

CLOSING THE GENDER GAP IN THE WORK PLACE: A PANACEA TO SOCIETAL DEVELOPMENT

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Abstract

Gender equality is a necessitating component towards attaining overall institutional and social development, which in turn brings sustainable development and advancement in any forward looking economy. The problem of gender inequality is more prominent in developing countries and despite government resolution to address this menace, it still persist due to societal limitations, persisting cultural stereotype, religion, patriarchal social structures and barbaric traditional norms which allow men to dominate almost all circular, political and economic facet of life. Inequalities have over time manifested in all facets of development with multiplier effects on economic advancement .This article analysed the challenges and issues of gender discrimination in the workplace in Nigeria in line with international best practices, its effect on the output/performances of women in the society .It brings to the fore the effect of customs and religion alongside general principles as an overreaching framework, the specific obligation of states to eliminate discrimination against women as the abuse on women's right is persistently on the increase. It recommends that anti-discrimination and gender equality bill should be on the front burner of government policies and discourse. Incorporating the right based approach as an antidote to repugnant cultural norms which constraints the realization of women's right generally.

Introduction

Gender discrimination deprives women of their rights as persons even when states have domesticated laws stating equality of all persons in the land irrespective of their sex, status or educational level¹ . This act of discrimination truncates the right to self-determination which is universal in the sense that it applies to all persons and was not intended to be limited to a particular sex. It further violates the principles of human rights, which are legal rights in municipal and international law. These rights are inalienable rights to which a person is inherently entitled simply because he or she is a human being. They are non-discriminative universal rights which are not extinguishable by derogations². These rights are inherent in all human beings regardless of their nations, location, sex, language, religion, ethnic origin or any other status. Pursuing gender equality and women's economic empowerment is not only important from the perspective of realizing women's rights but it also enhances the economy and societal development. Women are key agents of change and when women and men are at par, there will be developmental structures, and societal development.

Despite the much clamoured gender balance by major stake holders canvassing for women equality like the National Gender Policy and its Strategic Implementation Framework which emphasis the significance of mainstreaming gender perspectives within the educational sector by ensuring that adult women and girls gain access to education. Societal limitations, traditional norms and values has over time placed upon women the “ stay away” syndrome thus limiting their potentials and resorting to specific set of occupation. The result of this is that the woman who is a pipeline engineer is seen as being unfit to access the broken barrels in the basement, she becomes voiceless in her field even when she is well knowledgeable in that field. She is made to work under a man, maybe as an assistant. This discrimination has consistently placed men in control over opportunities and power structure. Nigeria is a state party to several international human rights legislation that requires state parties to show due diligence in preventing and responding to

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¹ Section 42 (1) 1999 Federal Republic of Nigeria Constitution (as amended)

² Igwe O.W, Preliminary Studies in Human Rights Law, 2nd (Lagos: Rings and Favolit Ltd, 2002) Pp2-3

violation of women's rights in all ramifications, but societal discrimination and cultural barriers has hamstrung its realization.

In 1967, the United Nations member state adopted the declaration on the elimination of discrimination against women, which states that discrimination against women is an offence against dignity.³ Despite some advancement over time on gender equality at the workplace, this still remains an elusive area in some countries as women are continually faced with discrimination in all areas of life despite their academic attainment. The disparity in educational attainment, in favour of men and gender stereotypes in the society are some of the key factors linked to the sex differentials in employment in Nigeria, prompting societal development through gender equality implies the efficiency of institutional restructurings, economic policies and dynamic procedure measures that promotes greater equality between women and men. Curbing the challenges of gender stereotypes is fundamental to shaping principle of societies, which often directs the pattern of existence. Recently, the issue of gender parity has been on the front burner of public discourse as greater focus is placed on women's roles and functions in the society, hence the thirty five percent affirmative action aiming at increasing female participation in the workforce and the development of the female human capital, by allowing women to be at par with their men counterpart economically. This attempt was voided by the Nigerian 8th Senate⁴ when its members opposed the bill at its second reading raising the issue of incompatibility of gender equality with religion and beliefs. Regrettably, they ignored the view that harnessing women's potential as economic actors, leaders and consumers will bring advanced development and continuous growth rates.

The Gender Gap in the Work Place

What is The Gender?

Gender is the dissimilarity between men and women initiated on culturally and socially constructed principles,⁵ it is not the same as sex (biological characteristics of women and men). Gender is determined by the conception of tasks, functions and roles attributed to women and men in society.

Gender politics have destabilized the active involvement, positioning and the role of women in the work place. This segregation on the grounds of sex have relegated and pushed aside many untapped potentials in women as government developmental plan action has been insensitive to this plight irrespective of the International labour organization's goal which aims at promoting equal opportunities for women and men, with fairly paid productive work carried out in conditions of freedom, equity and human dignity.⁶ According to International labour organization, gender equality is a critical component towards achieving its strategic objectives.⁷ In its circular⁸ on equality between men and women, they emphasised the need for "mutually reinforcing action" to promote gender equality by closing the gender gap in the following areas:

³ Article 1 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 , described as international bill of rights for women.

⁴ Gender Equality Bill Fails in the Senate. <http://www.loc.gov> accessed 9 January 2024

⁵ Oxford Living Dictionary. <http://www.oxforddictionaries.com> accessed on 9 January 2024.

⁶ <http://www.ilo.org> accessed on 9 January 2024

⁷ International Labour Organization Bureau for Gender Equality. <http://www.gender@iol.org> accessed 9 January 2024

⁸ International Labour Organization Director General circular NO.54 1999. <http://www.iol.org> accessed 2 January 2024

Employment:

Work base rights should be adhered to strictly by eliminating all forms of discriminatory employment practices emanating from social cultural factors against women like low quality work in vulnerable condition and enforcing the principle of equitable representation of both sexes is key to closing the gap. Notably, employing women globally is challenged by occupational segregation despite the educational advancement and enlightenment on the essence of curbing inequalities in the work place. The way forward is enacting national instrument cautioning patriarchy, gender disparity, domestication of international labour laws standard, Ratification of ILO Convention on equal treatment for men and women workers will aid in reducing inequality.

Wages :

Women's disadvantage in the waged labour force show cases not just inequality in the workplace, but also an unimpressive imbalanced in access to influence and funds. Unfortunately, gender pay gap has remained an ugly reality despite the substantial improvement made in respect to gender parity in education. Women workers do not stand at par with their men counterparts in economic opportunities. The gap in women wages continues to widen on daily basis, the growth in prosperity is not equitably distributed along gender lines⁹, this contributes to disadvantaged women's socio economic position. Wages differentials is a major challenge faced by women especially in a male dominated profession as women are often crowded in a particular section of the profession with excuses of the restrictive characteristics of the woman nature. Globally, women earn about twenty percent lower than men colleagues doing the same kind of job thus contravening the provision of International Labour organization.¹⁰ It is obvious, that economic advancement of women, both skilled and unskilled will enhance the neighbourhood economic growth, hence the need to achieve equal pay for work of equal value.

Professional leadership

The irrepressible effect of pervasive cultural, religious, gender bias and sexism has been an unpleasant feature of the workplace. Work place sexism is an enduring challenge faced mostly by women in their attempt to get to the echelon of leadership in the workplace. This causes a kind of bias that can truncate decisions making in progressive organizations. Promoting policies and training that advanced gender equality would significantly reduce sexism in its most insidious form.

Empirical data¹¹ shows that gender gap persist globally, educationally, politically, economically and socially. Women remain underrepresented in managerial positions in the public sectors rather they are mostly engaged in vulnerable employments which are characterised with instability. In enhancing societal development, female advancement in professional leadership, especially science and technology will pave a path for women in a male dominated field, where they will get involved in creating the content.

Why Close The Gender Gap in Nigeria?

Gender parity is a vital aspect which contributes to the economic development of a nation. The United Nations Population Fund¹² sustains that economic growth and social equality are

⁹ World Employment and Social Outlook: Trends 2017 (Geneva) ILO Global Wage Report 2016/17. p2 <http://www.ilo.org> accessed 9 January 2024.

¹⁰ International Labour Organization; Equal Remuneration Convention 1951 (No.100) <http://www.ilo.org> accessed 9 January 2024

¹¹ Gender Inequality. <http://www.undp.org> accessed 10 January 2024.

¹² Creating A Successful Interaction Between Social and Gender Development. <http://www.un.org> accessed 10 January 2024

inseparable. They opine that gender inequality truncates individual growth, society advancement and economic development of a country. Gender based disparity remains an odious regular practice in our society till date. It makes the female fold feel less human, inferior and further affects the economic output of the effected woman who is placed in a disadvantaged position.

Closing the gender gap in Nigeria is a work in progress although long overdue and truncated by the country's failure to domesticate and align with the mandate on the Elimination of all forms of Discrimination against Women (CEDAW)¹³ which is the most comprehensive human rights instruments protecting women from all forms of discrimination. The decision of CEDAW is a mere paper work in Nigeria which amounts to nothing as its breach cannot be redressed in any court of law in Nigeria because it has not been domesticated. The Constitution of the Federal Republic of Nigeria¹⁴ states that:

“No treaty between the federation and any other country shall have the force of law except to the extent to which any such treaty has been enacted into Law by the national Assembly”

Nigeria being a leading African state party to the convention¹⁵, and has consistently complied with article 18 of CEDAW convention on submitting statutory report is faced with a challenge of domestication and enforcement¹⁶. This failure remains a concern on the extent of the nation's commitment towards curbing the menace of inequality, ending sexism and closing the gender gap in the nation's institutional structures¹⁷. The issue of little or non-involvement of women in the country's institutional structure remains a major discourse. The few women who struggle their way through the hierarchy are faced with chauvinistic pressures to conform to outmoded gender roles, where women were only seen as home keepers and also treated as chattels belonging to the man. Strengthening the obnoxious structure of gender inequality and the need to equate the balance between men and women as key actors in societal development cannot be over emphasised. Quite discouraging though, that at a time like this, the Nigerian Senate has failed in its role to treat women as described in its Constitution¹⁸. The Nigerian senate deemed it unnecessary to promote gender equality, when in 2016, a simplified version of the Gender and Equality Bill meant for second reading in the Senate, and was referred to the committee on judiciary, human rights and legal matters. The first bill put forward six months earlier, which included equal rights for women in marriages, divorce, property ownership and inheritance, was voted down¹⁹. That bill²⁰ was rejected because members of the upper arm of parliament were of the opinion that “enacting a law to accord women equal rights with men was un-African and anti-religious.

The convention on the elimination of all forms of discrimination against women²¹ has encouraged nations to transform the cultural and social pattern of comportment of its citizens with the aim of

¹³ 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, described as international bill of rights for women.

¹⁴ Section 12 (1) of the 1999 Federal Republic of Nigeria Constitution (as amended)

¹⁵ Convention on the Elimination of all forms of Discrimination against Women (CEDAW) Ratified in 1985 without Reservation by Nigeria.

¹⁶ Section 12(1) of the 1999 Federal Republic of Nigeria Constitution (as amended)

¹⁷ Committee on the Elimination of Discrimination against Women examines the reports of Nigeria. Geneva July 14 2017. <http://www.reliefweb.int> accessed 10 January 2024.

¹⁸ Section 42 (1) (2) of the 1999 Federal Republic of Nigeria Constitution (as amended)

¹⁹ Gender Equality Bill Fails in the Senate. <http://www.loc.gov> accessed 10 January 2024

²⁰ The Gender and Equal Opportunities Bill 2016 (S.B.2016)

²¹ Article 5 of the convention on the Elimination of all forms of Discrimination against Women (CEDAW) adopted by the United Nations General Assembly in 1979 and ratified by Nigeria in 1984; Article 18 of the African Charter on Human and Peoples' Rights (Enforcement and Domestication) Act Cap 10, 1990.

eradicating disparity and dominance and the stereotype roles in the society Globally, women lack the support system as a result of the different cultures and beliefs which considers women as subordinate to men. The need to close these gaps was further sustained by the Supreme Court²², when it franked at the repugnant Igbo customary law which disentitles a female child from partaking, in the sharing of her deceased father's estate. The apex court in it submission held that such discriminatory customary law was in breach of the provision of the constitution²³ of the Federal Republic of Nigeria. The said discriminatory customary law is void as it conflicts with section 42(1) and (2) of the Constitution.

From the foregoing, it is obvious that endorsing women's parity at all levels enhances economic empowerment and other developmental outcomes. Hence the need to close the gender gap by doing the following:

- Evoking changes in policies that are discriminatory
- Ending questionable unpleasant business practices
- Chauvinistic attitudes
- Eradicating odious socio-cultural norms
- Correcting the disadvantageous manner in which women are being discriminated at workplace (Gender based Disparity)

Once this is corrected there will be increase in the economic participation and advancement of women in order to unlock the associated economic benefits.

The Effect of Gender Discrimination on Societal Development.

The fact that gender gap persists suggests that the underlying constraints are still inadequately tackled in governmental policy strategies and programs. These in turn further undermine societal advancement productivity and economic sustainability. Gender discrimination is a prevalent global phenomenon faced by women in their attempt to access the labour market. Being a widespread practice, faced by women in all facet of life, women are discriminated against in several ways; socially, educationally, politically and economically. Women with equal academic qualification with men who by luck get paid employment are mostly faced with "gender wage-gap" this discourages female labour force participation, with a direct negative effect on output and much will be lost in gross domestic product due to lack of gender inclusiveness, as women are naturally endowed with strength for multi-tasks and entrepreneurship which brings about employment creation, economic development and domestic savings. This enhances social and political stability.

Importance of Gender Equality in Nigeria

Gender inequality remains prevalent globally till date, notwithstanding the significant enlightenment made in recent time on the essence of gender parity and its influence on economic and social advancement. Generally, in developing nations of the world, there is hardly any gender balance; women are mostly affected by the disadvantageous uneven gender distribution.²⁴

The importance of gender equality and women's empowerment, particularly women's economic empowerment, should be at the core of Nigeria's mandate. Enhancing the role of women as drivers of poverty reduction, promoting female investors and entrepreneurs, and recognizing the link

²² Ukeje v. Ukeje [2014] LPELR-22724 SC

²³ Constitution of the Federal Republic of Nigeria Section 42(1) (2).

²⁴ David Dollar & Roberta Gatti, "Gender Inequality, Income and Growth: Are Good Times Good for Women?" Vol.1 (1999), Policy Research Report On Gender and Development Working Paper Series 1. Pp.3-6 www.worldbank.org

between gender equality and safeguarding the environment will promote all-encompassing and sustainable development, and directly contribute to enhancement of the society, innovation and substructure. Educating and empowering women and girls have a multiplier effect on productivity, efficiency and economic growth of the nation. Economically, strengthening women who are the largest untapped resources in the world is not only a means of spurring inclusive societal advancement. It is also a matter of advancing women's human rights

Summary

It is a reputable statement that women's empowerment is crucial to the socio-economic and political development of a nation. It will therefore be worthless, if the gender that constitutes half of the population of the world do not have access to education, healthcare and employment. It is evidenced from discoveries from countries and reliable organizations such as World Bank and the United Nations that gender equality correlates absolutely with national economic growth. Gender friendly countries witnesses' better economies that are more competitive and fast growing. Hence, eliminating societal obstacles hamstringing women empowerment motivates economic growth. Summarily, having examined the relevance of empowering women and the various barriers to women empowerment in developing countries, the articles posits that patriarchal structure plays a pivotal role in downplaying women empowerment. It is obvious generally that women empowerment can only be attained if the patriarchal structure is altered or reengineered to enhance equality.

Conclusion

Although discrimination is a persistent feature in the workplace globally, its prevalence in developing countries like Nigeria is quite alarming. In order to encourage opportunities for women and men to get productive and decent work similarly, the international Labour organization has equality as its prominent instrument. It opined that eliminating all forms discrimination in respect of employment is a responsibility for all member states, whether or not they have ratified the applicable resolution.²⁵ Female workers are more frequently in vulnerable and informal jobs than male workers; more frequently without access to social protection benefits. While an overall gender equality policy is essential for promoting equal pay, it cannot be achieved without equal pay for work of equal value. It is long known situation that gender inequality in Nigeria is influenced by structural constraints, obnoxious culture's and beliefs which are not in tandem with the doctrine of fundamental human rights²⁶. According to H.E. Ms. Inga Rhonda King, Ambassador and Permanent Representative of Saint Vincent and the Grenadines,

“It is people who create culture and therefore it is people who must change cultures when necessary to ensure that there is gender equity in our social and economic development”²⁷

Despite its enshrinement in the constitution of the Federal Republic of Nigeria, which constitutes the supreme legal norms and fundamental objectives, these rights have remained mere theoretical ideas without any form of enforcement. Although the constitution itself is not gender friendly as some sections are characterized with gender biased language. It indirectly deprives women of their right to equal eligibility of citizenship to foreign spouses of Nigerian women²⁸ but a Nigerian man can transfer his citizenship to his foreign spouse

²⁵ International Labour Organization (1998) “Labour Rights, Human Rights” vol.137, No2 Pp253-257

²⁶ Sec 42 of the 1999 Federal Republic of Nigeria Constitution (as amended)

²⁷ Creating a Successful Interaction between Social and Gender Development. www.un.org accessed 10 January 2024

²⁸ Section 26 (2) of the 1999 Federal Republic of Nigeria Constitution (as amended).

The article opines that Nigeria should have explicit legislation against gender discrimination in our work place. Providing equal opportunities within the workforce will accelerate a woman's career. Organisations should create a flexible environment for women to contribute effectively at work, eliminate barriers against women working in certain sectors or occupations to increase output. Addressing equal pay for work of equal value also requires empowerment of women to organize and raise their voices in the larger social context. Women participation is fundamental to inclusive governance without which, good governance and economic development will remain impossible.

Recommendation

It recommends that anti-discrimination and gender equality bill should be on the front burner of government policies and discourse.