

Columbia University
Graduate School of Arts & Sciences
Human Rights Studies Master of Arts Program

The Gender and Equal Opportunities Bill: Nigeria's Track Record of its Commitment to
Women's Rights
Amal Abubakar Mohammed

Thesis adviser: Sheila Dauer

Submitted in partial fulfillment of the requirements for the degree of Master of Arts

February 2019

ABSTRACT

The Nigerian legislature has failed to enact The Gender and Equal Opportunities Bill 2016, a piece of legislation that would domesticate The Convention on the Elimination of All Forms of Discrimination Against Women in Nigeria. Strong religious and cultural convictions, misunderstanding of the notion of gender equality, and poor strategic approaches from civil society organizations, have contributed to this result. In order to ensure that Nigeria is meeting its international obligations, it is important for advocates of the bill from the legislature and civil society to adapt their strategies so that they are better suited at targeting the factors that are directly hindering the success of the bill.

ACKNOWLEDGEMENTS

First and foremost, I would like to extend my profound gratitude to Professor Sheila Dauer, who has been a truly dedicated advisor, for her patience and support throughout this process. Thank you for your continued understanding and patience with me. This research could not have been completed without your guidance and valuable encouragement and discussions on my analysis. Not only was your ‘Women and Human Rights’ class in the Fall semester extremely informative and interesting, it was influential in shaping my personal interests that have driven my research.

A special thank you to all of the participants in this study who have dedicated their time to share their opinions and experiences with me, this could not have been possible without you. I would particularly like to thank Senator Biodun Olujimi for sharing your experiences with me so willingly and connecting me with your colleagues and providing me with access to the National Assembly.

I would also like to thank Gergana Halpern for your help and guidance with my course choices throughout my time at Columbia.

And finally, to my friends and family, for always providing me with endless amounts of encouragement and moral support.

TABLE OF CONTENTS

1. Introduction.....	4
2. The Gender and Equal Opportunities Bill 2016.....	7
3. Literature Review.....	15
3.1. Cultural Relativism vs Universalism.....	15
3.2. Gender Inequality in Nigeria.....	17
3.3. Domestication of CEDAW.....	20
4. Methodology.....	22
5. Primary Findings.....	26
5.1. Factors.....	26
5.2. Areas of Contention.....	32
5.3. Strategies adopted by Civil Society Organizations.....	34
6. Discussion.....	36
6.1. Factors & Contentious Provisions.....	36
6.2. Strategies.....	47
6.3. Recommendations.....	56
7. Conclusion.....	58
8. Bibliography.....	59

Chapter 1 Introduction

In recent years there has been notable international progress in the commitment to achieving gender equality, particularly in general standard setting and application of those standards to laws and policy.¹ However, even with these developments, great challenges remain. Nigeria is no exception.² Despite the ratification of numerous major international treaties promoting gender equality such as the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), International Covenants, and the adoption of the United Nation's Sustainable Development Goals (SDGs), gender discrimination still persists and is widespread in Nigeria.³ Patriarchy is deeply embedded in the cultural system which translates into formal discriminatory provisions in the constitution,⁴ and laws such as the Police Act, and informal discriminatory practices against women, such as widowhood practices that challenge the realization of their rights.⁵ As a nation that has pledged an "unrelenting commitment" to the realization of the SDGs and the promotion of international human rights principles, it is alarming that this commitment has failed to translate into legally binding provisions. This is evident in the failure of the government to domesticate the CEDAW which was ratified in 1985 without any reservations.

¹Stephanie Farior, "Human Rights Advocacy on Gender Issues: Challenges and Opportunities", *Journal of Human Rights Practice* 1, no.1 (March 2009): 83, <https://doi-org.ezproxy.cul.columbia.edu/10.1093/jhuman/hup002>

²Joy Ngwakwe, "Realizing Women's Economic, Social, and Cultural Rights: Challenges and Strategies in Nigeria" *Canadian Journal of Women and the Law* 14, no.1 (2002):143

³Sylvia Ifemeje and Ikpeze Ogugua, "Global Trend Towards Gender Equality: Nigeria's Experience in Focus." *Kuwait Chapter of the Arabian Journal of Business and Management Review; Kuwait City* 2, no. 3 (November 2012):52, <http://ezproxy.cul.columbia.edu/login?url=https://search-proquest-com.ezproxy.cul.columbia.edu/docview/1282259720?accountid=10226>

⁴The Constitution of The Federal Republic of Nigeria 1991 s, 42(3), s. 26(2) (a), s.29 (4) (b).

⁵Joy Ngwakwe, "Realizing Women's Economic, Social, and Cultural Rights: Challenges and Strategies in Nigeria" *Canadian Journal of Women and the Law* 14, (2002):146

This thesis is an attempt to understand why legislation that would create a robust legal framework protecting the rights of women and promote gender equality is consistently blocked - namely, the Gender and Equal Opportunities Bill (GEO Bill). This bill was drafted in order to implement the provisions of CEDAW into national law. However, the bill failed several attempts to be passed into law, on the grounds of being “contrary to the Nigerian laws, religious, cultural, and philosophical convictions of the Nigerian people.”⁶ In an attempt to examine the validity of this claim and deepen the understanding of the various arguments that led to the rejection of the bill, the primary question asked in this paper is “What are the factors contributing to the consistent rejection of the Gender and Equal Opportunities Bill?” My hypothesis is that factors such as religious opposition, misunderstanding of the notion of gender inequality, and limited awareness of the bill played a role in its consistent rejection.

Given that women’s rights in Nigeria remain inadequate, understanding why CEDAW has failed to be domesticated decades after ratification is imperative. The GEO Bill is the first step in creating a robust legislative framework that can be used to set a benchmark against which progress can be measured and provide women and girls with an avenue to claim their rights. Therefore, the future success of the GEO Bill is crucial. The research will review the particularities of both sides of the debates on the GEO Bill, with the objective of using the findings to provide recommendations that can be used in the campaign for the bill in the future. A second objective concerns reviewing the literature on the GEO Bill & domestication efforts of CEDAW in Nigeria, which is scant. The research in this thesis aims to contribute to the literature by addressing this gap.

⁶ Makinde, Olusesan Ayodeji, Cheluchi Onyemelukwe, Abimbola Onigbanjo-Williams, Kolawole Azeez Oyediran, and Clifford Obby Odimegwu, “Rejection of the Gender and Equal Opportunities Bill in Nigeria.” *Gender in Management* 32, no. 3 (2017): 236, <https://doi-org.ezproxy.cul.columbia.edu/10.1108/GM-02-2017-0023>

This thesis is structured as follows - the next chapter includes a brief discussion of the content and history of the GEO Bill, followed by a discussion of the current literature which sets out the theoretical framework for the subsequent research in Chapter 3. Chapter 4 details the research methodology employed to answer the question at hand and its limitations. In Chapters 5 and 6 the data collected from interviews and published reports is used to complete a thorough examination and discussion of the factors that led to the failure of the GEO Bill.

Chapter 2

The Gender and Equal Opportunities Bill

The primary objective of The Gender and Equal Opportunities Bill is to implement the provisions of CEDAW into national law.⁷ Section 12 of the Nigerian Constitution requires that all international treaties must be incorporated through domestic legislation before they are applicable.⁸ This means that despite Nigeria's ratification of CEDAW, the treaty is non self-executing. Therefore until the full domestication of CEDAW, the provisions of the treaty will not be judicially enforceable in Nigerian courts.

History

Before tracing the history of the campaign to domesticate CEDAW, it is important to briefly identify the stages in the Nigerian legislative process in the Senate, in order to gain a fuller understanding of the progress of the GEO Bill. The *first stage* of the legislative process in the Nigerian Senate, is the first reading. At this stage, the bill is first considered on the Senate floor and is simply read, after this there is a vote.⁹ If the vote is successful, the bill proceeds to the *second stage*, the second reading, this is where the debate on the bill occurs, followed by a vote.¹⁰ Following the second reading, the bill progresses to the *third stage*, where it is submitted to a committee for further scrutiny and a public hearing is held where the public shares opinions and provides input. The committee approves the bill based on public opinion and creates a report.¹¹ Next, is the *fourth stage*, where the updated version of the bill including the committee amendments is read and voted on. If the bill passes by a majority vote at the fourth reading, then

⁷ The Gender and Equal Opportunities Bill 2016 s.1

⁸ The Constitution of the Federal Republic of Nigeria 1991 s. 12(1)

⁹ "Legislative Process", Federal Republic of Nigeria National Assembly, accessed November 7, 2018, <http://www.nassnig.org/page/the-legislative-process>

¹⁰ "Legislative Process."

¹¹ "Legislative Process."

it progresses to the *fifth and final stage* whereby it is sent to the President who can either veto the bill or sign it into law.¹² However, in the rare case of a veto, the Senate can override the veto by a majority of two thirds.¹³

After Nigeria ratified CEDAW in 1985, in 2004 it signed and ratified the Optional Protocol to CEDAW, further solidifying its commitment to the obligations of the treaty. However, this commitment can easily be questioned because to this day, CEDAW only has moral force in Nigeria. The first attempt to legally domesticate CEDAW was in 2005 when *A Bill for an Act to Provide for the Enforcement of the United Nations Convention on the Elimination of All Forms of Discrimination Against Women in the Federal Republic of Nigeria and the Purposes Connected Therewith* was presented to the Senate. After the failure of this bill, the National Coalition on the Domestication of CEDAW, a network of national women's rights organizations,¹⁴ led the first nationwide campaign to domesticate CEDAW. With their backing, Senator Christina Anyanwu presented the first version of the GEO Bill to the Senate in 2010. Despite campaign efforts, this bill failed at the first reading stage. The second version of the bill presented to the national assembly in 2016 by Senator Biodun Christine Olujimi shared the same fate as its predecessors. The most recent attempt, which this paper will be examining, has passed both first and second reading in the Senate. However, a public hearing of the bill which would enable the bill to advance to the next level of the legislative process, has been indefinitely postponed, arguably halting the progress of the bill.

Content

¹² "Legislative Process."

¹³ "Legislative Process."

¹⁴ Fatima Adamu and Oluwafunmilayo Para-Mallam, "The role of religion in women's campaigns for legal reform in Nigeria." *Development in Practice*, 22, no. 5 (2012): 808, <https://doi.org/10.1080/09614524.2012.685875>

The Bill is structured into two parts, the first part contains substantive provisions prohibiting certain forms of discrimination against women and promoting equality in fields such as education, healthcare, and employment.¹⁵ The second part of the bill addresses provisions relating to offenses and sentencing, and establishes a federal commission mandated with powers to monitor, supervise, and implement the bill.¹⁶

I will examine the Bill in chronological order. Section 1 outlines the purpose of the bill. Section 2 prohibits discrimination against women. The GEO Bill adopts the same definition of discrimination contained in CEDAW;¹⁷ as both intentionally discriminatory acts, and acts that have the effect of discrimination. Section 3, reflects article 15 in CEDAW and provides women and men with equality before the law. Section 4 of the GEO Bill includes provisions providing for temporary special measures. In all public and governmental fields, women must occupy at least thirty-five percent of the offices. Once enacted, these measures will be in place for a minimum of ten years, and a maximum of twenty-five years.¹⁸ Section 5 of the Bill is a provision of key importance as it includes the controversial widowhood and inheritance provisions. This section is the application of Article 5 of CEDAW that calls for the “modification of social and cultural patterns of conduct ... with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women.”¹⁹ According to Section 5 of the GEO Bill,

Every organ or agency of government, public or private institution, commercial or corporate body, community, or other social entity, including educational institutions shall have the responsibility to modify the social and cultural patterns of conduct of men and

¹⁵ The Gender and Equal Opportunities Bill 2016 ss.1-13 & 24

¹⁶ The Gender and Equal Opportunities Bill 2016 ss.14-23

¹⁷ The Gender and Equal Opportunities Bill 2016 s. 24

¹⁸ The Gender and Equal Opportunities Bill 2016 s. 4

¹⁹Convention on the Elimination of All Forms of Discrimination Against Women, 1979 art. 5 (a)

women, with a view to achieving the elimination of gender stereotyping, prejudices, and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes, or the roles for men and women, and to this end:

(i) every public or private educational institution shall ensure the adoption of appropriate teaching methods and curriculum including provision of facilities that emphasise the promotion of equality of all sexes in all circumstances and for all purposes, including choice of career, equal participation and inclusion of all persons in all activities of the school or institution;

(ii) the family as a unit of society shall ensure that values, practices or other forms of upbringing of children, ward and young people in the family and community, or other forms of socialisation, is not discriminatory, and promotes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children;

(iii) Widows shall not be subjected to inhuman, humiliating or degrading treatment;

(iv) A widow is entitled to guardianship and custody of her children, after the death of her husband, unless this is contrary to the interests and the welfare of the children;

(v) A widow shall in the exercise of her freedom of choice, have the right to remarry the person of her choice.

(vi) A widow shall have the right to a fair share in the inheritance of the property of her husband and shall have the right to continue to live in the matrimonial house provided that in the case of re-marriage, she shall retain this right only if the house belongs to her.

(vii) Women and men shall have the right to inherit, in equitable shares, their parents' properties

It is important to note that bill does not use the word 'equal' shares, and instead requires an equitable distribution of shares.²⁰ The CEDAW Committee discourages the use of 'equitable' and the treatment of the words 'equality' and 'equity' as interchangeable.²¹ This is because they do not mean the same thing. Equitable share merely implies a fair share of the inheritance, not necessarily the same share.²² Considering that opposition of the inheritance provision of the bill is very strong, it is clear that Nigerians are using 'equal' and 'equitable' synonymously. However, if the bill is signed into law, the use of the word 'equitable' will add a loophole to the legislation.

20 The Gender and Equal Opportunities Bill 2016 s. 5 (a) (vii)

21 UN Committee on the Elimination of Discrimination Against Women, Concluding Observations to the Combined Third, Fourth, and Fifth Periodic Reports of Paraguay, CEDAW/C/PAR/CC/3-5 (Feb. 15 February 2005):23,

22 Ebenzer Durojaye, "Woman But Not Human: Widowhood Practices and Human Rights Violations in Nigeria," *International Journal of Law, Policy and the Family* 27, no.2 (August, 2013):188.

<https://doi.org/10.1093/lawfam/ebt001>

It is possible that the opposition will start to define equitable strictly, as what they deem to be a fair share, thus maintaining unequal and discriminatory inheritance practices.

Section 6 provides for the elimination of discrimination in public life and participation at international level. It combines both Articles 7 and 8 of CEDAW. Similarly to Article 10 of the Convention, Section 7 of the Bill provides for equal rights in education. However this section is less comprehensive than the provisions of CEDAW. Article 10 of the Convention expressly states that access to educational information includes health education for the purposes of family planning. Section 7 of the GEO Bill makes no mention of health education. Furthermore, there is no express mention of tackling the reduction of female dropout rates & programs for students who have prematurely left school as provided for in Article 10 (f) of CEDAW. Section 8 of the bill provides for the elimination of discrimination in employment, its content duplicates Article 11(1) of CEDAW with one significant difference. CEDAW provides women with ‘the right to work’, however the GEO Bill provides women with “the right to work commensurate with skill, competence, expertise and knowledge.”²³

Section 9 of the bill prohibits discrimination on the ground of marital status, echoing Article 11(2) of CEDAW. Article 12 of CEDAW provides women with equal rights to access healthcare including pre and post-natal care, sexual health, and family planning services. Section 10 of the GEO Bill which deals with the elimination of discrimination in healthcare, does not mention reproductive health or family planning education. Section 11 of the Bill duplicates Article 13 of CEDAW and provides for the elimination of discrimination on economic and social grounds, providing men and women with the same socio-economic benefits. Similarly, section 12 of the Bill echoes Article 14 of CEDAW and provides rural women with the rights to

²³ The Gender and Equal Opportunities Bill 2016, s. 8 (a)

development planning, access to education, healthcare, transport, financial services, and adequate living conditions.

Section 13 of the GEOB, which tackles married life is far less comprehensive than Article 16 of CEDAW, it states that,

every organ or agency of government, public or private institution, commercial or corporate body, shall take all appropriate measures to eliminate discrimination against persons in all matters relating to marriage and family relations: and shall ensure, equal right to women and men in all matters related thereto.

It does not specify what these rights include. The parallel provision in CEDAW includes further obligations,

- (a) The same right to enter into marriage;
- (b) The same right freely to choose a spouse and to enter into marriage only with their free and full consent;
- (c) The same rights and responsibilities during marriage and at its dissolution;
- (d) The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases the interests of the children shall be paramount;
- (e) The same rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights;
- (f) The same rights and responsibilities with regard to guardianship, wardship, trusteeship and adoption of children, or similar institutions where these concepts exist in national legislation; in all cases the interests of the children shall be paramount;
- (g) The same personal rights as husband and wife, including the right to choose a family name, a profession and an occupation;
- (h) The same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration.²⁴

These omissions are important, because the minimal nature of the right provided in section 13 of the bill creates a grey area that enables the state to negatively interpret what these rights are. Another important provision of CEDAW which has been completely excluded from the GEO Bill is Article 16(2) prohibiting child marriage and requiring a minimum age for marriage. This

²⁴ Convention on the Elimination of All Forms of Discrimination Against Women, 1979 art. 16

is extremely concerning as it enables the dangerous practice of child marriage to persist. Other complete omissions of substantive CEDAW provisions include Articles 6 and 9. Article 6 prohibits trafficking and exploitation of prostitution, meanwhile Article 9 tackles nationality rights. A further obvious difference between the GEO Bill and CEDAW is the language. Although CEDAW is a treaty prohibiting discrimination against women, the GEO Bill prohibits discrimination against ‘all persons.’ For example, Article 3 of the Convention provides provisions for the ‘advancement of women’, whereas Section 3 of the bill focuses on the ‘advancement of all persons.’

The second part of the bill establishes The Commission.²⁵ This body is primarily responsible for supervising the implementation of the bill and investigating any violations of the bill.²⁶ The commission serves as the first place to bring a complaint after a violation of any of the provisions of the law. They perform preliminary investigations, and refer the perpetrator to the appropriate court for sentencing.²⁷ A violation of any of the provisions of the bill can result in a prison sentence of a minimum of one year and a 500,000 naira fine (\$1,375).²⁸

Unfortunately, the previous versions of the bill mentioned earlier are more comprehensive than the current version. They acknowledged reproductive rights, gender-based violence as a form of discrimination,²⁹ and the minimum age for marriage was set at eighteen. Apart from the use of “all persons” instead of “women” alone, the majority of the provisions in the earlier versions of the bill were identical to those in CEDAW. However, as the bill faced heavy opposition and struggled to make progress in the Senate, the drafters were forced to omit

²⁵ The Gender and Equal Opportunities Bill 2016 s.15

²⁶ The Gender and Equal Opportunities Bill 2016 s.16

²⁷ The Gender and Equal Opportunities Bill 2016 s.16

²⁸ The Gender and Equal Opportunities Bill 2016 s.14

²⁹ UN Committee on the Elimination of Discrimination Against Women, CEDAW General Recommendation No. 19: Violence against women., (1992), <http://www.refworld.org/docid/52d920c54.html> .

certain provisions, and dilute the content of the bill, in the hope of increasing its chances of success. The current version is watered down and is a skeleton of CEDAW. This raises the question of whether or not the bill is worth getting passed in its current state. In a country like Nigeria where the national legislation protecting women's rights is practically non-existent,³⁰ this bill is important. As Senator Olujimi the sponsor of the bill stated in her interview "The laws were not made with women in mind. We must start from somewhere. Something is better than nothing."³¹

³⁰ The Violence Against Persons Prohibition Act 2015, prohibits violence against women in the public and private life, including female genital cutting, rape, and domestic violence. To date, this is the first piece of federal legislation addressing women's rights.

³¹ Senator Biodun Christine Olujimi (Senator representing Ekiti State, South West region), in discussion with author, 17 July 2018.

Chapter 3 Literature Review

3.1 Cultural Relativism vs Universalism

“If there is any trait in which all Nigerian sub cultures appear to be totally united, it is in the anti-female gender discrimination, culminating in the unfair subjugation and abridgement of the rights of women.”³² Gender inequality and discrimination is widespread in Nigeria. Despite making up 80% of the agricultural labor force, most women are often denied rights to land ownership.³³ Harmful traditional practices such as female genital mutilation and widowhood rites such as forced seclusion persist across different tribes. Nigeria’s ratification of CEDAW and other international human rights treaties creates a tension between these international obligations and the local realities. The issue of gender equality in Nigeria touches upon the contentious debate in the human rights field between the concepts of universalism and cultural relativism. The universality of human rights holds that the values and principles underlying the concept of human rights are “universally accepted norms”³⁴ and therefore apply to everyone by virtue of their humanity. Cultural relativism on the other hand, maintains that individual cultures define their own values, principles, and ethics.³⁵ Because all cultures are equal, universal values are secondary.³⁶ Jack Donnelly, a leading contributor to this debate argues for the “relative

³² Funmi Josephine Para-Mallam “Gender Equality in Nigeria”, in *Gender Equality in a Global Perspective*, ed. Anders Ortenblad, Raili Marling, Snjezana Vasiljevic (Routledge, 2017), 98.

³³ Oluwafeyisayo Semiu Kuteyi, “An Overview of the Rights of Nigerian Women under the Laws”, in *Gender and Power Relations in Nigeria*, ed. Ronke Iyabowale Ako-Nai (Lexington Books, 2013), 21.

³⁴ Ulf Johansson Dahre, “Searching for a Middle Ground: Anthropologists and The Debate on the Universalism and the Cultural Relativism of Human Rights” *The International Journal of Human Rights* 21, no.5 (2017):611, <https://doi.org/10.1080/13642987.2017.1290930>

³⁵ Elizabeth M Zechenter, "In the Name of Culture: Cultural Relativism and the Abuse of the Individual." *Journal of Anthropological Research* 53, no. 3 (1997): 323 <http://www.jstor.org/stable/3630957>

³⁶ Zechenter “In the Name of Culture,” 323.

universality of human rights,”³⁷ he posits that human rights are neither strictly universal or culturally relative, but instead, they are universal at the theoretical level. However, at the interpretation and implementation stage there are cultural differences.³⁸

The contemporary scholarship has adopted a similar approach. There has been a shift from the classic universalism versus cultural relativism dichotomy,³⁹ to a discussion that adopts a more nuanced position acknowledging both the universality and cultural relativity of human rights and how they interact to complement each other.⁴⁰ Sally Engle Merry argues that “human rights are not fixed in the universal realm, but rather have a decentralized transnational cultural component, because they use local interpretations and applications.”⁴¹ Merry proposes the use of the anthropological concept of “vernacularization.”⁴² This is a process where international human rights norms and ideas are adapted to local institutions and meanings.⁴³ According to Merry, the key element of this process is the “translators,” the local advocates who “refashion global rights agenda for local rights agendas for local contexts and reframe global grievances in terms of global human rights principles and activities.”⁴⁴ The passage of the GEO Bill depends on how well the universal human rights set out in CEDAW can be translated and thus domesticated into the local Nigerian cultural settings.

³⁷ Jack Donnelly, “The Relative Universality of Human Rights” *Human Rights Quarterly* 29, no.2 (May,2007): 282,<http://www.jstor.org/stable/20072800> .

³⁸ Donnelly, “The Relative Universality of Human Rights,” 282.

³⁹ Istavan Lakatos, “Thoughts on Universalism versus Cultural Relativism, with Special Attention to Women’s Rights” *Pecs Journal of International European Law* 1, no.1 (2018):18

⁴⁰ Lakatos “Thoughts on Universalism versus Cultural Relativism,” 18.

⁴¹ Ulf Johansson Dahre, “Searching for a Middle Ground: Anthropologists and The Debate on the Universalism and the Cultural Relativism of Human Rights” *The International Journal of Human Rights* 21, no.5 (March,2017): 620, <https://doi.org/10.1080/13642987.2017.1290930> .

⁴² Sally Engle Merry, “Transnational Human Rights and Local Activism: Mapping the Middle.” *American Anthropologist* 108, no.1 (March, 2006): 39, <http://www.jstor.org/stable/3804730> .

⁴³ Peggy Levitt and Sally Engle Merry, “Vernacularization on the Ground: local uses of global women's rights in Peru, China, India and the United States” *Global Networks* 9, no.4 (October, 2009):441, <https://doi-org.ezproxy.cul.columbia.edu/10.1111/j.1471-0374.2009.00263.x> .

⁴⁴ Sally Engle Merry, “Transnational Human Rights and Local Activism: Mapping the Middle.” *American Anthropologist* 108, no.1 (March, 2006): 39, <http://www.jstor.org/stable/3804730> .

3.2 Gender Inequality in Nigeria

In Africa, many states lag behind primarily because of the respect for traditional culture which is often portrayed as intractable,⁴⁵ and given precedence over gender equality. This combined with certain religious norms gives way to patriarchal structures.⁴⁶ I have primarily drawn upon the work of Bonny Ibhawoh,⁴⁷ who dismisses claims that African culture is static and instead argues that culture is not monolithic, and that there are varying perceptions of cultural validity and legitimacy of human rights that differ significantly amongst different groups in society.⁴⁸ Ibhawoh describes two models of cultural legitimacy that are relevant for my purposes. The conservative and dynamic paradigms of cultural legitimacy.⁴⁹ Both subscribe to the idea of human rights. However they differ in terms of reach. The conservative paradigm states that in the private spheres such as religion and the family, cultural traditions take precedence over universal rights. Whereas in the dynamic paradigm universal rights are relevant in all forms and spheres. This is in support of both the universalist and feminist perspective of human rights.⁵⁰ The stagnancy in relation to the achievement gender equality derives from the difficulty to decide what dynamic of cultural legitimacy applies. Ibhawoh argues that this problem can be addressed through informed national debate and dialogue.⁵¹ In that way, one can arrive at a conclusion whereby culture is used to complement instead of constrain human rights.⁵²

⁴⁵ Sally Engle Merry, "Gender Justice and CEDAW: The Convention on the Elimination of All Forms of Discrimination against Women." *Hawwa* 9, no.2 (2011):56.

⁴⁶ Frances Raday, "Culture, Religion, and Gender Roundtable: An Exchange with Ronald Dworkin." *International Journal of Constitutional Law* 1 (2003): 709.

⁴⁷ Bonny Ibhawoh, "Between Culture and Constitution: Evaluating the Cultural Legitimacy of Human Rights in the African State." *Human Rights Quarterly* 22, no. 3 (2000).

⁴⁸ Ibhawoh, "Between Culture and Constitution,"842.

⁴⁹ Ibhawoh, "Between Culture and Constitution,"850.

⁵⁰ Ibhawoh, "Between Culture and Constitution,"850.

⁵¹ Ibhawoh, "Between Culture and Constitution,"855.

⁵² Ibhawoh, "Between Culture and Constitution,"856.

The Nigerian literature identifying cultural barriers to the achievement of gender equality is vast and is primarily in the form of attitudinal research. At the broadest level, widely held beliefs about masculinity and femininity are powerful root causes of gender inequality.⁵³ Attitudes vary regionally, within the six geopolitical regions. In a study conducted by Voices 4 Change, it was found that the Nigerian population held complex and contradictory attitudes towards gender.⁵⁴ It was evident that traditional gender roles in all spheres of society were still pervasive. Staunch resistance towards women in leadership roles was present.⁵⁵

I have also drawn upon the work of Oluwafunmilayo Josephine Parra-Mallam. Her empirical research demonstrates that women often talked about the clash between gendered hierarchies in religion and culture and then the human rights principles in development.⁵⁶ Many women felt uncomfortable tension between their desire for change and their identities as religious believers.⁵⁷ They primarily wanted to avoid any backlash from proponents of cultural and religious sentiments.⁵⁸ However literature engaging directly with those in positions of authority is scant. Ostensibly, Nigeria is a secular nation. However monotheistic religions, specifically Islam and Christianity, are a significant part of the cultural identity of the country and play an influential role in shaping both public and private life.⁵⁹ The literature focuses heavily on how religion and culture act as barriers to the full realization of women's rights.

⁵³ "Being A Man in Nigeria: Perceptions and Realities." "Voices 4 Change, accessed March 23, 2018: 9 <http://www.v4c-nigeria.com/being-a-man-in-nigeria-perceptions-and-realities/> .

⁵⁴ "Nigerian Men and Gender Equality Survey: NiMAGES." Voices 4 Change, accessed March 23, 2018: 33 <https://promundoglobal.org/resources/nigeria-men-gender-equality-survey-nimages/> .

⁵⁵ Voices 4 Change, "NiMAGES" ,33.

⁵⁶ Oluwafunmilayo Josephine Para-Mallam, "Faith, Gender and Development Agendas in Nigeria: Conflicts, Challenges, and Opportunities." *Gender and Development* 14, no. 3 (2006):411, <http://www.jstor.org/stable/20461163>.

⁵⁷ Para-Mallam, "Faith Gender and Development Agendas in Nigeria," 413.

⁵⁸ Oluwafunmilayo Josephine Para-Mallam, "Promoting Gender Equality in the Context of Nigerian Cultural and Religious Expression: Beyond Increasing Female Access to Education." *Compare: A Journal of Comparative and International Education* 40, no. 4 (July 1, 2010): 463, <https://doi.org/10.1080/03057925.2010.490370>.

⁵⁹ Funmi Josephine Para-Mallam "Gender Equality in Nigeria", in *Gender Equality in a Global Perspective* ed. Anders Ortenblad, Raili Marling, Snjezana Vasiljevic (Routledge, 2017), 96.

Para-Mallam writes that “culture and religion have proved tenaciously impervious to the efforts of women’s pressure groups.”⁶⁰ The fact that the GEO Bill has not passed despite numerous campaign attempts, and decades after the ratification of CEDAW proves that this is the case. However, this is not the full story. What is often understated in the literature is how religion can be used to promote women’s rights. Any attempt to reform gender relations and promote women’s rights in Nigeria whilst ignoring religion will most likely fail.⁶¹ In her paper *A Double Edged Sword: Challenging Women’s Oppression within Muslim Society in Nigeria*, Fatima Adamu criticized Gender and Development Programmes in Nigeria for trying to separate women’s religious and gender identities. She states that for Muslim women in the northern parts of Nigeria Islam is a “total way of life.” Therefore gender equality issues can’t be considered separately from religion.⁶² However this is not only applicable to the Muslim population in Nigeria. Across Nigeria there is a strong focus on the narrative that Nigeria is in its current struggling state, politically and economically due to corruption and moral decay.⁶³ Therefore there is a heavy focus on public morality which is policed by religion. As much as religion can be used to obstruct women’s rights it also has the ability to promote them. In a state like Nigeria, where religion plays such a dominant role, more literature is required on how religion can be used as a force for good in the campaign for the full realization women’s rights.

⁶⁰ Para-Mallam, “Gender Equality in Nigeria,”103.

⁶¹ Fatima Adamu and Oluwafunmilayo Para-Mallam, “The role of religion in women's campaigns for legal reform in Nigeria.”*Development in Practice*, 22, no. 5 (2012):815, <https://doi.org/10.1080/09614524.2012.685875> .

⁶² Fatima Adamu “A double-edged sword: Challenging women's oppression within Muslim society in Northern Nigeria,” *Gender & Development*, 7, no.1 (1999):58 , <http://www.jstor.org/stable/4030371> .

⁶³ Brandon Kendhammer, “Islam and the Language of Human Rights in Nigeria: ‘Rights Talk’ and Religion in Domestic Politics”, *Journal of Human Rights* 12, no.4 (November,2013): 475, <https://doi-org.ezproxy.cul.columbia.edu/10.1080/14754835.2013.812467> .

3.3 Domestication of CEDAW

Martha Nussbaum points to the importance of laws especially international treaties such as CEDAW as a motivator for the achievement of gender equality.⁶⁴ She notes that on the larger scale, legislation and international human rights instruments and policies play a limited role, but are effective in terms of providing a framework to help people unite and create movements to push for change.⁶⁵ However, like other states Nigeria struggles to fully domesticate its international obligations. The global literature attributes this failure to domesticate CEDAW to a number of factors. Vedna Jivan and Christine Froster argue that women's absence from the law making processes due to their exclusion in political offices results in the lack of legislative compliance with CEDAW.⁶⁶ Furthermore, Shaheen Sardar Ali suggests that domestication of CEDAW is difficult in countries where "pluralism is deeply embedded in legal culture".⁶⁷ This is because this new added layer of legal plurality sometimes clashes with the other forms of applicable law as well as with religious and cultural norms.⁶⁸ Another explanation presented by Anne Marie Goetz and Rob Jenkins is that implementing CEDAW domestically can have a contradictory effect,⁶⁹ of making supporters of CEDAW "vulnerable to the charges that they have been captured by the foreign donors that fund their activities."⁷⁰ Similarly along this line of thought, Edwin Egede argues that failure to domesticate CEDAW and other international

⁶⁴ Martha Nussbaum, "Women's Progress and Women's Human Rights," *Human Rights Quarterly* 38, no.3 (August, 2016):595, <http://ezproxy.cul.columbia.edu/login?url=https://search-proquest-com.ezproxy.cul.columbia.edu/docview/1812274556?accountid=10226> .

⁶⁵ Nussbaum, "Women's Human Rights,"622.

⁶⁶ Vedna Jivan and Christine Froster, "Challenging Conventions: In Pursuit of Greater Legislative Compliance with CEDAW in the Pacific," *Melbourne Journal of International Law* 10, no. 2 (October, 2009): 683, <http://ezproxy.cul.columbia.edu/login?url=https://search-proquest-com.ezproxy.cul.columbia.edu/docview/217504829?accountid=10226> .

⁶⁷ Shaheen Sardar Ali, *Modern Challenges to Islamic Law (Law in Context)* (Cambridge: Cambridge University Press,2016), 184.

⁶⁸ Ali, "Modern Challenges to Islamic Law,"184.

⁶⁹ Anne Marie Goetz and Rob Jenkins, "Feminist Activism and the Politics of Reform: When and Why Do States Respond to Demands for Gender Equality Policies?" *Development and Change* 49, no.3 (May, 2018): 716, <https://doi-org.ezproxy.cul.columbia.edu/10.1111/dech.12389> .

⁷⁰ Goetz and Jenkins, "Feminist Activism and the Politics of Reform,"716.

treaties in Nigeria is due to the belief that the provisions are contrary to local beliefs and cultural values.⁷¹ This echoes the literature mentioned earlier on cultural legitimacy of human rights. Egede adds another angle to the discussion by arguing that the domestication of CEDAW in Nigeria is limited by the Nigerian constitution.⁷² The constitution requires international treaties to be made into national legislation before they are applicable. This prevents treaties from being self-executing, hindering the direct application of human rights.⁷³

Susan Deller Ross importantly notes that public education is crucial in amending legislation that domesticates CEDAW.⁷⁴ It is difficult to claim legal entitlements without knowledge of them. This is further confirmed by Olusesan Ayodeji Makinde who is of the view that the lack of public awareness and knowledge of CEDAW in Nigeria has contributed to the failure to domesticate the treaty.⁷⁵ The literature examining the GEO Bill specifically is limited. To my knowledge the only analysis was conducted by Makinde et al who have argued that its passage has been difficult due to cultural and religious beliefs, and that a specific provision jeopardizing the success of the bill is the section calling for the adoption of temporary special measures.⁷⁶ The limitation of this evaluation is that the researchers were unable to directly engage with key players who contributed to the outcome of the bill. Therefore it does not provide a full explanation of its failure.

⁷¹ Edwin Egede, "Bringing Human Rights Home: An Examination of the Domestication of Human Rights Treaties in Nigeria." *Journal of African Law* 51, no. 2 (2007): 274, <http://www.jstor.org/stable/27607989>.

⁷² Egede, "Bringing Human Rights Home,"284.

⁷³ Egede, "Bringing Human Rights Home,"284.

⁷⁴ Susan Deller Ross, *Women's Human Rights : The International and Comparative Law Casebook* (Philadelphia: University of Pennsylvania Press,2009), 360.

⁷⁵ Olusesan Ayodeji Makinde, Cheluchi Onyemelukwe, Abimbola Onigbanjo-Williams, Kolawole Azeez Oyediran, and Clifford Obby Odimegwu, "Rejection of the Gender and Equal Opportunities Bill in Nigeria." *Gender in Management* 32, no. 3 (2017):237, <https://doi-org.ezproxy.cul.columbia.edu/10.1108/GM-02-2017-0023>

⁷⁶ Makinde, Onyemelukwe, Onigbanjo-Williams, Oyediran, and Odimegwu, "Rejection of the Gender and Equal Opportunities Bill,"237.

Chapter 4 Methodology

Research Participants

The research participants consisted of 19 relevant stakeholders who played a role in the outcome of the Gender and Equal Opportunities Bill. The three main groups of informants were (1) Senators from the National Assembly, (2) Representatives of civil society organizations, and (3) Individuals who were involved with the process either through their activism, or direct work with the senators and civil society organizations. I identified my core interview sample from prior knowledge of the context, primarily key opponents and proponents of the bill. Some of the informants were recruited through direct communication. However the majority of the participants were recruited through referrals and snowball sampling methods.

The senators were contacted through direct communication. The two key influential informants in this group are Senator Christine Biodun Olujimi, the sponsor of the bill who represents Ekiti State in the South West region, and Senator Abubakar Bukola Saraki, the Senate President, who represents Kwara State, in the North Central region. The other 6 senators were selected based on availability and the geopolitical zone they represented: Senators Abubakar Kyari, Abdul-Aziz Murtala Nyako, and Mohammed Ali Ndume represented the North East. Senator Emmanuel Paulker represented Bayelsa State in the South South region. I was also able to interview one senator from both the North Central and South East. However they both chose to remain anonymous. The aim was to interview at least one senator from every one of the 6 geopolitical zones. I was unable to interview a senator from the North West, but I managed to interview at least one senator from each of the other 5 zones, the North East, North Central, South East, South West, and South South.

Similarly, the civil society organizations chosen for this study were selected on the basis of their work on the bill and their presence from publicized campaign efforts, and snowball sampling. The informants in this category were representatives of prominent national and international organizations, namely: Women's Rights Advancement and Protection Alternative (WRAPA), The National Coalition on Affirmative Action (NCAA), Nigerian Feminist Forum (NFF), Voices 4 Change (V4C), Oxfam Nigeria, and the International Federation of Women Lawyers Nigeria (FIDA) Nigeria.

The other category of informants were 5 individuals, 3 activists who were also members of the organizations listed above, Jummai Madaki, Prisca Chinelo Obi and Pascal Mbagolu, who wanted to be interviewed in their capacity as individual activists and were not speaking on behalf of their organizations. The other two were staff members of the legislature, Victor Inedu, Senator Olujimi's Senior Legislative Aide, responsible for drafting the bill, and Eky Anazonwu, a staff member of the Gender Technical Unit (GTU), a body of the legislature.

Data Collection

The study's findings and conclusions are based largely on the responses of the 19 informants in their semi-structured interviews. Each interview was recorded and lasted between 15 - 45 minutes. The interviews were held in either the informant's place of work or their home. Religious and traditional leaders are also important stakeholders who played a significant role in the outcome of the bill. Unfortunately due to accessibility issues I was unable to conduct interviews with them. Therefore, in addition to the qualitative interviews with research participants, data is also drawn from published reports by national civil society organizations that were sponsored by international non-profits. These reports include findings from meetings, interviews, and focus groups with these religious and traditional leaders.

Limitations

The primary limitation of this study pertains to the shortfall of research participants, particularly the senators. Out of the 109 Senators voting on the bill, I was only able to interview 8. This was due to three main reasons. First, I did not have access or connections to all of the senators. Second I conducted my research in Nigeria in July and August of 2018. This was just a few months before the primary elections that took place in September 2018. Most of the politicians were very preoccupied during the hectic period leading up to the elections. Finally, two months is not enough time to conduct interviews with all of the senators. The findings cannot be used to conclusively explain all the factors that led to the failure of the bill. However this was slightly mitigated by choosing senators based on their geopolitical zone. Although the number was small, each region has different concerns in relation to the bill due to the different cultural sensitivities. This allowed me to identify more factors that played a role in the bill than I would have if I only interviewed senators from one geopolitical zone. Some religious leaders , specifically the Muslim leaders I reached out to, refused to participate in private individual interviews with me. Their opinions on the bill will be drawn from published statements they have released and reports by organizations who were able to conduct interviews with them. Another limitation pertained to the data from the interviews. I noticed that in private non- recorded meetings I had prior to the official interviews, some interviewees, particularly politicians and representatives from international organizations, were more candid. As soon as the interviews started and were being recorded, some responses were more reserved and the interviewees were not as forthcoming as they were off the record. They were reluctant to be open with me because of concerns that my thesis could be made available to the public. If a senator who publicly

opposed the bill, was in support of it in private, this could have negative effects on their political careers.

There is certainly scope for expanded research that engages with more stakeholders. This would require a much longer period of data collection, during a calmer political climate, with increased access to religious leaders and politicians.

Chapter 5

Primary Findings

The question this thesis seeks to answer is “What are the factors contributing to the consistent rejection of the Gender and Equal Opportunities Bill?” My hypothesis is that factors such as religious opposition, misunderstandings of the notion of gender inequality, and limited awareness of the bill played a role in its consistent rejection. This chapter presents the key findings obtained from 19 interviews in three sections: (1) the factors contributing to the failure of the bill, (2) the key areas of contention in the bill, and (3) the strategies used by the proponents of the bill.

5.1 Factors

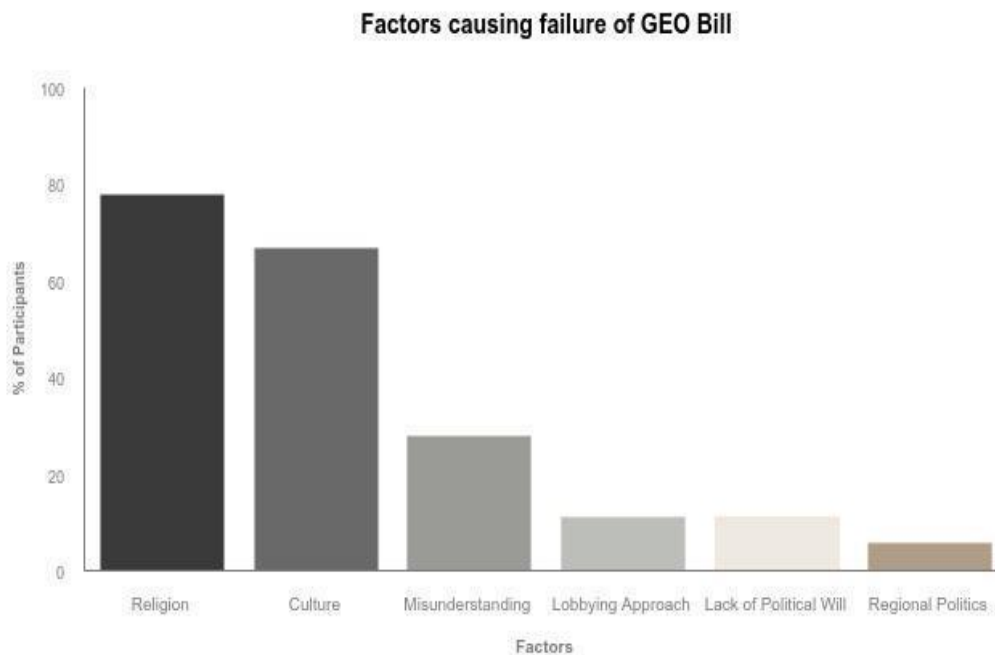


Figure 1

As seen in Figure 1, the factors that emerged from the interviews were religion, culture, misunderstanding of gender equality, the lobbying approach used by the proponents of the bill, lack of political will, and regional politics.

Religion

The primary and overriding finding of this study is that religion is the main reason why the GEO Bill has been consistently rejected. This finding is highly significant in terms of the overwhelming number of participants (17 of 19) who cited this as a reason. Although the participants initially cited religion as a reason, upon further questioning and elaboration, they specified that it was Islam and Muslim senators, that were creating this barrier:

I am a Muslim, my religion is first, then gender whatever is secondary. So any proposed law or act that contradicts or contravenes my religion is not acceptable.⁷⁷

I can say the greatest obstacle we got for the bill came from our Muslim brothers in the north.⁷⁸

The public hearing has been postponed twice, the reason is simple, people feel it is an election year. They believe that if their religious leaders see them agreeing to give women rights it could affect their elections.⁷⁹

It was evident how powerful and influential the Muslim leaders from the north were, especially in relation to the decisions the Muslim senators made. In December 2016, the Sultan of Sokoto, the leader of the Muslim community in Nigeria, released a press statement discouraging Muslim senators from supporting the bill.⁸⁰ “When it comes to the bill, the [Muslim leaders] are static, they don’t want to hear anything that goes against the position of the

⁷⁷ Mohammed Ali Ndume (Senator representing Borno State, North East region), in discussion with author, 10 July 2018.

⁷⁸ Pascal Mbagaou (activist and staff member of NCAA), in discussion with author, 15 August 2018.

⁷⁹ Biodun Christine Olujimi (Senator representing Ekiti State, South West region), in discussion with author, 17 July 2018.

⁸⁰ “Nigeria’s Sultan of Sokoto rejects gender equality bill,” *BBC News*, 28 December 2016, <https://www.bbc.com/news/world-africa-38449822> .

Quran”.⁸¹ Furthermore, the NGOs who had participated in meetings with influential religious leaders had the most difficulty with the Muslim leaders. Limited success was reported. They found that during the meetings and focus group discussion there was a great deal of heavy opposition, and often no concrete resolution was reached at the end:

During our focus group with the religious leaders in Kaduna state, they were not too supportive, they did not even want to hear it.⁸²

The meeting with the Sultan of Sokoto and other influential Muslim clerics just went, there was a lot of opposition from the group.⁸³

When you are in a meeting with them, they will pretend to be supportive, however after the meeting, when they have consulted some people, it will be a different thing altogether.⁸⁴

Meetings with Christian faith-based organizations tended to be more successful. For example, in Enugu, after multiple meetings, the NCAA was able to gain the support of the Bishop of the Anglican community and the Catholic Church. They promised to speak in favor of the bill when called upon at a public hearing. That being said there were some Catholic organizations that were strongly against the bill, namely the Catholic Women’s Association of Imo State and the Catholic Bishops Conference of Nigeria. However this was more due to their misunderstanding of the content of the bill. They thought that the bill would guarantee abortion and gay rights, and would enable the distribution of condoms in schools.

Culture

Many participants also cited both general patriarchal culture and cultural practices as a hindrance to the bill. Some even suggested culture could not be changed, and so whatever was understood to be their culture had to be followed:

⁸¹ Ifeoma Madukolu (NCAA representative), in discussion with author, 23 August 2018.

⁸² Umimi Rimi (WRAPA Program Officer), in discussion with author, 6 July 2018.

⁸³ Ifeoma Madukolu (NCAA representative), in discussion with author, 23 August 2018.

⁸⁴ Pascal Mbagaou (activist and staff member of NCAA), in discussion with author, 15 August 2018.

We Nigerians, there has always been a long existence where men have always been the first citizen, and women are considered as second class citizens , that has always been the culture of our country. Because if a woman has the same opportunities and rights as a man, they (men) feel that nobody will cater to them, their household, and their needs. That will leave a loophole in the family, there won't be balance anymore so they need to keep women in check.⁸⁵

There is a fundamental thing around norms, it is the behavior and mindsets of the people, and it is the culture that is breeding those mindsets and behaviors.⁸⁶

There are some traditional and cultural barriers, those are the realities, and as representatives of the people, you must feel the pulse of your constituents before taking a position on women.⁸⁷

Equal opportunities for women is more of a mirage for now, it won't happen until we change our attitudes.⁸⁸

When it comes to saying men and women should be treated equal, that is where the issue came about, it doesn't work that way, and I don't believe men and women are the same, they are not. For example, a woman cannot be a husband, and a husband cannot be a wife, but they have started it these days, where men marry men and women marry women too. But you know, that is abnormal.⁸⁹

When we keep asking them why they are against certain provisions, they will just say that women are not meant to, they won't provide any other reason. You will see that they do not have any particular answer to the culture that they are trying to protect.⁹⁰

That being said, some interesting positive findings also emerged. The NGOs and individual activists who had met with some traditional rulers, reported receptive and positive outcomes. These key influencers in the cultural realm were not as static as suggested. One success was from WRAPA. After multiple advocacy visits and meetings with the traditional ruler of Bokkas local government in Plateau State (North Central), the traditional council issued a decree providing women with inheritance and property ownership rights. Similarly, in Igboeze local

⁸⁵ Prisca Chinelo Obika (WRAPA staff member), in discussion with author, 6 July 2018.

⁸⁶ Chioma Ukwuagu (OXFAM Nigeria Program Officer for Legal Unit) , in discussion with author, 11 July 2018.

⁸⁷ Emmanuel Paulker (Senator representing Bayelsa State, South South region), in discussion with author, 17 July 2018.

⁸⁸ Interview with Senator from North Central region, 21 August 2018.

⁸⁹ Mohammed Ali Ndume (Senator representing Borno State, North East region), in discussion with author, 10 July 2018.

⁹⁰ Ogechi Ikeh (NFF representative), in discussion with author, 5 July 2018.

government in Enugu state, after several advocacy visits, NFF was able to convince the traditional rulers to allow women to serve on their Eze parliament. The NCAA pointed out that during their meeting with traditional rulers, where they brought together a group of key traditional rulers from each geopolitical region, most of the rulers in attendance were very receptive of the bill. They even managed to get a traditional ruler from Calabar, Cross Rivers State (South South region), to pledge to speak in support of the bill at any public hearing.

Misunderstanding of gender equality

Another reason cited by the participants, was a misconception of the meaning of gender equality. This is significant as it is mentioned explicitly in the title of the bill. Therefore based on their assumptions of what gender equality meant, many people would already be opposed to the bill just from reading the title alone.

There is a lot of misconception, equality means that they (women) want to take our (men) space.⁹¹

We will have to keep enlightening people, tell them that the passage of the bill only gives the woman an opportunity to compete equally, rather than give women an opportunity to excel beyond men.⁹²

I think Nigeria has still not come to terms with the words gender equality.⁹³

He (The Sultan of Sokoto) admitted that initially he did not read the bill...the title alone put him off. Once they see equal they are like how can men and women ever be equal? How can men and women ever be the same?⁹⁴

Lobbying Approach

Two participants suggested that the lobbying tactics used by the proponents of the bill contributed to its failure. Senator Nyako of Adamawa State (North East), believed that the failure

⁹¹ Jummai Madaki (activist) in discussion with author, 9 July 2019.

⁹² Biodun Christine Olujimi (Senator representing Ekiti State, South West region), in discussion with author, 17 July 2018

⁹³ Wumi Asubiaro (V4C representative), in discussion with author, 5 July 2018.

⁹⁴ Ezy Anazonwu (GTU staff member), in discussion with author, 9 July 2018.

of the bill was due to the ineffective lobbying approach used by the proponents of the bill in the Senate. He believed that “the approach to lobbying was wrong...if the approach had been from a point of privilege and not rights, then we would have been able to scale to the next reading.⁹⁵” His rationale for this was that the majority of the legislature, particularly the older legislators, dislike rights language and are not receptive to demands for women’s rights:

Because we have come from a pre colonial culture, a colonial culture, and a military culture, we don’t speak the language of rights. We are more or less a semi oppressive regime, so we have grown up not knowing our rights.⁹⁶

He believes that the proponents of the GEO Bill need to use the language of opportunity instead of rights. The ‘elders’ in the senate had to be spoken to in a certain way that would ‘rub their egos’.⁹⁷ The GEO Bill needed to be presented as a piece of legislation that would be a privilege for women and provide opportunities for women, not rights. Similarly, this sentiment was echoed by V4C, “if we had presented this bill as a pity bill, maybe we would have gotten more legislators to support it.”⁹⁸

Lack of political will and regional politics, were also listed as reasons why the bill has not been successful. However, these two reasons are a result of these main overarching factors. Nobody is willing to “break the mold,”⁹⁹ in support of the bill because there is no political incentive to do so. Furthermore, Senator Paulker’s mention of regional politics as a barrier, was in relation to the Northern senators. It is evident that regionalism and tribalism play significant roles in Nigeria. The North has openly been in opposition of the bill. During the interview, he

⁹⁵ Abdul-Aziz Murtala Nyako (Senator representing Adamawa State, North East region), in discussion with author, 12 July 2018.

⁹⁶ Abdul-Aziz Murtala Nyako (Senator representing Adamawa State, North East region), in discussion with author, 12 July 2018.

⁹⁷ Abdul-Aziz Murtala Nyako (Senator representing Adamawa State, North East region), in discussion with author, 12 July 2018

⁹⁸ Wumi Asubiaro (V4C representative), in discussion with author, 5 July 2018.

⁹⁹ Biodun Christine Olujimi (Senator representing Ekiti State, South West region), in discussion with author, 17 July 2018

was careful to avoid explicitly referring to Muslims and the North. But when making his descriptions and explanations, it would be very clear for anyone with knowledge of Nigeria to understand what part of the country he was referring to.

5.2 Areas of contention

The contentious provisions of the bill were the ones on inheritance, marriage, widowhood practices, and affirmative action.

Inheritance

Section 5(a) (vii) of the bill states that “women and men shall have the right to inherit, in equitable shares, their parents' properties.” The Muslim legislators and religious leaders were against this provision because they believe that the Quran and Hadith already provides for inheritance. They suggested the complete removal of the provision. However the Christian and Southern proponents of the bill argued that this provision was vital because Christianity and Southern culture does not provide any guidance on inheritance.

Yes Islam settled the issue of inheritance, but my question is do we legislate for only one section of the society or all?¹⁰⁰

Marriage

Section 13 of the bill states that “every organ or agency of government, public or private institution, commercial or corporate body, shall take all appropriate measures to eliminate discrimination against persons in all matters relating to marriage and family relations: and shall ensure, equal right to women and men in all matters related thereto.” The legislators did not feel

¹⁰⁰ Biodun Christine Olujimi (Senator representing Ekiti State, South West region), in discussion with author, 17 July 2018.

that this was an area of life that required the involvement of the federal government, and that religion already prescribes marriage rights.

Widowhood

Section 5 of the GEO Bill provides rights for widows:

- (iii) Widows shall not be subjected to inhuman, humiliating or degrading treatment;
- (iv) A widow is entitled to guardianship and custody of her children, after the death of her husband, unless this is contrary to the interests and the welfare of the children;
- (v) A widow shall in the exercise of her freedom of choice, have the right to remarry the person of her choice.
- (vi) A widow shall have the right to a fair share in the inheritance of the property of her husband and shall have the right to continue to live in the matrimonial house provided that in the case of re-marriage, she shall retain this right only if the house belongs to her.

Some participants felt that this was a part of their culture that could not be changed, especially “not by foreigners who do not understand our country.”¹⁰¹

Affirmative Action

Section 4(b) (i) calls for the adoption of temporary special measures; “in the case of political and public sphere, that a minimum of 35 percent of all offices, positions, or appointments is reserved for women.”¹⁰² This opposition mainly came from the politicians.

They did not seem to understand why special temporary measures were necessary:

I think what is lacking more on the part of the women is the political will to contest with their male counterparts. I personally don’t see any aid given to any party to consider a male in preference to women in society. I think the women should do more work.¹⁰³

The constitution doesn’t even require one third, Olujimi was saying that the people from the constituency must vote one third of women. You can’t force people to vote, that is creating something new. The constitution is even better than one third, it is open, it allows every lady to run. But if you are talking about political appointments, that is a

¹⁰¹ Mohammed Ali Ndume (Senator representing Borno State, North East region), in discussion with author, 10 July 2018.

¹⁰² The Gender and Equal Opportunities Bill 2016, s. 4(b) (i)

¹⁰³ Emmanuel Paulker (Senator representing Bayelsa State, South South region), in discussion with author, 17 July 2018.

different thing, there you can allocate one third of positions to women, but not from the point of view of how people should vote.¹⁰⁴

5.3 Strategies adopted by civil society organizations

When asked the question “What strategies does your organization use to campaign for the Gender and Equal Opportunities Bill?”, the participants listed the strategies outlined in Figure 2. All of the NGOs, with the exception of the NFF made it clear that they were part of the NCAA, and were waiting for strategic direction from the coalition. The NCAA is the coalition of civil society organizations that was created solely to campaign for the Gender and Equal Opportunities Bill. When interviewing the NCAA, it was alarming to find that they do not currently have a strategy. This is due to exhausted funds and a failure to carry out a nationwide strategic meeting with all of their members. Currently there is no legislative strategy to push for the passage of the bill. Olujimi, the Senator who introduced the current failed version, states that due to the election season it is not a priority. She is waiting for any legislative action and lobbying within the senate to happen after the election, believing that this will provide for a window of opportunity.

Organization	FIDA Nigeria	WRAPA	NFF
Strategies	<ul style="list-style-type: none"> ● Press statements ● Technical legal support ● Production of educational radio jingles 	<ul style="list-style-type: none"> ● Advocacy Visits ● Focus Group Discussions ● Awareness raising campaigns ● Training Legislators (Haki Project) 	<ul style="list-style-type: none"> ● Advocacy Visits ● Press Statements ● Public Seminars ● Social Media Campaigns

Figure 2

¹⁰⁴ Abdul-Aziz Murtala Nyako (Senator representing Adamawa State, North East region), in discussion with author, 12 July 2018.

Due to OXFAM's nature as a charity organization, their involvement in the GEO Bill campaign was limited. They had to avoid political activity. However they indirectly supported the bill by providing technical assistance to organizations like WRAPA and provided financial support for advocacy visits to non-governmental stakeholders of the bill such as religious and traditional leaders.

Voices 4 Change (V4C) was a temporary organization set up by the United Kingdom's Department for International Development (DFID) to work on the passage of the bill. However it was only running for a five year period, from 2012 to 2017. Its main strategy in relation to the campaign for the GEO bill was strengthening the institutional mechanisms that support the bill.¹⁰⁵ They awarded grants to the NCAA, and provided technical support to the GTU.¹⁰⁶ V4C used additional strategies aimed at changing norms with individuals and society at large. For the purposes of the discussion, these strategies, along with the presentation of the strategies of the other NGOs will be outlined in the following chapter. The following chapter is a discussion of the findings. Where appropriate, published report data are woven with interview data to augment and solidify the discussion.

¹⁰⁵ Wumi Asubiaro (V4C representative), in discussion with author, 5 July 2018.

¹⁰⁶ Wumi Asubiaro (V4C representative), in discussion with author, 5 July 2018.

Chapter 6

Discussion

In the following sections I examine the factors and contentious provisions hindering the progress of the GEO Bill, and the arguments presented by the opposition. I then explore the strategies used by the civil society organizations campaigning for the bill. Finally, I examine two successful campaigns in Nigeria, the Not Too Young to Run Campaign, and the GEO Bill in the Plateau State legislature. Assessing the conditions that contributed to these success provides learning lessons that can be applied to the GEO Bill campaign in the future.

6.1 Factors and Contentious Provisions

Religion

Religion, specifically, Islamic opposition, is the main barrier to the passage of the GEO Bill. The argument put forward by the opposition is that the bill, specifically the provisions on inheritance and marriage, contradict Sharia principles and rulings. However, the bill does not contradict Islam, in fact the very essence of the bill aligns with the basic philosophy of human equality in Islam. The first verse in Chapter 4 of the Quran states:

O People! Be careful of (your duty) to your Lord who created you from a single soul and from it created its mate and spread from these two many men and women.¹⁰⁷

Women and men are created from the same source, this is a clear statement of equality between men and women. This is confirmed by the fact that the religious obligations and expectations for men and women are the same.¹⁰⁸ This is reaffirmed by the literature of the Hadith. For example, Hadith no. 2863 explicitly states that “women are (ashiqqa) to men.” ‘Ashiqqa’ means siblings of

¹⁰⁷ The Quran, Nisa, 4:1

¹⁰⁸ The Quran, At Tawbah ,9:71-72

the same mother and father.¹⁰⁹ The essential philosophical foundations of Islam see no differences between men and women. However specific verses that are very context specific are often given precedence over the inherent equality of all people that is central to Islam.¹¹⁰ This is evidently the case in relation to the issues of inheritance and marriage. This will be further examined below.

The GEO Bill provides women with the same right as men to inherit equitable shares in their parents' properties.¹¹¹ Whereas in Islam, the general principle is that the son gets twice the share of the daughter.¹¹² This principle was drawn up in a specific socio-historical context of traditional Muslim societies, where men were the breadwinners and had the sole responsibility of taking care of all of the women in their lives.¹¹³ The current reality is different. While the responsibilities of men and women have adapted to the modern context, the rules have not. This requirement of male responsibility has always been used as a justification for the unequal division of inheritance.¹¹⁴ However now that this no longer applies, neither can the justification.

One participant states that:

A lot of people believe that the issue of inheritance has already been addressed by the religion we study and the Holy book. Is it right for there to be a law also that pretty much also directs how inheritance should be addressed? That's a very sensitive issue.¹¹⁵

¹⁰⁹ Amira El Azhary Sonbol, "A Response to Muslim Countries' Reservations against Full Implementation of CEDAW." *Journal of the Middle East and the Islamic World* 8, no.3(2010):355.

¹¹⁰ Amira El Azhary Sonbol, "A Response to Muslim Countries' Reservations against Full Implementation of CEDAW." *Journal of the Middle East and the Islamic World* 8, no.3(2010):356

¹¹¹ The Gender and Equal Opportunities Bill 2016 s. 5 (a) (vii)

¹¹² The Quran, Nisa, 4:12.

¹¹³ Abdur Rab and Hasan Mahmud, "Quranic Inheritance Law: The Case for a Gender Neutral Understanding" http://www.academia.edu/11873928/The_Quranic_Inheritance_Law_The_Case_for_a_Gender-Neutral_Understanding accessed December 6 2018.

¹¹⁴ Salihu O. Muhammad, "The Principles and Practice of Succession Under Islamic Law" (Paper presented at the refresher course for Judges and Kadis in Nigeria organized by the National Judicial Institute (NJI) Abuja, Nigeria, March 20 2017.12, http://nji.gov.ng/images/Workshop_Papers/2017/Refresher_Judges_and_Kadis/s1.pdf

¹¹⁵ Abubakar Bukola Saraki (Senate President, representing Kwara State, North Central region), in discussion with author, 19 August 2018.

By referencing the Quran, he is suggesting that these rules are the word of God. The problem however, arises when a distinction has not been made between the divine rules of God and interpretations of those rules. Many scholars who have studied this issue have concluded that there are varying interpretations of Sharia amongst Muslim communities.¹¹⁶ Scholars such as El Azhary and Rahman have pointed out that when an interpretation is presented as the divine word, it becomes very difficult or impossible to accept anything else, as is the case with Sharia inheritance rules in Nigeria.¹¹⁷ Inheritance rules across the Muslim world are not “clearly settled,”¹¹⁸ as suggested by the participant. If this were the case, there would be consensus on the issue amongst all Muslim countries. In Somalia, for example, both male and female children get equal shares.¹¹⁹ Tunisia adopts the same approach to Nigeria, where the son gets more.¹²⁰ In Egypt grandchildren are included as legitimate heirs who deserve some inheritance. Yet in other countries such as Turkey, they are not.¹²¹ The differences in practices and interpretations of Sharia among Muslim countries gives credence to the point that it is the leaders of either the state or religious communities who determine the rules and not a permanent Sharia that cannot be changed.¹²²

Section 13 of the bill provides men and women with equal rights in marriage.¹²³ Islam on the other hand prescribes different rights and obligations for men and women in relation to

¹¹⁶ Fazlur Rahman, *Islam and Modernity: Transformation of an Intellectual Tradition* (Chicago: Chicago University Press, 1982)

¹¹⁷ Amira El Azhary Sonbol, “A Response to Muslim Countries’ Reservations against Full Implementation of CEDAW.” *Journal of the Middle East and the Islamic World* 8, no.3(2010): (#)

¹¹⁸ Abubakar Bukola Saraki (Senate President, representing Kwara State, North Central region), in discussion with author, 19 August 2018

¹¹⁹ Abdur Rab and Hasan Mahmud, “Quranic Inheritance Law: The Case for a Gender Neutral Understanding” http://www.academia.edu/11873928/The_Quranic_Inheritance_Law_The_Case_for_a_Gender-Neutral_Understanding accessed December 6 2018

¹²⁰ Rab and Mahmud, “Quranic Inheritance Law.”

¹²¹ Amira El Azhary Sonbol, “A Response to Muslim Countries’ Reservations against Full Implementation of CEDAW.” *Journal of the Middle East and the Islamic World* 8, no.3(2010):377

¹²² Sonbol, “A Response to Muslim Countries’ Reservations against Full Implementation of CEDAW,” 363.

¹²³ The Gender and Equal Opportunities Bill 2016 s.13

marriage.¹²⁴ A discussion of all of the Islamic marriage rights for men and women is beyond the scope of this paper, but this section will focus on a few clear examples. The first one is polygamy. Women do not have the same right as men to multiple spouses.¹²⁵ Despite popular belief that polygamy is inherently Islamic,¹²⁶ polygamy was introduced by the Quran to restrict the pre-Islamic practice of unlimited polygamy.¹²⁷ Polygamy was tolerated to provide for the welfare of women and children who were left orphaned after a war in a society where women were heavily dependent on men.¹²⁸ As with inheritance, this is another rule that has remained despite an evolving context. Another Islamic marriage requirement is consent, and that both parties have reached an age of maturity.¹²⁹ Despite this, arranged marriage and child marriage is prevalent in Northern Nigerian society.¹³⁰ This demonstrates that the obstacles are not necessarily religion or sharia, but interpretations based on social interests.

It is important for advocates engaging with religious leaders to adopt an approach in which they engage in debate with the Muslim clerics of the North with the help of progressive Muslim scholars. Participants complained that meetings with the representatives of the Muslim community were unproductive because “they did not want to hear it.”¹³¹ This is because they do not perceive the non-Muslim civil society organizations as a respectable authority who understands their religion. So they deem them incapable of relevant engagement. Perhaps by partnering with more Muslim scholars, and working within Sharia, their meetings will be have

¹²⁴ Ibrahim Amini, *Principles of Marriage and Family Ethics* (Createspace Independent Publishing Platform, 2014).

¹²⁵ Amini, *Principles of Marriage and Family Ethics*.

¹²⁶ Abdur Rab and Hasan Mahmud, “Quranic Inheritance Law: The Case for a Gender Neutral Understanding” http://www.academia.edu/11873928/The_Quranic_Inheritance_Law_The_Case_for_a_Gender-Neutral_Understanding accessed December 6 2018

¹²⁷ The Quran, Nisa, 4:3

¹²⁸ Musawah, *CEDAW and Muslim Family Laws: In Search for Common Ground* (Malaysia: Sisters in Islam, 2011),35

¹²⁹ Amira El Azhary Sonbol, “A Response to Muslim Countries’ Reservations against Full Implementation of CEDAW.” *Journal of the Middle East and the Islamic World* 8, no.3(2010):361-362

¹³⁰ Grace Atim, “Girls not Brides: Ending Child Marriage in Nigeria.”(2017) *Journal of Gender, Information and Development in Africa* 6, no.1 (2017)

¹³¹ Ifeoma Madukolu (NCAA representative), in discussion with author, 23 August 2018.

more productive outcomes. This is evidenced by the work of Baobab, an organization that works within the Sharia courts in Nigeria to protect women's human rights.¹³² The Muslim clerics are willing to listen, but usually only from an individual or group who they deem has the relevant authority.

To reiterate, the argument used by the opposition is limited for two reasons. Firstly, because these arguments fail to recognize the difference between the actual word of God and the interpretations. Secondly, there is historical precedent of many Quranic laws being updated to fit the society even during the times of the prophets and the caliphates.¹³³

In his interview, Senator Ndume, from Borno State, in the North East region, referred to gender inequality as “gender whatever.”¹³⁴ This is dismissive, and makes it very clear that these issues are not a priority for him. Yet he brought up factors such as religious and constitutional incompatibility as a reason why the GEO Bill cannot be passed. For example, he went on to say that:

Any other aspect of the law that contradicts the teachings of Islam, will naturally not be applicable because it will be in conflict with the constitution which guarantees freedom of religion.¹³⁵

However, the bill does not infringe upon the right to freely practice one's religion, as claimed above. Nigeria has a plural legal system, consisting of statutory law, customary law, and sharia law. The legislature has passed statutory criminal legislation that runs contrary to the Sharia

¹³² Libby Brooks, “Saving Amina,” *The Guardian*, May 7, 2003, <https://www.theguardian.com/world/2003/may/08/gender.uk> .

¹³³ Abdur Rab and Hasan Mahmud, “Quranic Inheritance Law: The Case for a Gender Neutral Understanding” http://www.academia.edu/11873928/The_Quranic_Inheritance_Law_The_Case_for_a_Gender-Neutral_Understanding accessed December 6 2018

¹³⁴ Mohammed Ali Ndume (Senator representing Borno State, North East region), in discussion with author, 10 July 2018.

¹³⁵ Mohammed Ali Ndume (Senator representing Borno State, North East region), in discussion with author, 10 July 2018.

penal code.¹³⁶ Yet it was not faced with the same heavy opposition as the GEO Bill. Section 42 of the Constitution provides for the right to be free from discrimination on the basis of sex. Underlying negative beliefs and attitudes have led to this selective use of the constitution and religious provisions as a barrier to guarantee the application of the constitutional provision prohibiting discrimination on the basis of sex.

Culture

Almost all of the participants believed that culture played a significant role in the outcome of the GEO Bill. Despite this awareness, with the exception of Senator Olujimi, none of the legislators were willing to challenge this factor. There was no sense of urgency to change the status quo:

And there are some challenges such as tradition, like the Igbos, they have their own culture as to how to handle their widows, and you cannot change that.¹³⁷

You cannot force the people to vote for women. They prefer voting for men, and this is due to culture.¹³⁸

What you are seeing in Nigeria has been oppressive, mainly because of the cultural and political atmosphere. But it is what it is.¹³⁹

Culture is evidently perceived as a static aspect of Nigerian society, and something that ‘just has to be dealt with.’¹⁴⁰ One organization that has been a vocal opponent of the bill is the Foundation for African Cultural Heritage (FACH), this organization is “committed to the preservation and

¹³⁶ For example, The Violence against Persons Prohibition Act 2015.

¹³⁷ Mohammed Ali Ndume (Senator representing Borno State, North East region), in discussion with author, 10 July 2018.

¹³⁸ Abdul-Aziz Murtala Nyako (Senator representing Adamawa State, North East region), in discussion with author, 12 July 2018.

¹³⁹ Emmanuel Paulker (Senator representing Bayelsa State, South South region), in discussion with author, 17 July 2018.

¹⁴⁰ Abubakar Kyari (Senator representing Borno State, North East region) in discussion with author, 12 August 2018.

promotion of African cultural values.”¹⁴¹ They are strongly opposed to CEDAW and any attempts to domesticate the treaty because of its call upon states parties to modify customs that discriminate against women.¹⁴² FACH want to maintain Nigerian cultural identity. Therefore anything that attempts to erase what FACH sees as that identity is perceived as a threat. However, culture is not static and can be changed, as discussed in Chapter 3 (Literature Review). It is important for advocates of the bill to talk about finding a balance between promoting gender equality and maintaining cultural identity.

Some NGOs have found a way to respond to the cultural legitimization of gender inequality in Nigeria in a positive way. This has led to some traditional leaders pledging their support for the GEO Bill. In December 2015, V4C conducted a two day ‘Gender and Masculinity’ seminar with 26 influential traditional leaders from 17 local governments of Enugu State.¹⁴³ The objective of the seminar was to increase the traditional rulers’ understanding of gender equality and their roles as agents of change. During the seminar, the V4C team found that the traditional leaders were primarily concerned about the imposition of Western culture and ideologies.¹⁴⁴ The traditional rulers believed that they had the responsibility of preserving their communities culture. What resonated the most with them in the seminars were home grown perspectives of gender equality.¹⁴⁵ For example, The V4C team clarified the difference between the inclusion of women as a definition of gender equality, and the previously perceived assumption of gender equality as women ‘taking over.’ They presented their message as ‘gender

¹⁴¹ “FACH: About Us,” Foundation for African Cultural Heritage, accessed August 10, 2018, <http://fach-nigeria.org>

¹⁴² Convention on the Elimination of Discrimination Against Women 1979, art.2(f) & 5(a)

¹⁴³ Voices 4 Change, *Case Study: Radio Stations, Religious Leaders, Traditional Leaders, and Legislative Reform*, December 2016.

¹⁴⁴ Voices 4 Change, *Case Study: Radio Stations, Religious Leaders, Traditional Leaders, and Legislative Reform*, December 2016.

¹⁴⁵ Voices 4 Change, *Case Study: Radio Stations, Religious Leaders, Traditional Leaders, and Legislative Reform*, December 2016.

justice’ instead of ‘gender equality’ because this aligned more with cultural values of peace and justice.¹⁴⁶ The traditional rulers found the term ‘gender equality’ confrontational.¹⁴⁷ This was due to their prior negative interactions with women’s rights organizations.¹⁴⁸ It is clear that shifting the language brought them on board, and created an avenue for discussion and debate on cultural practices that were preventing women’s rights from being realized. One topic discussed was women’s leadership. Initially the traditional leaders believed that “the responsibility of the woman is to keep the house functioning,”¹⁴⁹ because that had always been the case in their society. In response, the team pointed to successful examples of Nigerian female leaders in the international realm with fully functioning families. to demonstrate that women are able to both maintain the household and hold leadership positions.¹⁵⁰

Misunderstandings of ‘Gender Equality’

The negative connotations attached to the term ‘gender equality’ are widespread in Nigeria. Therefore the title of the GEO Bill also played a role in its failure. In addition to key influencers such as religious and traditional leaders being closed off to it, the media also played a role in perpetuating the negative perceptions of the bill. One participant stated that:

The media do not really get the information right. Senator Abaribe, during our tribunal in 2016 he made a speech in support of the bill, but media outlets claimed that he was in support of lesbianism.¹⁵¹

Anti-gay sentiment is entrenched in Nigerian society. In 2014 the Same Sex Marriage Prohibition Act was passed, criminalizing same sex relationships and carrying a 14 year sentence

¹⁴⁶ Voices 4 Change, *Stories of Learning: Engaging Religious and Traditional Leaders for Gender Equality*, June 2017, http://www.v4c-nigeria.com/wp-content/uploads/2014/09/SOL_EngagingLeaders_Web.pdf

¹⁴⁷ Wumi Asubiaro (V4C representative), in discussion with author, 5 July 2018.

¹⁴⁸ Wumi Asubiaro (V4C representative), in discussion with author, 5 July 2018.

¹⁴⁹ Jummai Madaki (activist) in discussion with author, 9 July 2019.

¹⁵⁰ Voices 4 Change, *Case Study: Radio Stations, Religious Leaders, Traditional Leaders, and Legislative Reform*, December 2016

¹⁵¹ Ifeoma Madukolu (NCAA representative), in discussion with author, 23 August 2018.

for individuals and organizations who supported LGBTQ rights.¹⁵² It is important for the civil society organizations to make sure that the media understands and correctly communicates what gender equality means and the content of the GEO Bill. To their credit, they have been making efforts to do so.¹⁵³ However due to financial limitations, they are unable to address a wider public audience. They do not have key media partnerships. Therefore the main opportunities they have to tackle these misconceptions are through their meetings with influencers like religious and traditional leaders, with the hope that the message will trickle down. This does not do much in helping correct these misunderstandings.

The seminar held by the V4C team discussed above was initially called “Gender Equality Training Seminar”. However the traditional leaders were not responsive to the invitations, so they changed the title to “Gender and Masculinity.”¹⁵⁴ As a result, more traditional leaders responded to their invitations. Currently the NCAA are reluctant to change the name of the bill because they believe that the real issue is the content of the bill, and that these suggestions by the opposition are just another attempt to slow down the progress of the bill.¹⁵⁵ This is understandable, as campaigning for the bill with a new title could possibly be a setback, since there is a high probability that the public would think it is a new bill requiring another expensive campaign.

Affirmative action

As mentioned in the previous chapter, one of the contentious provisions of the bill was section 4 (b)(i) calling for the adoption of special temporary measures such as quotas to advance the achievement of substantive equality in spheres such as employment, education, and political

¹⁵² The Same Sex Marriage Prohibition Act 2014.

¹⁵³ For example, WRAPA and The NCAA have created flyers and booklets simplifying the content of the bill which are distributed to the public and media agencies.

¹⁵⁴ Wumi Asubiaro (V4C representative), in discussion with author, 5 July 2018.

¹⁵⁵ Ifeoma Madukolu (NCAA representative), in discussion with author, 23 August 2018.

office where women are underrepresented. The opposition do not believe that affirmative action is necessary. It is perceived as an unfair advantage for women because they “do not believe that there are any laws that serve as encumbrances to women.”¹⁵⁶ This argument is flawed because it overlooks the current reality of Nigeria. There are many laws that are discriminatory towards women across all spheres of society. The Nigerian Criminal Code provides different levels of punishment for the same crime based on sex. For example, unlawful assault against a man results in a 3 year prison sentence and is counted as a felony. The same unlawful assault on a woman carries a 2 year imprisonment and is counted as a misdemeanour.¹⁵⁷ This law is sending a message that the protection of women is less important than the protection of men. The Police Act requires a female police officer to gain permission from her police chief before getting married, and needs to have worked for 3 years in the force in order to obtain such permission.¹⁵⁸ Furthermore, an unmarried pregnant police woman can be discharged from the force.¹⁵⁹ These rules do not apply to policemen.

In relation to the political sphere, the opposition are against the imposition of affirmative action because they believe that the “constitution is open and free and better than one third.”¹⁶⁰ This line of reasoning is based on the false assumption that social rules in Nigerian society are fair. To Nyako’s point, there are no constitutional impediments to women participating and running in politics,¹⁶¹ however there are systematic impediments. Political parties are the most central arena for political participation, yet women often excluded from the male patronage

¹⁵⁶ Abdul-Aziz Murtala Nyako (Senator representing Adamawa State, North East region), in discussion with author, 12 July 2018.

¹⁵⁷ The Nigerian Criminal Code s. 353 & s. 360

¹⁵⁸ The Police Act reg.124

¹⁵⁹ The Police Act reg. 127

¹⁶⁰ Abdul-Aziz Murtala Nyako (Senator representing Adamawa State, North East region), in discussion with author, 12 July 2018.

¹⁶¹ The Constitution of the Federal Republic of Nigeria 1991, s.77(2)

networks in the parties, and allocated positions for welfare and women's leadership.¹⁶² Women are also disadvantaged, due to intimidation and threats they face,¹⁶³ anti - female propaganda.¹⁶⁴ Running for political office runs the risk of their integrity being tainted,¹⁶⁵ Furthermore, the indigeneship requirements in Nigeria act as a barrier for women and is used to exclude them from political office.¹⁶⁶ In Nigeria political candidates are required to run in their state of origin. This presents a particular challenge to women, because once a woman becomes married, she is expected to change her origin state to that of her husband.¹⁶⁷ However despite this change of state, women are still perceived as outsiders, because their claim to the state is solely based on their marriage.¹⁶⁸ Leaving them with no definitive claim to a state, because after a woman is married she is unable to claim her original state, even if it is her place of birth.¹⁶⁹ These are just a few examples of factors that mitigate against women's political participation, which is why structural devices such as quotas are necessary to increase women's political participation.¹⁷⁰

¹⁶² Joy Ezeilo, "Women, Politics, and the Law: Beyond the 2011 General Election in Nigeria," *Women's Policy Journal of Harvard* 8, no,1 (2011):49,

<http://search.proquest.com/docview/1548256723/abstract/23124DB0063E496DPQ/1>

¹⁶³ "Nigeria Must Protect and Promote Women's Participation in Politics, say UN experts," OCHR, accessed January 3 2019, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23747&LangID=E>

¹⁶⁴ Adaobi Tricia Nwaubani, "Nigerian MP: 'My fear is that the political space for women is going to continue to shrink'," *New Statesman America*, 24 October 2017, <https://www.newstatesman.com/world/africa/2017/10/nigerian-mp-my-fear-political-space-women-going-continue-shrink> .

¹⁶⁵ Anne Marie Goetz, "Political Cleaners: Women as the New Anti-Corruption Force?" *Development and Change*, 38, no. 1(2007):

¹⁶⁶ Joy Ezeilo, "Women, Politics, and the Law: Beyond the 2011 General Election in Nigeria," *Women's Policy Journal of Harvard* 8, no,1 (2011):51,

<http://search.proquest.com/docview/1548256723/abstract/23124DB0063E496DPQ/1>

¹⁶⁷ Ezeilo, "Women, Politics, and the Law,"53.

¹⁶⁸ Ezeilo, "Women, Politics, and the Law,"53.

¹⁶⁹ Esther Patrick Archibong, Glory Eteng Bassey, and EN Nwagbara, "Gender Mainstreaming and the Attainment of Sustainable Development Goals: Does Nigeria Have the Political Will to Successfully Work the Talk?" *Global Journal of Social Sciences* 17, no.1 (2018):28, <http://dx.doi.org.ezproxy.cul.columbia.edu/10.4314/gjss.v17i1.3>.

¹⁷⁰ UN Committee on the Elimination of Discrimination Against Women, Concluding Observations to the Combined Seventh, and Eighth Periodic Reports of Nigeria, CEDAW/C/NGA/CO/7-8 (July 21 2017):20

6.2 Strategies

This sub-section seeks to present and analyze the previous strategies used by the NGOs to campaign for the bill, namely V4C, WRAPA, and NCAA. Each will be addressed in turn. After this, there will be a discussion of two important findings, the lobbying approach as a factor contributing to the failure of the GEO Bill, and the success of the bill in the Plateau State Senate. The discussion will provide insights that lead to recommendations that will be presented.

V4C

V4C was a temporary organization operating a normative and behavioral change program funded by DFID that ran from 2012 to 2017.¹⁷¹ In addition to working on normative and behavioral change, the V4C program was also designed with the objective of passing legislation that enabled the full realization of women's rights. The behavioral and normative change aspect of the program operated in four states; Kano, Kaduna, Lagos, and Enugu.¹⁷² V4C worked on legislation at the federal level through the re-establishment of the GTU in the Senate. The strategies adopted by V4C included engagement with influential leaders, social marketing, improving institutional capacity, and engaging with youth through curriculum development.¹⁷³ These were divided into three categories they referred to as the self, society, and institutions. In 'the self' category, V4C targeted young individuals between the ages of sixteen and twenty-five in the four states.¹⁷⁴ The objective was to challenge negative beliefs and social norms on women and gender equality. One strategy used by V4C was the development of an optional 'purple' curriculum, delivered in post secondary educational institutions. The curriculum encouraged

¹⁷¹ Wumi Asubiaro (V4C representative), in discussion with author, 5 July 2018.

¹⁷² Voices 4 Change, *Case Study: Radio Stations, Religious Leaders, Traditional Leaders, and Legislative Reform*, December 2016

¹⁷³ Voices 4 Change, *Strategy Paper: Strategy for Engaging Young People as Champions for Change*, June 2017, http://www.v4c-nigeria.com/wp-content/uploads/2017/06/Output-1-Strategy_FINAL.pdf

¹⁷⁴ Voices 4 Change, *Strategy Paper: Strategy for Engaging Young People as Champions for Change*, June 2017, http://www.v4c-nigeria.com/wp-content/uploads/2017/06/Output-1-Strategy_FINAL.pdf

students to engage with everyday issues on gender inequality through role play, debates, discussion, and drama.¹⁷⁵ For example, the students were challenged to think about their personal relationships, and the effect of finances and education on the power dynamics of intimate relationships. A total of 75,000 students across the four states took part in the ‘purple curriculum.’¹⁷⁶

The second category V4C targeted was society. This was done through social marketing of the ‘purple’ brand and engagement with influential leaders.¹⁷⁷ V4C used the color purple to raise awareness. Purple symbolized partnership and gender equality. V4C collaborated with Nigerian celebrities, and student leaders at universities, to help sell the purple brand as *cool*.¹⁷⁸ The purple brand was also marketed through the ‘Purple Tinz’ radio show, television advertisements, and billboards. The radio show was adapted to suit the context of each state.¹⁷⁹ More controversial women’s rights issues such as sexual rights and inheritance were brought up in the Southern States (Lagos and Enugu) whereas in Kaduna State in the north, the radio show focused on land rights, and political participation.¹⁸⁰ Furthermore, V4C tried to influence society by targeting key religious and traditional leaders who could help spread the message of promoting gender equality. This was done through the provision of training workshops that would educate them on gender equality, and provide clarifications of any misconceptions.¹⁸¹

¹⁷⁵ Voices 4 Change, *Strategy Paper: Strategy for Engaging Young People as Champions for Change*, June 2017, http://www.v4c-nigeria.com/wp-content/uploads/2017/06/Output-1-Strategy_FINAL.pdf

¹⁷⁶ Voices 4 Change, *Strategy Paper: Strategy for Engaging Young People as Champions for Change*, June 2017, http://www.v4c-nigeria.com/wp-content/uploads/2017/06/Output-1-Strategy_FINAL.pdf

¹⁷⁷ Voices 4 Change, *Strategy Paper: Strategy for using social marketing to challenge gender inequality*, June 2017, http://www.v4c-nigeria.com/wp-content/uploads/2017/06/Output-2-Strategy_FINAL.pdf

¹⁷⁸ Voices 4 Change, *Strategy Paper: Strategy for Engaging Young People as Champions for Change*, June 2017, http://www.v4c-nigeria.com/wp-content/uploads/2017/06/Output-1-Strategy_FINAL.pdf

¹⁷⁹ Wumi Asubiario (V4C representative), in discussion with author, 5 July 2018.

¹⁸⁰ Wumi Asubiario (V4C representative), in discussion with author, 5 July 2018.

¹⁸¹ Wumi Asubiario (V4C representative), in discussion with author, 5 July 2018.

The final realm V4C tackled was formal institutions. This was done through the provision of grants to federal government ministries working on projects directly benefiting women and girls, and increasing the capacity of the Gender Technical Unit (GTU) in the National Assembly. Prior to the V4C program, the GTU existed but in a very limited capacity. Many legislators and NGOs were not aware of its existence, and it primarily existed as an office and meeting space for the Ministry of Women Affairs.¹⁸² Through financial and technical investment, V4C improved the capacity of the GTU and revived it as a body that served as a bridge between the legislature and NGOs.¹⁸³ The main role of GTU was to coordinate activities between the national assembly, and civil society, to help ease advocacy efforts. The GTU planned meetings between campaigners and legislators, alerted the NGOs of scheduling changes before they were published so they could recoup accordingly, and held educational sessions for the legislators inside the Senate.

In theory, V4C adopted a multi-pronged strategy that not only focused on legislators voting on the bill, but also individuals and society, therefore trying to address the wider social attitudes and institutions that are compromising the success of the bill. The approach adopted both a top down, and bottom up approach. This is crucial for the success of the bill due to the multitude of different factors hindering its success.

However, the V4C program is not without its shortcomings. Firstly, the goals of the program were too ambitious for the five year time frame. Social and behavioral norm change is a long process that requires consistent long term efforts. Secondly, there was no measurement of change of attitudes after the program ended, so there is no way to truly measure its

¹⁸² Voices 4 Change, *Case Study: Radio Stations, Religious Leaders, Traditional Leaders, and Legislative Reform*, December 2016

¹⁸³ Voices 4 Change, *Case Study: Radio Stations, Religious Leaders, Traditional Leaders, and Legislative Reform*, December 2016

effectiveness.¹⁸⁴ Furthermore, the outreach was poor. There was only a twenty percent awareness of the purple brand in the operating states.¹⁸⁵ Finally, despite the revival of the GTU, it was not fully taken advantage of. There were independent factors beyond the GTU's control that limited its effectiveness:

We have to work with the schedule of the national assembly, and even though we are given the legislative calendar every year, it can be changed at any time and it often is, so we are not privy to these changes and then cannot carry out our job effectively if meetings are constantly rescheduled or cancelled.¹⁸⁶

Civil society in Nigeria are also very unpredictable, just like the national assembly. They don't always take advantage of the fact that the GTU is in the national assembly. It is a major challenge making sure that everybody knows we are there, what we do, create the needed visibility.¹⁸⁷

The coordination between the NGOs and the legislature is still very poor, despite the creation of the GTU as an avenue for effective communication between the two bodies.

WRAPA

WRAPA is one of the organizations that has been at the forefront of the women's movement in Nigeria. WRAPA has campaigned for the GEO Bill through the release of press statements, marches to the Senate, and meetings with traditional and religious leaders.¹⁸⁸ One significant strategy adopted by the organization was legislator training in Plateau and Kaduna States that was part of their larger *Haki Mkononi* project.¹⁸⁹ This project managed by Oxfam, focused on the rights to land, free and consensual marriage, and sexual and reproductive rights. The specific work of the *Haki Mkononi* project for the GEO Bill, was the training of state legislators in Plateau and Kaduna states on international and regional instruments guaranteeing

¹⁸⁴ Wumi Asubiaro (V4C representative), in discussion with author, 5 July 2018.

¹⁸⁵ Voices 4 Change, *Strategy Paper: Strategy for using social marketing to challenge gender inequality*, June 2017, http://www.v4c-nigeria.com/wp-content/uploads/2017/06/Output-2-Strategy_FINAL.pdf

¹⁸⁶ Eky Anazonwu (GTU staff member), in discussion with author, 9 July 2018.

¹⁸⁷ Eky Anazonwu (GTU staff member), in discussion with author, 9 July 2018.

¹⁸⁸ Umimi Rimi (WRAPA Program Officer), in discussion with author, 6 July 2018.

¹⁸⁹ Umimi Rimi (WRAPA Program Officer), in discussion with author, 6 July 2018.

women's rights, and education on the provisions of the bill.¹⁹⁰ This was very important because some legislators were not aware of CEDAW or its requirements. Educating the legislators of the international obligations Nigeria committed itself to helped solidify the legitimacy of the GEO Bill. Furthermore this one on one education of the provisions of the bill with the legislators, helped clear up any misconceptions of the bill that were presented by the media.

WRAPA has created animated booklets that simplify the provisions of the bill. These booklets have been distributed to the public. However upon inspection, I noticed that the version of the bill in the booklet was different from the version in the legislature. The version in the WRAPA booklet is more comprehensive. This causes problems because first and foremost it is a misrepresentation of information, and also it includes provisions that were very unpopular, that have been removed, so this booklet can also further hinder the progress of the bill.

NCAA

The NCAA was at its prime during the period where it was receiving funding from V4C. This enabled them to carry out many advocacy visits and one-on-one meetings with legislators and traditional leaders.¹⁹¹ They also were able to organize marches and walks, and social media campaigns. Although it was important that the NCAA coalition was engaging with influential leaders, the depth of their engagement was questionable. During our interview, the representative from the NCAA explained that the nature of the meetings with religious leaders were not discussion based, they often simply just provided them with the copies of the bill, and asked for their input.¹⁹² This is not an effective strategy. Furthermore they mention working on social media campaigns. These, however, were not large enough. I was unable to find significant

¹⁹⁰ *Haki Mkononi: A Regional Empowerment Programme for Women's Rights*, Advocacy Toolkit (Abuja Nigeria: WRAPA, 2016).

¹⁹¹ Ifeoma Madukolu (NCAA representative), in discussion with author, 23 August 2018.

¹⁹² Ifeoma Madukolu (NCAA representative), in discussion with author, 23 August 2018.

evidence of their social media campaigns online. Although the NCAA is a large coalition consisting of 150 members, its organizational structure is weak. There is no clear governance structure, or clear guidance on the process of how strategic decisions are made. As the coalition that is at the forefront of the campaign to domesticate CEDAW in Nigeria, more organization and coordination is required. This lack of coordination can also be seen in the wider women's movement in Nigeria :

Coordination wise, in terms of women's rights organizations and civil society organizations, we really need to coordinate better. We should look beyond individual popularity or clout, and make it a common agenda for women and girls in Nigeria. We really need to be coordinated, we cannot allow development partners to be in the driving seat all the time...women's movement in Nigeria should be a national thing. And not for a particular set of people from a certain region.¹⁹³

It is very clear that all the NGOs engaged in similar strategies, yet their impact was limited because of their weak capacity. Combining efforts into achieving the same goal, would be more effective. Furthermore, the NGOs interviewed were all 'leaders' in the field , and elite organizations. Most grassroots organizations were not part of the coalition. The Oxfam representative's point on development partners being in the driving seat is very crucial. None of organizations interviewed were funded by the government. Although they received some grants and donations from individuals, and the private sector, the major source of their funding was from international development agencies. Even though funding from development agencies is crucial in helping these NGOs carry out their campaign efforts, the problem with this is that the work will be donor driven, and sometimes these international donors do not fully understand the local situation.¹⁹⁴ Furthermore, donors want to be able to achieve tangible results. For example, DFID viewed the V4C project as failing to achieve its objective of getting laws passed because

¹⁹³ Chioma Ukwuagu (OXFAM Nigeria Program Officer for Legal Unit) , in discussion with author, 11 July 2018.

¹⁹⁴ Barbara Oomen, "Donor-Driven Justice and its Discontents: The Case of Rwanda" *Development and Change* 36, no.5 (2005), <https://doi-org.ezproxy.cul.columbia.edu/10.1111/j.0012-155X.2005.00440.x> .

of the failure of the GEO Bill.¹⁹⁵ Yet, during the short five year period that V4C was operating, the GEO Bill was able to progress in the legislative process, and pass the second hearing stage . This is significant because the GEO Bill campaign has been going on for almost three decades, and prior to V4C it was stagnant and made no progress in the legislative process. The Nigerian women’s movement should be able to view this alone as a success, yet DFID did not.¹⁹⁶

Lobbying Approach

This was another factor brought up by the participants that they believed contributed to the failure of the bill. Senator Nyako, was a co-sponsor of the successful Not Too Young To Run (NTYTR) Bill. This Bill reduced the age requirements for running for political office. He attributed the success of the bill to the lobbying approach and language used “we had to tell the elders we want the younger ones to sit down with you, to learn from you.”¹⁹⁷ Due to its unprecedented success, the campaign for the Not Too Young To Run Bill warrants examination. This campaign garnered huge attention both globally,¹⁹⁸ and across Nigeria. The bill passed in the Senate with an overwhelming majority of 85%.¹⁹⁹ *What made the bill so successful?* Similarly to the GEO Bill, this campaign was not new. However in the space of two years there was a drastic change in momentum. The campaign manager attributes its success to the following factors. First, the campaign was run during a time where the majority youth population were extremely frustrated with the failing state of the nation.²⁰⁰ There was loss of faith in

¹⁹⁵ Wumi Asubiaro (V4C representative), in discussion with author, 5 July 2018.

¹⁹⁶ Wumi Asubiaro (V4C representative), in discussion with author, 5 July 2018.

¹⁹⁷ Abdul-Aziz Murtala Nyako (Senator representing Adamawa State, North East region), in discussion with author, 12 July 2018.

¹⁹⁸ One example is the Not Too Young To Run campaign by the UN’s Office of the Secretary General’s Envoy on Youth. For more information see: <https://www.un.org/youthenvoy/2016/11/launching-global-campaign-promoting-rights-young-people-run-public-office/> .

¹⁹⁹ Sani Tukur, “Buhari signs Not Too Young to Run Bill, “ *The Premium Times Nigeria* , May 31, 2018, <https://www.premiumtimesng.com/news/headlines/270538-breaking-buhari-signs-not-too-young-to-run-bill.html>

²⁰⁰ Samson Itodo, “Not Too Young to Run: A Story of People, Power, and Democratic Renewal,” *The Cable Nigeria*, June 4 2018, <https://www.thecable.ng/not-young-run-story-people-power-democratic-renewal>

leadership and strong beliefs that younger minds were needed in the government.²⁰¹ Second, they changed their strategy. Prior to that, the campaign was disorganized and primarily held public hearings and submitted memoranda to the legislature with limited success. They adapted their approach by making it more organized and targeted. They had people at the national, state and local government levels.²⁰² They also adopted a more “disruptive” approach by holding more marches to the legislatures, and threatening to vote the legislators out. “We realized lawmakers leverage on the youth to win elections, hence our campaign that youths will withdraw their vote & support from any legislator who voted against the bill”.²⁰³ Finally, they had a very strong partnership with the media, they used major national networks such as Nigerian Television Authority , Africa Independent Television, Premium Times and The Cable, to help spread their message and televise their public demonstrations and debates.²⁰⁴ This aided with sensitization, and helped spread the message to a wider audience in a short space of time.

It is clear that youth engagement played a vital role in the success of the NTYTR campaign. The youth are an important stakeholder that the GEO Bill campaign has ignored. One participant believed that:

A young person is not concerned with the GEO Bill, they don't see the benefit for them. They just don't connect with it, but if you're talking about marriage, and what society says about when to marry and all of that, they will connect to it more.²⁰⁵

This assumption has allowed them to completely ignore the youth and focus on other stakeholders instead. However, as 60% of the population, the youth cannot be ignored, and their

²⁰¹ Samson Itodo, “Not Too Young to Run: A Story of People, Power, and Democratic Renewal,”*The Cable Nigeria*, June 4 2018, <https://www.thecable.ng/not-young-run-story-people-power-democratic-renewal>

²⁰² Itodo, “Not Too Young to Run: A Story of People, Power, and Democratic Renewal.”

²⁰³ Itodo, “Not Too Young to Run: A Story of People, Power, and Democratic Renewal.”

²⁰⁴ Itodo, “Not Too Young to Run: A Story of People, Power, and Democratic Renewal.”

²⁰⁵ Wumi Asubiaro (V4C representative), in discussion with author, 5 July 2018.

power should not be underestimated. Lack of political will has also been cited as a factor contributing to the failure of the bill. As explained by a representative from FIDA Nigeria :

They need to see how it will benefit them as politicians, because every politician wants to go from this position in government to another position in government.²⁰⁶

Clearly, the legislators do not see voting for the bill as something that can benefit and advance their political careers. But following the example of the NTYTR campaign, if the GEO Bill is an important enough issue to voters, then that can affect how legislators vote on the bill.

The background of the failing state and severe economic inequality was also a key contributing factor to the success of the NTRTR campaign,²⁰⁷ as this resulted in deep frustrations that led to mobilization. Although bad governance and misappropriation of funds is undoubtedly one of the reasons why there is extreme economic inequality, gender inequality is also a key driving factor.²⁰⁸ Yet people are unaware of this.²⁰⁹ Increased awareness of this fact could also help mobilize the frustrated youth. That being said, it is important to note that the content of the two bills are very different, the NTYTR bill is far less controversial and demanding than the GEO Bill. Therefore, even if advocates of the GEO Bill adopt the same strategic blueprint as the NTYTR campaign, it will need to be adapted in a way that is capable of addressing barriers such as culture that the NTYTR campaign did not have to face.

Another key finding that emerged from the study was the one successful strategy in Plateau State. This is the first and only state in Nigeria where the bill has been successful. Plateau State is located in the North Central geopolitical region of the country. With a

²⁰⁶ FIDA representative interview , in discussion with author, 17 July 2018.

²⁰⁷ Samson Itodo, “Not Too Young to Run: A Story of People, Power, and Democratic Renewal,”*The Cable Nigeria*, June 4 2018, <https://www.thecable.ng/not-young-run-story-people-power-democratic-renewal> .

²⁰⁸ OXFAM International, *Inequality in Nigeria: Exploring the Drivers*, May 2017, <https://www.oxfam.org/fr/node/8503> .

²⁰⁹ OXFAM International, *Inequality in Nigeria: Exploring the Drivers*.

population of around 3.5 million it is one of the most diverse states in the nation with over 50 different ethnic groups.²¹⁰ Although it is located in the north central region it is a majority Christian state. However there are Muslim majorities in influential local government areas such as Jos North.²¹¹ Plateau is plagued by a long history of ethno-religious conflict.²¹² The passage of the GEO Bill in Plateau provides hope because if it can be successful in a state as culturally and politically divided as Plateau, then the same can happen at the national level. During the interview with Jummai Madaki, the leader of the campaign to pass the bill in Plateau, it was clear that the Plateau state coalition adopted many of the same strategies as the national NCAA coalition. What was different was their approach to lobbying. They focused on their personal relationships with the legislators. Instead of having NGOs reach out to the state legislators, they got the wives, family members, and colleagues of the legislators to do so. As a result, legislators were more receptive, and open to hearing them out.

6.3 Recommendations

Gender equality cannot be achieved in the law without the acceptance of it as a principle in society. NGOs need to employ strategies that target wider social attitudes and create behavioral and norm change programs. Furthermore, there needs to be a shift in the audience targeted by campaigns for the bill. The youth can no longer be ignored. Engagement needs to go beyond just legislators and religious and traditional leaders. The entire Nigerian public needs to be included. If the voters perceive the Bill as important, this will be reflected in the legislature. This engagement with the general public can be enhanced through improved media partnerships. The media plays a crucial role in disseminating information and shaping public opinion.

²¹⁰ Jana Krause, *A Deadly Cycle: Ethno-Religious Conflict in Jos, Plateau State, Nigeria* (Geneva Switzerland: Geneva Declaration, 2011) <http://www.genevadeclaration.org/fileadmin/docs/regional-publications/GD-ES-deadly-cycle-Jos.pdf>

²¹¹ Krause, "A Deadly Cycle"

²¹² Krause, "A Deadly Cycle"

Awareness campaigns used by the NGOs can be amplified and reach a wider audience if the media is an ally. As suggested by the CEDAW Committee, partnering with the Nigerian film industry, *Nollywood*, will be helpful in eradicating and creating new positive gender stereotypes.²¹³ Furthermore, when addressing staunch religious opposition, advocates of the bill should enlist the support of progressive Muslim scholars who will be able to provide convincing justifications of the legal provisions in the bill, that will be deemed appropriate by the religious leaders. Perhaps it is also time for the campaigners to re-think the language used in relation to the Bill, provided that the content of the Bill remains the same, it might be worth changing the title due to the negative associations attached to 'gender equality'. Of course, this runs the risk of the public misunderstanding it as a different bill and a new campaign. However, it is evident that language is very important, and if the negative connotations related to gender equality cannot be changed, then this step might be more beneficial for the campaign. Additionally, it is important for the proponents of the Bill to emphasize that the Constitution already prohibits discrimination on the basis of sex. The argument should be made that the GEO Bill only gives fuller expression to the different types of discrimination that women currently experience in Nigeria. This aids with framing the bill as something that is inherently compatible with Nigerian principles. Most importantly, civil society in Nigeria needs to collaborate more effectively. All the NGOs share a common objective. Improved coordination efforts could result in more meaningful impact.

²¹³ UN Committee on the Elimination of Discrimination Against Women, Concluding Observations to the Combined Seventh, and Eighth Periodic Reports of Nigeria, CEDAW/C/NGA/CO/7-8 (July 21 2017):22

Chapter 7

Conclusion

Despite long standing international commitments made by the Nigerian government to promote gender equality and the full realization of women's rights, the passage of the Gender and Equal Opportunities bill faces considerable resistance. In a context in which women remain underrepresented in parliament, experience various forms of discrimination in laws and practice, where the literacy rates for women are significantly lower than men, and sexual and gender-based violence is perpetrated with almost complete impunity, the passage of the GEO Bill is of the utmost importance.

This study has found that the main factors that have contributed to the failure of the bill are religious and cultural convictions, a misunderstanding of the concept of 'gender equality', and ineffective strategic approaches used by the NGOs campaigning for the bill. Nigeria prides itself in being an active member of the international community, yet fulfilling the international obligations of CEDAW and the Maputo Protocol, amongst others, remains a challenge. This is no longer acceptable, it is time Nigeria 'walks the talk', and passes the GEO Bill into law.

Bibliography

Adamu Fatima. "A Double-Edged Sword: Challenging Women's Oppression within Muslim Society in Northern Nigeria." *Gender and Development* 7, no. 1 (1999): 56-61.
<http://www.jstor.org/stable/4030371>.

Ali, Shaheen Sardar. *Modern Challenges to Islamic Law: Law in Context*. Cambridge: Cambridge University Press, 2016.

Amimi, Ibrahim. *Principles of Marriage and Family Ethics*. CreateSpace Independent Publishing Platform, 2014.

Archibong, Esther Patrick, Basse, Glory Eteng and Nwagbara, EN. "Gender Mainstreaming and the Attainment of Sustainable Development Goals: Does Nigeria Have the Political Will to Successfully Work the Talk?" *Global Journal of Social Sciences* 17, no.1 (2018):21-29.
<http://dx.doi.org.ezproxy.cul.columbia.edu/10.4314/gjss.v17i1.3>.

Atim, Grace. "Girls not Brides: Ending Child Marriage in Nigeria." *Journal of Gender, Information and Development in Africa* 6, no.1 (2017): 73-94.

Brooks, Libby. "Saving Amina." *The Guardian*, May 7, 2003.
<https://www.theguardian.com/world/2003/may/08/gender.uk>.

Convention on the Elimination of All Forms of Discrimination Against Women, 1979.

- Dahre, Ulf Johansson. "Searching for a Middle Ground: Anthropologists and The Debate on the Universalism and the Cultural Relativism of Human Rights" *The International Journal of Human Rights* 21, no.5 (2017):611-628. <https://doi.org/10.1080/13642987.2017.1290930>.
- Donnelly, Jack. "The Relative Universality of Human Rights." *Human Rights Quarterly* 29, no. 2 (2007): 281-306. <http://www.jstor.org/stable/20072800>.
- Durojaye, Ebenzer. "Woman but Not Human: Widowhood Practices and Human Rights Violations in Nigeria," *International Journal of Law, Policy and the Family* 27, no.2 (August 2013):176-196. <https://doi.org/10.1093/lawfam/ebt001> .
- Egede, Edwin. "Bringing Human Rights Home: An Examination of the Domestication of Human Rights Treaties in Nigeria." *Journal of African Law* 51, no. 2 (2007): 249-84. <http://www.jstor.org/stable/27607989>.
- Ezeilo, Joy. "Women, Politics, and the Law: Beyond the 2011 General Election in Nigeria," *Women's Policy Journal of Harvard* 8, no,1 (2011):44-54. <http://search.proquest.com/docview/1548256723/abstract/23124DB0063E496DPQ/1>.
- Farrior, Stephanie . "Human Rights Advocacy on Gender Issues: Challenges and Opportunities", *Journal of Human Rights Practice* 1, no.1 (March 2009): 83-100. <https://doi-org.ezproxy.cul.columbia.edu/10.1093/jhuman/hup002> .

Federal Republic of Nigeria National Assembly. "Legislative Process." Accessed November 7, 2018, <http://www.nassnig.org/page/the-legislative-process> .

Fraser, Erika, Ekeoba, Patience, and Feather, Jo. Young People and Change in Nigeria: Opportunities and Barriers (Abuja, Nigeria: Voices 4 Change, 2017), http://www.v4c-nigeria.com/wp-content/uploads/2014/09/1660-V4C-Young-People-Change-Full-Report-WEB_lowresnophots-2.pdf .

Goetz, Anne Marie, and Jenkins, Rob. "Feminist Activism and the Politics of Reform: When and Why Do States Respond to Demands for Gender Equality Policies?" *Development and Change* 49, no.3 (May ,2018) :714-34.

<https://doi-org.ezproxy.cul.columbia.edu/10.1111/dech.12389>

Goetz, Anne Marie. "Political Cleaners: Women as the New Anti-Corruption Force?" *Development and Change*, Vol. 38, No. 1 (2007):87-105.

Haki Mkononi: A Regional Empowerment Programme for Women's Rights, Advocacy Toolkit. Abuja Nigeria: WRAPA, 2016.

Ibhawoh, Bonny. "Between Culture and Constitution: Evaluating the Cultural Legitimacy of Human Rights in the African State." *Human Rights Quarterly* 22, no. 3 (2000): 838-60. <http://www.jstor.org/stable/4489302> .

Ifemeje, Sylvia, and Ikpeze Ogugua. "Global Trend Towards Gender Equality: Nigeria's Experience in Focus." *Kuwait Chapter of the Arabian Journal of Business and Management Review* 2, no. 3 (11, 2012): 51-63. <http://ezproxy.cul.columbia.edu/login?url=https://search-proquest-com.ezproxy.cul.columbia.edu/docview/1282259720?accountid=10226> .

Itodo Samson. "Not Too Young to Run: A Story of People, Power, and Democratic Renewal." *The Cable Nigeria*, June 4, 2018 <https://www.thecable.ng/not-young-run-story-people-power-democratic-renewal> .

Kendhammer Brandon. "Islam and the Language of Human Rights in Nigeria: 'Rights Talk' and Religion in Domestic Politics", *Journal of Human Rights* 12, no.4 (November,2013): 469-450. <https://doi-org.ezproxy.cul.columbia.edu/10.1080/14754835.2013.812467> .

Krause Jana. *A Deadly Cycle: Ethno-Religious Conflict in Jos, Plateau State, Nigeria*. Geneva, Switzerland: Geneva Declaration, 2011. <http://www.genevadeclaration.org/fileadmin/docs/regional-publications/GD-ES-deadly-cycle-Jos.pdf> .

Kuteyi, Oluwafeyisayo Semiu. "An Overview of the Rights of Nigerian Women under the Laws", in *Gender and Power Relations in Nigeria*, edited by Ronke Iyabowale Ako-Nai, 18-29. Lexington Books, 2013.

Lakatos, Istavan. "Thoughts on Universalism versus Cultural Relativism, with Special Attention to Women's Rights" *Pecs Journal of International European Law*1, no.1 (2018): 6-25.

Levitt, Peggy and Merry, Sally Engle. "Vernacularization on the Ground: local uses of global women's rights in Peru, China, India and the United States" *Global Networks* 9, no.4 (October 2009):441-461. <https://doi-org.ezproxy.cul.columbia.edu/10.1111/j.1471-0374.2009.00263.x> .

Makinde, Olusesan Ayodeji, Cheluchi Onyemelukwe, Abimbola Onigbanjo-Williams, Azeez Oyediran Kolawole, and Clifford Obby Odimegwu. "Rejection of the Gender and Equal Opportunities Bill in Nigeria." *Gender in Management* 32, no. 3 (2017): 234-240. <https://doi-org.ezproxy.cul.columbia.edu/10.1108/GM-02-2017-0023> .

Merry, Sally Engle. "Gender Justice and CEDAW: The Convention on the Elimination of All Forms of Discrimination against Women." *Hawwa* 9, no.1–2 (2011): 49–75.

Merry, Sally Engle. "Transnational Human Rights and Local Activism: Mapping the Middle." *American Anthropologist* 108, no. 1 (2006): 38-51. <http://www.jstor.org/stable/3804730>.

Muhammad, Salihu O. "The Principles and Practice of Succession Under Islamic Law" (Paper presented at the refresher course for Judges and Kadis in Nigeria organized by the National Judicial Institute (NJI) Abuja, Nigeria, March 20, 2017. http://nji.gov.ng/images/Workshop_Papers/2017/Refresher_Judges_and_Kadis/s1.pdf .

Musawah, CEDAW and Muslim Family Laws: In Search for Common Ground .Malaysia: Sisters in Islam, 2011.

Ngwakwe, Joy. "Realizing Women's Economic, Social, and Cultural Rights: Challenges and Strategies in Nigeria" *Canadian Journal of Women and the Law* 14, no.1 (2002):142 – 157.

Nussbaum, Martha. "Women's Progress and Women's Human Rights." *Human Rights Quarterly* 38, no. 3 (August 2016):589-622.

<http://ezproxy.cul.columbia.edu/login?url=https://search-proquest-com.ezproxy.cul.columbia.edu/docview/1812274556?accountid=10226> .

Oomen, Barbara. "Donor-Driven Justice and its Discontents: The Case of Rwanda" *Development and Change* 36, no.5 (2005): 887- 910. <https://doi-org.ezproxy.cul.columbia.edu/10.1111/j.0012-155X.2005.00440.x> .

OXFAM International, Inequality in Nigeria: Exploring the Drivers, May 2017, <https://www.oxfam.org/fr/node/8503> .

Para-Mallam, Oluwafunmilayo Josephine. "Faith, Gender and Development Agendas in Nigeria: Conflicts, Challenges, and Opportunities." *Gender and Development* 14, no. 3 (2006): 409-21. <http://www.jstor.org/stable/20461163>.

Para-Mallam, Funmi Josephine. "Gender Equality in Nigeria", in *Gender Equality in a Global Perspective*, edited by Anders Ortenblad, Raili Marling, and Snjezana Vasiljevic, 72-141. Routledge, 2017.

Para-Mallam, Oluwafunmilayo Josephine. "Promoting Gender Equality in the Context of Nigerian Cultural and Religious Expression: Beyond Increasing Female Access to Education." *Compare: A Journal of Comparative and International Education* 40, no. 4 (July 2010): 459-77. <https://doi.org/10.1080/03057925.2010.490370>.

Rab, Abdur, and Mahmud, Hasan Mahmud. "Quranic Inheritance Law: The Case for a Gender-Neutral Understanding" Accessed December 6, 2018. http://www.academia.edu/11873928/The_Quranic_Inheritance_Law_The_Case_for_a_Gender-Neutral_Understanding .

Raday Frances. "Culture, Religion, and Gender Roundtable: An Exchange with Ronald Dworkin." *International Journal of Constitutional Law* 1, no.4 (2003): 663-715. <https://heinonline.org/HOL/LandingPage?handle=hein.journals/injcl1&div=55&id=&page=>.

Rahman, Fazlur Rahman. *Islam and Modernity: Transformation of an Intellectual Tradition*. Chicago: Chicago University Press, 1982.

Ross, Susan Deller. *Women's Human Rights: The International and Comparative Law Casebook*. Philadelphia: University of Pennsylvania Press, 2009.

"Saving Amina Lawal: Human Rights Symbolism and the Dangers of Colonialism." *Harvard Law Review* 117, no. 7 (2004): 2365-2386. <https://www.jstor.org/stable/4093341>.

Sonbol, Amira El Azhary. "A Response to Muslim Countries' Reservations against Full Implementation of CEDAW." *Journal of the Middle East and the Islamic World* 8, no.3(2010): 348–67.

The Constitution of The Federal Republic of Nigeria 1991.

The Gender and Equal Opportunities Bill 2016.

Tukur, Sani. "Buhari signs Not Too Young to Run Bill," *The Premium Times Nigeria*, May 31, 2018. <https://www.premiumtimesng.com/news/headlines/270538-breaking-buhari-signs-not-too-young-to-run-bill.html>.

UN Committee on the Elimination of Discrimination Against Women, Concluding Observations to the Combined Third, Fourth, and Fifth Periodic Reports of Paraguay, CEDAW/C/PAR/CC/3–5 (15 February 2005).

UN Committee on the Elimination of Discrimination Against Women, Concluding Observations to the Combined Seventh, and Eighth Periodic Reports of Nigeria, CEDAW/C/NGA/CO/7-8 (July 21, 2017).

UN Committee on the Elimination of Discrimination Against Women, CEDAW General Recommendation No. 19: Violence against women, (1992), <http://www.refworld.org/docid/52d920c54.html> .

Vedna, Jivan, and Froster, Christine. "Challenging Conventions: In Pursuit of Greater Legislative Compliance with CEDAW in the Pacific." *Melbourne Journal of International Law* 10, no. 2 (October 2009): 655-690. <http://ezproxy.cul.columbia.edu/login?url=https://search-proquest-com.ezproxy.cul.columbia.edu/docview/217504829?accountid=10226>.

Voices 4 Change, *Being A Man in Nigeria: Perceptions and Realities* , September 2015, <http://www.v4c-nigeria.com/being-a-man-in-nigeria-perceptions-and-realities/> .

Voices 4 Change, *Case Study: Radio Stations, Religious Leaders, Traditional Leaders, and Legislative Reform*, December 2016.

Voices 4 Change, *Nigerian Men and Gender Equality Survey: NiMAGES*, September 2015, <https://promundoglobal.org/resources/nigeria-men-gender-equality-survey-nimages/>.

Voices 4 Change, *Strategy Paper: Strategy for Engaging Young People as Champions for Change* , June 2017, http://www.v4c-nigeria.com/wp-content/uploads/2017/06/Output-1-Strategy_FINAL.pdf .

Voices 4 Change, Strategy Paper: Strategy for using social marketing to challenge gender inequality, June 2017, http://www.v4c-nigeria.com/wp-content/uploads/2017/06/Output-2-Strategy_FINAL.pdf .

Voices 4 Change, Strategy Paper: Strategy for greater inclusion of women and girls in political and governance processes, June 2017, http://www.v4c-nigeria.com/wp-content/uploads/2017/06/Output-4-Strategy_FINAL.pdf .

Voices 4 Change, Stories of Learning: Promoting Women’s Leadership and Political Inclusion in Nigeria, July 2017, http://www.v4c-nigeria.com/wp-content/uploads/2014/09/SOL_WomensLeadership_Web.pdf

Voices 4 Change, Stories of Learning: Using Social Network Theory in the Context of Social Change, January 2017, http://www.v4c-nigeria.com/wp-content/uploads/2014/09/SOL_Network-Theory_Web.pdf

Voices 4 Change, Stories of Learning: Engaging Religious and Traditional Leaders for Gender Equality, June 2017, http://www.v4c-nigeria.com/wp-content/uploads/2014/09/SOL_EngagingLeaders_Web.pdf

Zechenter, Elizabeth. “In the Name of Culture: Cultural Relativism and the Abuse of the Individual.” Journal of Anthropological Research 53, no.3(1997):319-347. <http://www.jstor.org/stable/3630957> .