

THE LAW ON DOMESTIC VIOLENCE AGAINST MEN IN CAMEROON: ADDRESSING THE ODD

Fon Fielding Forsuh*

Abstract

Talking of female-on-male domestic violence in the form of Intimate Partner Violence within matrimonial setting in Cameroon seems to be an odd because of the understanding of masculinity rooted in societal stereotype and patriarchal beliefs of men superiority over women. The principal reason among others discussed in this paper can be attributed to the reasons underlying the non-regulation of female-on-male domestic violence by the Cameroonian legal system. This paper does not refute the existence of domestic violence against women but demonstrate that men are also victims of same. In decrying the gender-specific legislations and approaches towards domestic violence against women, it has been proposed that Cameroon should adopt a non-gendered configuration on legal policy options towards domestic violence which would not be biased.

Keywords

Law, Domestic Violence, Men, odd.

* Fon Fielding Forsuh, Ph.D. is a Senior Lecturer in the Department of English Law, Faculty of Law and Political Science of the University of Dschang- Cameroon. Also a Lecturer in the Department of English Private Law and Head of Service for Admissions and Records of the Faculty of Law and Political Science of the University of Bamenda- Cameroon. E-mail: fildon2000@yahoo.com.

1. Introduction

Domestic violence in normal parlance can be viewed as violence between family members. That is to say violence between members of the household which can constitute a violent act committed by one member of the household against another¹. Aspects of domestic violence especially the decrying and repression has been done under the guise that such acts are mostly committed against women and children. This can be justified by a litany of international, regional, and local legislations,² coupled with several measures geared towards fighting against domestic violence. Therefore, talking of domestic violence against men seems to be an odd because the general trend is that violent acts within domestic settings are mostly perpetrated by men.

Violence against men is mostly unrecognized in many countries. That is why most legal systems like Cameroon perceive violence as a more serious or less serious depending on the gender of the victim and perpetrator. This can explain the reason why cases of domestic violence against women are mostly reported by a third party to the police whether the attacker is a male or female but if a victim is a male no one bothers to report the incident³. In Cameroon, comparably with the situation of domestic violence in the form of intimate partner violence (IPV) on women within the matrimonial setting, the most challenging aspect about IPV on men is the more silent nature of the phenomenon as most of them do not like to expose their problems in the public. The reticence in this dimension is because Cameroonian legal system has failed to see men as victims and women as perpetrators because of the culturally pervasive stereotype and viewing women as perfect victims. There is a stigma attached to being a man as a victim and that cultural patriarchal beliefs expect women to be submissive, weak and obedient. That is why men are less likely to admit and report that they are being physically, sexually and psychologically abused by their female partners.

Domestic violence in the form of IPV within marriage is a serious human rights concern and equally causes a public health problem that cuts across nations, cultures, religions and class⁴. It is perpetrated by, and on, both men and women and therefore needs to be addressed. The fact that the Cameroon Constitution upholds the principle of gender equality does not imply that only females are targeted⁵. Both sexes are concerned and that is why this paper argues that men equally face domestic violence in the form of intimate partner violence like their female counterparts requiring appropriate legal response. In addressing the subject matter under

¹ Garner, B. A., *Black's Law Dictionary*, West A Thomson Reuters Business, 9th Edition, 2009, 1705.

² Examples of such instruments include the 1979 Convention on the Elimination of all Forms of Discrimination Against Women, the 1984 Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the 1981 African (Banjul) Charter on Human and People's Rights, the 2003 Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa, the 1996 Constitution of Cameroon, the 2016 Penal Code of Cameroon etc.

³ Vertommen, T. et al., "Profiling perpetrators of interpersonal violence against children in sport based on a victim survey", *Child abuse & neglect*, 63, 2017, 173.

⁴ Ilika, A. L. et al., "Intimate partner violence among women of childbearing age in a primary health care centre in Nigeria", *African Journal of Reproductive Health*, 6, 2002, 53-58. See also: Olufunmilayo, I. F. et al., "Intimate partner abuse: Wife beating among civil servants in Ibadan, Nigeria". *African Journal of Reproductive Health*, 9, 2005, 54-64.

⁵ Preamble of the Constitution of Cameroon enacted by Law No. 2008/001 of 14 April 2008 to amend and supplement some provisions of Law No 96/06 of 18 January 1996 to amend the Constitution of 2 June 1972.

consideration, this write-up will focus on Intimate Partner Violence (IPV) on men within the matrimonial setting. That is female-to-male violence in other words, violence committed by wife or wives on their husband(s). In this light, discussions starts up with an attempt at bringing out what domestic violence in the form of IPV (female-to-male violence) is all about, identifying its various forms. It proceeds by examining gender based instruments as well as gender based institutional approached geared towards fighting against domestic violence in Cameroon. It goes further to identify the possible reasons underlying the non-regulation of female-on-male domestic violence in Cameroon and ends up with a proposal on a non-gendered configuration of legal policy options towards domestic violence in Cameroon.

2. An understanding of Domestic violence in the form of Intimate Partner Violence (IPV) against men within the matrimonial setting

Domestic violence generally means that in a relationship or marriage, one or both of the partners' uses physical, sexual or psychological violence to try to get power or control the other. Getting power or control over each other in a spousal relationship is an urge that can be exercised by both spouses. The general societal trend has been that men are always at the top of it debunking the whole idea of a women being at the top. But it should be understood that the quest for power and control in a spousal relationship has in recent times been more female oriented leading to cases of female-on-male Intimate Partner Violence (IPV) in marriages.

Intimate partner violence refers to physical, sexual or psychological or economic violence and controlling behavior that one partner may perpetrate against the other in relationship⁶. This can therefore be viewed in our context as those various forms of violence and control mentioned in the foregoing definition that wife/wives may perpetrate on her husband. Odd as it may sound, there are several forms of violence which can be perpetrated by wife/wives against their husband just in quest to have control which has not been addressed by any form of international or local legislation in Cameroon.

2.1. Types of Domestic Violence in form of Female-to-male IPV within matrimonial settings in Cameroon

There exist several forms of female-to-male IPV within matrimonial settings in Cameroon which can be physical or non-physical.

2.1.1. Psychological violence or emotional abuse

These are types of violence which does not warrant inflicting any physical pains on the husband by any act of any nature but refers to actions made by the wife with the intention of bringing down her husband's moral. Psychological or emotional abuse is defined as verbal or non-verbal communication with the intent to hurt or control the other person⁷. It can emanate from poor treatment to husbands like refusing to give him food, especially in the case where the woman might be the bread winner. It can also involve pejorative insults even at the presence of

⁶ Schuler, R.S. et al., "Justification of intimate partner violence in rural Bangladesh: what survey questions fail to capture", *Studies in Family Planning*, 42, 2011, 21-28.

⁷ Smith, S. et al., *The national intimate partner and sexual violence survey (NISVS): 2010-2012 state report*. Centers for Disease Control and Prevention, 2017, retrieved from: <https://www.cdc.gov/violenceprevention/pdf/nisvs-statereportbook.pdf>, accessed: 12/01/2022.

children causing them not to have respect for their father. An informal interview conducted with most men came out with some shocking revelations to the effect that many wives are bread winners of their matrimonial home⁸. These ranged from taking care of the partial to total financial responsibilities. This has made most women involved in such responsibilities to resort to ill-treatment of their husbands as a means of dominance. With such treatments men have a greater risk of developing chronic health problems, mental health issues such as depression, Post-traumatic stress disorder PTSD, and rage which increases the risk of them becoming aggressors. The interview further revealed that most men subjected to such treatments have developed hypertension and cardiovascular diseases. Such psychological violence can be very dangerous because globally, men have shorter lifespans and lose more years of their lives to death or disability than women do⁹, with higher rates of heart disease, respiratory infections, cerebrovascular disease, HIV/AIDS, and road injuries¹⁰.

Emotional abuse can also take the form of intimate terrorism which is violence that is part of a general pattern of behavior aimed at controlling the partner. Although such violence can often escalate, it is not necessarily identified by its severity or frequency but by the fact that it is a part of a syndrome of behavior that creates an atmosphere of fear¹¹.

2.1.2. *Emotional Blackmail*

This entails all mechanisms or measures employed by a wife or wives to control their husband(s). Women use coercion as a form of control such as blackmail, isolation from family and friends, manipulation, withholding affection, money control, and exploitation among others¹². Findings from an interview with several groups of wage earning men revealed that women may use their children to place psychological strain on them by denying them custody rights or instigating violence against their fathers. All this is done in guise to have control over

⁸ The researcher preferred an informal interview because of the perception held within the Cameroonian society seeing a man as the head of the family and supposed bread winners, thus most men even found it difficult to make certain revelations. For this reason, the researcher prefers to keep out names of interviewees. This was based on a random interview conducted with some men in the Bafoussam metropolis, Bamenda Metro pole, Dschang, some few localities in Yaoundé and Douala. Same conclusion was reached with informal interviews conducted with some selected men who the researcher estimated to be living healthy and comfortable. But was a daunting task as most could talk only after a strong pledge by the researcher not to reveal their names.

⁹ Hawkes, S. & Buse, K., "Gender and global health: evidence, policy, and inconvenient truths". *Lancet*, Volume 381, Issue 9878, 2013, 1783- 7.

¹⁰ Lim, S. S. et al., "A comparative risk assessment of burden of disease and injury attributable to 67 risk factors and risk factor clusters in 21 regions, 1990-2010: a systematic analysis for the Global Burden of Disease study 2010", *Lancet*, Volume 380, 2012, 2224-60.

¹¹ Follingstad, D. R. et al., "The role of emotional abuse in physically abusive relationships", *Journal of Family Violence*, Vol. 5, 1990, 107-120.

¹² Kalokhe, A. S. et al., "Correlates of domestic violence perpetration reporting among recently married men residing in slums in Pune, India". *PLOS ONE*, 13(5), e0197303., 2020, retrieved from: <https://doi.org/10.1371/journal.pone.0197303>, accessed: 12/12/2021. An interview with some well-to-do men as the researcher puts it to refer to men who are wage earners both in the Cameroon public service and private sector revealed that most wives with the desire of controlling their husbands indulge in acts aimed at separating them from their families so as to have a grip on their earnings for something which they termed "personal" interest, covering taking care of their (wives) families and personal good looking.

the wages of their husbands and divert resources towards satisfying what might be termed the interests of the wife/wives families¹³.

Emotional blackmail has turn out to be the order of the day in most Cameroonian societies and seriously influenced by churches and religious establishments. Visits to several churches especially in main cities like Yaoundé, Douala, Bamenda and Bafoussam just to name a few, revealed that most churches or religious establishments especially those termed “born again Churches” are mostly populated with women. Such churches have gained strong hold on wives which in most cases have negatively affected the relationships with their husbands as most of them indulge in emotional blackmail to have control over their husbands. Some wives even go to the extent of looting from their husbands in view of meeting the demands of their church leaders whom they usually refer to as “papa” or “daddy”, appellations which they do not give their husband(s). Just like the situation in Cameroon, Obeji et al found out in a research that 55% of male victims expressed being afraid of their wives with majority of them seeking help from their church leaders¹⁴. Some of these acts have caused some husbands to retaliate against intended control by their wives and it became issues that are attended to by law enforcement agencies. In most cases like in Cameroon, no one is interested in finding the circumstances that led to what is defined by society and one-sided law enforcement agencies as gender-based violence against women¹⁵.

2.1.3. *Physical Violence or Abuse*

Physical partner violence or abuse is defined as the intentional actions that could cause bodily harm or injury, disability, or death by an intimate partner¹⁶. As society holds it, it is odd to talk of physical violence or abuse on a man by a woman since he is by nature a protector and head of the family. But finding have revealed that most men have been object of physical abuse by their wives. The truth is that few wives would possess the physical stamina to assault or batter their husbands with their fist or hand, but the few that possess more than their husbands do in certain circumstances. Most women who do not possess such stamina resort to other forms of violence with the aid of certain equipment to inflict injury and pains. Some interviewed men revealed that they were attached by their wives while they were asleep. Other said they made use of certain objects to hit them without their notice. Physical abuse of men by women includes the use of house equipment such as chairs, tables, spoons, and they throw anything in front of them to men. They sometimes slap, hit, kick, and bites men and this is less noticeable to the body of men¹⁷.

¹³ Interests like sponsoring the siblings of the wife, and even making extensive material and financial provisions to the detriment of the husband(s) interest and family.

¹⁴ Obeji, M. et al., “Cases and incidences of violence against men in township ward of Nyamira County”, International Academic Journal of Law and Society, 1(1), 2017, 106–125.

¹⁵ Tran, T. D. et al., “Attitudes towards intimate partner violence against women among women and men in low-and middle-income countries”, PloS one, 11 (11): e0167438, 2016, 167.

¹⁶ Breiding, M. et. al., “Intimate partner violence surveillance: Uniform definitions and recommended data elements. Version 2.0. Centers for Disease Control and Prevention”, 2015, retrieved from:

<https://www.cdc.gov/violenceprevention/pdf/intimatepartnerviolence.pdf>, accessed: 18/1/2022. See also: Smith, S., et al., Supra Note, 2017, 7.

¹⁷ Myhill, A., “Measuring domestic violence: Context is everything”, Journal of gender-based violence, 1 (1), 2017, 38.

The foregoing demonstrates that men like women can be victims of domestic violence in the form of female-on-male IPV. Even though male-on-female IPV has been shown to cause significantly more fear and more severe injuries than female-on-male violence¹⁸, it should be recognized that the opposite do equally has a serious damaging effect on male victims both on their mental and physical health. But the unfortunate aspect about this is that unlike domestic violence against women, domestic violence against men has not been regulated by law in Cameroon, talk less of that in the form of female-on-male IPV within the matrimonial setting. To demonstrate the foregoing, it is relevant to examine some instruments on domestic violence which are gender specific in that violence is directed specifically against a woman because she is a woman, or affects women disproportionately”,¹⁹ thereby ruling out the fact that men can also be victims of IPV.

3. Gender Specific Instruments on Domestic violence in Cameroon

Most instruments on domestic violence in Cameroon are gender-specific because majority of their provisions if not all consider only women as victims. This conveys an idea that males or men cannot be victims of such, justifying the patriarchal view held by society on this. It is therefore worthwhile to examine some of these instruments.

3.1. *International Laws*

There exists panoply of international instruments in the forms of hard and soft laws on question of violence in general and that can be attributed to aspects of domestic violence which are applicable in Cameroon. Most of these instruments are gender specific as men are not regarded as victims, ruling out the possibility of the existence of female-on-male IPV. These international instruments constitutes part of Cameroonian legal order by virtue of article 45 of the Constitution²⁰ which is to the effect that ratified treaties and international agreements shall, following publication, override national laws provided the other parties implement the said treaties or agreements.

3.1.1. *Hard Laws on issues of domestic violence against women*

3.1.1.(a). *International Law*

There is an international law applicable in Cameroon which prohibits any form domestic violence against women. In prohibiting violence against women, the Convention on the Elimination of any form of Discrimination Against Women (CEDAW)²¹ in its article 1 considers discrimination as a form of violence. This implies that any act which does not have any impact on the physical or psychological integrity of women is deemed to be violence so long as it is discriminatory. It therefore requires all state parties, Cameroon inclusive to eliminate such

¹⁸ Caldwell. E et al., “Gender differences in intimate partner violence outcomes”, *Psychology of Violence*, 2, 2012, 42–57.

¹⁹ United Nations Population Fund (UNFPA), *Gender Theme Group*, UNFPA, New York, 1998.

²⁰ Law No. 2008/001 of 14 April 2008 to amend and supplement some provisions of Law No. 96/06 of 18 January 1996 to amend the Constitution of 2nd June 1972.

²¹ This convention was adopted and opened for signature, ratification, and accession by General Assembly Resolution 34/180 of 18 December 1979. It entered into force on the 3rd of September 1981 and it was signed by Cameroon on the 6th of June 1983 but ratified on the 23rd of August 1994.

discrimination on women by any person, organization or even enterprise. The gender specific spirit of CEDAW is attributed force of implementation by its Optional Protocol which establishes complaint and inquiry mechanism for the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW)²². Thus, parties to the protocol allow the Committee on the Elimination of Discrimination Against Women to hear complaints from individuals or inquire into grave or systematic violations of the convention.

Cameroon's efforts towards re-enforcing the promotion and protection of the human rights of women and protecting them from domestic violence were empowered by the Beijing Declaration and Platform for Action (BPFA) of 1995²³. Through this platform, participating government pledged their commitments to advance the goals of equality, development and peace for all women everywhere and to ensure the full implementation of human rights of women and girls. This equally covers all forms of gender based violence, including domestic violence against women.

3.1.1.(b). Regional Laws

Government efforts in the field of legislations aimed at protecting women from domestic violence has not been limited to ratifying and considering international laws. It has equally acceded to regional instruments which protect women against domestic violence on a gender based. In re-affirming gender equality provided for in other international human rights instruments, the African (Banjul) Charter on Human and People's Rights (ACHPR) of 1981 goes further to prohibit any form of discrimination against women²⁴ just like CEDAW. It thus requires state parties to take all relevant steps to eliminate any form of discrimination against women besides protecting their entitlements as enshrined under international conventions and declarations.

Unlike the ACHPR, the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa, 2003²⁵, is a gender specific instrument which deals with specificities on several facets of discrimination against the African Woman especially when it has to do with harmful customary practices. On the subject under consideration, this Protocol prohibits all forms of violence against women whether in public or private, implying that domestic violence is specifically prohibited from the reading of article 4. It has generally been viewed by many as a binding instrument which handles the specific interests of the African woman something which has not been done for men as well. In spite of the fact that both could be subjected to violation no matter the degree involved.

²² The Optional Protocol to the Convention on the Elimination of Discrimination Against Women (OP-CEDAW) was adopted by General Assembly Resolution A/54/4 on the 6th of October 1999 and opened for signature and ratification on the 10th December 1991. It entered into force on the 22nd of December 2000 and Cameroon ratified it by accession on the 7th of January 2005.

²³ At the Fourth UN World Conference on Women in Beijing, China, in September 1995, government delegates from 189 states adopted by consensus the Beijing Declaration and Platform for Action (BPFA), which was subsequently endorsed by the UN General Assembly on 8 December 1995 (A/RES/50/42).

²⁴ Article 18. The ACHPR was adopted on the 27th of June 1981 and entered into force on the 21st of October 1986. Cameroon signed it on the 23rd of July 1987 and ratified it on the 20th of June 1989.

²⁵ Otherwise known as the Maputo Protocol, it was adopted by the Assembly of African Union in Maputo Mozambique on July 11, 2003. Cameroon ratified the Maputo Protocol on May 28, 2009.

3.1.2. *Soft Laws on issues of domestic violence against women*

The ceaseless efforts aimed at proscribing and fighting against male-on-female IPV or domestic violence did not only lead to the ratification of international instruments in the form of hard laws. It also led to a host of non-binding soft law instruments to see the light of day. Such instruments seek to set certain standards which can sometimes be regarded as precursors of binding rules against domestic violence.

The Vienna Declaration and Program of Action of the World Conference on Human Rights of June 1993 (A/Conf.157/25) and the Declaration on the Elimination of Violence Against Women adopted by the General Assembly of the United Nations in Resolution 48/104 of 20 December 1993 all stress on the issues of violence against women and equally handles aspects of domestic violence to the greater benefit of women. In line with the foregoing, the 1998 UN General Assembly Resolution 52/86 on Crime Prevention and Criminal Justice Measures to Eliminate Violence against Women empowers the police to respond efficiently to incidents of violations against women as well as encourage their enrolment within the police corps²⁶. This might go a long way to explain the attitude of law enforcement officers who in most cases positively respond to purported female victims of domestic violence without regards to the cause and possibility of seeing a man as the victim conforming to societal stereotypes.

Through the Solemn Declaration of Gender in Africa (SDGEA) of 2004, states, including Cameroon have agreed to engage in two years of sustained public campaigns against gender-based violence while reinforcing mechanisms that protect women and end impunity of crimes against women with a view to achieve social change and positively²⁷. This could be translated to include aspects of domestic violence perpetrated against women undermining the fact that both men and women could be victims of violence within the domestic milieu, especially in the matrimonial setting. Cameroon being a signatory member to this Declaration has submitted its initial report on the activities related to the subject matter of the aforementioned declaration²⁸. Also included is the Maputo Plan of Action for sexual and Reproductive Health and Rights, 2016-2030 which is a non-binding consensus document applicable to the continental policy framework on sexual and reproductive and health right. It primarily addresses issues that relate to the fight against and the prevention of gender-based violence. This indicates the interest of the feminine gender including aspects of male on female IPV ruling out the opposite direction.

3.2. *Local Instrument (principally the Penal Code²⁹)*

There is no national legislation in Cameroon that comprehensively addresses violence against women or prohibits domestic violence. Worthy of note is the fact that some provisions of the penal code could be interpreted to address the question. The provisions address the interest of both sexes and attribute more importance to the female gender in certain circumstances. These

²⁶ See paragraphs a, b and c of the UN General Assembly Resolution 52/86 on Crime Prevention and Criminal Justice Measures to Eliminate Violence against Women, 1998.

²⁷ See Declaration 4 of SDGEA, 2004.

²⁸ African Union, *Abridged Eleventh Report of The African Union Member States and Twelfth Report of the African Union Commission (AUC) Chairperson on the Implementation of the African Union Solemn Declaration on Gender Equality in Africa (SDGEA)*, Community Centre for Integrated Development, Express Union Building, Checkpoint, Buea, 2021, 12.

²⁹ Instituted by Law No. 2016/007 of 12 July 2016.

seemingly gender-based or gender-specific provisions go contrary to the spirit of the Constitution³⁰ of Cameroon which in its preamble seems to be non-discriminative but in some sort takes the same direction as the penal code. The Constitution in its preamble assures its citizens equality and non-discrimination which includes and incorporates the Universal Declaration of Human Rights, the Charter of the United Nations, the African Charter on Human and Peoples' Rights and all duly ratified International Conventions relating thereto. Article 1(2) "ensures the equality of all citizens before the law." it goes further to make specific allusion to protection of women, the young, elderly and disabled in paragraph 22. This could be construed to leaving out men who do not fall within any of these categories based on gender.

In addressing the aspect of domestic violence some provisions of the penal code could be applied to cover violence on a non-gender specific basis. Very instrumental are the provisions of sections 275 (murder), 276 (capital Murder) 277-3 (Torture), 278 (assault occasioning death), 279 (assault occasioning grievous harm), 280 (simple harm), just to mention a few. These provisions make use of the word "whoever" meaning that both male and female (woman and man in this context) can be charged for committing the fore mentioned offences against each other within the domestic or matrimonial setting to address the subject matter of this write-up.

In spite of the above, the Penal Code equally in some provisions is gender based or gender specific. This can be seen from the provisions of sections 357 which prescribe an imprisonment term of 3 months to 5 years and a fine on any one who makes an abusive request for a bride prize. Also included is the provision of sections 338 punishing assault on a pregnant woman.

The most discriminative against men is the provision of section 296 which criminalizes rape. This section provides that;

'Whoever by force or moral ascendancy compels any person, whether above or below the age of puberty, to have sexual intercourse with him shall be punished with imprisonment for from five to ten years'.

Rape from the reading of this provision is considered a male offence and that the victims can only be human beings of feminine gender. This therefore implies that only a husband(s) can commit rape on his wife in our context. This is based on the wide and wrong assumption that men always want sex or that boys and men are physically strong than women whereas we have some women and girls that are strong as men and even stronger. Rape is also viewed thus, because of the physiological impossibility of female gender.³¹

This provision may also be based on societal stereotype and belief that a man cannot be raped because erection which occurs on a man is a sign of will. For the offence to be consumed there must be sexual intercourse which involves the penetration of the erected penis into the vagina. Penetration here does not need to be complete. A degree of penetration which is slight and light without causing any injury or laceration of the hymen would be sufficient in law for the offence of rape to be complete³².

³⁰ Law No 2008/001 of 14 April 2008 to amend and supplement some provisions of Law No 96/06 of 18 January 1996 to amend the Constitution of 2 June 1972.

³¹ Women inability to penetrate men during sexual intercourse.

³² *R v. Russen*, 2, QB, 1891 and also *Jegade v. State*, FWLR (Pt. 66), 72, 2001, 73.

The societal stereotype on the view that erection is a sign of will on men has become a problem for male who are victims of related abuse to report cases. An erection is not a sign that a man is willing and this cannot be used against men that have been abused and raped by women. Younger men can be intimidated into erection by older women³³. Societal non acceptance of victimhood of men in rape related offences can also be explained by that fact that over the years, the history of rape has been an act of men against women,³⁴ forgetting to know that circumstances may exist in which there reverse can be true. The possible reason behind this is the fact that fewer or no cases of men rape are being reported due to fear. Men fear that if they report abuse by women people will doubt their sexual orientation. They therefore, hide and deny any victimization just to protect their ego. When there are visible injuries as a result of the abuse they rather say they have been hurt by something else³⁵.

The effect of rape on male victims is as traumatizing as on female victims debunking the notion that trauma is only on females. Male victims of rape and abuse are experiencing a social stigma in society. Unlike their female counterparts, they have more anger which is sometimes taken out on the wrong people³⁶. They even see themselves as weak men or being effeminate or soft.

4. Gender Specific institutional approach towards domestic violence in Cameroon

Coupled with the litany of legislations that can comfortably be interpreted to cover male-on-female domestic violence in Cameroon, state and non-state institutions or organisations have been created with a gender based or specific approach. The measures carried out especially by non-state organisations have been aimed at seeing only women as victims of domestic violence.

4.1. State approach

In considering the interest of women in Cameroon, the state has taken several administrative moves ranging from the creation of structures and action plans. A special Ministry responsible for women's affairs was initially established by presidential decree in 1984. In 1988 the Ministries of Women's Affairs and Social Affairs were merged into a single Ministry by Decree No. 88/1281 of 21 September 1988³⁷. In December 1997, because of the special problems of women and the anxiety to improve their status, a new Ministry of Women's Affairs was set up by Decree No. 97/205 of 7 December 1997 and later changed to the Ministry for the Protection of the Family and the Woman in 2004. The missions of this ministry include- the promotion of the status of Cameroonian women through education, improved access to credit facilities, decision making, gainful employment, prevention of all forms of discriminations and violent acts against women and girl children, the promotion of the right of women to inheritance, etc. To enable this Ministry function properly to accomplish its objectives, its budget was raised from 0.25% as the

³³ Karlsson, L. C. et al., "The Effect of Sex and Perpetrator-Victim Relationship on Perceptions of Domestic Homicide", *Journal of interpersonal violence*: 0886260518775162, 2018), 886.

³⁴ Russell, B. and Sturgeon, J. A. D., "Police evaluations of intimate partner violence in heterosexual and same-sex relationships: do experience and training play a role?", *Journal of police and criminal psychology*, 34 (1), 2019, 35.

³⁵ Savage, M. et al., "News stories of intimate partner violence: An experimental examination of participant sex, perpetrator sex, and violence severity on seriousness, sympathy, and punishment preferences", *Health communication*, 32 (6), 2017, 769.

³⁶ Myhill, A., *Supra* note 17, 2017, 33.

³⁷ The Ministry of Women's Affairs and Social Affairs were merged by Decree No. 88/1281 of 21 September 1988.

case between 2006 and 2009 to 0.27% in 2010³⁸. In line with the aforementioned objectives, in 2012, the government drafted a National Strategy to Combat Violence against Women, established a hotline for victim support and reporting cases, and implemented awareness-raising activities at the national and local levels³⁹.

4.2. *None-state institutional approach*

The fight against male-on-female domestic violence has also witnessed the establishment of several non-state institutions in the form of non-governmental organizations. In line with the societal stereotype or construct that sees women as victims of domestic violence, various campaigns and actions on domestic violence are designed to protect women and not men. Several of such organizations support women that have been abused by men but men do not enjoy the same support and protection. Amongst many in this domain, the most prominent to just mention a few are Reach Out, Women in Alternative Action (WAA), Gender empowerment and Development (GeED), Women in Action against Gender-Based Violence (WA) Cameroon, More women in politics, the Centre for Human Rights and Peace Advocacy (CHRAPA), Help Out and Human Rights Focus, Association de Lutte contre les Violence faites aux Femmes (ALVF), the National platform to fight against violence against women (PLANALDIF), Ecumenical Service for Peace⁴⁰. There aforementioned have been actively involved in activities to end violence against women in Cameroon⁴¹. WA Cameroon for example has been organizing sensitization activities to commemorate 16 Days of Activism to end violence on women. Faith-based organizations like Cameroon Women Fellowship (CWF) and Catholic Women Association (CWA) have been working on a marriage encounter sexual harassment etc. These activities range from lobbying and advocacy for the signing of the draft Family code, education and training on women's rights, sensitization activities at the level of parliamentarians, traditional leaders, administrators, the judiciary, the media and the women. A coalition of civil society networks led by Ecumenical Service for Peace (SeP), Women in Research and Action (WIRA), International Federation of Women Lawyers (FIDA) and Association des femmes Juristes (ACAFEJ) prepared the first ever shadow report on the implementation of CEDAW and presented to treaty bodies.

International organizations operating in Cameroon such as United Nations Population Fund, UNICEF, WHO, UNAIDS, UNDP as well as local non-governmental organizations such as the Cameroon Association of Female Jurists and the Association for the Fight against Violence on the Women, etc have been actively engaged in the advancement of women and the fight against violence carried on them.

Unlike the situation where there exist instruments and actions taken to give life to them in the interest of fighting against male-on-female domestic violence, the contrary is true for female-on-male domestic violence. This could be attributed to several reasons worth addressing.

³⁸ Gender Empowerment and Development, *Assessing the Implementation of the Beijing Platform of Action in Cameroon*, Friedrich Ebert Stiftung, Review Beijing Cameroon 010/GeED/TKN, 2010.

³⁹ OECD Social Institutions and Gender Index, Country Profile, Cameroon, 2019.

⁴⁰ The creation of these organizations is facilitated pursuant to the Constitution and by Law No. 99/11 of 20 July 1999 to amend and supplement certain provisions of Law No. 90/53 of 19 December 1990 relating to freedom of association and Law No. 99/14 of 22 December 1990 governs Non-Governmental Organisations in Cameroon.

⁴¹ See generally Review Beijing Cameroon 010/GeED/TKN, Beijing +15 The Reality of Cameroon and the Unfinished Business, *Assessing the Implementation of the Beijing Platform of Action in Cameroon*, By Gender Empowerment and Development, 2010.

5. Reasons underlying the probable Non-Regulation of female-on-male domestic violence (IPV) in Cameroon

The non-regulation of female-on-male domestic violence especially in the form of IPV within the matrimonial setting could be attributed to the several reasons as explained below;

5.1. Non-availability of statistic or Reporting on Female-on-male Domestic Violence

It is difficult to address an issue which is not made known to the public especially in situations where such has been considered as inconsequential by societal construct. There is thus no available statistics or any reporting on female-on-male domestic violence in Cameroon which can trigger actions geared towards addressing such by statute and any judicial/non judicial move. Comparably with male-on-female domestic violence, there exist some statistics or reporting on domestic violence on women even though Civil Society Organizations on women's rights still pose under reporting as one of the major challenges towards fighting against male-on-female domestic violence. But there issue is that male-on-female domestic violence is in the lime light with some statistics provided. There are statistics to the effect that 53% of women are subjected to one form of violence or another as from the age of 15. In 36% of the cases it is the husband who is the perpetrator of violence. Amongst women who are assaulted, 55% are those living in marital unions while 19% are single women⁴². Moreover, a study conducted in 2016 in Cameroon found that, of 2,570 women, 995 (38.7%) reported physical violence and 381 (14.8%) reported sexual violence⁴³. Such statistics/reporting and many others made available by NGOs on Gender equality have served as a catalyst towards continuous efforts aimed at addressing male-on-female domestic violence. But the reverse is true as regards male-on-female domestic violence.

The non-reporting of female-on-male domestic violence in Cameroon and its consequence of non-regulation could be considered as some sort of a global phenomenon given that some countries who try to take an opposite view (consider female-on-male domestic violence) face the challenge of underreporting. In England and Wales for instance, a 2010-2011 report found that whilst 27% of women who experienced IPV reported it to the police, only 10% of men did so, and whilst 44% of women reported to some professional organization, only 19% of men did so⁴⁴. Moreover, a 2005 report carried out by the National Crime Council in the Republic of Ireland estimated that 5% of men who had experienced IPV had reported it to the authorities, compared to 29% of women⁴⁵.

⁴² Women In Research And Action (WIRA), *Cameroon Non-Governmental Organizations Shadow Report to CEDAW, The Implementation of The Convention on the Elimination of all forms of Discrimination Against Women*, SPONSORED BY UNIFEM, 2008.

⁴³ Alio A. et al., "Association between intimate partner violence and induced abortion in Cameroon," 112 *International Journal of Gynecology & Obstetrics*, 2, 2011, 83-7.

⁴⁴ Britton, Andrew, "Intimate violence: 2010/11 BCS", In Smith, Kevin (ed.), *Homicides, Firearm Offences and Intimate Violence*, 2010/2011, Supplementary Volume 2 to Crime in England and Wales, 2010/2011, London: Home Office, 2011, 96.

⁴⁵ Watson, D. and Parsons, S., *Domestic Abuse of Women and Men in Ireland: Report on the National Study of Domestic Abuse*, Dublin: National Crime Council of Ireland, 2005, 169.

5.2. Social Status and Societal Stereotype (construct)

The status held by men in the society has been greatly influenced by the societal stereotype that men are strong and dominate in all aspects. This is true because of several aspects which are discriminative against women most especially within customary communities. But this does not cancel the fact that just like women, they can also be victims of abuse from the former. Thus societal stereotype/construct has made men to believe that they do not cry and do not talk of their problems. This is the reason most men do not even report nor seek professional help such as professional post abuse counseling. Some abused men hide the abuse from society because of fear of their dignity and the respect they receive from society. Discussions with several men especially those who are educated and of income earning capacities in most metropolitan towns like Douala, Yaoundé, Bamenda, Bafoussam,⁴⁶ don't admit that they are abused and feel that the community will see them as people that fail to fix their family affairs. The foregoing is based on preconceived social gender norms and roles as well as power asymmetry which mainly favor men who may not want to appear weak⁴⁷. Stigma based on cultural beliefs⁴⁸ that men are not supposed to waver under female pressure is branded as a sign of weakness, and the pressure for masculinity is a major barrier. This has caused men to fear ridicule from their partners, extended families, friends, law enforcement, and even some church leaders⁴⁹.

Generally, unlike domestic violence in the form of IPV against women, female-on- male IPV within the matrimonial setting is less recognized by societies⁵⁰. This is like the case with Cameroon where there is little or no recognition of such in most communities and towns. For some men, admitting they are the victim of female perpetrated IPV could feel like admitting that they do not follow the established social role for men, and may be an admission they are unwilling, or unable, to make. In certain cases, some male victims fear people assuming that the woman is the real victim, and must have been acting in self-defense or retaliating for abuse⁵¹.

⁴⁶ Most interviewees do not want their identity to be disclosed for obvious reasons i.e. fear of been humiliated so as to preserve their social status. That is why in keeping with this, the researcher avoids citing names.

⁴⁷ Obeji, M. et al., Supra note 14, 2017, 106–125.

⁴⁸ Examples of such cultures include those practices viewing women like properties after the payment of bride price therefore not subject to inheritance. Some customs equally encourage levirate marriage (widow inheritance) and the tendency of treating women like second class human beings. All these practices are prohibited by law. It is relevant to note that most of these practices are waning especially in areas opened to development coupled with the massive emancipation of women who are aware of gender equality. The activities of most NGO's have also been instrumental on this domain.

⁴⁹ Ayodele, J., "The socio-cultural causes of male victimization in domestic contexts in Lagos, Nigeria: A qualitative analysis", *International Journal of Criminal Justice Sciences*, 12(2), 2017, 252–269. See also Gathogo, J., "Men battering as the new form of domestic violence? A pastoral care perspective from the Kenyan context", *HTS Theologiese Studies/Theological Studies*, 71(3), 2015, retrieved from: <https://doi.org/10.4102/hts.v71i3.2795>, accessed: 12/02/2022. See further Thobejane, S. D. et al., "Gender-based violence against men: a muted reality". *Southern African Journal for Folklore Studies*, 28(1), 1-15.

⁵⁰ Lupri, E. and Grandin, E., *Intimate partner abuse against men*, National Clearinghouse on Family Violence, Family Violence Prevention Unit Public Health Agency of Canada, 2004. See also "A Framework for Understanding Women's Use of Nonlethal Violence in Intimate Heterosexual Relationships", *Violence Against Women*, 8 (11), 2002, 1364-1389.

⁵¹ Migliaccio, T. A., "Marginalizing the Battered Male". *The Journal of Men's Studies*, 9 (2), 2, 2001, 226.

5.3. *Approaches or attitudes of Law enforcement officers*

In Cameroon, law enforcement officers especially the police view domestic violence as family problem which should be handled within the family setting or at home. They always have the tendency to treat domestic violence cases with less priority and tend to focus on what provoked the abuse rather than the violent actions of the perpetrator⁵². Even though such attitudes are put forth, when cases are reported to them by female victims, they at times tend to even give listening ears than when it can be reported by a male victim. The attitude of not even giving listening ears to male victims can also be attributed to societal stereotype on masculinity which negatively influence the approach of law enforcement agencies. This has contributed to a serious dilemma as female-on-male violence has been ignored. A discussion with some police officers (whose identity cannot be revealed) indicates that they hide behind the idea of the physical structure of men. Their attitudes concur with that of the feminist who argue that men have the physical power to defend themselves but if they do so, they are arrested. Studies have shown that most women who abuse their male partners escape arrest. This is caused by the history of domestic violence where female perpetrators are viewed by law enforcement agencies and the courts as victims. This causes a lot of fear from men to report cases of abuse which then portrays a wrong perception in society⁵³.

In some cases, men who reported their wives or female partners are either made a joke by the police or they are arrested despite them being victims and are treated as second class victims of domestic violence by law enforcement agencies⁵⁴. Police officers often take the side of the woman in most cases reported by males against female abusers. Some research has shown that women who assault their male partners are more likely to avoid arrest than men who assault their female partners,⁵⁵ because female perpetrators of IPV tend to be viewed by law enforcement agencies and the courts as victims⁵⁶. As such, some men fear that if they do report to the police, they will be assumed to be the abuser, and placed under arrest⁵⁷.

5.4. *Religious inclinations*

Religious inclinations have had a serious influence on the non-reporting of domestic violence cases on both men and women. Finding from discussions with some victims reveal that

⁵² Discussion with some selected police officers charged with investigating domestic violence cases revealed that they always have look warm attitudes especially when it has to do with matrimonial violence. Their response is that “such issues are better resolved in the family than in the police”.

⁵³ Bjørnholt, M. and Hjemdal, O. K., “Measuring violence, mainstreaming gender: does adding harm make a difference?”. *Journal of gender-based violence*, 2 (3), 2018, 466.

⁵⁴ Foubert, J. D. and Bridges, A. J., “Predicting bystander efficacy and willingness to intervene in college men and women: The role of exposure to varying levels of violence in pornography”, *Violence against women*, 23 (6), 2017, 693.

⁵⁵ Richard B. F. and Paul-Philippe P., “Does the Criminal Justice System Treat Domestic Violence and Sexual Assault Offenders Leniently?”, *Justice Quarterly*, Volume 24, Number 3, 2007, 440-447.

⁵⁶ Kingsnorth, R. F. and MacIntosh, R. C., “Intimate Partner Violence: The Role of Suspect Gender in Prosecutorial Decision-Making”, *Justice Quarterly*, 24 (3), 2007, 460-494.

⁵⁷ Cook, P. W., *Abused Men: The Hidden Side of Domestic Violence*, Westport, CT: Praeger, 1997, 43-91. See also Grady, A., “Female-on-Male Domestic Violence: Uncommon or Ignored?”. In Hoyle, C. and Young, R. (eds.), *New Visions of Crime Victims*, Portland, Oregon, Hart Publishing, 2002, 93-95.

the few reported cases are women (wives in our case) who decide to waive their beliefs and quit their unions after reporting abuses meted on them by their partners. The reverse is true with men (husbands in our case) whom in most cases are convinced to adhere to certain denominations⁵⁸ with certain beliefs⁵⁹ making them endure whatever form of torment or abuse they might encounter in their union. In some cases women who are so attached to the beliefs and practices of their churches tend to follow the instructions of their pastors (papa, prophet, man of God, etc as most of them are called) to the detriment of their husbands. They even refuse their husband sex on the pretext that “papa has said we should not have sex”. Some even go to the extent of refusing their husbands’ food and loot from their husbands to appease their religious heads. The foregoing has made must men to undergo psychological torments and emotional abuses but cannot leave nor report because of religious convictions and cultural expectations. In majority of cases, women are seen as caring people by society and their religious settings while men that are abused by women stay in the relationship with the hope that the abusive women would change⁶⁰ the same perception held by abused women.

6. A Proposal for a non-gendered configuration on legal policy options towards domestic violence in Cameroon

In order to expel the societal stereotype that may distort any move towards a non-gendered specific approach in regulating and proscribing domestic violence, it is important to understand that victimization is not exclusive to women. It has been demonstrated above that men can also be victims especially as concerns IPV within the matrimonial setting. Therefore domestic violence is the violation of human rights which is supposed to be enjoyed by both men and women. To address violence on an equal basis, the following measures could be considered;

6.1. Legislative Actions

There are series of laws which through the interpretation of some of their provisions address domestic violence on a gender-specific perspective but there is no international or national law specifically addresses domestic violence. There is the need for legislations specifically addressing domestic violence which would not be gender-specific. This proposal is in line with the view that domestic violence is a human rights concern and since the Constitution of Cameroon upholds the principle of gender equality, it therefore implies that any action in that dimension should target both men and women. Since proscribing domestic violence entails upholding human rights, it is supposed to target both genders as provided for in the Pre-amble of the Constitution in line with Cameroon’s commitments to international human rights instruments as indicated as indicated therein.

6.2. Non-Gender Based Domestic Violence (IPV) Eradication Programs

⁵⁸ Christianity generally upholds the view that marriage is a union between a man and a woman and divorce is not permitted. That marriage is for better or for worse implying that cases of abuse can only be reported to clergies or pastors (men of God) who will counsel them and request that they perceive.

⁵⁹ Beliefs like marriage is for better or for worse, especially with couples who have celebrated or solemnize their unions in church.

⁶⁰ Drumond, P., “What about men?, Towards a critical interrogation of sexual violence against men in global politics”, *International Affairs*, 95 (6), 2019,1272.

An understanding of domestic violence especially in the form of IPV against women only without considering that men can be victims is rooted largely with the patriarchal belief of women being controlled by men and societal construct on the fact that men are perpetrators and women victims. Clinging tight to the fore mentioned can have a negative implication on any program geared towards eradicating IPV. To be successful, domestic violence (IPV) eradication programs should be designed to empower women, change the understanding of masculinity rooted in patriarchal beliefs of men superiority over women recognizing the fact that both women and men can be victims. The fore mentioned can equally be more effective if adequate efforts are done to modify institutions, policies and laws towards greater equality. This agenda can be pushed forward through activities like education and training on the victimization of both women and men, sensitization activities at the level of parliamentarians, traditional leaders, administrators, the judiciary, the media and the women as well as law enforcement officers.

7. Conclusion

The analysis in the paper does not in any way refute the existence of domestic violence in any form or IPV on women perpetrated by men. It advocates the fact both men and women can be victims thereby looking at the existence of female perpetrators. The non-recognition of domestic violence against men by the Cameroonian legal system is attributed to the societal patriarchal construct on masculinity which has made the fore mentioned violence to be more of a silent crime unlike male-on-female domestic violence. This is exacerbated by the existence of some gender specific legislation and actions on the subject which the existence of such can be attributed to several reasons discussed herein. It has therefore been proposed that for this problem to be handled, the regulation against domestic violence in any form should be done on the basis of gender equality as upheld by the constitution of Cameroon.

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