

AN EXAMINATION OF THE PLEA OF SELF DEFENCE IN NIGERIAN MARITICIDE CASES*

Abstract

Mariticide, defined as the act of a wife killing her husband, is frequently associated with prolonged domestic abuse, thereby making self-defence a crucial yet intricate legal defence in such instances. This study explored the intersection of mariticide and self-defence within the Nigerian legal context, evaluating the degree to which current laws safeguard women who respond to sustained violence. The study employed a mixed-method approach that included the perspectives of judges, prosecutors, members of the International Federation of Women Lawyers (FIDA), and interviews with convicted women. The study uncovered that although legal provisions for self-defence are in place, their implementation is impeded by stringent legal standards, societal prejudices, and inconsistent judicial interpretations. The study concluded that Nigeria's legal framework urgently needs reform to integrate concepts such as Battered Woman Syndrome and cumulative provocation, along with enhanced legal awareness and supportive policy measures to ensure more equitable outcomes for survivors of domestic violence.

Keywords: Domestic Abuse, Self-Defence, Mariticide, Legal Reform, Nigeria

1. Introduction

In the context of mariticide where a wife kills her husband, self-defence pleas often require a nuanced examination of domestic violence dynamics, societal norms, and the application of legal standards. When women kill their abusive husbands, they are considered to be highly traumatised which leads them to murder their partner to find a way out of a living hell, or they are psychologically unstable.¹ Understanding this context is crucial in addressing the underlying issues and providing appropriate support and interventions for those involved.² Self-defence is recognized by Section 33(2)(a) of the 1999 Constitution as amended and strengthened by the provisions of the Criminal Code Act (applicable in Southern Nigeria) and the Penal Code (applicable in Northern Nigeria). Culturally, the Nigerian society is shaped by patriarchal norms that influence the expectation of spousal behaviour and the interpretations of violence within domestic settings and as such mariticide incidents frequently generate considerable public interest due to entrenched socio-cultural structures related to marriage, gender roles, and domestic abuse.³ In such instances, women who often claim self-defence, contend that their acts were compelled by prolonged abuse or an imminent threat to their lives. Women are more likely to be victims than perpetrators.⁴ This prompts enquiry on the degree to which the legal system sufficiently addresses the actual experiences of domestic abuse victims in the context of self-defence.⁵

The use of self-defence in Nigerian marital homicide cases continues to face considerable obstacles despite progress. Women's claims of self-defence in marital homicide cases are frequently viewed with suspicion by judges due to deeply ingrained patriarchal traditions. Demonstrating an immediate threat and proportionality of reaction are necessary to establish self-defence. Victims frequently lack the witnesses or tangible proof needed to support their allegations. Some courts follow conservative interpretations that restrict the use of self-defence, while others embrace progressive interpretations. Women in abusive situations sometimes do not have access to shelters, counselling, or legal assistance, which limits their alternatives and makes the plea of self-defence more difficult.⁶ Women who successfully use self-defence may encounter criticism from society and, in certain situations, reprisals from the victim's relatives. The recognition of Intimate Partner Violence within legal frameworks often reflects broader societal patterns.⁷ Although nations like the United States and Canada have included Intimate Partner Trauma Response to enhance the comprehension of self-defence claims, the Nigerian legal system has not embraced comparable sophisticated methodologies.⁸

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¹ K Geldenhuys, 'Mariticide—An Extreme and Deadly Form of Domestic Violence' (2020) 113(7) *Servamus Community-based Safety and Security Magazine*.

² A Imosemi, N Abangwu and A Taiwo, 'Dimensions of Female Narrative Causes: Pathways to Prevention of Escalating Cases of Mariticide in Nigeria' (2023) 16(1) *Baltic Journal of Law & Politics* 593.

³ O Chukwuemeka and O Godwin, 'Mariticide in Nigeria: Interrogating the Place of Some Theories of Intimate Partner Violence' (2020) 3 *Nigerian Journal of Family Law* 56.

⁴ K Geldenhuys, 'Mariticide—An Extreme and Deadly Form of Domestic Violence' (2020) 113(7) *Servamus Community-based Safety and Security Magazine*.

⁵ O Chukwuemeka and O Godwin, 'Mariticide in Nigeria: Interrogating the Place of Some Theories of Intimate Partner Violence' (2020) 3 *Nigerian Journal of Family Law* 56.

⁶ KA Puhula, 'Legal Experiences of Women Survivors of Domestic Violence: A Need for Policies that Address the Justice Gap' (PhD dissertation, University of Massachusetts Boston, 2011) <https://scholarworks.umb.edu/doctoral_dissertations/37> accessed 8 February 2025.

⁷ B Russell, 'Battered Woman Syndrome as a Legal Defence: History, Effectiveness and Implications' (2011) 2(3) *Partner Abuse* 382.

⁸ EO Oluwole, NC Onwumelu, and IP Okafor, 'Prevalence and Determinants of Intimate Partner Violence Among Adult Women in an Urban Community in Lagos, Southwest Nigeria' (2020) 36 *Pan African Medical Journal* 345.

Despite the legal provisions for self-defence, there is a significant gap in understanding how this defence is applied in cases of mariticide in Nigeria. The judicial outcomes in such cases often reflect inconsistencies and a lack of clear guidelines, leading to varied interpretations and applications of the law. This study sought to address these inconsistencies by critically analysing the plea of self-defence in mariticide cases, aiming to provide clarity and propose recommendations for more consistent judicial practices. Domestic violence is a widespread issue in Nigeria, often exacerbated by patriarchal norms that sustain gender inequality and silence victims. Women who are accused of mariticide frequently assert that their actions stem from prolonged abuse or a need to protect themselves from imminent danger. However, in Nigeria, cultural norms, societal pressures, and structural obstacles influence the criminal justice system, making the assertion of self-defence in mariticide cases a source of distinct legal and ethical dilemmas.⁹

The complex reality of marital homicides—frequently stemming from enduring abuse, psychological distress, and power disparities—underscores a conflict between legal frameworks and actual experiences. The law mandates rigorous compliance with the immediacy and proportionality of the threat, yet these stipulations may insufficiently account for the complexity encountered by victims of domestic abuse who react after prolonged suffering. This inconsistency prompts enquiries on the ability of Nigeria's legal system to address the nuances of mariticide cases within the framework of self-defence.¹⁰

2. Legal Framework for the Plea of Self-Defence in Mariticide Cases

In examining the legal framework of the plea of self-defence in Nigerian mariticide cases, it was pivotal to analyse the statutory provisions and judicial interpretation that governed this defence. National laws governing the plea of self-defence in Nigerian mariticide cases are primarily encapsulated within the 1999 Constitution of the Federal Republic of Nigeria as amended, the Nigerian Criminal Code Act, the Evidence Amendment Act, and the Penal Code. These legal frameworks provide the foundation for understanding how self-defence is interpreted and applied in instances where a spouse is accused of killing their partner.

The Constitution of the Federal Republic of Nigeria 1999 (as amended) establishes the essential legal structure for safeguarding life, ensuring fair trial rights, and overseeing the administration of justice. These elements are crucial for comprehending self-defence claims in cases of mariticide. Every Nigerian citizen's inherent right to life is protected under section 33 of the 1999 Constitution.¹¹ According to subsection (2) (a), if an individual dies as a result of using a level of force that is deemed reasonably necessary to protect another person from a violent attack or to defend property, that person will not be deprived of their life in violation of this section. This provision's primary argument is that self-defence is a constitutionally guaranteed defence that an individual who is assaulted by another can use.¹² Under the Criminal Code Act 2004, particularly in the southern states, the use of force in self-defence is justified if it is necessary to prevent an imminent threat of death or serious injury. Similarly, the Penal Code, which is applicable in the northern states, outlines conditions under which self-defence can be claimed, emphasizing the necessity and proportionality of the response to the threat faced. These statutes ensure that the plea of self-defence is scrutinized within the context of reasonableness and immediacy of the threat, aiming to balance the rights of the defendant with the need for justice for the victim.¹³ According to the Criminal and Penal Codes, the plea of self-defence is a full defence, and if it is successful, the defendant is released and acquitted. All legal systems, including Nigerian criminal law, are based on the straightforward moral principle that no one should be found guilty of a crime unless they can be held accountable for some degree of subjective culpability.¹⁴

Under the Evidence Amendment Act 2023, when an individual accused of killing their spouse raises the plea of self-defence, the court must evaluate whether the force used was necessary, reasonable, and proportionate under the circumstances. Section 135(1) of the Evidence Act establishes that the burden of proof in criminal cases lies on the prosecution, which must prove the defendant's guilt beyond a reasonable doubt.¹⁵ However, once the defendant raises self-defence, section 136(1) shifts the evidentiary burden, requiring them to present enough evidence to create reasonable doubt about their culpability. This makes the rules of evidence critical in determining whether self-defence is a valid plea, particularly in mariticide cases where issues of domestic violence, psychological trauma, and provocation often complicate the legal analysis. Scholars have argued that the strict evidentiary requirements in Nigeria fail to accommodate psychological and circumstantial evidence, which is crucial in domestic violence-related self-defence claims.¹⁶

⁹ CAF Okoye and GCE Obidigbo, 'Mariticide in Nigeria: Interrogating the Place of Some Theories of Intimate Partner Violence' (2024) 3 *Zik Journal of Multidisciplinary Research* 56 <<https://www.researchgate.net>> accessed 25 February 2025.

¹⁰ Ibid.

¹¹ 1999 CFRN (as amended), s 33(2)

¹² EOC Obidimma and EA Obidimma 'Measuring the Proportion of the Defendant's Retaliatory Act in Self-Defence under Nigerian Law' (2016) 21 *IOSR Journal of Humanities and Social Science* (IOSR-JHSS) 57.

¹³ PS Christopher, OB Ifeanyichukwu and DTO Kizito, 'The Emerging Trend in Culture of Domestic Violence in Nigeria: Causes, Theoretical Assumptions and Implications' (2015) 4(13) *International Journal of Innovative Research & Development* 118.

¹⁴ A Henry, 'A Comparative Legal Analysis of the Fault Elements for Criminal Responsibility in the Prosecution of Crimes in Nigeria' (2020) 6(3) *International Journal of Law* 128.

¹⁵ B Seriah, 'A Critical Analysis of the Burden of Proof under the Nigerian Evidence Act' (2024) 8(2) *Journal of Nigerian Law and Practice* 45.

¹⁶ UM Ofunu and S Sampson, 'Obstacles to Women's Right against Domestic Violence in Nigeria' (2021) 4(4) *Scholars International Journal of Law, Crime and Justice* 189.

The concept of self-defence against unprovoked assault is outlined in Section 191 of the Lagos State Criminal Law. This provision places a strong emphasis on proportionality, mandating that the defensive force match the threat that the attacker poses. This provision may be applicable in mariticide proceedings, especially where the woman is the defendant, if the husband starts an assault that puts her life in urgent danger.¹⁷ If a woman was physically abused, for instance, she may use this provision to defend her protective measures as long as they were appropriate and necessary. However, in situations involving chronic abuse, when the harm is not necessarily imminent but is nonetheless widespread and life-threatening, the conventional emphasis on immediacy may provide difficulties.¹⁸

Internationally, instruments like the Universal Declaration of Human Rights (UDHR) affirm the right to life and security, which further supports the legitimacy of self-defence claims in mariticide.¹⁹ The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) emphasizes the protection of women from domestic violence and the right to defend oneself against such abuse.²⁰ The African Charter on Human and Peoples' Rights (ACHPR) and the Rome Statute also acknowledge self-defence as a legitimate legal defence, particularly when an individual faces an unlawful attack.

3. Theoretical Framework of Self-Defence in Mariticide Cases

This study presented a compelling analysis of the plea of self-defence in Nigerian mariticide cases through the lenses of Feminist Legal Theory, Social Learning Theory and Learned Helplessness Theory. Feminist Legal Theory highlights the gender bias inherent in self-defence laws, emphasizing how Nigerian courts often fail to account for the realities faced by abused women. These women, after prolonged abuse, struggle to meet the strict legal requirements of immediacy and proportionality.²¹ Feminist Legal Theory was significantly advanced by scholars like Martha Albertson Fineman, who founded the Feminism and Legal Theory Project in 1984 to explore the intersections of feminist theory, practice, and law.²² Applying Feminist Legal Theory to mariticide cases in Nigeria reveals significant challenges. The Nigerian legal framework often fails to accommodate the complex dynamics of domestic abuse, leading to unjust outcomes for women who kill their abusive spouses.

Social Learning Theory (SLT), introduced by psychologist Albert Bandura in 1977, suggests that individuals learn new behaviours by observing and imitating others. This theory highlights the importance of modelling, indicating that people can learn not only through personal experience but also by watching the actions of others and their consequences.²³ Bandura outlined key processes in observational learning: attention, retention, reproduction, and motivation. These processes describe how individuals focus on specific behaviours, remember them, have the capability to replicate them, and are encouraged to do so based on the outcomes they observe.²⁴ In the context of mariticide—the act of a spouse killing their partner—SLT helps to explain how prolonged exposure to domestic violence can shape a victim's behaviour.²⁵ Victims may witness and internalize aggressive actions from their abusers, leading to learned responses that could result in extreme actions, such as mariticide, viewed as a means of self-preservation.

The Learned Helplessness Theory, developed by Martin Seligman in the late 1960s, provides a psychological framework for understanding the behaviour of individuals who experience prolonged exposure to negative stimuli or stressors without the ability to escape or change their situation. . Learned helplessness occurs when individuals become conditioned to believe that no action, they take will improve their situation, leading to passivity, emotional withdrawal, and resignation.²⁶ This psychological state has been extensively studied in victims of domestic violence, who often feel trapped in violent relationships and believe that seeking help is futile. Domestic abuse victims often experience repeated physical, emotional, and psychological violence without any successful intervention, reinforcing their perception of helplessness.²⁷

4. Methodology

The study employed a mixed-methods approach, integrating both quantitative and qualitative research techniques to thoroughly analyse the plea of self-defence in Nigerian mariticide cases. The quantitative component utilized structured

¹⁷ *ibid*

¹⁸ Criminal Law of Lagos State 2015, s 191

¹⁹ United Nations, 'Universal Declaration of Human Rights | United Nations' <<https://www.un.org/en/about-us/universal-declaration-of-human-rights>> accessed 6 January 2025

²⁰ United Nations, 'Convention on the Elimination of All Forms of Discrimination Against Women' (CEDAW) (1979) <<https://www.ohchr.org/Documents/ProfessionalInterest/cedaw.pdf>> accessed 27 February 2025

²¹ R McPherson, 'Women and Self-Defence: An Empirical and Doctrinal Analysis' (2022) 18(4) *International Journal of Law in Context* 1, 5 <<https://doi.org/10.1017/S1744552322000181>> accessed 9 February 2025.

²² Emory Law School, 'The Feminism and Legal Theory Project' (Emory University, 2024) <https://law.emory.edu/centers-and-programs/feminism-and-legal-theory-project.html> accessed 9 February 2025.

²³ S McLeod, 'Albert Bandura's Social Learning Theory' (2024) <<https://www.simplypsychology.org/bandura.html>> accessed 9 February 2025.

²⁴ S McLeod, 'Albert Bandura's Social Learning Theory' (2024) <<https://www.simplypsychology.org/bandura.html>> accessed 9 February 2025.

²⁵ EE Dim and PA Elabor-Idemudia, 'Social Structure, Social Learning, and the Severity of Physical Intimate Partner Violence Against Women in Nigeria' (2018) 36(2) *Journal of Interpersonal Violence* <<https://doi.org/10.1177/0886260518764384>> accessed 9 February 2025.

²⁶ TB Suzanna and SS Reilly, 'Emotional Abuse, Learned Helplessness, and Self Compassion in the Context of Relationships' (2023) 11(3) *International Journal of Indian Psychology* 495.

²⁷ Seattle Anxiety PLLC, 'Seattle Anxiety' (2023) <<https://seattleanxiety.com>> accessed 9 February 2025.

questionnaires featuring closed-ended questions, including Likert scale items, to collect statistical data on legal interpretations, judicial attitudes, and procedural difficulties in mariticide trials. Meanwhile, the qualitative part consisted of open-ended questions aimed at gathering in-depth insights into legal reasoning, gender biases, and specific experiences from legal professionals and convicts. This combined approach enabled a well-rounded understanding of both the legal framework and the lived experiences of those involved in mariticide cases. Participants were selected through purposive sampling, focusing on individuals with expertise relevant to the study. The sample included High Court Judges, Prosecutors from the Directorate of Public Prosecution, legal practitioners of the International Federation of Women Lawyers (FIDA) who specialize in human rights and criminal law, and individuals convicted of mariticide. This method ensured that participants possess the necessary experience and knowledge to provide meaningful insights into the self-defence issues in mariticide cases. The sample size was determined by data saturation, ensuring a diverse range of perspectives is captured.

The research design employed a triangulation approach, merging doctrinal and empirical methods. Empirical data was gathered through structured questionnaires and interviews with legal professionals and convicts involved in mariticide cases. These participants offered critical insights into the challenges, biases, and legal inconsistencies surrounding self-defence pleas. The doctrinal analysis examined Nigerian case law, statutory provisions, and comparative legal frameworks from countries like the United Kingdom and the United States of America to assess how self-defence is applied in cases of prolonged domestic abuse. This comprehensive design facilitated an in-depth exploration of both legal theory and practical realities. Ethical standards were rigorously maintained throughout the study to ensure participant confidentiality, informed consent, and non-maleficence. Ethical approval was secured from the Babcock University Health Research Ethics Committee, and all research guidelines were adhered to. Informed consent was obtained from all participants, who were fully informed about the voluntary nature of the research. Additionally, for inmates, consent forms were translated into Pidgin English and Yoruba to ensure comprehension, and participants retained the right to withdraw at any stage without repercussions.

5. Empirical Survey of Respondents

This study adopted a mixed-method approach to assess the legal, procedural, and experiential dimensions of the plea of self-defence in Nigerian mariticide cases. The quantitative phase involved administering structured questionnaires to a purposively selected sample of 223 legal professionals comprising 50 High Court judges, 83 prosecutors from the Directorate of Public Prosecutions (DPP), and 90 members of the International Federation of Women Lawyers (FIDA). The qualitative phase involved in-depth interviews with two female inmates at the Kirikiri Female Custodial Facility in Lagos State, both of whom were convicted of killing their spouses while pleading self-defence. The purpose of the empirical survey was to examine not only the technical knowledge and legal interpretations of the self-defence plea among practitioners but also the broader systemic challenges surrounding its use in mariticide cases. The response rate stood at 92%, reflecting a high level of engagement and relevance to the current legal discourse. The study focused on five key indicators: familiarity with legal provisions on self-defence, perceived adequacy of those provisions in protecting abused women, professional training in handling mariticide-related cases and observed gender bias in courtroom practice. The responses from each group are summarized in the table below:

Respondent Group	Sample Size	Familiarity with Self-Defence Laws	Perceived Adequacy of Legal Protection	Training in Mariticide Cases	Observed Gender Bias
Judges	50	70%	30%	40%	Yes
Prosecutors	83	65%	35%	45%	Yes
FIDA Members	90	78%	32%	55%	Yes

These results illustrate that while awareness of self-defence provisions is relatively high among legal professionals, the consensus is that these laws fall short in addressing the nuanced realities of prolonged domestic violence. The interviews with female inmates confirmed that survivors of long-term abuse are not adequately protected by current judicial standards, which remain rigidly rooted in traditional definitions of threat and proportionality. There is a significant knowledge gap in interpreting psychological trauma as evidence of imminent danger, and systemic biases further obstruct justice for women in mariticide cases. The empirical findings reinforce the call for reforms that integrate a more holistic and trauma-informed understanding of self-defence in Nigerian criminal law.

6. Analysis of Interview with Female Inmates

Respondent one and Respondent two both charged with killing their husbands, recounted experiences where they faced immediate physical threats and endured years of abuse, which ultimately led them to act in self-defence. Respondent One described how, during a heated argument, her husband grabbed a belt and began strangling her, leaving her with no choice but to reach for a knife in a desperate attempt to save herself. She also explained that her lack of financial resources played a major role in her inability to leave the marriage. Her husband was the primary provider for their child, and every time she attempted to leave, he would withdraw financial support, forcing her to stay in the relationship

out of concern for her child's well-being. Similarly, Respondent two explained that her husband had a history of violence and had previously threatened to kill her. Fearing for her life, she struck him first during a violent altercation, believing it was the only way to protect herself. Despite the dangers they faced, both women struggled to convince the courts that their actions were necessary for survival.

Respondent one recalled how the judge questioned why she had not left the marriage earlier if she had been subjected to abuse. Meanwhile, Respondent two noted that the prosecution framed her as a vengeful wife rather than a victim acting in self-preservation. Despite the reality of their life-threatening situations, both women faced challenges in proving self-defence in court. The law's emphasis on imminence led the courts to disregard the years of physical and emotional abuse they had suffered. Because Nigerian law does not recognize cumulative abuse as a basis for self-defence, their history of violence was largely ignored. Instead, the courts focused only on the final moments before the killings, questioning whether the women could have used non-lethal means to defend themselves.

The experiences of Respondent one and Respondent two, two women charged with killing their husbands, illustrated the legal, social, and financial obstacles that female defendants face when claiming self-defence in Nigeria. Respondent one recounted that she had been financially dependent on her husband, as he was the sole provider for their child. She explained that her inability to leave the marriage was largely due to financial coercion, as every time she attempted to leave, her husband would withdraw financial support, leaving her with no means to care for their child. One of the main triggers of their final argument was money for the child's upkeep, which led to a confrontation in which her husband grabbed a belt and began strangling her. In an act of desperation, she reached for a knife and stabbed him, believing it was her only chance to save herself. Despite the clear and immediate danger, she faced, she struggled to convince the court that her actions were necessary for survival.

Both women expressed deep regret and emotional exhaustion, further aggravated by their families' rejection and societal stigma. Their experiences reflect the psychological toll of mariticide convictions and the lack of support available to women in similar circumstances. Overall, the responses highlight the urgent need for legal reforms to expand the definition of self-defence to include prolonged abuse, improve victim support systems, and increase access to legal representation.

7. Summary of Findings

The findings of this study are directly aligned with the research objectives, shedding light on the legal, judicial, and socio-legal dimensions of self-defence in Nigerian mariticide cases. Through empirical data and legal analysis, the study highlighted significant gaps in the legal framework, challenges in judicial interpretation, and the broader societal impact of mariticide. The first objective sought to identify the legal framework governing the plea of self-defence in Nigeria. The study found that while Nigerian law—specifically the 1999 Constitution, the Criminal Code, and the Penal Code—recognizes self-defence as a valid justification for homicide, it does not adequately account for cases involving prolonged domestic abuse. A critical issue is the strict requirement of an imminent threat, which makes it difficult for battered women to successfully plead self-defence. Empirical data from legal professionals indicate that 72% agreed that Nigerian self-defence laws fail to consider cumulative abuse, and 68% stated that there are no clear judicial guidelines on assessing self-defence claims in cases where the threat is ongoing rather than immediate.

The second objective focused on analysing the application of self-defence in cases of mariticide. The study found that Nigerian courts largely adhere to traditional interpretations of self-defence, requiring the accused to have acted in response to an immediate and direct attack. This strict interpretation presents a major hurdle for women who kill their abusive spouses after enduring years of domestic violence. Empirical findings indicated that 65% of judges and prosecutors recognized that women accused of mariticide have difficulty proving self-defence because courts give more weight to physical evidence than to psychological abuse. Interviews with convicted women revealed that many had endured years of abuse but lacked documentation or eyewitness testimony to support their claims, leading to the rejection of their self-defence pleas.

The third objective aimed to examine the challenges and inconsistencies in judicial interpretations of self-defence in mariticide cases. The study discovered that Nigerian courts take differing approaches, with some acknowledging the impact of prolonged domestic abuse while others rigidly require proof of immediate danger. Empirical data showed that 70% of legal professionals believe there is no consistent standard in adjudicating self-defence pleas in mariticide cases, leading to unpredictable outcomes. Additionally, 61% of respondents noted that gender biases affect judicial decisions, with women facing greater scrutiny in proving self-defence compared to men.

The fourth objective sought to examine the socio-legal impact of mariticide in Lagos State on families and the judicial system. The study found that societal attitudes towards women who kill their abusive husbands are predominantly negative, with many perceiving them as murderers rather than victims acting in self-defence. Empirical data indicated that 75% of women lawyers and human rights advocates surveyed believe patriarchal norms significantly influence judicial outcomes, as many judges and jurors hold traditional beliefs that women should endure abusive marriages rather than resort to violence. Furthermore, 58% of respondents observed that media portrayals of women accused of mariticide often reinforce negative stereotypes, depicting them as vengeful rather than victims of prolonged abuse.

The study's findings provide a clear linkage to the research objectives, revealing the shortcomings in Nigeria's self-defence laws, the challenges faced by women accused of mariticide, the inconsistencies in judicial interpretations, and the socio-legal ramifications of mariticide.

8. Implication of Findings

The study's findings highlighted legal, judicial, and socio-cultural implications regarding self-defence pleas in Nigerian mariticide cases. The complexities of self-defence claims, especially by women who killed their abusive husbands, exposed fundamental gaps in Nigeria's legal system. These gaps not only create legal challenges but also influenced broader societal attitudes towards domestic violence and gender-based justice. One major legal implication is the rigid nature of Nigeria's self-defence laws, which demand proof of an imminent threat at the moment of the act. This requirement fails to consider cases where women, after enduring years of domestic violence, act in self-defence outside of an immediate attack. In contrast, countries like the United Kingdom and the United States have recognized the cumulative effects of abuse through legal concepts such as Battered Woman Syndrome (BWS) and Intimate Partner Trauma Response. Nigeria's failure to adopt similar legal advancements puts victims at a disadvantage and increases the risk of wrongful convictions. Judicial inconsistencies in interpreting self-defence further complicate legal proceedings in mariticide cases. Some courts acknowledge the impact of domestic abuse, while others strictly adhere to traditional self-defence principles, overlooking the psychological effects of prolonged violence. This inconsistency leads to unpredictable legal outcomes, where similar cases can result in different verdicts based on judicial discretion. Moreover, the reliance on tangible evidence puts women at a disadvantage, as many do not report abuse or seek medical help due to fear or societal stigma. Beyond the courtroom, the findings revealed the socio-legal challenges women face when defending themselves against abusive partners. Deeply rooted patriarchal norms often result in social condemnation of women who kill their husbands, even in cases of severe abuse. Public perception and societal expectations frequently affect legal outcomes, making it challenging for women to receive fair trials. Additionally, the lack of shelters, legal aid, and counselling services leaves many victims without viable options to escape violent relationships.

9. Recommendations

Based on the findings of this study, several key recommendations are proposed to address the legal, procedural, and socio-legal gaps in the application of self-defence in mariticide cases in Nigeria. First, Nigeria's legal framework on self-defence should be revised to reflect a deeper understanding of domestic violence. The Criminal Code Act and Penal Code Act need to adopt broader interpretations that recognize cumulative abuse as a legitimate basis for self-defence, not just immediate threats. The Evidence Act should also be amended to allow psychological expert testimony, enabling courts to consider the mental and emotional impact of prolonged abuse on defendants. In addition, the rigid application of self-defence principles must be re-evaluated. The concept of proportionality should be redefined to reflect the physical and psychological realities of abusive relationships. Courts should also adopt a more flexible approach to the idea of "imminent threat," acknowledging that long-term abuse can justify pre-emptive defensive actions, as seen in legal systems like those of the United Kingdom and United States of America. Judicial inconsistencies and biases further hinder justice in mariticide cases. To promote fairness, the judiciary should implement standardized guidelines that encourage contextual analysis of each case, taking into account the history of abuse, power imbalances, and specific circumstances. This would reduce arbitrariness and improve the consistency of court decisions. Finally, legal reforms must be supported by stronger systems for assisting victims of domestic violence. Expanding access to shelters, counselling, and legal aid services will empower victims to seek help. Public awareness campaigns and specialized training for law enforcement and judicial officers can also foster more empathetic and informed responses, leading to better protection and justice for victims.

10. Conclusion

The study underscored the urgent need for legal reforms to ensure that self-defence laws in Nigeria are applied fairly, especially in cases involving domestic violence. Judicial discretion and inconsistent interpretations pose major challenges, highlighting the necessity for a more nuanced approach that considers the psychological and social dimensions of abuse. Without these reforms, victims of domestic violence will continue to face difficulties in establishing valid self-defence claims, leading to unjust legal outcomes. While self-defence is a recognized legal plea, its application in mariticide cases is riddled with challenges that undermine its effectiveness. The current legal framework does not adequately address the complexities of domestic abuse, leaving many defendants vulnerable to unfair rulings.