

SUSTAINING WOMEN'S RIGHT AND STRUCTURAL EQUALITY IN NIGERIA POLITICAL SPACE: A HUMAN RIGHT REVIEW

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Abstract

Gender ideologies, is a fundamental cause of gender inequality and the domination of men. The quest for the equal rights of women have been fashioned in reaction to a structure of patriarchal societal standards and laws that, according to historians and psychologist, structured the Nigerian cultural, political, and economic life. The Nigerian society still operates within the ancient anti-humanist belief which portrays women as weaker group without regards to their mental capacity. Sustaining the rights of women appeared to be an overlooked legacy within the Nigerian structure. The article which adopts doctrinal research methodology aim at reviewing the persisting barbaric system of classifying women as lesser beings, the factors that affect women's political participation and representation and discovered that the improved participation of women in politics lately has improved the nation's economic growth as women are central to societal advancement. That despite interactions, highlights and tensions in evolving laws on human rights and equality of all persons globally and in Nigeria in particular, closing the un-enforcement gaps in gender equality and women's right has tactically remained an unfinished business. The articles recommends the actualization and usage of specialized instruments like CEDAW, which spells out normative and theoretical devices to curb patriarchal, religious and cultural norms which enhances structural inequalities and are impediments to sustaining women's right.

Keywords: *Women Rights, Structural Equality, Politics, Sustaining*

Introduction

The subordination of women in Nigeria is as old as history, despite civilization in almost all sphere of humanity, the structure of discrimination against women, which in some cases begins at birth persist in our political system, mostly due to systemic reverence for traditional norms that are hostile and relegate women of all class. Women's participation in politics significantly expresses gender equality, democratic involvement and human development. Women in Nigeria are still encumbered by numerous obstacles and challenges to accessing and exercising their political rights and influencing decision-making processes.

The menace of physical, economic, psychological, social, and sexual exploitation affects the educated, uneducated, rich and poor women². Despite the widespread debates on the essence of generating a meeting point between women's rights laid out by the convention on the elimination of all forms of Discrimination Against Women (CEDAW), the 1995 Beijing declaration which marked a global watershed in the trajectory of gender inequality and women equality globally, with a comprehensive policy and pragmatic guide for achieving the goals of gender equality and human rights development in Nigeria, other disheartening cultural practices still persist.³

The principle of equal rights for men and women is rooted in the fundamental concept of human dignity and the inherent worth of all individuals, irrespective of their gender. This recognises that "all human beings are born free and equal in dignity and rights" and that everyone is entitled to all rights and freedoms set forth in this declaration⁴ without division of any kind, such as race, colour, sex, language, religion, predominantly in political participation across all strata. This should be because

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² Ine Nnadi, 'An Insight into Violence against Women as Human Rights Violation in Nigeria: A Critique' [2012] (5)(3) Journal of Politics & Law 48

³E.I. Alemika, 'Family Practices and Violations of the Rights of Women' *University of Maiduguri Law Journal* [2010](8) 25-38.

women make up more than half of the world's population and significantly contribute to overall societal growth. Women play crucial roles in various aspects, such as being mothers, producers, home managers, community organizers, and socio- cultural and political activists. The present advancement of participation is attributed to women's quest for inclusion.⁵

The discrimination and marginalization of women in economic development, social and political space is somewhat a general cankerworm, although more challenging in developing countries⁶ like Nigeria, notwithstanding the adoption of the United Nations convention on the elimination of all forms of discrimination against women in 1985, and other similar legal strategies such as the national gender policy of 2006. Discrimination persists due to several of cultural and structural challenges. All of which are bottlenecks that hinders women's participation in all spheres of life. These encumbrances have severe consequences on the enhancement and implementation of human capital and economic development of women in democratic governance.⁷

Democratic governance is formulated on the doctrines of liberty, fairness, and equality of all members of society, regardless of gender, and progress as its determinant⁸. This principle is embedded in the belief that democracy is not merely a state's political best practice based on the importance of ensuring the safety and protection of all actors, but that which necessitates equality for all participants at all stages and processes.⁹ To attain true democracy, no society can accomplish actual democratization without involving women in the mainstream of the polity as women make up nearly 50% of the nation's population.¹⁰ Therefore, the relevance of women's inclusion is important to incorporate a gender-balance perception into the mainstream to guarantee sustainable democracy.

Generally, proponents of human rights have argued that gender equality is essential for attaining development and democratic governance. A number of factors impede women's participation in Nigerian politics; they include patriarchal societal norms, cultural and religious beliefs, economic constraints, and violence against women in politics. This is mostly visible as political parties also play a role, often dominated by men, with threatened support and discriminatory practices towards women.

Gender inequalities are impediment that precludes women from fully utilizing their skills toward the growth and maintenance of democracy, basically as a result of exclusion from participatory politics, irrespective of women's numeric strength in Nigeria, woman are continually relegated to the background due to stereotypes, biases, and societal belief that mostly present women as inactive, weak, dependent, incompetent, or unfitting for political office.

Human right outlines indispensable principles which enable individuals to live peacefully with dignity and freedom without discrimination of any kind¹¹. Within human rights discourse, women's

⁴UN General Assembly No 10 www.un.org accessed 16 June 2025

⁵Ajbalajobi, D. T. 'Women's participation and the political process in Nigeria: Problems and prospects' *African Journal of Political Science and International Relations*. [2009] (4) (2) 75-82.

⁶M.J.Bako and J.Syed, 'Women Marginalization in Nigeria and the way forward' in Ngwankwe, (eds). (2002). *Realising Women's Economic and Cultural Rights: Challenges and Strategies in Nigeria* (CJWL/RFD 2002) 14 <http://www.serac.org/Publications> accessed 14 June 2025

⁷Ashiru, M.O.A. 'A Consideration of Nigeria Laws which are Gender Insensitive: the Female Gender in Focus' *University of Benin Journal of Private and Property Law* [2010] (1) (1) 90-110.; Ukhun, C.E and Inegbedion, N.A. 'Cultural authoritarianism, women and human rights issues among Esan people of Nigeria' *African Human Rights Law Journal* [2005] (5)129-147.

⁸Ogbonna, E. C. *Social Mobilisation and Critical Citizenry in the Democratisation Process: The Evolving Nigerian Experience*, (Ibadan: Depet Publishers, 2020)

⁹Sodaro, M. J. *Comparative Politic: A global Introduction*. (New York: McGraw- Hill Higher Education 2001) 27

¹⁰Anifowose, R. *Women political participation in Nigeria: Problems and prospects*. in Akinboye (eds), *Paradox of Gender Equality in Nigerian Politics*. Lagos: Concept Publications, 2004) 32.

¹¹E. H. Lawson, M. L. Bertucci, *Encyclopaedia of Human Rights* (2nd edn. Washington, DC, Taylor & Francis 1996) 227

right have increasingly been conceptualized as human rights in order to address and possibly bring to an end the horrific disadvantages faced by women in all facets of life¹². These disadvantaged structures persist till date irrespective of several treaties which affirms the principles of equality and non-discrimination¹³.

Globally, over the years, gender equality models have been generated highlighting gender concerns within the international human rights system.¹⁴

Hence realizing equality between women and men and eradicating all forms of discrimination against women in all facet of life was considered paramount in the United Nations tenets. Women are violated, deprived and marginalized in one form or another in their life time without preference for their human rights. Attaining structural equality between women and men entails a broad appraisal and re-examination of the forms of marginalization faced by women in various institutions. The article outlined normative and theoretical devices to challenge patriarchal and religious customs and traditions and to also combat neoliberal mistreatment of women.¹⁵

WOMEN'S RIGHT AND CEDAW

Women's rights have been at the heart of a series of international conferences that have produced significant political commitments to women's human rights and equality. Being a global concern, nations of the world are becoming intentional at breaking barriers that hinders women's economic, cultural, and political achievements while also advocating for gender equality and accelerating progress towards a more inclusive world by breaking the walls of limitation to access resources and opportunities even in face of significant barriers to gender equality, there can be progressive outcomes if the actions are intentional at forging women's economic empowerment, recruiting, retaining and developing diverse talent supporting women and girls into leadership and decision-making positions, addressing further areas supporting the advancement of women and girls. The global momentum for championing women's equality, noted that in the past, human rights had been conceptualized in a way that did not take account of women's lives and the fact that women routinely faced violence, discrimination and oppression.

Consequently, women's experiences were until relatively recently not adequately addressed by the human rights framework. The work of activists, human rights mechanisms and States has been critical in ensuring that human rights framework has grown and adjusted to encapsulate the gender-specific dimensions of human rights violations in order to properly protect women. Effectively ensuring women's human rights requires a comprehensive understanding of the underlying societal structures and power relations that define and influence women's ability to enjoy their human rights. These power structures have an impact on all aspects of life, from law and politics, to economic and social policy, family and community life.

The Convention on the Elimination of All Forms of Discrimination against Women was ratified in June 1985. Its preamble explains that, despite the existence of other instruments, women still do not enjoy equal rights with men. The Convention articulates the nature and meaning of gender-based discrimination, and outline procedure directing State as obligation to eliminate all forms of

¹²United Nations Economic and Social Commission for Asia and the Pacific, Promoting Women's Rights as Human Rights(New York, United Nations 1999) 114

¹³Article 1 and 2 Universal Declaration of Human Rights (adopted 10 December 1948 UNGA Res 217 A(III) (UDHR); Article 2 of the International Covenant on Civil and Political Rights (adopted 16 December 1966, entered into force 23 March 1976) 999 UNTS 171 (ICCPR); Article 2 of the International Covenant on Economic, Social & Cultural Rights (adopted 16 December 1966, entered into force 3 January 1976) 993 UNTS 3/[1976] ATS 5 / 6 ILM 360 (ICESCR).

¹⁴S. Zwingel, 'From intergovernmental negotiations to sub- national change' *International Feminist Journal of Politics* [2005] (7) (3) 400-424

¹⁵F. Raday, 'Gender and democratic citizenship: the impact of CEDAW' *International Journal of Constitutional Law* [2012] (10) (2) , 512-530

discrimination and realize substantive equality. Notably, the Convention emphasized on ensuring state parties obligations to addressing not only discriminatory laws, but also practices and customs that discrimination against women.

Concept of Structural Equality

Structural inequality includes major obstacles that create systemic difficulties for specific groups of persons within the society. These discriminations are entrenched in societal structures, institutions, and policies, which limits these defined group of person access to opportunities and other benefits because of factors like gender, class or race. These factors are used by many institutions to prevent others from successive engagement. According to Dixon, structural inequality is a system that creates conditions where one category of people has an unequal status in relation to another category of people. This is systematically rooted in the normal operations of social institutions such as education, employment, laws and regulations.¹⁶

In the Nigeria's political system, there are significant structural and intersectional inequalities that frighten and hinder women full participation, these inequalities defines inequalities in wealth, resources, and other outcomes that result from discriminatory institutional practices, such as power imbalances when a specific group continually set the standards that purposely or involuntarily exclude others from access.¹⁷ Similar obstacles hinder women's economic liberation in virtually 40% of the world economies, which crumbled women's capacity own property¹⁸, this leaves women more vulnerable than men to poverty.

Normatively this form of inequality differs from inequality in outcomes that can result from a person's individual efforts. However, structural inequality emphases on the discriminative practices that hinder the freedom of participation, benefits and liberty of specified individuals.¹⁹ This sort of exclusion and marginalization of women in politics is one of the bluntest examples of key factors of structural inequality experienced in Nigeria which are characterised by psychological slavery and other forms of coerced cultural or government mandate, institutional exploitation that relegates women and suppresses human rights. The article argues that a well-structured comprehensive intervention policy is appropriate to address the deep-rooted issues within the political framework that limits women capacity to progressively and efficiently participate in politics.

Challenges to ensuring the women's participation in Politics

As societies evolve, so is the development of democracy in Nigeria which has taken a more intentional dimension and the courts are gradually aligning with global best practices of inculcating the culture of judicial activism to nib and fill a seemingly lacuna by pronouncing on the legality or otherwise, of some of the discriminatory laws against women, most of which have sustained the persistence of structural inequalities.

The article which aimed at highlighting major obstacles impeding women's active participation in political processes identifies specific obstacles which include:

(a) Sexual harassment:

Sexual harassment could be considered as the greatest detrimental challenge that inflicts hurdles and discouragement. It impedes the psychological approach of a woman.

¹⁶Stephanie Dixon., 'Structural inequality | A barrier that many face'<https://blogs.kcl.ac.uk/kingscareers/structural-inequality-a-barrier-that-many-face> accessed 19 June,2025

¹⁷Assari, S. (2019, April 4). How Unjust Social Structures Help Some But Harm Others. The Conversation <https://theconversation.com/how-unjust-social-structures-help-some-but-harm-others> accessed 18 June,2025

¹⁸World Bank, Women, Business, and the Law.

https://wbl.worldbank.org/en/data/exploretopics/wbl_ma accessed 18 June ,2025

¹⁹Amadeo, K. What Is Structural Inequality? (The Balance., 20 June ,2021) www.thebalance.com/structuralinequality-facts-types-causes-solution accessed 18 June 2025

b) Institutional inequality and weakness

Institutions such as legal systems, regulatory bodies, and governance frameworks are fundamental to ensuring, shaping and sustaining outcomes. Generally, in some developing economies, such as Nigeria, institutional weaknesses births exploitation, inefficiency, corruption and lack of transparency, which deter women from political participation and undermine societal stability. The effect of institutional efficiency is evidenced in the quality of governance, which is paramount in addressing structural inequalities. Weak institutions undermine policies and hinder developmental effort.

(c) Socio-cultural norms and customs

This plays a crucial role in continuing structural gender inequality in Nigerian politics²⁰ from the traditional known perspective, gender roles prescribes domestic roles over partisan politics to women. This reinforces the view that politics is a male-dominated sphere. This belief raises societal resistance that dampen and discourages women active involvement in politics.

(d) Access to Finance

As vulnerable and marginalised persons, women are mostly faced with the challenge of accessing finance, as they mostly do not have the requisite collateral to access such privilege. Financial capacity is critical for political participation in Nigeria, although not a requirement; it is needed to enable the woman engage in all political processes, such as campaigns. Restricted access to finance can stifle women's political interest, limit growth, and hinder her ability to engage in political conversation and opportunities as a result of her inability to access the required funding for political activities.

(e) Lack of Sustainable Development and Structural Reforms

Sustainable development integrates societal advancement, economic growth and ensures societal protection and equality. The reforms aims at realizing sustainability which will assist the society to evolve from the know to best practices that promote inclusion and implementation of policies that balance prescribed social objectives.

Summary

Sustaining women right and structural equality in Nigerian political arena remain an issue of great concern due to gender inequality and other norms that have hindered women participation and representation in politics despite constitutional guarantees and international assurances to enhancing gender equality, women still face sever hindrances to accessing political positions and leadership roles²¹

The article posit that structural inequalities has significantly impede women's participation in Nigerian politics by strengthening systemic disadvantages that restrain women's access to political power. These inequalities present in several forms, which are mostly characterised by cultural and religious belief, patriarchal norms, economic inequalities, and violence against women in the politics space.

Conclusion

Conclusively the article reviewed the deep-rooted complex interplay between societal belief, patriarchal structures, and political processes; it highlighted the complexities of gender dynamics in Nigerian politics and recommended that: identifying major challenges that hinder women's political participation will addressing the persisting structure of inequality in the political space.

²⁰Collier, J. "Women in politics" in M. Z. Rosaldo, & L. Lamphere (eds), *Women, culture and society*. (Stanford, CA: Stanford University Press, 2020.) 62

²¹Abiola, D. 'Women and political participation in Nigeria' *European Journal of Social Sciences*[2020] (14) (4) 21