

THE IMPACT ANALYSIS OF THE CONVENTION ON THE ERADICATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW) TREATY ON WOMEN PARTICIPATION IN NIGERIAN POLITICS, 2011 - 2020

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Abstract

Women play a very vital role in the growth of the society and Nigerian women are not an exception. Though Nigeria is a signatory to the Convention on the Eradication of all forms of Discrimination Against Women (CEDAW), there have been little awareness about it and its implementation in Nigeria. This study attempts an impact analysis of the Treaty on the Convention on the Eradication of all forms of Discrimination Against Women (CEDAW) on women participation in Nigerian politics, 2011 – 2020 using David Mitrany Functionalism Theory. The study is content descriptive and uses qualitative secondary sources of data with tables illustrating a selection of women representation at the federal and state levels during the period under review. There is a gap in literature on the necessity of passing the CEDAW Treaty into law in Nigeria. The passage of this law is the key to achieving an all-inclusiveness in Nigerian politics. This study further examined ways that women participation in politics can be enhanced. These includes a multi-pronged approach which cuts across, continuous re-orientation on the patriarchal nature of the society, rise in societal and political awareness for women's participation in politics and governance from the grassroots to national level, and diversifying the pool of female candidates and building of female leaders. There is also the need for a strong, persistent, lobbying by gender-based civil societies and non-governmental organizations to the Political Parties, Executive and Legislative arms of Government and the international community until the Treaty is made a national law.

Keywords: CEDAW, Women, Politics, Nigeria
Introduction

It is often said that women are the backbone of the family. As such one can say that women are the backbone of the society because the society is a group of families and homes. Women constitute over half of the world's population and contribute in vital ways to societal development generally (Afolabi & Lanre, 2003). The role and place of a woman in the society cannot be overemphasized. A woman can be a mother, homemaker, and organizer, and many more all at once. But all of these have changed since the days of women suffrage in the 1900s. African women are often depicted as weaker and powerless. As a consequence, women had for long suffered various forms of gender discrimination, inequality, and exclusion, especially in politics (Agbalajobi, 2010). But this mindset and stereotype is fast changing with the exploits and achievements of women all over the world. Women have come out to be more than just homemakers. We now have more women holding top positions in business, corporate, multinational, and political organizations. Today, women are more active in political issues than before and this is because of political awareness, although they are plagued with challenges of which discrimination is the most rampant. Men develop prejudice against women with the notion that decision making is exclusively for the men while women are to be told or instructed what to do. Some occupations in life are preferred seen as exclusively or predominantly for men.

Despite the difficulties faced by women in the society especially in politics, they have continued with their political ambitions, contributing to national development in their own little way. There are benefits that are accrued to every sector where women play major roles (Awe, 2016). Viewing this from the area of political participation and governance, Africa and the world indeed have seen dynamic leadership from women within the last decade, some of which include Cristina Fernandez de Kirchner of Argentina, Angela Merkel of Germany, Ellen Johnson-Sirleaf of Liberia, Saara Kuugongelwa-Amadhila of Namibia and Sahle-Work Zewde of Ethiopia among others.

With the non-implementation of the CEDAW Treaty and the challenge of poor participation of women in politics in Nigeria, this study is aimed at analysing the impact the implementation of the CEDAW Treaty will have on women's political participation in Nigeria. The study is divided into six sections. Section one is the introduction which gives a background of the study. Sections two and three capture the conceptual review of the study and theoretical framework respectively. The fourth section explores an overview of the CEDAW Treaty. While the fifth section attempts to summarily trace how far women had come in politics in Nigeria. The last section of the study is the conclusion and recommendations proffered.

Conceptual Review

Women are part of the society but are often relegated and treated as the insignificant part of the whole. Over time, there have been quests to understand the marginalization of women in the society especially in politics and governance especially in Nigeria. The search for a better place for women led to the United Nations Convention that brought forth the CEDAW Treaty in 1979. Since its ratification in 1985 in Nigeria, the Convention has not been domesticated. Nigeria's ratification of the Treaty in 1985 signified her intention and consent to be bound by the Convention and subject herself to the obligation to refrain from acts that would defeat the object and purpose of the Treaty. Unlike most States where ratification alone secures the treaty as a part of the national legal framework, Nigeria belongs to the dualist States (Akinpelu, 2019) that require an Act of

Parliament to incorporate the provisions of the Treaty into national laws. Until this is done, the Convention remains binding but cannot be adjudicated upon at judicial level. Nigeria has not paid adequate attention to the domestication of CEDAW and other Policies that promote women's rights. There is the concern over Nigeria's inability to domesticate the CEDAW Treaty especially in democratic dispensation. In 1986, for instance, a Political Bureau established by the General Ibrahim Babangida Administration to undertake a comprehensive review of Nigeria's political and socio-economic systems acknowledged a gender gap. It noted that 'full involvement of women in politics is one method of defending women's interests in society' (Abdullahi, 1993). The committee recommended the allocation of 5% of legislative seats to women at all levels of government, but the Babangida Administration rejected it (Ette & Akpan-Obong, 2022). In 2005, the National Assembly rejected a draft bill on full domestication of the Convention (CEDAW Treaty) without reservation. There was another rejection in 2017 when members of the Senate voted during Constitution alteration bills against the Gender affirmative action, for 35% and 20% of women at the Federal and State levels respectively. The challenge of poor representation of women in politics and governance is not lack of awareness or strategies on improving women's participation in politics but the fact that efforts are being thwarted by the male folks.

Existing scholarship on Nigerian politics has consistently underscored the marginalization of women while identifying major obstacles against their political engagement. Previous studies focused on how the intersection of socio-economic and cultural norms leaves women on the margins of politics (Okoosi-Simbine, 2012; Pogson, 2012). There are other specific constraints, such as gender-based violence, in addition to these broad factors (Agalajobi, 2021). Other factors include low literacy rates (Orisadare, 2019) which hinder women's awareness of their political and democratic rights; patriarchy and political violence (Okoosi-Simbine, 2012). A study by the Policy and Legal Advocacy Centre (PLAC, 2018), a non-governmental organization in Nigeria, also notes that women find it difficult to break into political positions because they are

generally disadvantaged by gender ideology, cultural patterns, and predetermined social roles assigned to women and men as well as . . . poor childcare, inadequate health care, and poverty. Political parties are major obstacles for women who want to contest elections because parties are responsible for selecting candidates (Okoosi-Simbine, 2012). Often women are mainly passive members of political parties. When they are actively involved, they are directly or indirectly suppressed at the executive level of any stage (Federal, State, Local Government, District or Ward), and they are not readily nominated to hold major positions at their parties. This side-lines them from more exposure and experience. As such, women's voices are not heard in places where critical decisions are made. Taking a socio-cultural perspective, Pogoson (2012) attributes women's limited engagement to socialization processes grounded in 'a culture of female subordination'. She argues that parties' constitutions and manifestoes are consciously male-centric and based on fraternal connections. Since men usually form the majority in a party's structure, they tend to dominate the party hierarchy and are therefore in a position to influence the party's internal politics (Ette & Akpan-Obong, 2022). Mufti & Jalalzai (2021) observed about Pakistan, that while parties are sometimes interested in nominating women to contest elections, selection processes often reflect patriarchal attitudes. Thus, 'women face a double hurdle to power, with formidable obstacles not only to obtaining access to decision-making positions and processes but also to having influence within them (O'Neil & Domingo, 2016).

In Nigeria's constitution, there are no restrictions to women participating actively in politics and governance but saliently, against policies, the government have been marginalizing women and they have normalized it and woven it into the fabric of the patriarchal political structure. The problem of low presence of women in politics and governance is not unique to Nigeria or developing countries alone. Many mature democracies such as the United States continue to grapple with this issue (Ramos & Da Silva, 2020). However, the socio-cultural contexts and entrenched patriarchal institutions in developing and underdeveloped

countries complicate the problem to a greater degree than in developed countries.

Politics

There is no one legally accepted definition of politics as there are many great acceptable and legitimate meanings. The definition of politics is quite complex and complicated, although its history can be easily traced to the 4th Century BCE Greece city-state by renowned Philosopher, Aristotle. The word politics is from the Greek word polis, meaning everything that concerns or belongs to the polis, or city-state (Abdullahi, 1993). Politics can be defined as the study of the government; a collection of officers who make, interpret, and enforce rules for the whole community (Modebadze, 2010). This definition of politics offers a highly restricted view of politics. According to this definition, politics takes place just within government departments, cabinet rooms and legislative chambers. This means that politics is the matter of politicians, civil servants, and lobbyists. According to this view most of the people are not involved in politics. All the institutions that are not engaged in running the country are regarded as non-political. In the popular mind, politics is closely associated with the activities of political parties and politicians. This extremely narrow view of politics helps to explain why negative images have so often been attached to the world politics. Politics is often described as a negative phenomenon because only politicians are seen as decision-makers. One common definition of politics that is widespread is the definition of politics as the struggle for power. It stems from the correct belief that politics is a major domain of power and influence in society. The definition of politics as all activities that are directly or indirectly associated with the emergence, consolidation, and use of state power (Okwudiba, 2003) is adopted for this study.

Theoretical Framework

Various theories that could be used to analyze the impact of CEDAW Treaty on women's political participation in Nigeria include Patriarchal Dividend Theory, Feminist Theory and David Mitrany functionalism theory. To find a nexus between the CEDAW Treaty and women's political participation in

Nigeria, the study finds the David Mitrany Functionalism Theory most suitable. Functionalism is a theory of international organization and can be characterized as an issue-specific approach to politics. The idea is to deal with social problems by looking first at their so-called technical aspects (Ashworth & Long, 1999). Mitrany suggests that functional agencies should start out in strongly technical and 'low politics' areas of administration as this would be relatively uncontentious. Even so, his aim is not to separate the technical from the political so much as to 'fuse' the two. Even issues that are traditionally highly politicized would ultimately become subject to widespread expectations of functional needs-satisfaction. At that stage they would stop being contentious and, in that sense, cease being political (Ashworth & Long, 1999). Mitrany believed that politics could be separated into layers of relatively uncontentious functional service provision. As functional institutions would satisfy needs more effectively than the state, their legitimacy would grow and they would benefit from a gradual shift of popular loyalties (Taylor, 1968).

The assumption is that for as long as states retain a monopoly on tackling societal problems, their citizens tend to view these problems through distortive 'state lenses', tainted by concerns for national sovereignty, power, equality and prestige. Mitrany advocates for a fully-fledged qualitative reconfiguration of political space. The states system would become overlaid with a network of functional agencies as states' erstwhile functions would become disaggregated and diffused upwards, downwards, and sideways (Theiler, 2022). This is where institutions such as the United Nations come in. Their presence in states would help to bring fairness, equality and equity while remaining non-political. For the general good of the people, there is the need for a disintegration of responsibilities as can be seen in functional international agencies without cultural or social prejudices. This would bring the appropriate solutions to an increase in women's political participation that would be readily obvious to all.

The application of David Mitrany Functionalism Theory helps in filling the gaps found in other theories that examine the impact of CEDAW Treaty on women's participation in

politics. It also explains how international institutions can influence the states to implement policies (Treaties) that they have agreed to through their signatory. The challenge to this theory is the acceptance of interference and application by states.

Overview of the CEDAW Treaty

The Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) is an international treaty adopted in 1979 by the United Nations General Assembly and enforced in 1981 (United Nations, Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), 1979). It is common knowledge in almost all cultures and climes that women are being discriminated or had been discriminated. The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW or Convention) is often described as an international bill of rights for women (Aniekwu, 2006). It consists of a preamble and 30 articles. It defines what constitutes discrimination against women and sets up an agenda for national action to end such discrimination. The Convention defines discrimination against women as "...any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field" (United Nations, Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), 1979).

The substance of the CEDAW Convention is based on three core interrelated principles: equality, non-discrimination, and state obligation (Akinpelu, 2019). The Convention provides the basis for realizing equality between women and men through ensuring women's equal access to, and equal opportunities in, political and public life -- including the right to vote and to stand for election -- as well as education, health and employment. States parties agree to take all appropriate measures, including legislation and temporary special measures, so that women can enjoy all their human rights and fundamental freedoms (UN Women 2007).

Equality is a central principle in the Convention. Accepting the concept of equality has been a problem because the term 'equality for women' is traditionally understood to mean "the right to be equal to men". The basis for this understanding came from the fact that women faced gross inequalities in relation to employment opportunities, wages, access to and enjoyment of health, rights within the family, citizenship, etc (Akinpelu, 2019). For this paper, being equal to men is having equal rights and opportunities as men. Not only are women significantly different from men biologically, but there are also gender differences, which influence both policy making and implementation. Equality for women means if a woman merits it, it should be given to her. Gender bias does not promote equality. The CEDAW treaty strongly propagates equal rights for both women and men. These rights also include political rights such as right to vote and be voted for, right to be given a political appointment, and right to career growth irrespective of gender. The advancement of women is also the advancement of the society, and this leads to better and more effective governance. The presence of women in governance will allow new insights, concerns, priorities, and perspectives through the implementation of laws and policies that are socially motivated.

Women in politics in Nigeria

The first decade of the twenty-first century started with several of Africa's 54 nations seeing dramatic increase in the number of women getting involved in politics and political matters. Women's political activism increased during the 1990s, both within and beyond the formal political sphere (Mama, 2013). The opportunities available to women especially in Africa are very limited and inadequate when compared to their male counterparts in every public sphere of life. The challenge is double in politics and governance. Throughout ages, women have rarely been considered equal to their counterparts. From home as a daughter, wife, and mother, through the school, office, religions, business, and politics. Women are known to have been discriminated, marginalized and dominated through the combination of gender-biased political norms which favours men

Just like any other country of the world, Nigerian women constitute nearly half of the population of the country. Women have played significant roles in the history of Nigeria. Politically, in the pre-colonial era, Nigerian women were an integral part of the political set up of their communities. For instance, in pre-colonial Bornu, women played active roles in the administration of the state, complementing the roles played by male counterparts. Also, Women played a very significant role in the political history of Nigeria. The modern city of Zaria was founded in the first half of the 16th century by a woman called Queen Bakwa Turuku, the mother of popular Queen Amina of Zaria, who was a great and powerful warrior. She ruled and protected Zaria from invasion and made the city a commercial centre in the North (Kolawole, 2013). From other regions, women such as Moremi of Ife, Emotan of Benin and Omu Okwei of Ossomari all had great impact on their communities.

The colonial era adversely affected women as they were disenfranchised until the 1950s when women got strongly involved in the Nationalist movements. It was also only in the 1950s that women in Southern Nigeria were given the franchise (Agbalajobi, 2010). Three women were appointed into the House of Chiefs, namely Chief (Mrs) Olufunmilayo Ransome Kuti (appointed into the Western Nigeria House of Chiefs); Chiefs (Mrs) Margaret Ekpo and Janet Mokelu (both appointed into the Eastern Nigeria House of Chiefs). The women's wings of political parties possessed very little functional relevance (Kolawole, 2013). After independence, Nigerian women began to play very active roles and even got elected to parliament at both the State and National levels, although they were very few and only from the Western and Eastern regions. In Northern Nigeria, however, women were still denied the franchise even after independence until 1979, that is, the return of civilian government. As a result of this denial, prominent female politicians like Hajia Gambo Sawaba in the North could not vote and be voted for (Kolawole, 2013).

The Second Republic (1979-1983) saw a little increase in women participation in politics. During this time, the CEDAW Treaty was still being worked on. A few Nigerian women, slightly more than in the first republic, won

elections into the State Houses of Assembly and House of Representatives. However, during the same period, only two women were appointed Federal Ministers. They were Chief (Mrs) Janet Akinrinade and Mrs Adenike Egun Oyagbola, Ministers for Internal Affairs and National Planning respectively. Mrs. Francesca Yetunde Emmanuel was the only female Permanent Secretary (first in the Federal Ministry of Establishment and later Federal Ministry of Health) (Kolawole, 2013). While a few women were appointed as Commissioners in the states also.

With the advent of General Muhammed Buhari’s led military rule in December 1983, the first formal quota system was introduced by the Federal Government as regards the appointment of women into governance. He directed that at least one female must be appointed as a member of the Executive Council in every state. All the states complied with this directive; some states even had two or three female members (Muhammed & Zaid, 2014). Between 1985 and 1998, there was no significant change in women involvement in governance during the military regimes.

With the return to democracy in 1999, despite efforts and agitations, women are still underrepresented in both elective and appointive positions. Although women make up about half of the electorate and have attained the right to vote and hold office in almost every country in the world, they continue to be underrepresented as members of national parliaments (United Nations, The World's Women 2015: Trends and Statistics, 2015). Available statistics revealed that women overall political representation in government of Nigeria is less than 7 percent (Agbalajobi, 2010).

Nigeria, though, being a signatory to the CEDAW Treaty since 1981, has still not been able to attain 30 percent affirmative as prescribed by the Beijing Platform of Action. The low participation and presence of women in both elective and appointive positions has become a growing concern to many Nigerians. Although there has been growing concern about the poor representation of women in politics and concerted efforts are being made by government agencies and non-governmental organizations to increase the level women’s participation in politics, but this has so far yielded little. The

under representation of women in politics and governance aside other recent challenges, gained root due to the patriarchal practice inherent in our society, much of which were obvious from pre-colonial era till date. With the advent of democratic governance after decades of military rule, more women are more enlightened, and this has led to an increase in the number of women running for political positions in elections

Below are tables illustrating the proportion of women in governance from 2011 to 2020:

Table 1: Representation in the Senate by Year and Sex

Senate					
Year	Total no. of seats	Men	Percent age of men (%)	Wom en	Percent age of women (%)
2011	109	102	93.6	7	6.4
2015	109	101	92.7	8	7.3
2019	109	101	92.7	8	7.3

Source: National Assembly, Abuja

Table 1 gives the representation at the distribution of members of the Senate based on gender from 2011 to 2020. The representation shows that the highest number of women in the Senate was in 2007-2011 with only 9(8.3%) seats out of 109. The difference from 2011 to 2020 is less than 1%.

Table 2: Representation in the House of Representatives by Year and Sex

House of Representatives					
Year	Total no. of seats	Men	Percen tage of men (%)	Women	Percent age of women (%)
2011	360	336	93.3	24	6.7
2015	360	337	93.6	23	6.4
2019	360	347	96.4	18	4.6

Source: National Assembly, Abuja

Table 2 above is a representation of the members of the House of Representatives from 2011 – 2020. This table shows that out 360 members the highest number of women during this period was in 2011 when there were 24(6.7%) women in the Assembly. All this period has had men making up over 90% of the assembly. This table shows a decline in the women representation in the lower house.

Table 3: Representation of Governors and Deputy Governors by Year and Sex

Year	No. of States	Governor		Deputy Governor	
		Women	Percentage	Women	Percentage
2011	36	0	0	8	22.2
2015	36	0	0	6	16.7
2019	36	0	0	4	11.1

Source: NCWD/NBS Collation of data on women and men

There is still no improvement even at state level as shown in Table 3. No woman had been elected Governor in any of the states of the Federation, while the highest presence of female deputies was in the 2011 with 8(22.2%) women and the lowest was in the 2019 with 4(11.1%) as deputy.

Conclusion and Recommendations

Following the trends and happenings around the political environment in Nigeria, it is becoming clearer that women will need to push harder to achieve the mandated 30% affirmation as enshrined in the Beijing plan of action. Women Participation in Nigerian politics is a topic of importance. And of more importance is the awareness of the CEDAW Treaty and its implementation. Politically, women have been relegated to the background, despite the tremendous effort put forward by civil societies and non-governmental organizations following the declaration made at the fourth World Conference on women in Beijing, which advocated 30% affirmative action in elective and appointive positions. It is worthy to note that Nigerian women are still being marginalized due to the style of leadership inherent in the country. Despite the challenges women are facing, women activism and advocacy, education of women, positivity on the part of successive governments towards women empowerment and interest of women to participate in politics is getting a lot of positive energy. By being a signatory to the CEDAW

Treaty, Nigeria agreed among other things to implement the reservation of 30% of elective and appointive positions to women. Until the country becomes fully aware and pass the CEDAW Treaty into law, women participation in politics will continue to be a struggle.

It is therefore obvious that Nigerian women’s participation in politics is an issue of great relevance in the society. There are currently more campaigns and awareness by women and gender-based non-governmental organizations on measures to enhance women participation in politics in Nigeria than ever before. But even these have not yielded enough result. There is the need to continue sensitization against the patriarchal nature of our society as this has negatively influenced politics in Nigeria. Men should be encouraged to be more acceptable to the presence of women in the political space. The actions of members of the parliament since the return to democracy has so far shown that they are not willing to pass the CEDAW Treaty to a national law as seen in the number of times that gender bills were voted out in the National Assembly.

The Executive arm of Government need to make the passing of the CEDAW Treaty into law a priority as this will give credence to their administration. This can be done by sensitizing and lobbying Party members in the Legislature. Other ways to enhance women participation in politics in Nigeria include mentoring, support for women even at grassroot levels, developing gender policies by political parties and involving the Legislature in activities of the United Nations and other International Organizations. Gender based civil societies and non-governmental organizations should rally support from foreign agencies/institutions and governments to create more awareness on the CEDAW Treaty from the grassroots to the Presidency. Consistency, continuity and lobbying are features that would lead to the acceptance and subsequent implementation of the Treaty.

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