedlock after nine years of marriage with no child between them. The landlady of the building that served as the matrimonial home for the defendant and her husband had pleaded with the husband not to sleep at home that night after he returned from the hospital where he went to receive treatment from the stab wounds inflicted on him by the defendant, but he did not oblige the landlady's request. In the dead of the night while her husband was fast asleep, Yewande stabbed the husband severally to death. On trial, some of the prosecution witnesses testified to the truculent behaviour and attitude of Yewande before committing the heinous crime (The State v. Yewande Oyediran, 2016).

In November 2017, the Chief Judge of Oyo State, Justice Munta Abimbola who presided over the matter, convicted the defendant of the husband's murder but only sentenced her to seven years imprisonment because the prosecution failed to provide forensic evidence in order to prove that the murder weapon tendered by the prosecution is the same knife the Yewande used. It is to be noted at this point that the defence had the charge of murder reduced to manslaughter and the defendant was convicted of manslaughter. Now the punishment for manslaughter is life imprisonment, yet the judge awarded an imprisonment for seven years only, which is highly controversial. Above all, Yewande was thereafter in less one year and three months of serving the seven years jail term, was granted state pardon by the former Governor of Oyo State, Senator Abiola Ajimobi (Femi, 2017). This case is the *locus Classicus* on mariticide that is ever decided by the Nigerian courts. The Authors wonder if this case can ever serve as deterrent to other women to prevent them from killing their boyfriends/husbands untimely. It should be noted here that the defendant is a Legal Practitioner, in-fact a state counsel to be precised and she ought to have known the consequences of her actions better. The Maryam Sanda's case to be analysed next shows Yewande's case serves no deterrence for other Nigerian Women. This case further proves that cheating is one of the causative narratives of mariticide in Nigeria.

The State v Maryam Sanda

In November 2017, shortly after Yewande was granted bail, Bilyamin Bello, son of the former was allegedly stabbed to death by his wife Maryam Sanda. In their matrimonial home in Abuja, Nigeria at about 3 a.m. It was reported that Maryam killed her husband by stabbing him multiple times "after seeing text messages on his phone which suggested that he was engaged in extra-marital affairs, in the act of apparent remorse, after the stabbing Maryam drove her husband to

the hospital where she allegedly confessed to medical staff that she was responsible”(Halima, 2019). Maryam Sanda was eventually tried before the Federal High Court Territory Abuja, found guilty, convicted of the Husband’s death and sentenced to death by hanging (Ebuka, 2020). It is obvious that, two of the most sensational cases in a contemporary Nigeria on mariticide, during the period under review, particularly in the year 2017, would remain the story of the female lawyer Yewande Oyediran and Maryam Sanda. This decided case connotes cheating that a woman detects through the husband’s handset is another causative narrative of mariticide.

Pending Court Cases on Mariticide

The State v Chidinma Ojukwu

Chidinma Ojukwu is standing trial for killing her lover, Micheal Ataga, a married man, by stabbing him severally and afterwards used his bank cards to steal his money. This case was a very famous one that happened in Lagos state in 2021(Onozure, 2022).

The State v Udeme Odibi

Mrs. Udeme Otiki Odibi for the murder of her lawyer husband , Mr. Symphosa Otiki Odibi . A forty-seven year old lawyer identified as Udeme Otike-Odibi killed her fifty year old husband who is also a legal practitioner, thus ending her three year old marriage for cheating. They had an argument one evening when she could not find her copy of their marriage certificate. The argument got very heated, and then she made her way to the kitchen, returning with a frying pan and a knife. According to her statement to the police, she continuously hit her late husband on the head with the frying pan and later proceeded to repeatedly stabbing him with the knife and finally proceeded to cut his penis with a knife and placed it on his hand, telling his corpse that “If your penis is the one that is giving you license to have feelings for another person, it is better we cut it off” (The Mirror, 2019). It was alleged that Mrs Odibi stabbed her husband to death and mutilated his body. According to the Attorney General of Lagos State, the woman must face the law. (Premium Times, 2019).

This case showcases domestic violence as a causative narrative of mariticide in Nigeria through the use of Knife as a weapon.

The State v Folashade Idoko

Mrs Folashade Idoko, a 23 year old mother of three stabbed her husband on the thigh after an argument ensued between the couple over money. Mrs Folashade violently attacked her husband during the argument. The husband, Lawrence Idoko later died in the hospital some hours after. (The Punch, 2017). This case proves that poverty or lack of money is one of the causes of mariticide in Nigeria as narrated by the suspect.

The State v Janet Ekpe

In 2017, Janet Ekpe, a 33 year-old woman residing in Zumbagwe, a community in Karo local government area of Nassarawa state poisoned her husband of eight years and father of her two children for allegedly denying her sex and for having sexual relations with her supposedly best friend. According to Janet, her reason for murdering her husband was to free herself from psychological trauma. When she first noticed her husband’s infidelity, she reported the issue to the Church they both attended, and then to his parents and other relations but it all did not provoke the needed response. In her confession she is reported to have said that;

“I mixed a deadly, colorless, tasteless and odorless substance in his meal and drinking water which destroyed his intestines immediately....He cried and struggled uncontrollably after taking the meal. He gave up after an hour and I used a sharp blade and knife to chop off his penis and place it on his hands chest as evidence of what killed him”(The Nation, 2020).

This case shows that sex denial also is also one of the causes of mariticide.

The State v Veronica Mohammed

Veronica Mohammed a mother of two and half year old baby in Obene area of Keana local government area of Lafia, Nassarawa state, stabbed her husband with a knife following a quarrel they had over a phone call he made, which she suspected and accused him of speaking to a lady on the phone. Veronica, in her confession held the devil responsible for her actions; further stating that she never intended to kill her husband but only intended to scare him so as to take

away the phone from him (The Punch, 2020). One of the defendants interviewed had a similar experience wherein she said;

"My husband stopped respecting and was calling many of his concubines in my presence. I warned him severally to stop, but he would not listen. On the day he died, I prepared his meal and as he was eating, he received a called from another woman and he started prophesying love to the woman he was talking to. I challenged him and he slapped me. I went for the knife and stabbed him on the neck from behind". (Defendant "B", 2022)

The State v Salma Hassan

In this case, Salma Hassan an eighteen year old teenager allegedly murdered her husband, Mohammed Mustapha on the eve of the wedding in Gadau local government area of Bauchi state. According to Salma she never intended to kill her. She reported that she refused her late husband sex on the wedding night, but he would not take no for an answer and tried to force himself on her. Salma told him that the act the act was 'iskanci', which means immoral, and that she wouldn't be party to it. She related that;

"He, therefore, got angry and beat me up, I took a knife and stabbed him not knowing that it would kill him, I never intended to kill him because I stabbed him gently. But he bled, and was rushed to the hospital where he died" (Daily Nigerian, 2020).

This case supports forced/early marriage as one of the causes of mariticide in Nigeria.

The Eastern part of Nigeria is a region where marriage believed to be a sacred contract for life and the wife must culturally adore the husband like a god. Unfortunately, the heinous crime of mariticide has found its way into that part of the country could occur in this part of the country in December 2019, in Nnewi, Anambra state precisely, where a young woman stabbed her fiancé, Obinna to death. There was a misunderstanding between the two lovers and the lady wanted to stab obinna, but Obinna managed to dispossess her of the knife. During the struggle, the lady's fingers were hurt and she went to the hospital for treatment. Later at night on the same day, the lady stabbed Obinna to death in his sleep (Nairaland, 2019).

The State v Nkechi Magnus

In the same vein, in August 2020, a 24 years old lady from the Eastern part of Nigeria, Nkechi allegedly stabbed her boyfriend to death over allegations of cheating on her with some other girls (Nairaland, 2020). This series of reports across regions of the Nigeria is indicative that mariticide is growing to become one of the common types of murders.

The State v Queen Beatrice

On 17 February, 2021, in Okitipupa area of Ondo state, Queen Beatrice struck her husband Emmanuel Ikukuni to death with a plank. A fight ensued between the suspect and the deceased husband when he received a call from another woman in her presence. One of the eyewitnesses said "by the time the neighbors could rushed the husband to a nearby hospital he had died" (Vanguard, 2021). This is a 2021 case that further buttresses the fact that the crime of mariticide is escalating in Nigeria.

In the same continent of Africa, a South African lady in September 2020, also stabbed her fiancé to death (Nairaland, 2020). This depicts that the menace of the rise in mariticide cases may not be limited to Nigeria alone and may be spreading across the continent.

Results

This study reviewed fifteen mariticide cases in all. Three of the cases were decided ones in which the defendant were found guilty and convicted of the murder of their spouses. The remaining twelve cases consist of are two girlfriends and ten wives who are currently standing trial for the murder of their boyfriends and spouses. Seven out these cases had infidelity (especially after these women checked their husband's phones) as the narrative causes of mariticide, three were as a result of domestic violence, one was due to forced marriage, one was because of the spouse's property, two were due to poverty and the last was due to provocation after a heated argument. These narrative causes adumbrate the reasons behind escalating cases of mariticide in Nigeria.

Three women in correctional centers gave their accounts of mariticide and expressed regrets and hoped government would grant them amnesty. Four other women in these various centers declined to be interviewed.

The Legal response of the judiciary to cases of mariticide is to decide them faster than other forms of homicide so as to serve as deterrents to other women, albeit, judges struggle with religious and cultural stands of the society when giving judgment. Social workers in state ministries counsel the defendants, prison officials treat them with reasonable fairness to the extent that one of such women won the beauty pageant in the correctional center and the Police officers conduct thorough investigations.

The Legal Framework

Section 316 of the Criminal Code defines murder as follows:

"Except as hereinafter set forth, a person who unlawfully kills another under any of the following circumstances that is to say: (a) If the offender intends to cause the death of the person killed, or that of some other person; (b) If the offender intends to do the person killed or to some other person some grievous harm; (c) If death is caused by means of an act done in the prosecution of an unlawful purpose, which act is of such a nature as to be likely to endanger life; (d) If the offender intends to do grievous harm to some person for the purposes of facilitating the commission of an offence which is such that the offender may be arrested without warrant, or for the purpose of facilitating the commission of an offence which is such that the offender may be arrested without warrant, or for the purpose of facilitating the flight of an offender who has committed or attempted to commit any such offence; (e) If death is caused by administering any stupefying or overpowering things for either of the purpose last aforesaid; (1) If death is caused by willfully stopping the breath of any person for either of such purpose, is guilty of murder". (Nigerian Criminal Code, 1916)

The offence of culpable homicide is defined under section 220 of the Penal Code, accordingly:

"whoever causes death:-

(a) by doing an act with the intention of causing death or such bodily injury as is likely to cause death; or (b) by doing an act with the knowledge that he is likely by such act to cause death; or (c) by doing a rash or negligent act to commit the offence of culpable homicide." But for the offence to amount to murder (i.e. culpable homicide punishable with death) such a homicide must come under section 221 of the Penal Code, which provides as follows: Except in the circumstances mentioned in section 222, culpable homicide shall be punished with death- (a) if the act by which the death is caused is done with the intention of causing death; or (b) if the doer of the act knew or had reason to know that death would be the probable and not only a likely consequence of the act or of any bodily injury which the act was intended to cause".(Nigerian Penal Code, 2004).

Besides, certain exceptions are made with respect to the state of the woman charged with such an offense. For instance, if it is confirmed that the woman is expecting a baby at the time the crime was committed and during the trial, she will be offered a life sentence in place of capital punishment (Criminal Procedure Act, 2004)

Recommendation

Wives/girlfriends should stop checking the Phones of their husbands/boyfriends since most mariticide cases in Nigeria are caused as a result of this. What a person does not know about, will definitely not hurt. In other words, even if Wives/girlfriends suspect their husbands/boyfriends of infidelity without having proof via the handsets, such Wives/girlfriends may not be pushed to commit mariticide especially when the men are asleep, subconscious and helpless to defend themselves. Furthermore, Section 55(1) (d) of the Penal Code which gives a husband the right to discipline the wife should be urgently reviewed and expunged (Penal Code, 2004). If this is done, there would be less domestic violence which will in turn lead to a decline of fast rising mariticide cases in Nigeria. More so, there should be continuous review of the mariticide cases by the Judiciary, the Police Force, Counsels and all stakeholders in Nigeria. Parents should not force their daughters into early marriages but give proper home training and manners to their girl-children so as to enable them cope with relationship situations without violence. Wives and girlfriends with aggressive tendencies should voluntarily embark upon

counselling so as gain control or subdue such behaviors. Awareness should be raised by health care, criminal justice and educational systems on risk factors of mariticide and how to address or manage such stresses. Relevant staff in both the public and private sectors should be trained on how to spot out warning signs of mariticide and intervene at the very early stages. Counselling, advocacy and child services should be provided to victims of such violence. A large-scale national homicide data set should be established in Nigeria. The media should totally condemn the act of mariticide and stop castigating the personality, behavior and attitude of the culprit.

Conclusion

As we draw conclusions on this study, we assert that mariticide which is a fairly new concept, has come to be part of matters to be resolved under the Nigeria criminal justice administration. Due to the absence of a large-scale national mariticide data set in Nigeria, the researchers encountered difficulty in accessing an all-encompassing and dependable official data. Irrespective of the above mentioned considerations, the article offers a better view of mariticide in Nigeria and presents an empirical contribution to the topic.

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