

# Gender Based Violence Dimension of Terrorism in Nigeria: A Critique

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## Abstract

Terrorism is a criminal act that has devastated and destabilized many nations of the world. It has now become a daily occurrence in North East Nigeria, the most alarming and worrisome aspect of the Nigerian insurgency is the gender based violence dimension it assumed since 2012 the Nigerian Police arrested some of the wives and children of Boko Haram leaders in a bid to hit back at the terrorists. The sect has ever since continued to unleash violence on the defenceless and innocent Nigerian female genders apparently in retaliation of the Nigerian Police arrest of their wives and children, who were not found to have any linkage with the alleged terrorist attacks by their husbands and fathers. A typical example of such retaliatory gender based violence was the subsequent abduction of 200 Chibok girls sometime in April 2014 till date. The paper highlights and examines the gender rights violations dimension of the current insurgency in Nigeria. It observes that the female genders are now used as pawns in the insurgency as a galaxy of their legally guaranteed rights are grossly infringed and violated. It further criticizes this awful trend and proffers recommendations on how to abate this violent trend targeted against the female genders.

**Keywords:** Key Words Gender, Violence, Terrorism, Nigeria, Human Rights, Boko Haram. Constitution  
ugu: FDP publishers (1994) .

## 1 Introduction

This paper as the title indicates is interested in a legal dissection of the emerging gender based violence of terrorism in Nigeria. This has become necessary in view of the increased adoption of gender based violence tactics by both the Nigerian government and insurgents. The Nigerian government, for instance in 2012 through its security operatives arrested more than 100 wives and children of several Boko Haram leaders. The significance was the deliberate deployment of such practices to strike at the heart of Boko Haram through the wives and children of the Boko Haram leaders ,this tactics in turn had a significant impact on Boko Haram's strategy ever since. (Jacob et al 2014). Boko Haram, in 2013 in retaliation carried out series of kidnapping, in which one of the main features was the instrumental use of women in response to corresponding tactics of the Nigerian government. Abubakar Shekau, the sect leader issued a video message where he threatened to kidnap the wives of government officials in retaliating the detention and alleged sexual abuse of their wives. The threat was made real in May 2013, when Boko Haram carried out a mass assault on Police barracks in Bama, Bornu State, the terrorists captured 12 Christian women and children (Agence France- Press, 13 May, 2013). The women arrested at Bama were visiting their relatives working in the police station (Al-Jazeera, 26 May 2013).The women who were released several weeks later in exchange for the release of the wives of Boko Haram members, who were interviewed by Al-Jazeera, said Boko Haram members told them without mincing words that their abduction was as a response to the government's detention of their own wives and children.

Ever since that incident, the Boko Haram strategy has continued targeting women and the girl-child for instrumental purposes. For example in April 14 2014, 200 Chibok girls were abducted by Boko Haram members till date. More recently, the sect now carry out series of bombings through women and girl child suicide bombers.

This evolving gender based violence dimension terrorism in Nigeria has now assumed in recent time is quite disturbing and worrisome. A litany of human rights of the women and the girl-child is grossly violated unabated. These growing incidences, if unchecked constitute a serious threat (Adekoya, 2014). It is believed that these persistent violations of women rights would on the long run undermine gender rights, equality and development.

The paper shall presently attempt a discourse of the legal meaning of terrorism, history of Boko Haram in Nigeria. It will also examine the galaxy of gender rights violations occasioned by these terrorism and counter terrorism strategies, recommendations shall be proffered on the best way forward to check this ugly trend targeting the female gender.

## 2 Legal Definition of Terrorism in Nigeria

There is no universally accepted definition of the word "terrorism". Many legal experts have however tried to define the term, for instance, terrorism has been defined as:

The calculated use of violence (or threat of violence) against civilians or non-combatants, in order to attain goals that are political or religious or ideological in

nature, which is done through intimidation of a population or government or an international organization or coercion or instilling fear to do or abstain from doing any act (Ladan 2014).

The Austin Police department defined the term as “the unlawful use of force or violence against person’s or property to intimidate or coerce a government or its citizens to further certain political or social objectives”. It has been argued in some quarters however that terrorism is not only characterized by force or violence alone, but involve both tactics and strategy, a crime and a holy duty; an unjustified reaction to oppression and an inexcusable abomination (International Terrorism and Security Research). It is quite glaring that this group see terrorism from the standpoint of religious extremism. It must be stressed however, that not all terrorists have religious agenda as their objective. Generally speaking it would appear that most definitions of the word “terrorism” seek to highlight “violence” as the most prominent weapon of most terrorist group. The UN General Assembly Resolution has however, condemned violence in the following words:

Criminal acts intended or calculated to provoke a state of terror in the general public, a group of persons or particular persons for political purposes are in any circumstances unjustifiable whatever the considerations of a political, philosophical, ideological, racial, ethnic, religious or any other nature that may be invoked to justify them.

In Nigeria there is no gainsaying the fact that the term is mainly perceived from the religious perspective. Terrorists in Nigeria are religious extremists who amongst other things want to abolish western education, female co-education at all cost.

### **3 Brief History of Terrorism in Nigeria**

The Islamist terrorist group called Boko Haram, but whose Arabic name is Jama’a Ahlal- Sunnah li-dawa al jihad) Sunni group for preaching and Jihad) has been active in Nigeria since 2002. Historically the word “Boko Haram” means “western education is sinful”. The group from all indications has two main aims, namely;

- (1) The opposition of what it considers to be the secular westernization of Nigeria, especially co-educational system of learning.
- (2) Creation of Islamic state in Nigeria.

Since 2010, however, Nigeria has experienced both a resurgence in Boko Haram military and more sophisticated and deadly attacks and Jihadist ideology. Since 2010 the tide of terrorism in the North Eastern part of the country has been on the increase by the day. Churches and Mosques have been blown up by Boko Haram bombings, many lives have been lost. In recent time however, it would appear the insurgency is taking a new dimension as gender rights violation is fast becoming an increasingly significant component of Boko Haram’s tactics, messaging and violence. ( Jacob et al ) This paper shall presently examine and discuss the current emergence of gender dimension of Boko Haram insurgency and the legal implications on the rights of these female genders in North East Nigeria.

### **4 The Emerging Gender Dimension of Terrorism in North East Nigeria**

This emerging gender rights violation dimension may not be unassociated with the Nigerian police arrest in 2012, of the wives and children of several Boko Haram leaders. More than 100 women and children were detained among them were Shekau’s (Boko Haram) own wives. Also the wife and children of commander of Kano, Suleman Muhammed were also detained. The pregnant wife of commander of Sokoto, Kabiru Sokoto was equally arrested and it was reported that she delivered while in detention. Also arrested was the wife of the suicide bomber who attacked the “This Day” media house in Abuja in April 2012 (Borkindo et al). These arrests of wives and children of Boko Haram members it must be stressed is not only absurd but unlawful. This is a common Nigerian police practice, which should be roundly condemned as out of tune with acceptable international standard and practice. On no account must the Nigerian police arrest an innocent relation of a suspect in a bid to force the suspects to show up. These arrests from subsequent unfolding events had a very significant effect on Boko Haram’s strategy. The detention of Boko Haram leaders’ wives and children was cited as a grievance in Shekau’s video statement, in 2012 and 2013. He threatened to retaliate by abducting wives of government officials.

In May 2013, Boko Haram sect made real its threat by abducting more than 12 Christian government officials, wives and children in Bama Police station Bornu state. Sekua claimed to be responsible for the Bama abduction in a video message, he then promised to make the hostages his servants if certain conditions, such as the release of Boko Haram members and their wives from prison were not met (Agence France-Press, video, 13 May 2013).

Many writers hence opined that, “2013 marked a significant evolution in Boko Haram’s tactics. Boko Haram carried out a series of kidnappings in which one of the main features was the instrumental use of women in response to corresponding tactics by the Nigerian government”. (Jacob et al). They further opined that these

events under discourse demonstrate an established cycle of government detentions of women related to Boko Haram, and the group's retaliatory abduction of Christian women. The paper shall attempt a dissection of the legal implications of the Nigerian police arrest of Boko Haram's wives and children and Boko Haram's retaliatory strategies ever since by unleashing terrible violence on women, for example, the subsequent abduction of 200 Chibok girls and the present strategy of using women and the girl-child as suicide bombers.

### **5 A Critique of the Evolving Gender Rights Violation Dimension of Terrorism and Counter Terrorism Tactics in Nigeria**

Nigerian human rights activists have raised serious concerns over detentions and non-diligent prosecution of Boko Haram suspects and relations and other abuses as a military strategy to combat Boko Haram insurgency in Nigeria (Ladan 2014). In May 2013, as a response to the human rights activists' agitations, a presidential order was issued for the release of women and children detained in connection with Boko Haram links.

In July 2013, the defence headquarters set up a joint investigation Committee to look into the allegation of non-prosecution of the detainees. The military authority in Abuja admitted holding 1,400 suspects for months without trial in 3 detention centers in Borno, Yobe, and Adamawa. 500 of the Terrorists were recommended for trial by the Committee, 167 were recommended to be released, while 614 terrorist suspects were recommended for review. The statement of the defence headquarters was however, silent on the remaining 119 suspects (Daily Trust 2013).

As highlighted earlier in this paper, the unlawful detention of wives and children of Boko Haram leaders took a devastating toll on Christian women in the North East Nigeria; this has given rise to blatant gross violation of the rights of women in this part of the country as a retaliatory measure by Boko Haram. The Bama abduction, abduction of 200 Chibok girls and recent increase in the number of female suicide bombers are typical examples of the gender based violence dimension the insurgency has now assumed. Women are now mostly at the receiving end, they are now the main casualties or victims of the current insurgency in Nigeria. A legion of human rights violations has been unleashed on the female folk in contravention of the express provisions of both the Nigerian 1999 Constitution and the Nigerian Child Rights Act 2003.

The Nigeria Child's Right Act sets out the rights of the child as; right to survival and development; right to freedom of association and peaceful assembly; freedom of thought, conscience and religion; right to private life; right to freedom of movement, right to dignity of the child; right to parental care and protection and maintenance and right of a child to free, compulsory and universal primary education among others.

Furthermore the Child's Rights Act prohibits in section 27, the removal of a child out of the custody or protection of his or her mother, guardian or other person having lawful care or charge of the child against their will. Contravention of section 27 attracts 15 years imprisonment. The Child's Rights Act, equally prohibits child marriage (section 21). (It would be recalled that the Chibok girls abductors claim that the under aged girls had been forcefully married off) while some who escaped, were allegedly raped and impregnated by them.

These acts of violence against women under discourse contravene section 35(1) of the 1999 Constitution which guarantees the right to personal liberty, it is clear that these women and girls were kidnapped against their will. Their right to freedom of movement as enshrined in section 41 of the Constitution is also violated. The female gender rights to education has come under the severest attacks with the kidnapping of the Chibok girls, their right to education has been suddenly aborted because Boko Haram is opposed to western education of girls thereby infringing their right to freedom from discrimination under section 42 of the Nigerian Constitution. Non education of the girl- child will invariably have adverse effect on the growth and future of these girls. They are undoubtedly exposed to all sorts of developmental hardships when compared with their male counterparts (Adekoya 2013). Lastly, their right to freedom of thought, conscience and religion as guaranteed by section 38 of the Constitution is violated as they are compelled against their wish to become Muslims.

It is quite glaring that both the Nigerian Police arrest of wives and children of Boko Haram leaders and the subsequent retaliatory abductions of Christian women and Chibok girls by Boko Haram sect are clear violations of the above enumerated legally guaranteed rights of these female genders in question. More recently, Nigeria has witnessed increasing number of female suicide bombers used by Boko Haram, for example for two days in a row 10<sup>th</sup> and 11<sup>th</sup> January 2015 old female suicide bombers of about 10 years of age struck in busy Nigerian markets in Potiskum, Borno state and Yobe state respectively killing over 50 people. (upi.com) this has raised suspicions in many quarters that some of the kidnapped Chibok girls were being used by them to perpetrate their mission.

It is not in doubt therefore that this gender violence dimension of Nigerian insurgency has been a source of concern to gender rights activists, who have observed: The growing incidence of gender based "violence no doubt constitutes a serious threat to gender development and equality globally. Women's rights are constantly under assault thereby undermining gender rights, equality and development".

The female genders are now at the receiving end of the insurgency as all these women and girls are

apparently targeted for instrumental purposes as none of those captured on either side had any direct involvement in the conflict (Jacob et al) These attacks on women by Boko Haram is also seen as an extension of other institutionalized and long term discriminatory practices against them in northern Nigeria (Onapajo & Uzodike 2012:32).

## 6 Recommendations

It is recommended that the Nigeria government should desist from violating the human rights of the citizens in general and the Nigerian female genders in particular as a counter terrorism strategy activities in Nigeria. The United Nations General Assembly has observed that

Effective counter- terrorism measures and the protection of human rights are not conflicting goals but complementary and mutually reinforcing”; in consequence of which states must ensure that any measures taken to combat terrorism comply with their obligations under international law,... and make every effort to develop and maintain an effective and rule of law based national criminal justice system... with due respect for human rights.

(2)The Nigeria government should by all means resolve this prolonged insurgency in order to save the female genders from this gender based violence.

(3)The Boko Haram should desist from unleashing gender-based violence on women. Women are human beings and should not be subjected to this inhuman and degrading violence. Violence contravenes all known national and international norms and standard. The girl-child girl education is a must.

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