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REGULATION OF MATRIMONIAL SEXUAL WRONGS THROUGH CRIMINAL LAW
SANCTIONS IN NIGERIA: ANY LESSONS FROM OTHER COUNTRIES?

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ABSTRACT

In recent times, there has been a worrisome increase in sexual offences in Nigeria ranging from rape to attempted rape, child defilement to human trafficking and in particular, matrimonial sexual wrongs. Extant legislations aimed at curbing the malice have proven ineffective while victims of sexual wrongs particularly matrimonial sexual offences are left uncompensated. To this end, the paper examines the treatment of matrimonial sexual offences within the criminal justice system in Nigeria. Most jurisdictions believe that in as much as there is marriage, the spouse cannot complain of any sexual wrong done to her by the other party - that it is a right and not a privilege to have sexual intercourse with or without the consent of the other party. The paper finds that there is inadequate legislations aimed protecting the spouse against incidences of matrimonial sexual wrongs in Nigeria. Using the comparative methodology, the paper juxtaposes the Nigerian position with some other jurisdictions and calls for legislative rethink in Nigeria.

Keywords: Matrimonial Sexual Wrongs, Criminal Sanctions, Nigeria, Reform.