

## MAINSTREAMING OF GENDER JUSTICE, EQUALITY AND EQUITY IN THE LABOUR SECTOR IN NIGERIA\*

### Abstract

Even after so many years of innovation and advocacy on liberty, equality and equity; gender justice in the labour sector, still appeared to be an unresolved issue. The level of discrimination that women face in various sphere of the society is alarming. The issue of keeping women under the table and making them internally subservient should have no place in a civilized society. Are Nigerian laws adequately protecting the rights of women in Nigeria, how can gender justice can be enhanced in the labour sector? The study observed that despite Nigeria's ratification of virtually all international instruments on the protection and promotion of gender rights and equality, it has failed to domesticate most of them. Various African countries have failed to keep up with their promises of social justice. This paper examined the concept of gender justice, gender equality and gender equity in the labour sector. The doctrinal method was utilized as various primary and secondary sources were examined. For gender justice to be attained in Nigeria there is indeed need to promulgate laws promoting; gender neutrality, equality, and gender equity.

**Keywords:** Gender Justice, Equality, Equity, Discrimination, Labour Sector and Nigeria

### 1. Introduction

Research has shown that recruitment policies devoid of gender discrimination, enhances employees performance in an organisation.<sup>1</sup> Women have been discriminated and relinquished to the back a lot.<sup>2</sup> The idea of debasement of women making them internally subservient should have no place in civilized society. There are several areas where actions and the laws have tilted unnecessarily and seemingly to the advantage of women but in actual practice foist a lot of hardship and disadvantages.<sup>3</sup> Despite the legislation, for decades, gender-based discriminations in the Nigerian labour market persist practically everywhere, and at all levels.<sup>4</sup> The various legislation demand the elimination of gender inequality in the workplace, in the choice of profession, in employment opportunities, promotion, equal remuneration, job security and the family.<sup>5</sup> The reality in Nigeria today is that legal, cultural and social obstacles still impede the right of women at the work-place. These discriminations can take many forms and includes; abusive and offensive language, yelling and shouting, constant (unwarranted) criticisms, setting unrealistic deadline, overwork, threatening dismissal, and isolation of a worker.<sup>6</sup> The problem is compounded with lack of flexible working hours and harsh working conditions. No form of discrimination and maltreatment should be tolerated. The most important initiative in enforcement of contract of employment is productivity which can give rise to common law action.<sup>7</sup>

Gender justice is a basic human right that is guaranteed in international and regional treaties, conventions and national legislations. Gender equality is a commonly shared value and a necessary condition for the achievement of internationally agreed developmental goals including the Millennium Development Goals (MDGs). One of the most striking global phenomena of recent times has been the increasing proportion of women in the labour force. This has enabled women in many regions to use their potentials more in the labour market and achieve economic independence.<sup>8</sup> Beyond equivocation, women who work in the public and private sectors are hounded by discriminatory labour laws that impede their growth. Despite such harrowing and discriminating conditions, they remain resolute and resilient. Achieving gender equality means that men and women are able to share equality in the distribution of power, knowledge, opportunities, rights and obligations in their private and public lives. Gender equity does not necessarily mean that men and women become the same, but that their opportunity and life chances are equal. In essence, it requires equal enjoyment by men and

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<sup>1</sup>D E Gberevbie, et al, An empirical study of gender discrimination and employee performance among Academic staff of Government Universities in Lagos State, Nigeria (2014) 8(1) *International Journal of Economic and Management Engineering*, 98.

<sup>2</sup>C K Agomo, 'The Working Woman in a Changing World of Work' (Inaugural Lecture Series University of Lagos Press, 2004) 35.

<sup>3</sup>L Wirth, *Breaking through the Glass Ceiling: Women in Management* (Geneva ILO 2001).

<sup>4</sup>S Erugo, 'Exploitative Child Labour: A Nigerian Perspective' (2001) *IBA Employment and Industrial Relations Law Journal*, 33.

<sup>5</sup>S Erugo, *Introduction to Nigerian Labour Law: Contract of Employment and Labour Practices* (2<sup>nd</sup> edn: Lagos: Princeton & Associate Publishing Co, 2019) 308.

<sup>6</sup>R Davern, 'Workplace Bullies too Costly to Ignore,' *Employment and Industrial Relations Law Journal* 24.

<sup>7</sup>*Iyere v Bendel Feed and Flour Mill Ltd* (2008) 12 CLRN 1.

<sup>8</sup>E A Oji, The Status of Women in Employment, (2007) 6 (1) *UNIZIK Law Journal*.

women of social valued goods, opportunities, resources and rewards. To achieve gender equality, gender justice has to be practiced; equal participation by women and men in legal, economic, social and all sphere of development is very crucial. Women and men should benefit equally from societies' resources as they are alongside compensated with incentives for the long aged marginalization. Life is an issue of mutual respect. For gender justice to be attained in our society there is need for gender neutrality, equality, and gender equity.

## 2. Definition of Terms

**Gender-** Gender is a socially constructed definition of women and men. It is not the same as sex (biological characteristics of women and men) and it is not the same as women.<sup>9</sup> Gender is determined by the conception of tasks, functions and role attributed to women and men in society and in the public and private life.

**Labour Law** - Labour law also called employment or industrial law is the law that examines the legal regulation of employment relations, which is the relationship between an employer and an employee.<sup>10</sup>

**Gender Justice-** Gender justice means the ending of, and the provision of redress for, inequalities between women and men which results in women's subordination to men.<sup>11</sup> Gender justice implies a concept of justice pertaining to social juridical relations that prevail between sexes.<sup>12</sup> Gender justice encompasses various conceptions of justice ranging from equal treatment and equitable valuation and assessment of the sexes. Gender equity is all about implementation of the laws and ensuring that gender justice is achieved.

## 3. Legal Framework

The rights of women to work, without any form of discrimination, is recognised and guaranteed by many international and national instruments. For example, Articles 14 and 15 of the Indian Constitution,<sup>13</sup> Article 20 of the former German Democratic Republic,<sup>14</sup> and Article 3(b) of the former federal Republic of Germany,<sup>15</sup> Articles 40 and 42 of the Constitution of Cuba,<sup>16</sup> and many more all provide against discrimination on ground of sex.<sup>17</sup> These Laws have been put in place to protect the rights of women internationally, regionally as well as domestically.<sup>18</sup> The labour legislation that has identified labour regulations that differentiates between women and men includes but not limited to the following:-

### United Nations Declaration of Human Right 1948

The United Nations Declaration of Human Right provides that all human beings are born free and equal in dignity and rights.<sup>19</sup> The implication of this historic document is that the right and dignity of women must be respected. Article 1 of the Universal Declaration of Human Right 1948 (UDHR), states that all human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood. It provides for equality before the law.<sup>20</sup> The implication of this historical document from the various provisions is that the rights and dignity of women must be respected. This international instrument has been ratified but yet to be domesticated as part of the Nigerian law. Hence, the provisions of the UDHR does not have any force of law, they are mere declaration of rights by the member states.<sup>21</sup>

### Convention on the Elimination of all forms of Violence against Women

The Convention on the Elimination of all forms of Violence against Women (CEDAW) came into force on the 3<sup>rd</sup> day of September 1979. CEDAW is yet to be domesticated in our law. The entire scope of this law is basically about the protection of women from all forms of violence, discrimination and protection of their Human Rights. CEDAW makes provision for the equality of men and women in matters relating to; governance,

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<sup>9</sup> Ogbuigwe, Gender Justice, A Paper delivered at RSU Post Graduate Lecture on 3<sup>rd</sup> September 2015, 2.

<sup>10</sup> O V C Okene, *Labour Law in Nigeria; the Law of Work* (3 edn, Nigeria: Claxton and Derrick, 2012) 1.

<sup>11</sup> A M Goetz, *Gender Justice, Citizenship and Development* (Ottawa: International Development Research Center, 2007) 15-57.

<sup>12</sup> I Robeyns, 'When will Society be Gender Justice?' In J Browne ed. *The Future of Gender*, Cambridge University Press, 54-74.

<sup>13</sup> Blauster and Flanz, *Constitution of the Countries of the World* (New York: Oceana Publishers Inc. Dibbs Farm, 1980) vol vii.

<sup>14</sup> *Ibid*, vol vi.

<sup>15</sup> 1985, *Ibid*.

<sup>16</sup> 1980, *Ibid*, vol 1.

<sup>17</sup> E Oji & O D Amucheazi, *Employment and Labour Law in Nigeria* (Lagos: Mbeyi & Associate (Nig) Ltd, 2015) 147.

<sup>18</sup> C K Agomo, *Nigerian Employment and Labour Relations Law and Practice* (Nigeria: Concept Publication Limited 2011) 86.

<sup>19</sup> *Ibid*, art 1.

<sup>20</sup> *Ibid*, art 5.

<sup>21</sup> H O Agarwal,, *International Law and Human Rights*(19<sup>th</sup> edn. Nigeria: Central Law Publications 2013) 787.

employment, property rights, nationality of children, educational and various other rights which accrues to citizens. In particular, Article 10 of the CEDAW stipulates; states parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education. The CEDAW reinforces State responsibility in ensuring 'without delay' that any 'act or practice of discrimination against women be stopped.' CEDAW obligates all state parties to ensure the full implementation of these laws by putting in effective legislation that would engender full development and advancement of women for the purpose of the exercise and enjoyment of their Human Rights.<sup>22</sup> Nigerian government should, as a matter of urgency, domesticate CEDAW and all other international Instruments on women's rights which she has ratified. The non-discrimination provision of the Nigerian 1999 Constitution is inadequate. The Domestication of these International Instruments is imperative in view of the fact that Section 12 of the Nigerian Constitution has expressly rendered these International Instruments non-justiciable, except they are domesticated as part of Nigerian Municipal Laws.

#### **International Convention on Civil and Political Rights 1966**

The International Convention on Civil and Political Rights (ICCPR) also makes provision for protection of inhuman and degrading treatment;<sup>23</sup> Right to be treated with humanity, not to be violated sexually. Most importantly, no one is required to perform forced or compulsory labour.<sup>24</sup> Article 26 International Convention on Civil and Political Rights (ICCPR) provides thus;

All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on ground such as race, colour, sex, language... or other status.

The Committee on the Elimination of Discrimination against Women,<sup>25</sup> recommended that States parties should take all legal and other measures that are necessary to provide effective protection of women against gender-based violence including effective legal measures, including penal sanctions civil remedies and compensatory provisions to protect women against all forms of violence.<sup>26</sup> The committee on the Elimination of Discrimination against Women also requested that states parties include information on legal measures that have been taken to overcome violence against women.

#### **Protocol to the African Charter on Human and Peoples' Rights 1981**

At the regional level, the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa was promulgated to uphold women's rights and recognize the important roles women play in society. The Protocol to the African Charter on Human and Peoples' Rights states that every woman shall have the right to dignity inherent in a human being and to the recognition and protection of her human and legal rights. It also provides that state parties shall adopt and implement appropriate measures to ensure the protection of every woman's right to; respect for her dignity and protection from all forms of violence, particularly sexual and verbal violence.<sup>27</sup> For emphasis, Article 4 of the ACHPR states that 'Every woman shall be entitled to 'respect for her life and the integrity' and security of her person. All forms of exploitation, cruel, inhuman or degrading punishment and treatment shall be prohibited'. Subsection (2) buttress the point by further stating that parties shall take appropriate and effective measures to enact and enforce laws to prohibit all forms of violence against women including unwanted or forced sex whether the violence takes place in private or public. There has been an upsurge in cases on discrimination of women in Nigeria. The Nigerian Courts have been creative in relying on International Conventions. In many instances, the Courts had factored the African Charter on Peoples' and Human Rights (ACPHR) and the provisions of Section 42 of the Nigerian Constitution of the Federal Republic of Nigeria 1999 (as amended) in abrogating some of these discriminatory practices.

#### **Constitution of the Federal Republic of Nigeria 1999 (as amended)**

Constitution of the Federal Republic of Nigeria 1999 (as amended) is the basic and most important law of the country. Any other law that is inconsistent with it is null and void to the extent of the inconsistency. The constitution provides few anti-discriminatory<sup>28</sup> protections of the rights of citizens of Nigeria irrespective of their sex community, ethnic group, religion and political opinion and place of origin.<sup>29</sup> In essence no citizen of

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<sup>22</sup> CEDAW, art. 3.

<sup>23</sup> ICCPR, art. 7.

<sup>24</sup> ICCPR, art. 8.

<sup>25</sup> ICCPR, art 1.

<sup>26</sup> CEDAW, art 2.

<sup>27</sup> Protocol to the African Charter on Human and Peoples' Rights, art 3.

<sup>28</sup>B Aturu & F Aborisade, *Nigerian Labour Law: Principles, cases, commentaries and Materials* (Nigeria: Frankard Publishers, 2015) 229.

<sup>29</sup> Constitution s. 42.

Nigeria shall be subjected to any disability or deprivation merely by reason of the circumstances of his birth. It can be contended that section 42(3) of the CFRN indirectly promotes the discrimination of women. As it inadvertently preclude challenge of laws which are discriminatory with respect to any officer under the State, in the armed forces, the Nigerian Police Force or any other corporate body established directly by any law in force in Nigeria.<sup>30</sup> It is argued in this paper that the above view is wrong as same represents the traditional view held by some academics and lawyers in Nigeria. The ACHPR, and other sections of the Constitution of the Federal Republic of Nigeria such as; Section 17(1) (2), Section 42(1) (2) and many International Treaties or Conventions which Nigeria had signed and ratified now serve as bastions or basis of invalidating some of these state-sanctioned discriminatory practices.<sup>31</sup> Recently, the Court of Appeal held that no law or custom that impedes our constitution should be allowed to persist no matter the local acceptance or validity.<sup>32</sup> Also, the Court of Appeal held that the appointment of a female Magistrate that was annulled on the basis of her single status was illegal and void and ordered her immediate re-instatement.<sup>33</sup>

#### **Criminal Code Act 1916 (as amended)**

The Criminal Code Act encourages gendered violence by legalizing spousal rape. It provides that: unlawful carnal knowledge means carnal connection which takes place otherwise than between husband and wife.<sup>34</sup> The legal implication of this section is that, under no circumstance can a man be found guilty of raping his wife. This discriminatory section is still part-and-parcel of our law which needs to be reformed. The United Nations High Commissioner for Human Rights has since published a Declaration on the Elimination of Violence against Women and expressly stated that marital rape is a human right violation. The global trend is to the effect that most countries of the world now prosecute spousal rape. Countries that have criminalized marital rape include Turkey, Mauritius, and Thailand. The Criminal code has been roundly criticized for creating a disparity in the punishment applicable in cases of unlawful and indecent assaults respectively.<sup>35</sup> The two sections provide lesser punishment where the victim of the assault is a female. For example, unlawful assault on male attracts a punishment of 3 years imprisonment, while the same unlawful assault on females attracts 2 years imprisonment. Furthermore, indecent assault on males is a felony, which attracts 3 years imprisonment and 2 years if the victim is a woman (a misdemeanor). The question may be asked, why this bifurcation in sanctions?

#### **Penal Code**

The Penal code creates a fertile ground for violence against women. It provides that nothing is an offence which does not amount to infliction of grievous hurt upon any person which is done by a husband for the purpose of correcting his wife, such husband or wife being subject to native law or custom in which such correction is recognized as lawful.<sup>36</sup> Most regrettably, Section 55 which was given judicial approval in a Court of Appeal Judgment has been classified as retrogressive.<sup>37</sup> The judgment, needless to say, is outrageous and out of tune with global trend towards gender equality. Besides, the section in question fails to confer a corresponding right on the wife to chastise the husband. The irritating aspect of gender based violence is that most women have grown with this and have accepted it as normal. They are therefore very complacent about enforcing their rights, besides the Nigerian Police had serially failed to recognize wife chastisement as a human rights violation; most often, it is waived aside as 'family issue' which should be handled privately.

#### **Labour Act 1971**

In a nutshell, several sections of the Labour Act 1971,<sup>38</sup> empower the Minister of Labour to make regulations that prohibit women from undertaking certain jobs. The provisions are discriminatory to the extent that they limit women's access to work. This is contrary to the international Equal Remuneration Convention<sup>39</sup> which calls for equal job opportunities for men and women. Despite industrial restrictions, lots of women work in the industry. For instance sections 55 and 56 of the Labour Act Nigerian women are not supposed to work late at night and also engage in under-ground job. These are discriminatory because the issue of where to work and when to work should be decided by the woman. Globally, women are restricted in one form or the other in the name of being protected. Most of these laws enacted in view of the women are actually working to their

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<sup>30</sup>M O A Ashiru, A Consideration of Nigerian Laws which are Gender Insensitive: The Female Gender in Focus (2010) *University of Benin Journal of Private and Property Law* 1(1), 90-110.

<sup>31</sup>A Anijekwu, Examine and Appraise the Discriminatory Laws against Women in Nigeria, (2020) *International Human Right UNIZIK*, @legalpediaonline.com < Accessed 16 May, 2022>

<sup>32</sup>*Timothy v Oforka* (2008) 9 NWLR (PT 1091) 204.

<sup>33</sup>*Yetunde Tolani v. Kwara State Judicial Service Commission & Ors*,

<sup>34</sup> Section 6.

<sup>35</sup> Criminal Code Act 1916 (as amended), ss 353, 360.

<sup>36</sup> Section 55 of the Penal Code.

<sup>37</sup> *Akinbuwa v Akinbuwa*.

<sup>38</sup> *Ibid*, Sections 54, 55 and 56.

<sup>39</sup> Equal Remuneration Convention (No.100) of 1951.

disadvantage. There is need to provide working flexible hours for women to meet their multitask roles as mothers, house keeps and employees. In India women work from 6 am to 7pm where as in Nigeria women work from 6am to 10pm except nurses and those in top position. There is need for laws to be reformed. The provision of International Labour Organisation Convention on hours of work 1919 provides that pregnant and breast feeding mothers should not be allowed to work overtime. Working schedule should be organised to allow pregnant and breast feeding mother sufficient rest period.

#### **Nigerian Police Act 2020**

The Nigerian Police Act is yet another discriminatory Act. It discriminates against women on the basis of their gender.<sup>40</sup> For instance the Act mandates every Police woman desirous of marrying, to first apply to the Commissioner of Police of the state she is serving, requesting a permission to marry.<sup>41</sup> She is to also furnish her would-be spouse's particulars. Permission would only be granted, if the Commissioner is satisfied that the would be spouse is a man of good character, and the Police officer must have, in addition served, the Police for a period not less than 3 years. Ironically, no such requirement is imposed on her male counterpart who wishes to marry. Furthermore, the Act provides that unmarried Police woman who becomes pregnant shall be discharged from the Force.<sup>42</sup> These regulations are clearly oppressive and discriminatory.

#### **Personal Income Tax Act 1993 (as amended)**

The Nigerian Tax Law operates under the assumption that a man is the 'bread winner' of the family and fends for many dependants, hence only married men enjoy tax exemption, this law however fails to take cognizance of the fact that there are also single mothers with dependants, and as such ought to enjoy similar tax exemptions. This unequal taxation offends CEDAW,<sup>43</sup> which guarantees equal pay for work done equally, as well as equal treatment, for both sexes. Globally, women are provided with social security benefits and unemployment benefits. On an international scale, social security pension system has undergone a lot of reforms in varying degree and dimensions. There are lots of reforms in Latin America, Europe central Asia and some African countries. Section 291 (3)

Shall be entitled to such pension and other retirement benefits for life at a rate equivalent to his last annual salary and all his allowances in addition to any other retirement benefits to which he may be entitled.

From the provision it is obvious that the law is not gender sensitive. In Kenya the Pension Act <sup>44</sup> provides for payment of pension benefits to dependants upon the death of an employee in service or upon retirement on the condition that the employee has worked for 10 years or more. This is also provided in section 41 of the Nigerian Social Insurance Trust Fund Act. In the United kingdom before 2010 the state provided for basic pension provision for women at age 60 whereas that of men is 65 years. This was changed in April 2010 where the ages were harmonized to avoid every form of discrimination.

#### **4. Enhancement of Gender Justice in the Labour Sector in Nigeria**

Nigeria has signed and ratified many international and regional treaties as earlier stated which promotes and protects the rights of women. Notwithstanding the ratification of CEDAW, its Protocol and all other international treaties, yet, these international treaties are not part of national Laws unless domesticated by virtue of section 12 of the CFRN. The Protocol on Women's Rights in Africa has also been signed and ratified in Nigeria and this hinders its applicability. Domestication is one of the challenges affecting several laws which ought to protect women in the society. However, CEDAW has persuasive influence in Nigerian law; Courts may refer to it during judgments. Non-governmental organisations (NGO) have used it as a basis of their activism in holding the government accountable for the inertia in women's rights promotion. Furthermore, Nigeria has ratified and signed the African Charter on Human and Peoples' Rights (Ratification and Enforcement) Act 1983.<sup>45</sup> A woman cannot be employed on night work in a public or any agricultural,<sup>46</sup> undertaking (with the exception to nurses and women in management positions who are not engaged in manual labour section).<sup>47</sup> Women are prevented from engaging in any underground work in any mine.<sup>48</sup> Furthermore, women are denied the opportunity of being accompanied by their spouses to their place of employment or

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<sup>40</sup> Regulations 121 – 127 of the Police Act.

<sup>41</sup> Regulation 124.

<sup>42</sup> Regulation 127.

<sup>43</sup> Article 7 of the ICESCR and Article 2 (1) of the CEDAW.

<sup>44</sup> Section 17

<sup>45</sup> E O Ekhaton, *Improving Access to Environmental Justice under the African Charter: The Role of NGOs in Nigeria* (2014) *African Journal of International and Corporate Law* 22(1), 63.

<sup>46</sup> T A O Tugbiyele, *Labour Laws and Practice*, (Lagos: T A O Tugbiyele & Co, 2012) 12.

<sup>47</sup> 55(1) of the Labour Act.

<sup>48</sup> Section 56(1) of the Labour Act.

posting in the service.<sup>49</sup> This provision is not applicable to men. Rather men who are employed in the public service in Nigeria are permitted to be accompanied to their place 'by such members of his family (not exceeding two wives and such of his children as are under the age of sixteen years) as he wishes to take with him.'<sup>50</sup> The Nigerian Drug Law Enforcement Agency (NDLEA) Act, 2002 also accentuates the discrimination of women in some of its regulations. For instance, the NDLEA Act<sup>51</sup> provides that 'All female applicants shall be unmarried at the point of entry, and shall upon enlistment remain unmarried for a period not less than two years.' Furthermore Article 5(2) provides, that all unmarried female members of staff that wish to marry shall apply in writing to the Chairman/Chief Executive, asking for permission, stating details of the intended husband.<sup>52</sup>

### **5. Challenges on Attainment of Gender Justice, Equality and Equity in the Labour Sector in Nigeria**

There are several challenges which have affected the realization of Gender Justice, Equality and Equity in the Labour Sector in Nigeria. They include lack of the necessary administrative machineries; lack of effective pressure groups (Trade union); ignorance; economic restraint; social limitation; cultural constraint; deficiency of work place democracy; lack of job security; gender inequality or discrimination of female workers; Social vices; Poverty; Vulnerability; and Inadequate education and training.

### **6. Conclusions Recommendations**

From the foregoing discourse, it is quite glaring that while significant strides have been made in many countries of the world to bridge gender gaps, and advance gender justice in compliance with the demands of International Instruments on women's right, most countries like Nigeria are still lagging behind. The need to combat all gender inequalities and countries of the world should attain gender equity and gender justice is extremely imperative in view of the numerous devastating consequences that gender discrimination has occasioned on women. How are these women going to be compensated for all these years of relegation? There is need for policy review; legislative reforms; advocacy, more sensitization and awareness; economic empowerment, empowerment of women; education; and quota and proportional representation. From the foregoing it is quite glaring that a change is most imminent and desirous in Nigeria. The UN millennium goal has re-affirmed gender equality and women empowerment as developmental goals in themselves. It has underlined their importance as a major factor of achieving all the other MDGS. The next question is, do our laws sufficiently promote and protect women in Nigeria, how can gender justice be enhanced in Nigeria in the labour sector? where do we begin and how do we start if the laws provided are really not in the favour of women. This paper therefore proposes the following recommendations as a way forward.

#### **Legal Globalization**

The failure of the Nigerian government to domesticate such an all important Legislation as CEDAW, till date, is regrettable and shows lack of serious commitment on the part of the government to eliminate gender inequality in the system. Domestication of CEDAW and all other International Instruments on gender rights will afford women activists in Nigeria stronger and wider platform to agitate for women's rights.

#### **Urgent Review of Gender Discriminatory Laws in Nigeria**

Nigerian government should endeavour to review all gender discriminatory laws that is embedded in the Constitution, Criminal code, Criminal Acts and other relevant Statute Books in order to demonstrate her total commitment to achieve gender justice in Nigeria. Law is an instrument of social change and social justice, and not an instrument of perpetration of injustice.

#### **Uprooting of all Obnoxious Traditional Practices that Impede the Rights of Women**

The Nigerian government should collaborate with traditional rulers in the local government and other stakeholders to ensure that all harmful and traditional practices which are targeted towards women are uprooted. This could be advanced through dialoguing with the traditional rulers who are the custodians of our culture; they should be made to outlaw all oppressive customary practices in their domain.

#### **Economic Enablement**

It is high time Nigerian government increased women's presence at the labour market. She should embark on initiatives to get more women into top jobs in economic decision making. There should be no form of discrimination. Where need be, female entrepreneurship and self employment should be promoted by making

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<sup>49</sup> *Ibid.*

<sup>50</sup> Section 34(1) of the Labour Act.

<sup>51</sup> Article 5(1) of the NDLEA Order, 2002.

<sup>52</sup> E O Ekhatior, Women and the Law in Nigeria (2015) Vol 16 Issue 2 *Journal of International Women Studies*, 284.

loans on lenient terms available to women. Economic empowerment of women is very imperative, if any headway is to be made in this struggle for gender equality. An economically dependent woman is powerless and voiceless, and cannot assert her rights, not to talk of seeking legal redress in Courts.

#### **Educational Empowerment of Women**

Existing Nigerian laws against trafficking of young girls as domestic servants and prostitutes should be strictly enforced. Compulsory girl-child education is a useful strategy that should be adopted to bridge gender gaps in Nigeria. Education of a girl child, in the long run, would equip her future participation in key decision making in the government and also enable her influence gender friendly policies.

#### **Overhauling of Social Institutions**

It is evident that inequalities are often rooted in social institutions. Nigerian government should therefore endeavour to overhaul and reform all institutional frameworks that limit the development of women's potentials and skills. A leaf should be borrowed from her brother country Tunisia, where such efforts are paying-off. Similarly in India, women have risen to the highest levels in politics and business in recent times.

#### **Incorporating Men in all Reform Efforts**

It is recommended that the fight against gender discrimination needs to co-opt men and boys. Previously, there has been heavy focus on women's needs, while overlooking the fact that societies based on persistent discrimination is highly advantageous to men and therefore they may be unwilling to make sacrifices in favour of women. It is therefore recommended that where necessary, men should be involved in the reform process and financial compensation made available to them in deserving cases; like in reforming discriminatory inheritance laws.

#### **Online Dialogue for the Promotion of Gender Justice**

This portal will create an avenue of reaching out to the public and it's focus should be channeled to fostering a dialogue on the importance of gender equality and gender justice. Such websites, as Google, Facebook, instagram, WhatsApp, Wiki gender, will provide an open forum to share and exchange information on the situation of women and will also encourage frank discussions on the factors that impede women's social, political and economic empowerment.