

BASES, REALITIES AND CHALLENGES TO THE RIGHTS OF WOMEN TO PARTICIPATE IN ELECTION UNDER THE NIGERIAN ELECTORAL LAWS

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Abstract

The principle that “all human beings are born free and equal in dignity and rights”¹ is at the heart of democratic systems, which have been shaped, historically by institutions, social movements and people claiming for human rights. Gender equality advocates have led and continue to lead a battle in favour of social, economic, cultural, civil and political rights, under the belief that “women’s rights are human rights.”² It was in 2015 that Saudi Arabia allowed women to vote for the first time,³ joining the majority of countries worldwide, where it is common that national constitutions and legal frameworks enshrine the right to vote of men and women in terms of equality. Most countries also recognize women’s rights to stand for election, their right to express opinions or their right to association and peaceful assembly and, therefore, women should supposedly be free and able to contribute to the political and public life. However, formal recognition of women’s political rights is far from translating into an effective participation of women in practice.⁴

In Nigeria, the historical analysis of constitution and electoral laws and processes are incontrovertibly gender insensitive. Beginning from 1922, when the first constitution in Nigeria was made to the 1999 constitution, aspirations and concerns of women, who represent majority of the population, have been undisputedly discarded.⁵ This paper examines the bases, realities and challenges to the right of women to participate in election under the Nigerian Electoral laws.

Introduction

The world of politics has for a long time been regarded as a place reserved for men. However today, there is a growing agitation for doors to open for women in politics. Today, democracy is the order of the day. Various countries are working towards women’s participation and representation in politics, even their inclusion in areas of decision making in governance.⁶ Nigerian women constitute about half of the population of the country and are known to play vital roles as mothers, producers, time managers, community organizers and social and political activists.⁷ But despite the major roles they play and their population they are yet to achieve equality between men

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¹ Universal Declaration of Human Rights (1948), Article 1.

² Beijing Declaration (1995): Fourth World Conference on women.

³ Obtainable from <https://www.unfe.org/learn-more /accessed on 25/12/2021>.

⁴ *Ibid.*

⁵ Facts and figures on women participation in politics, governance, and decision- making, obtainable online from women in politics <http:// www.online womeninpolitics.org/statistics.htm>. Accessed on 25/12/2021.

⁶ Salaam, “Democratic Socialist Movement for struggle, solidarity and socialism in Nigeria 2003, obtainable from <http://www.socialist rugers. Org/women/1-3-03.html> accessed on 25/12/2021

⁷ *Ibid.*

and women.⁸ The Beijing Conference requires every country that participated in the conference to reserve 35 percent of positions and offices to women but in Nigeria we are yet to attain it.⁹ Women are marginalized in politics because of social, cultural and religious factors.¹⁰ Nigeria politics is capital intensive and many women in Nigeria are not as economically empowered as men. The government must show their commitments by endorsing, adapting and domesticating most of the International and Regional Human Rights instruments, promoting affirmative action to develop a critical mass of women in leadership positions, setting up a central fund to assist women who are aspiring for political office, reviewing and challenging electoral processes and discriminatory practices, supporting women public leaders through an active and vibrant women’s movement to provide technical support, information and solidarity, ensuring economic empowerment of women, changing oppressive traditional and cultural practices, challenging corruption and promoting a culture of peace and non-violence.¹¹

Ex-Ray of Women Participation in Politics in Nigeria

A systematic analysis of women’s political participation in Nigeria since 1999 when the country returned to democratic rule, reveals the same pattern and trend of engagement and outcome. The National Assembly in 1999 had three (3) (2.8%) female Senator and twelve (12) (3.3%) female House of Representatives members. In 2003, four (4) (3.7%) and twenty-one (21) (5.8%) female members were elected respectively into the Assembly. In 2007 the National Assembly had nine (9) (8.3%) female Senators and twenty-six (26) (7.2%) female members of House of Representatives. In 2011, the National Assembly had seven (7) (6.4%) female members and twenty-five (25) (6.9%) female members in the lower House. In 2015, the National Assembly has seven (7) (6.4%) female members in Senate and (19) (5.2%) female in the House of Representatives.¹² These are presented in the table below:

Female Members of Nigerian National Assembly 1999-2015¹³

Year	Senate	House of Representatives
1999	3 (2.8%)	12 (3.3%)
2003	4 (3.7%)	21 (5.8%)
2007	9 (8.3%)	26 (7.2%)
2011	7 (6.4%)	25 (6.9%)
2015	7 (6.4%)	19 (5.2%)

The marginal increase of women in the National Assembly since 1999 as the table above depict is very insignificant. This has attendant implications for governance. The argument has been that few women in political decision-making authority will not be able to influence policy especially those that have gender implications. The few women in most cases are unwilling to challenge patriarchal structure of authority and domination. This explains why women access to positions of authority, when they are in a minority, is not necessarily a recipe for greater co-ordination of the interests as a whole, and it also explains why they run the risk of having their true needs subsumed into the interests associated with their membership of a particular class, ethnic group, or culture.¹⁴

⁸ *Ibid.*

⁹ *Ibid.*

¹⁰ *Ibid.*

¹¹ *Ibid.*

¹² Obtainable at www.inecnigeria.org. Accessed on 15/12/21.

¹³ *Ibid.*

¹⁴ Guzman V., *Democratic Governance and Gender: Possible linkages*, Women Development Unit, United Nations Publications, Santiago, 2004.

The presence of female representatives can contribute to “the feminization of the political agenda” that is the articulation of women’s concerns and perspectives in public debates as well as “the feminization of legislation” that is public policies are desired to take into account their effect on women.¹⁵ Most gender issues in a male dominated parliament are either overlooked or get predominantly the male gender perspectives to addressing them. In most cases, the female law maker(s) had to lobby their male counterparts to see reasons why a particular gender bill should be passed.

Table: Comparison of Women Representation in 1999, 2003, 2007, 2011 and 2015 General Elections.¹⁶

S/N		No of Av seats	No & % of women elected in 1999	No & % of women elected in 2003	No & % of women elected in 2007	No & % of women elected in 2011	No & % of women elected in 2015
1	President	1	0 (0%)	0(0%)	0(0%)	0(0%)	0(0%)
2	Senate	109	3(2.8%)	4(3.7%)	9(8.3%)	7.6(42%)	8(7%)
3	House of Reps	360	12(3.3%)	21(5.8%)	26(7.2%)	25(6.9%)	19(-)
4	Governorship	36	0(0%)	0 (0%)	0(0%)	0(0%)	0(0%)
5	Deputy Governor	36	0(0%)	2 (5.8%)	6(16.7%)	1(0.28%)	4(-)
6	State House of Assembly	990	12(1.2%)	38(3.84%)	53(5.35%)	18(1.82%)	N/A

Political participation as one of the key elements of democracy provides the justification for inclusion of marginalized groups such as women in electoral competition. Participation of women in politics will be meaningful only if the process is just, fair, permissive and level playing ground is guaranteed for possible ascension of women politically. Politics has strategic importance for women because the ultimate success of women’s movement will rest heavily on effective use of the political process.¹⁷ Women’s ability to effectively use the political process to get to political positions may increase their representation in elective positions and effect public policies.

¹⁵ Dovi, S., Making Democracy work for women? A paper presented at the Annual meeting of the Midwest Political Science Association, Chicago, 2006.

¹⁶ Oladoye, D. , ‘In Retrospective: 2011 A April polls and Gender Ranking in Nigeria (2011) <http://agora.nigeriaelections.org/readmore/22/2011/05/77>, accessed on 24 June 2011, M Omolara, ‘Participation in the 2015 General: fault lines and mainstreaming exclusion (2015) <http://General: fault lines Nigeria elections.org/readmore>, accessed on 20 October 2015, H Sogbesan , ‘Analysis: 2015 Elections hold no promise for improved Women Representation in Nigeria (2015) www.premiumtimes.org/features-and-int, accessed on 12 November 2015, 1 Eme, ‘An Analysis of Nigerian Women’s score card in 2015 polls’ (2015) [www.singaporeanjbem.com/pdfs/sg.vol4\(4\)2.pdf](http://www.singaporeanjbem.com/pdfs/sg.vol4(4)2.pdf), accessed on 17 November 2015, N. E. Akpan, ‘Men without Women. An Analysis of the 2015 General Elections in Nigeria (2015) www.inecnigeria.org/wp-content/uploads/2015/11/2015-General-Elections-in-Nigeria-Analysis.pdf, accessed on 13 November, 2015. As was cited in PC Iloka, ‘Political Participation of Women in Nigeria. A legal overview’ (2021) (9)(3) International Journal of Business and Law Research 174.

¹⁷ Lynn, N, American Women and the Political Process in Jo Freeman (Ed) Women, A feminist perspective, Second Edition, PaloAlto, California, Mayfield Publishing Company, 2000, pp 404-429.

However, it is very clear from Nigeria's experience that the political process is male dominated and men influence the process more than women.¹⁸

According to Momodu¹⁹ the issues of women's political participation and representation in politics and governance should be seen from four perspectives: access, participation, representation and transformation. Access to political institutions, participation (which includes control of power within such institutions), quantitative and qualitative representation and the end result will be social and political transformation in the polity. Women's political empowerment can be enhanced when these four conditions are fulfilled.

The view that women in politics matter is sustained by three reasons: first, politics is an important arena for decision making. Individuals who hold official positions in government get to decide how to allocate scarce resources, such as tax revenues. Politicians make political decisions that may help some people at the expense of others. Decisions by politicians often affect people's individual choices by encouraging some behaviours and outlawing others. Second, political power is a valuable good. Politicians hold power over other social institutions, such as the family...., third, holding a political position is to hold a position of authority.²⁰ Women in positions of authority and power can influence decisions on issues that bother on women and impact positively on the lives of female gender. When women do participate in governance, there is a greater chance that policies will reflect more closely the needs of all citizens. Women and men bring different perspectives to decision-making, and a lack of women in government limits the effectiveness of the state and its policies and diminishes its representational quality²¹ Increasingly, women's full participation is recognised as central to policymaking particularly those policies that affect women's lives. The three pillars of sustainable development-economic, environment and social-are relevant to discussions of gender equality and empowerment in the society. However, the social pillar of sustainable development-and its emphasis on equity and equality-is the most politically-sensitive of the three dimensions and thus the hardest to address. It involves confronting negative social trends such as growing income disparities, rising unemployment, and a persistent gender gap.²²

Can we then argue that men cannot adequately represent women's interests, needs and concerns in the legislature? There are substantive women's issues such as reproductive health, HIV/AIDS, women trafficking amongst others that require women's perspectives and orientation towards addressing them.²³

Integrating women in the political process provides women with the opportunity to discuss women issues facing challenges. Empowerment relates to the degree of representation in deliberative bodies and is often measured by the percentage of women in the Legislature.²⁴ The number of

¹⁸ Omolara ,M, "Women and Political Participation in the 2015 General elections in Nigeria. Fault lines and mainstreaming exclusion," *Journal of Sustainable Development in African* Vol. 20, No. 1 2018.

¹⁹ Momodu, R, "Intricacies of Women Participation in Party Politics" in Akiyode-Afolabi, A and Arogundade, L. (Eds.), *Gender Audit-2003 Elections: And issues in Women's Political Participation in Nigeria*, Lagos, Women Advocates Research and Documentation Centre (WARDC) 2003, pp37-62.

²⁰ Paxton, P., Hughes, M.M, and Painter, M.A., *Growth in Women's Political Representation; a longitudinal Exploration of Democracy, Electoral System and Gender Quotas*, *European Journal of Political Research*, 49, 2010, pages 25-52.

²¹ Omolara, M, *Op cit*.

²² UN women, *Gender Equality and Sustainable Development*, *World Survey on the Role of Women in Development*, United Nations Publications 2014.

²³ Omolara M, *Op cit*.

²⁴ Beer, C., *Democracy and Gender Equality*, *St. Comp Int Dev*. 44 2009, pages 212 -227.

women in the legislative house can determine the extent to which women's issues will attract the attention of policy-makers.

According to Dovi,²⁵ there are at least seven distinct arguments why female representations are necessary. The role model argument, the justice argument, the trust argument, the increase participation argument, the legitimacy argument, the transformative argument, and the overlooked interest's argument. Each of these arguments, according to her, points to a different function that representatives can have in democracies and I quote in extenso:

The role model argument contends that having female representatives improves female citizens' self-esteem. The role model argument captures how female representatives can "mentor" other females... The justice argument contends that fairness demands that men and women be present in roughly equal numbers in the political arena... The justice argument suggests that the need for female representatives is tied to citizens' sense of fairness. The trust argument focuses on the past betrayals of historically disadvantaged groups by privileged groups. Given the experiences that women have had with men claiming to represent them... The increased participation argument contends that participation rates respond to the number of women in office. Having more women in office will raise the number of women who vote, lobby, and get involved in politics.... The legitimacy argument contends that the perceived legitimacy of democratic institutions varies with the number of representatives from historically disadvantaged groups... Evaluations of representative institutions are based on who is present... The transformative argument contends that the presence of women allows democratic institutions to live up to their ideals... the overlooked interest's argument. According to overlooked interest's argument, democratic deliberations and political agendas can be improved by having female representatives in public office.

The society recognizes the value of women as voters in a democratic process, yet they are perceived as incapable of governing hence their limited acceptance to ascend the pinnacle of decision-making and participate in the power structures.

Bases and Realities to the Rights of Women to participate in Election under the Nigerian Electoral Laws.

The two major laws that govern election in Nigeria are the Constitution²⁶ and the Electoral Act.²⁷ The supremacy section of the constitution²⁸ provides that the constitution is supreme and its provisions shall have binding force on all authorities and persons throughout the Federal Republic of Nigeria. The constitution frowns at discrimination in its entire ramification. In the preamble to the said constitution, equality of all persons was emphasized. The said preamble provides as follows:-

We are people of the Federal Republic of Nigeria, having firmly and solemnly resolved to live in unity and harmony as one indivisible and indissoluble sovereign Nation under God dedicated to the promotion of inter-African solidarity, world peace, international co-operation and understanding and to provide for a constitution for the purpose of promoting the good government and welfare of all persons in our country on the principle of freedom, equality and justice, and for the

²⁵ Dovi, S., *Making Democracy work for Women? Op cit.*

²⁶ The Constitution of the Federal Republic of Nigeria 1999 (as amended).

²⁷ The Electoral Act 2010 (as amended).

²⁸ Section 1 (1) of the Constitution of the Federal Republic of Nigeria 1999 (as amended).

purpose of consolidating the unity of our people, do hereby make and give to ourselves the following constitution.²⁹

By section 1 (3) of the said constitution,³⁰ if any law is inconsistent with the provision of this constitution, this constitution shall prevail and that other law shall to the extent of the inconsistency be *void*. In the maintenance of equal status of men and women in Nigeria, Section 42 of the Constitution³¹ provides for the right to freedom from discrimination. In its sub-section (1)³² it provides that a citizen of Nigeria of a particular community, ethnic group, place of origin, sex, religious or political opinion shall not, by reason only that he is such a person be subjected to disabilities or restrictions to which citizen of Nigeria of other communities, ethnic groups, places of origin, sex, religious or political opinion are not made subject. Sub section (2) of section 42³³ provides that no citizen of Nigeria shall be subjected to any disability or deprivation merely by reason of the circumstances of his birth. The said constitution provides for qualification for elections.³⁴ From the foregoing provisions there is equality of men and women in electoral processes.

The Nigeria constitution is in tandem with the International human right instruments on women participation and gender equality in the electoral process. Women's full participation and electoral processes originates in the principles of non-discrimination and equal enjoyment of political rights enshrined in the Universal Declaration of Human Rights (UDHR)³⁵ adopted in 1948, the Convention on the Political Rights of Women (CPRW1952)³⁶ and other regional conventions that explicitly state that the enjoyment of such rights shall be without distinction of any kind, including sex or gender. A number of international human rights instruments include provisions that recognize women's political rights, in light of the principle of non-discrimination and equal enjoyment of rights.

Article 25 of the International Covenant on Civil and Political Rights (ICCPR, 1966)³⁷ enshrines the rights of all citizens to "take part in the conduct of public affairs" and "to vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the electors."

While the ICCPR establishes that no discrimination on the basis of sex is permitted in the exercise of the rights to vote and to participate in public life, the Convention on the Elimination of all forms of Discrimination against Women (CEDAW, 1979)³⁸ goes beyond this approach, by placing a positive obligation on States parties to take all appropriate measures to end that discrimination, as stipulated in Article 7 thus:

States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right:

²⁹ The preamble to the Constitution of the Federal Republic of Nigeria (1999) (as amended).

³⁰ *Ibid.*

³¹ *Ibid.*

³² *Ibid.*

³³ *Ibid.*

³⁴ See Section 106 which provides for qualification for House of Assembly. Section 131 provides for that of the president, while Section 177 provides for the qualification for the election as governor.

³⁵ Universal Declaration of Human Rights (1948), Article 1.

³⁶ Beijing Declaration (1995): Fourth World Conference on women.

³⁷ Inter-Parliamentary Union and UN Women (2019): "Women in politics 2019 Map." See: <http://www.unwomen.org/en/digital/publications/2017/4/women-in-politics-2017-map#view>

³⁸ Inter-Parliamentary Union's Women in national parliaments database. Situation as of 1st January 2019. See: <http://archive.ipu.org/wmn-e/classif.htm>

- a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;
- b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;
- c) To participate in non-governmental organizations and association concerned with the public and political life of the country.

Furthermore, Article 4 of the CEDAW encourages the use of temporary measures (TSMs) to accelerate the achievement of *de facto* equality, in light of Article 7 of the Convention.

Women's right to participate fully in all facets of public life has continued to be a cornerstone of UN resolutions and declarations. From the UN Economic and Social Council Resolution (E/RES/1990/15), to the "Beijing Declaration and Platform of Action" (1995)³⁹, the Security Council Resolution 1325 on Women, Peace and Security (2000)⁴⁰, the "Commission on the Status of Women Agreed Conclusion 2006"⁴¹ and the General Assembly Resolution 66/130 on Women and political participation (2011)⁴², governments have consistently been urged to implement measures to substantially increase the number of women in elective and appointive public offices and functions at all level, with a view to achieving equal representation of women and men, if necessary through positive action, in government and public administration positions.

Factors Limiting Women in Politics in Nigeria (Challenges)

It is clear that women are very much under-represented in issues that affect their lives. Their voices are yet to be heard and are yet to take their rightful place in politics. It is undeniable that different factors have contributed to the relegation of women to the background in Nigerian politics.

Lack of Public Acceptance:

One possible explanation for women's under representation in politics is lack of public acceptance of women in politics. Attitude of the public towards women is part of the reason few women participate actively in politics. Public attitude does not only determine how many female candidates win a general election but also directly or indirectly determine how many are considered and nominated for office.⁴³ Women who are actively participating in politics are not publicly accepted because they are seen and treated as free women⁴⁴ of easy virtues, stubborn people, whores, too domineering, and culturally rebellious et cetera. It is observed that during political campaigns, the political opponents (mostly men) used the alleged moral standing of these women against them and often insult them directly in public. Some of these women are often exposed to public shame and are socially stigmatized by both men and women. The use of negative labeling, derogatory names, abusive languages and expressions to describe women poses a big challenge to women in politics.⁴⁵

³⁹ UN Secretary-General's Report on women and Political participation (2013): "Measures taken and progress achieved in the promotion of women and political participation", A/68/184. See: <http://www.un.org/ga/search/view-doc.asp?symbol=A/68/184&Lang=E>

⁴⁰ There is a vast body of literature that explores the relationship between descriptive and substantive representation, and women's participation, including the work of authors such as Anne Pholips, Mona Lena Krook and Sarah Childs, among others

⁴¹ United Nations for LGBT Equality: Fact Sheet. LGBT Rights: Frequently Asked Questions."

⁴² See: <https://www.unfe.org/learn-more>.

⁴³ Challenges facing Women: A case study of- <https://www.reachgate.net/publications/330003336..2018> accessed on 22/12/21.

⁴⁴ In other words, they are called prostitutes or way ward.

⁴⁵ Challenging facing women, *Op cit*.

Socio-Cultural Practices:

The entrenched socio-cultural practices in the Nigeria society prevail in favour of men against women. Women are often not permitted to involve in public life from childhood via adulthood by authority figures such as husband, fathers, mothers and relations due to cultural image of a virtuous woman defined as quiet, submissive, docility who should be seen not heard because of the patriarchal nature of the Nigeria society.⁴⁶ Most Nigerians including women still believe and embrace the traditional perspectives that view women as inferior to men, second-class citizens, weaker sex, child bearers, and primary care givers and so on. Most times they feel the game of politics is exclusive to men and women who dare venture into it and those who struggle to venture are usually contented with back seat. Many women psychologically acknowledged and perceive the social stigma that politics is a “dirty game” and as such tend to wrongly perceive few women that participate in politics as arrogant and irresponsible and the society will do anything to pull them down.⁴⁷

Inadequate Education:

The lack of education and exposure among majority of the women folk in relation to the requirements or demands of political leadership is a problem incidental to women’s participation in politics. As a result of low education and professional attainment, they are poorly equipped mentally to venture into the male-dominated world of politics. Owing to lack of education, professional ability and poor leadership skills, the Nigerian women lack self-confidence, courage, audacity, will power and boldness required to aim for the highest post in political arena.⁴⁸

Unhealthy Political Environment:

This is another challenge to women’s active participation. The political terrain is a do-or-die affair and fraught with violence, maiming, assassination, threats, blackmail, intimidation, humiliation etcetera which are utilized by most men to scare women away from active participation in politics. Moreover, involvement of thugs during and after elections and the attendant insecurity such as destruction of lives and properties, fear of unknown gun men that characterized a typical electoral process in Nigeria makes politics something scaring for women. We shall use the Governorship and State Houses of Assembly election held in Nigeria on 9th March 2019 to buttress the point we are making. In that election, a member of the House of Representatives from Lagelu/Akinyelu (Oyo State) Temitope Olatoye was shot dead by suspected thugs amid the tension that followed the said elections. Temitope Olatoye was one of the 13 Nigerians that lost their lives in the violence that characterized those elections in some parts of the country.⁴⁹ Other highlights of electoral violence during the March 9, 2019 governorship and State House of Assembly elections in Nigeria include:- Six (6) people were killed by gunmen in Rivers State with two (2) of them beheaded.⁵⁰ A suspected ballot box snatcher was shot dead by soldiers as he was making away with the box from a polling unit in Ikot Udo Ossiom village, Ukanafun Council of Akwa Ibom State.⁵¹ An election observer was killed allegedly by a police stray bullet at Umuida community, Enugu Ezike, Igboeze North Local Government Area of Enugu State.⁵² In Ughelli South Local Government Area of Delta State, a gang of gunmen killed a man on a polling unit.⁵³ Two (2) persons were killed at Oba-Akoko, headquarters of Akoko Southwest Local Government Area of

⁴⁶ *Ibid.*

⁴⁷ *Ibid.*

⁴⁸ *Ibid.*

⁴⁹ Bisi, Oladele et al, Rep, Police Sargent shot dead, 11 others killed, two beheaded, **The Sunday Nation**, Vol. 13 , No. 4605, March 10, 2019 at p.4.

⁵⁰ *Ibid.*

⁵¹ *Ibid.*

⁵² *Ibid.*

⁵³ *Ibid.*

Ondo State in an attempt by hoodlums to snatch a ballot box.⁵⁴ In Ebony State, suspected thugs attacked the office of the INEC in Ezza North Local Government Area, setting it on fire. The hoodlum also burnt down community Secondary School Okposi, Umuoghara.⁵⁵ In Delta State, suspected thugs hijacked voting materials while officials of some parties were injured in some parts of the State.⁵⁶ In Kastina State, two security agents were killed while 20 electoral officials were abducted.⁵⁷ Also, in Delta State, two persons were killed in Ovade-Oghara Community, while armed thugs stormed a voting center at Okome Primary School in Oghara, Ethiope West Local Government Area, Delta State, chasing away voters and electoral officials.⁵⁸ Masked hoodlums set ablaze electoral materials at Usagbe Primary School, Ogbido in Etsako West Local Government Area of Edo State.⁵⁹ The hoodlums numbering about five were said to have emerged from the bush, shot sporadically to scare voters away from the polling unit.⁶⁰

Religion:

Religious practices are also used as powerful instruments of stereotype against Nigerian women political aspirants/politicians from active participation in politics. The Purdah system⁶¹ of the Islamic doctrine strictly bars women from participating in politics.⁶²

Right of Inheritance:

Traditionally, the patrilineal Nigerian society excludes women from ownership of landed property. The principle of male superiority is apparent in Nigeria. Generally, women in Nigeria have no right of inheritance over the property of a deceased relative, particularly in the South Eastern part of Nigeria. The issues are apparent in the case of *Muojekwu v Muojekwu*.⁶³ However the situation is changing as held in *Muojekwu v Iwuchukwu*⁶⁴ and *Asika v Atuanya*.⁶⁵ In *Asika's* case, the court upheld the provisions of the Nigerian 1999 constitution⁶⁶.

There is no gainsaying the fact that the customary inhibition of any class of females to access and/or acquire land by way of rights to inheritance or succession is detrimental to development of any nation.⁶⁷ The female should have right of disposal of any property inherited as was held in the Tanzanian case of *Ephraim v Pastory & Anor*⁶⁸ that a woman has a right to any parcel of land inherited by her to transfer in commercial transaction. Men who inherited clan land sell same as and when necessary.

The effect of denial of land to the women folk can be economic, social and psychological. Women are responsible for most food production in developing countries. There is stark poverty in the country especially amongst the females. Many women suffer psychologically due to the non recognition of women's rights to land by most customs. It breeds insecurity among women and

⁵⁴ *Ibid.*

⁵⁵ Apathy, Killings mar Governorship, State Assembly Polls, **Sunday Vanguard**, Vol. 24, No. 15940, March 10, 2019, p.3.

⁵⁶ *Ibid.*

⁵⁷ *Ibid.*, at pp.3 and 5.

⁵⁸ *Ibid.*, at p.5.

⁵⁹ *Ibid.*, at p.6.

⁶⁰ *Ibid.*

⁶¹ That is house seduction of women.

⁶² Challenging facing women, *Op cit.*

⁶³ (1997)5 NWLR (Pt. 567) 208.

⁶⁴ (2004)1 NWLR (Pt 883)190.

⁶⁵ (2008) 17 NWLR(Pt 117) 11.

⁶⁶ Constitution of the Federal Republic of Nigeria 1999 (as amended), sections 42 and 43.

⁶⁷ O. Ikepeze, Gender Dynamics of Inheritance Rights in Nigeria, Folmech Primary Publication Co, Ltd Onitsha, 2009, 95.

⁶⁸ (1993)LRC 231.

exposes them to self-pity and lack of confidence, and frustrations and this in effect affect their political ambition and participation, because political campaigns are highly monetized.

Male Dominated Political Party:

Women mostly play “cheerleader role” in politics. Women are the enthusiastic supporters. Most women were content to cheer contestants of the opposite sex to victory. Women need to redefine their role in the polity, women are being used for electoral campaigns, they sing praises of men and when they got elected, they forget that these women have a role to play in their policy formation. The biggest challenge of women in politics and in intra party elections is the domineering and want-to-be-head nature of men, they hardly give room for women to participate. This can be a big discouragement to women. Our Electoral Act needs urgent amendment to reserve at least Thirty five percent of political seats and appointment to women. Our male-biased world creates a barrier to women participation, for instance in politics, Nigeria women are under-represented in the political, economic and social spheres of national life. In the political terrain, women are both under represented and misrepresented. Men create unnecessary hurdles, purposely to make life difficult, if not impossible, for women. Women politicians are often looked upon as prostitutes. Political meetings hardly commence before 12 midnight just as to deter women from attending such meetings.

Lack of Support from Fellow Women:

Jealousy and envy among women are manifested in the way women condemn female politicians by calling them names and assassinate their character. Women need to support one another and work together to achieve collective empowerment in the face of a male dominated society. The women should unlearn all the negative ideologies they have unconsciously imbibed from the societal values through their upbringing in a male dominated society. Some women have been made to be haters of themselves and they do not know that they are fearfully and wonderfully made and they underrate the capability and leadership potentials they possess.

Lack of Fund:

Politics in Nigeria especially seeking elective position is expensive requiring huge financial involvement and solid financial backing. Generally, the relatively pathetic poor financial disposition of most women is a critical challenge which mostly accounts for poor participation in politics and political defeats in elections. In spite of concession granted by some major political parties which lowers the cost of obtaining party nomination forms for women into elective office, the prize of achieving electoral goals is still farfetched from the reach of the most esteemed women in the absence of “a godfather” who foots the bill in exchange for unlimited favour when the seat is eventually secured. Considering financial backing, the godfathers and other financiers of politicians in Nigerian prefer male political aspirants to female ones based on the societal value assumption and political activities are masculine and male candidates are believed to stand a better chance of winning elections. The physical difference between men and women gives a high plausible explanation to male domination even in politics. Men are physically heavier, taller and stronger than women to mandate their will via violence. Women, on the other hand, are vulnerable because of their role in child bearing and nursing. In addition, discrimination and subjugation of women are further enforced by custom, traditional practices, beliefs and the laws are some of the factors militating against the female gender.

Guiding Principles in ensuring Women participation in Politics

Around the world, a wide range of strategies is used to promote gender equality and women’s participation in the electoral process. Despite the variety of approaches, there is a need for general principles and policies to enhance effective, meaningful and equal participation of all genders in politics and elections.

a. *Human rights-based approach:* The human rights-based approach helps identify inequalities, discrimination and unbalanced power relations in the electoral process. Based on

human rights principles, this approach emphasizes the participation in the electoral process seek to fulfill the civil and political rights of all people, regardless of their gender identity, helping them overcome barriers and leveling the playing field in politics.

b. Inclusion: Recognizing the value of diversity is key to ensure that electoral processes are genuinely democratic and leave no one behind. All relevant stakeholders should be able to fully participate in elections without discrimination or violence, regardless of their gender identity, ethnicity, sexual orientation, class, age, disability status and religion, among other conditions.

c. Participation: Through a number of participation mechanisms, men and women are empowered to play an essential role in their own development and also in their communities. Constructive participation strategies in the electoral process comprise a wide range of activities, including voting, standing as a candidate, expressing opinions, supporting political parties and candidates

d. Transparency: Strategies promoting gender equality and women's participation in elections should be clear and open, and the process needs to be understandable for all parts involved. Stakeholders should take responsibility for their actions and be held accountable.

e. Impartiality: Acknowledging the political nature of the electoral process, actors promoting gender equality and women's participation should not takes sides in favour of political parties and contestants. When pursuing the goal of gender equality, they should be able to work with men and women from all ideological backgrounds and party lines, treating them equally and fairly without giving advantage to any tendency. This guiding principle may present the exception of stakeholders with a strictly political nature, such as political parties, contestants and activists.

f. Integrity: The behaviour of actors seeking to promote gender equality and women's participation in elections should reflect high ethical standards. When they abide by the principles of transparency, accountability, fairness and impartiality, the credibility of gender work is often strengthened and trust among partners and the public tends to increase.

g. Effective collaboration: Stakeholders working to promote inclusive electoral processes need to join forces and ensure an effective and sincere collaboration, in order to avoid gaps and overlapping in gender equality programming.

h. Do no harm: When advocating for gender equality in the electoral process, stakeholders need to be aware of existing social and conflict dynamics, in a way that their actions do not end up harming involved stakeholders or undermining their rights in any way. This is of the utmost importance when working with LGBTI communities in highly hostile environments.

Conclusion

Politics is not a mystery too complex for the human mind to understand. The view that politics is a dirty game for women to participate in should be debunked with its proponents. Politics shouldn't be tagged dirty while the other aspects of national life such as the economy, sports, law, medicine are considered clean enough for women to participate in. In Nigeria despite global campaign for gender equality, women's political representation has failed to achieve the thirty percent women representation in the State. It is therefore expedient that any corrective measure adopted to address the low participation of women in Nigeria politics will only be superficial unless the nation's social-economic, cultural, political factors that limit women empowerment are decisively addressed and most importantly our enacted laws must be amended to incorporate at least fifty percent of women representation that must be compulsorily be adopted by all political parties in Nigeria.