



Human rights and dignity of Nigerian women: The imperative for sustainable peace and development

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Abstract

In most states in Nigeria, women have been systematically discriminated against for several decades and this has affected their mental and emotional stability. It has also impacted negatively on the attainment of Sustainable Development Goals. A large number of Nigerian women experience violence, discrimination, and social exclusion on a daily basis. While the nation is prospering economically, the exclusion of women in the daily administration of the country has retarded the expected growth. The situation of Nigerian women needs special attention as they are daily brutalized, maltreated and dehumanized. They have been made poor by virtue of certain cultural beliefs which inhibit women from gainful employment. Consequently, Nigerian women have less power within the Nigerian society. Although they are active in large numbers, most leadership positions in the organizations, and political positions at local, state and national levels are often held by men. If the assertion that women are the first a child has to go by, there is need for urgent steps to be taken to ensure that violence against women and girls, including domestic violence, marital rape, and all forms of sexual abuse, constitutes a criminal offence, whether committed inside or outside the home while the perpetrators are prosecuted, punished and rehabilitated.

Keywords: Nigerian, women's, human rights, SDGs

Introduction

The distribution of Nigerians by gender have placed the Nigerian women in a disadvantaged position and made them vulnerable. Nigerian women experience endemic gender discrimination and violence has become the outcome of severely imbalanced social, economic and political power equations. Their socio-economic vulnerability and lack of political voice, when combined with the dominant risk factors of being a Nigerian and a female, increase their exposure to potentially violent situations. While, simultaneously reducing their ability to escape, violence against Nigerian women presents clear evidence of widespread exploitation and discrimination against these women subordinated in terms of power relations to men in the society. Violence and inhuman treatment, such as sexual assault, rape, and naked parading, serve as a social mechanism to maintain Nigerian women's subordinate position in society. Human rights abuses against Nigerian women are mostly committed with impunity. Police personnel often neglect or deny Nigerian women of their right to seek legal and judicial aid. In many cases, the judiciary fails to enforce the laws that protect Nigerian women from discrimination and abuses. Most women have lost their lives during abuse either from their close relations or members of the community where they live. If not stopped, the continual abuse and relegation of Nigerian women portend great danger to sustainable national peace and development.

Conceptual Definition of Human Rights

At its most basic level, a human right is a safeguarded prerogative granted because a person is alive. This means that any human being granted personhood has rights by virtue of species membership. And a right is a claim to something (by the right holder) that can be exercised and enforced under a set of grounds or justifications without interference from others. The subject of the right can be an individual or a group and the object is that which is being laid claim to as a right. Human rights are therefore those rights that every human being possesses and is entitled to enjoy simply by virtue of being human. At the 1993 World Conference on human rights, governments reaffirmed in the Vienna Declaration that human rights are the birthright of all human beings and that the protection of human rights are based on the fundamental principle that all persons possess an inherent human dignity and that regardless of sex, race, colour, language, national origin, age, class, or religious or political beliefs, they are equally entitled to enjoy their rights. The 1993 World Conference also specifically recognised the human rights of women and the duties of States to protect and promote such rights, including the right to freedom from violence.

A human right can also be viewed as a moral right held unconditionally and unalterably by all and only human beings. Human rights are often said to belong to persons already, prior to and independently of legislative enactment. In the same vein, According to Oputa JSC, some rights are inalienable as they attach to the human

person and form an essential part of his/her humanhood. To deny any human being (be he a man or be she a woman) such rights will be at best to distort his or her humanhood and at worst to destroy that which is most essential to us as human beings – our humanity. Human rights are therefore frequently held to be universal in the sense that all people have and should enjoy them, and to be independent in the sense that they exist and are available as standards of justification and criticism whether or not they are recognized and implemented by the legal system or officials of a country

Major Challenges Facing Nigerian Women

Domestic violence

A recent public opinion poll conducted by NOI Polls Limited in partnership with Project Alert on domestic violence (August 2016) revealed an increasing prevalence of domestic violence across Nigeria in recent times. This prevalence was indicated to be at the highest increase in the South- West geo-political zone (86%) and lowest in the South-South zone (70%). Furthermore, this poll revealed that 54 % of Nigerians have suffered a form of domestic violence or know someone who has experienced domestic violence in their homes with the majority of the victims being women (Omojekwu, 2004).

Among the forms of violence are rape, abuse, acid attacks and corporal punishment which in most cases lead to death. Domestic violence remains largely underreported for several reasons. These include the fact that there is a culture of silence, resulting in cases of violence (sexual and physical abuse) not being reported to the police for fear of being victimized and stigmatized. In most rural communities, it is considered a taboo to involve the police in family matters and in the urban settlements there is the fear of stigmatization and family honor. Moreover, survivors of domestic violence are usually turned back at police stations on grounds that it was a family affair, thereby denying any further opportunities for prosecution. Rape cases are mostly charged to court as “gross indecent act” to an Upper Area Court, which does not have the jurisdiction to hear a rape case. This is not limited to Nigeria as it spans across the length and breadth of Africa. In Sierra Leone, women and adolescent girls suffered beatings, food deprivation, and physical and sexual torture if they resisted rape by armed groups. In Uganda, women and adolescent girls captured by the rebels “were routinely raped by numbers of rebels and any reluctance or attempt to resist usually meant summary execution”. Throughout the genocide in Rwanda, the rape and mutilation of women and girls by opposing groups was carried out, not only as an attack against these females, but as a means to exercise power over and demoralize the men in the women’s family, clan and ethnic group. Rape may be used to forcibly impregnate women and adolescent girls. In Bosnia and Herzegovina, rape, sexual violence and forced pregnancy were used as a form of ethnic cleansing. In some cases, forced pregnancy is a deliberate strategy of the armed forces to destroy ethnic groups, with women and adolescent girls being held against their will and repeatedly raped until they conceive, as in Bosnia, Herzegovina and Rwanda.

Threats to the personal safety

Civilian women and girls face different risks and dangers in armed conflict compared to those faced by civilian men and boys. There is a growing literature and attention to sexual violence and rape as a strategy of warfare. However, there are other forms of violence and security and protection issues that are important in conflict situations. As has been noted by the International Committee of the Red Cross (ICRC): “The fact that generally, women do not go off to fight and largely remain unarmed and unprotected at a time when traditional forms of moral, community and institutional safeguard have disintegrated, and weapons have proliferated, leads to women being particularly vulnerable during wartime”. Women and men often do different types of work, frequently as a result of prescribed gender roles, and may be exposed to different threats through this work. In Nigeria, women are mostly responsible for the care and nurture of the family and thus shoulder heavy burdens. Collection of firewood or water often puts young village girls and women at risk of dangers, which include kidnapping and sexual abuse.

They have been targeted for being educators and for their roles as cultural symbols of their communities. They have been tortured as a means to attack the men in their lives, whether fathers, husbands, sons or intimates, rather than on account of their own actions or public identity. The torture of women and adolescent girls has been carried out to violate the victim’s sense of herself as a person and as a woman.

Trafficking in women and girls

The International Organization for Migration (IOM) estimates that, in 2001, between 700,000 and 2 million women and children were trafficked across international borders. There is increasing evidence that a significant amount of this activity is associated with armed conflict. Trafficking in human beings involves the recruitment, transportation, transfer and harbouring of persons for the purpose of exploitation, including prostitution, sexual exploitation, forced labour and slavery. Trafficked women and girls face severely compromised physical and mental health, in particular reproductive health problems due to rape, sexual abuse, STDs, including HIV/AIDS, trauma and unwanted pregnancies. The conditions that push women and girls into forced labour, trafficking and other forms of exploitation stem from a combination of internal and external factors. Pre-war systems of gender inequality, war economies, criminal syndicates, and the destruction and destabilization of livelihoods combine to place women and girls at high risk of trafficking. Trafficking is fostered by transition, instability, poverty, disintegrating social networks, and disintegrating law and order in sending, transit and receiving countries. Corruption contributes to trafficking. The inefficiency, as well as the complicity of the law enforcement agents

in some countries, allows traffickers to function since they do not fear arrest, prosecution or conviction. Women and girls are also trafficked within and across borders to sexually service combatants. In some cases of international trafficking, women and girls are sold into camps of rebels or soldiers.

Human Rights of Nigerian Women

Civil and political rights

Nigeria is a Party to the International Covenant on Civil and Political Rights. Based on this treaty, the Government of Nigeria has an obligation to make sure that Nigerian women can enjoy a whole range of human rights, such as the right to life, freedom from torture or cruel, inhuman or degrading treatment or punishment, freedom from slavery, the right to be equal before the court, the right to recognition as a person before the law, the right to privacy, the right to marry only with free and full consent, and the right to take part in public affairs. The life and dignity of Nigerian women depends on the realisation of these human rights. An essential precondition for the realisation of civil and political rights of Nigerian women is contained in Article 24 (2) of the Covenant which provides that every child shall be registered immediately after birth. In Nigeria, 46 % of all children are not registered. There is also no system of registration of marriages conducted locally in most suburbs. This is not only a barrier for the realisation of civil and political rights; it also prevents the protection of Nigerian girls from sexual exploitation and trafficking, child labour and forced and early marriages.

Economic, social, and cultural rights:

The treaty of International Covenant on Economic, Social and Cultural Rights (ICESCR) not only identifies a range of economic, social and cultural rights, but it also requires that all people have these rights, without discrimination. The treaty also discusses the ways in which states must work to realise the rights. The rights outlined in the ICESCR include the right to work and to just and favourable conditions of work, and to form trade unions, the right to social security, protection of the family, the right to an adequate standard of living, including food, housing human rights.

Rights to quality education

After legal implementations, Human Right to Education is perhaps the second most important means to a realisation of human rights. There are several international documents that confirm the importance of girl child education (Coomans, 1999). These documents oblige states to promote women education at all levels of the educational system. UN and UNESCO and others have developed guidelines for women rights to education; commonly there are three keywords, that is, skills, knowledge and attitudes. These are the main goals for human rights education, leading to the fourth keyword, action.

“Human rights to education encompasses:

- a. Knowledge and skills – learning about human rights and mechanisms for their protection, as well as acquiring skills to apply them in daily life.
- b. Values, attitudes and behaviour – developing values and reinforcing attitudes and behaviour which uphold human rights.
- c. Action- taking action to defend and promote the rights of women” (2005, United Nation General Assembly; Art. I A 4)

Education here is more than learning or an introduction into principles. It is expected that schools should be places where the girl child learn principles and put them into practice. Regrettably there is still a belief among some Nigerians that training a girl child in school amount to waste of resources. This is based on the premise that female children will eventually grow up and be married to another man. Similarly, there is also a belief that every girl child ends up in the kitchen thereby making the certificate or skill acquired to be of no use.

Implications for Sustainable Peace and Development

In theory, the Nigerian constitution does not discriminate women in politics. The Nigerian constitution (1999) Section 40 states that: “Every person shall be entitled to assemble freely and associate with other persons, and in particular he may form or belong to any political party, trade union or any other association for the protection of his interests”. Section 42(1) also states that: “A citizen of Nigeria of a particular community, ethnic group, place of origin, sex, religion or political opinion shall not, by reason only that he is such a person be subjected to any form of discrimination”. Furthermore, the National Gender Policy (2006), Objective 5, target b, stipulates that the State is committed to: “Adopt special measures, quotas and mechanisms for achieving minimum critical threshold of women in political offices, party organs and public life by pursuing 35% affirmative action in favour of women to bridge gender gaps in political representation in both elective and appointive post at all levels by 2015”.

In its 7th and 8th periodic report, the government stated that: “Nigeria has put women in the fore-front of its foreign policy negotiations, diplomacy and economic development, especially in recognition of the Nation’s role in Africa as a driver of peace, stability and centre of commerce and growth”.

Several efforts have indeed been made to address the low representation of women in elective and appointive positions in Nigeria. Such efforts include: the establishment of the Women Political Empowerment Office and Nigerian Women Trust Funds; creation of the Women Situation Room Nigeria and the 100 Women Lobby

Group; the adoption of a gender policy by the Independent National Electoral Commission (INEC); the creation of the national multi-stakeholder dialogue; the initiation of several interventions to actualize affirmative action; and the convening of the Nigeria Women Strategy Conference. Despite these developments, majority of Nigerian women still live under the scourge of male domination.

Also, Nigerian government has not been forthcoming in carrying out their international obligations with regards to women's human rights. They only pay lip service to international treaties without making efforts to abide by them. Apart from a few states that have developed separate laws for the enforcement of women's human rights, most of them still rely on the general non-discrimination clauses, and this is not enough to liberate women. Furthermore, statistics in the area of women abuse are notoriously difficult to establish largely because of under-reporting.

Other factors include economic dependence on abusers, the fear of future retaliations, and the difficulty in obtaining convictions.

Another factor which seems to propagate the denial of women's human rights in Nigeria is the importance placed on the family as the most institutional unit. Statistics on domestic violence are, if anything, difficult to establish.

According to the 2015 statistical report on women and men in Nigeria compiled by the National Bureau of Statistics, 94.3% of the seats in the National Parliament were occupied by men. Moreover, there were only 8.3% of women at the upper house of assembly; 7.2% at the lower house of assembly, 26.2% represented as judges; there were 5.6% at the local government; 9.8% women councilors. At the state level, only 5 women are deputy governors and Nigeria is yet to have a female governor in any of the 36 states. Among high-ranking government administrators with decision-making powers, women were equally under-represented. Out of the 36 recently confirmed ministerial appointments by the present government, only six are women, representing 16.7%.

The national average of women's political participation in Nigeria has remained at 6.7% in elective and appointive positions, which is far below the global average³⁰ of 22.5%, the African regional average of 23.4% and West African sub regional average of 15%.

Most of the statistical analysis presented in Nigeria's 7th and 8th periodic report does not convey the current realities experienced by women. Facts and figures stated in the current situational analysis of women's representation in Nigeria clearly indicate that the expected progress has not been achieved from the year of 2015 to date.

Issues such as patriarchy, traditional and cultural practices, stigmatization, lack of funding, nepotism in politics, heavy monetization of the political process, low value placed on women's substantive participation, have resulted in the marginalization of women. In addition, some regulations in the electoral system are strong impediments towards women's political empowerment. For example, it is impossible to make provisions for independent candidatures and in some instances; married women cannot contest in the states where their husbands hold any elective position.

The realisation of human rights of Nigerian women will have a major positive effect on the realisation of the Sustainable Development Goals. Nigerian women have skills that are not commonly found globally. They are strong, hardworking and very intelligent. Meaning that they have what it takes to make the nation great and achieve her SDGs. Since women are the first teachers that every child has and if learning is essential for societal development; there is urgent need to protect the rights of women to engender social, economic and infrastructural development of Nigerian.

Conclusion/ Recommendations

Nigerian women today are not simply passive victims; the current mood is not one of mere acceptance, but one of determination to 'transform their pain into power'. In fact, they have been active throughout history, though often this has not been recognized and recorded. They have been actively involved in the administration of Government since independence. Today they are doing extremely well in government offices across the length and breadth of the country, and are often at the forefront of struggles for basic human rights.

They participate today as visionary leaders in the local governance institution by asserting their rights. While they continue to struggle against structural discrimination and exclusion, violence and impunity are systematically unleashed by men. Protection of women fundamental rights will further not only speed up the process of actualizing the SDGs but will usher the needed peace and sustainable development in Nigerian.

Sequel to the conclusion above, the following recommendations is made:

- a. Nigeria government need to take effective measures to eradicate harmful traditional practices, such as child and forced marriage, discriminatory inheritance laws, widowhood practices, and those customs and traditions that justify and perpetuate them which are predominantly being practiced in some parts of the country;
- b. Necessary laws should be put in place that will give quota to women to contest for elective political positions.
- c. Education for women and girls should be made compulsory and violators should be punished to serve as deterrent to others;
- d. Ensure that violence against women and girls, including domestic violence, marital rape, and all forms of sexual abuse, constitutes a criminal offence, whether committed inside or outside the home while the perpetrators are prosecuted, punished and rehabilitated.

References

1. Aderibigbe Y. Women and War against Gender Violence (Lagos), the Guardian (Lagos), Thursday, 2004, 21.
2. Clifford B. Rights are Human Rights": Caste Discrimination, International Activism, and the Construction of a New Human Rights Issue, *Human Rights Quarterly*, Published By: The Johns Hopkins University Press, 2007:29(1):167-193.
3. Fresnberg J. Human Rights Duty and Animals Rights. Justice and the Bands of Liberty, Princeton, 1980
4. Hartis HLA. Are They any Natural Right? In *Quantum A* (Ed), Political Philosophy Oxford, 1967.
5. National Campaign on Dalit Human Rights, New Delhi, 2000.
6. Okagbue I. Women's Right are Human Rights, Lagos, Adroit Pegasus Association, 2006.
7. Uttankumar SB. Human rights perspectives of Indian Dalits, 2020:11(2):26-32.
8. UNESCO. *Executive Board, Decisions Adopted By The Executive Board at Its 104th Session*, 104 EX/Decision, 2008:3:3.'