

REVIEW ARTICLE

Democratic governance, gender, and women's rights in Nigeria: 1999-2019

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Abstract

Much of the study on democracy in Africa focuses on the implication of democracy on development, human rights, and security. Few have examined the implication of democracy on women's rights. To fill the gap, drawing from extant literature and relying on liberal feminist theory, this paper examines the relationship between democracy and women's rights in Nigeria between 1999, when Nigeria re-introduced civilian rule, after 15 years of military dictatorship and 2019. It is generally believed that democracy promotes human rights and by extension, women's rights. The paper finds, contrary to popular expectation that democracy does not translate to gender equality in elective and appointive positions across all levels of governance in Nigeria. The study suggests the need for the protection of women's rights through the recognition of women's rights as human rights, democratizing party governance structures to be gender representative and strengthening the capacity of democratic institutions in Nigeria. (*Afr J Reprod Health 2021; 25[5s]: 188-201*).

Keywords: Equality, feminism, politics, liberal, democracy, and human rights

Résumé

Une grande partie de l'étude sur la démocratie en Afrique se concentre sur l'implication de la démocratie sur le développement, les droits de l'homme et la sécurité. Rares sont ceux qui se sont penchés sur les implications de la démocratie sur les droits des femmes. Pour combler le vide, en s'appuyant sur la littérature existante et en s'appuyant sur la théorie féministe libérale, cet article examine la relation entre la démocratie et les droits des femmes au Nigeria entre 1999, lorsque le Nigeria a réintroduit un régime civil, après 15 ans de dictature militaire et 2019. Il est généralement croyé que la démocratie promeut les droits de l'homme et, par extension, les droits des femmes. Le document constate, contrairement à l'attente populaire, que la démocratie ne se traduit pas par l'égalité des sexes dans les postes électifs et de nomination à tous les niveaux de gouvernance au Nigeria. L'étude suggère la nécessité de protéger les droits des femmes à travers la reconnaissance des droits des femmes en tant que droits humains, la démocratisation des structures de gouvernance des partis pour qu'elles soient représentatives du genre et le renforcement des capacités des institutions démocratiques au Nigeria. (*Afr J Reprod Health 2021; 25[5s]: 188-201*).

Mots-clés: L'égalité, le féminisme, la politique, les libéraux, la démocratie et les droits de l'homme

Introduction

For decades, liberal democracy was praised as the panacea for problems in Africa, even though many African countries did not embrace liberal democracy until the end of the Cold War in the early 1990s. This period marked the fall of the Berlin Wall and the acclaimed triumph of liberal democracy as elucidated in Francis Fukuyama's book, *The End of History and The Last Man* in 1992. Since then, many African countries have turned to democracy as an alternative to military

authoritarianism^{1,2}. However, drawing from current political realities, it appears that the new democracies in Africa have not produced the desired results (good governance, security, inclusiveness). Democratic governance in Africa and Nigeria in particular is marred by corruption, ethnic conflict, civil war, electoral fraud, widespread poverty, high illiteracy level, personalization of power, repression of human rights, predation and rent-seeking, gender inequality and violation of women's rights³⁻⁵. In Nigeria, democracy has been characterized by

political or state sponsored assassination, electoral violence, corruption, human right abuses specifically extra judicial killing by police and the military amongst others^{6,7}.

Given these realities, the attention of scholars, researchers, and human rights activists has been drawn to the impact of democracy on human rights, economic development, and sustainable governance but little attention has been paid to the promotion and protection of women's rights in Africa and particularly in Nigeria. Debates in academic literature regarding the precise relationship between the quality of democracy and gender equality in developing countries is scanty. While studies that examine gender question in Nigeria abound, there are still few studies that link democracy to women's rights. Hence, this paper investigates how democratic dispensation in Nigeria since 1999 has influenced the status of women's rights—particularly, the extent to which women's civil and political rights (CPR) to elective and appointive positions have been promoted and protected since Nigeria's return to democratic rule in 1999. The period from 1999 to 2015 is significant because it covers the period of Nigeria's return to uninterrupted civil rule after 28 years of military dictatorship. This period of return to democracy is important because democracy is not only about political parties, elections, checks and balances, participation and citizenship rights; but about social inclusion⁸.

The extent that women participate in all processes and structures of governance at all levels is of major concern. This becomes necessary because the constitutional and legal status of women, and women's participation at all levels of governance are key indicators of the general level of democracy⁹. The paper argues that although there has been efforts at promoting women's civil and political rights through affirmative action, gender quota, gender policy and gender mainstreaming since 1999, the overriding influence of patriarchy, culture, religion and weak institutional capacity of appropriate institutions that enforce women's rights have limited pro-women agenda. The paper challenges the assumption that democracy promotes and protects women's civil and political rights by illustrating that women remain largely under-represented in the key governance architecture of Nigeria, both in elective and appointive positions since return to democracy from 1999.

This paper is divided into five parts. The first section examines women's rights within the context of international legal framework promoting women's civil and political rights. The second section interrogates theoretical assumption on the implication of democracy for women's rights and the limitation of the assumption drawing from empirical evidence that validates or invalidates the theory. The third part focuses on the nature of women's civil and political rights in Nigeria since the return to democratic rule under three different administrations. The fourth part reviews literature on women's civil and political rights and the obstacles to promoting and protecting women's rights to elective and appointive position in Nigeria. The final section concludes with suggestions on how to move beyond promotion to protection of women's civil and political rights, driving recognition of women's rights as human rights, democratizing party governance structure to be gender representative and strengthening the capacity of democratic institutions in Nigeria.

Women's civil and political rights and international legal framework

The necessity of promoting and protecting women's rights has been a major pre-occupation of global actors before the formation of the United Nations after the World War II (WWII) in 1945. Prior to the formation of the United Nations (UN) in 1945, global institutions have made attempts to promote and protect women's rights. For instance, the League of Nations which was a predecessor to the UN made provisions for the rights of women in its Charter and Equal Rights Treaty. In the Covenant of the League of Nations, Article 7 called for secretariat posts to be open to both men and women, Article 23 included two conditions: part "A" called for "fair and humane conditions of labour for men, women, and children," and part "C" gave the league competence in agreement against the traffic of women and children¹⁰. The efforts of international women organizations like Women's International League for Peace and Freedom, International Women's Alliance and International Council of Women through the League of Nations led to the recognition of women's rights as a global concern and was pertinent to the establishment in 1937 of the League of Nations' Committee of Experts on the Legal Status of Women, which laid the foundations for the United Nations Commission on the Status of Women (CSW)¹¹.

The formation of the United Nations heralded sustained efforts aimed at promoting women's rights through several of her institutions, mechanisms, and advocacy efforts. The UN General Assembly declared the year 1975 as International Women's Year and organized the first conference for women the same year in Mexico. Furthermore, it declared then year (1976-1985) as the UN Decade for Women and established a Voluntary Fund for this purpose. Since then, the UN has engaged several advocacy tools to advance the rights of all women across the spectrum—from civil and political to economic, sociocultural, and reproductive rights. It has held conferences and developed numerous legal frameworks, treaties, conventions, and policies in response to the global outcry on women's rights. Such frameworks include three treaties between 1952 and 1962: The Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages; the Convention on the Political Rights of Women; and the Convention on the Nationality of Married Women. However, in 1975, the UN General Assembly merged the principles of these Conventions in one all-inclusive document: Declaration on the Elimination of Discrimination Against Women. The Declaration was then expanded and rewritten as the Convention on the Elimination of All Forms of Discrimination Against Women ("Convention")¹². Also, in 1976 it drafted two treaties International Covenant on Economic, Social and Cultural rights (ICESC) and the International Convention on Civil and Political Rights (ICCPR, 1976) both of which stressed the equality of all, particularly of women and men.

Furthermore, in the 1970s, the UN held four world conferences in Copenhagen (1980), Nairobi (1985) Vienna (1993), and Beijing (1995), on women's rights and related issues. However, the 1995 Beijing Conference marked a significant watershed in the evolution of women's rights within the international Legal framework of UN as it declared at the conference that "women's rights are Human rights". Further affirming previous global efforts at making women's rights an intricate and indispensable aspect of human rights. Since then, UN through many of its agencies and development agenda have made women's rights and its intersection with gender question a major pillar of development agenda from the recently completed Millennium Development Goals (MDGs) to ongoing United Nations Sustainable

Gender, democracy and women's rights in Nigeria Development Goals (SDGs). For instance, Goal 5 of the Sustainable Development Goals aimed at achieving gender equality and empower all women and girls.

The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) is often acclaimed to be the most comprehensive treaty addressing the rights and status of women. CEDAW is broad, incorporating areas covered by past documents (ICCPR and ICESCR), as well as addressing further areas of discrimination against women¹³. Unlike other Legal frameworks it has a special Committee on the Elimination of Discrimination Against Women (CEDAW or "Committee") to monitor compliance with its provisions. The Convention comprise of a preamble and thirty articles. Sixteen articles itemize fundamental actions that States Parties should take in eliminating discrimination against women; twelve articles describe reporting requirements and administrative details. Specifically, women's civil and political rights is covered in Article 7 and 8 as quoted below:

Article 7

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 women, on equal terms with men, the right:

To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies.

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.

To participate in non-governmental organizations and associations concerned with the public and political life of the country".

Article 8

States Parties shall take all appropriate measures to ensure women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations.

The above provision of the CEDAW for women's rights is a further affirmation of earlier provision by the International Covenant on Civil and Political Rights (ICCPR). Article 25 states:

Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions:

To take part in the conduct of public affairs, directly or through freely chosen representatives.

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 will of the electors. To have access, on general terms of equality, to public service in his country

However, studies that examine the implications of CEDAW provision on women's civil and political rights are mixed. Studies Gray *et al*¹⁴ and Kenworthy and Malami¹⁵ found that there is a positive relationship between a country ratification and signatory to CEDAW on the status of women's civil and political rights. However, when authors of the study particularly, Gray *et al*¹⁴ controlled the sample for women's representation in parliaments, using a model that only included democracies, the CEDAW variable was irrelevant¹⁶. Also, Hughes¹⁷, affirms that CEDAW ratification had no statistically or empirically important consequence on women's representation in parliaments. This is because 'CEDAW ratification is a highly politicized decision that may have little practical impact on women's lives.

Democracy and women's civil and political rights: Theory and empirical evidence

Over the years, scholars have shown increasing interest in the relationship between democracy and gender equality, beginning with the "second wave" feminism from the 1960s and subsequently with 'third wave' democratization from the 1970s¹⁸. The relationship between women's civil and political rights and democracy has been studied—empirically and theoretically. The following questions have served as the basis of research: Does democracy require gender equality? Does democracy promote or guarantee gender equality? Is there a connection between the promotion and protection of women's rights and the advancement of democracy? The Beijing Platform 1995 for Action states that: "No government can claim to be democratic until women are guaranteed the right to equal representation".

However, within academic discourse on women's rights, there has been a focus on women's civil and political rights specifically as it relates to the rights of women to elective and appointive positions. This has been examined from multidisciplinary perspective. Scholars have examined the extent to which democracy or democratisation provides new opportunities for gender equality. More so, feminists have argued "that 'genuine', or deep, democracy is inconceivable without gender equality. Specifically, there is an increasing effort to monitor the extent to which countries conform to international benchmarks for gender equality cross-nationally and amongst different government levels within nations. Generally, the argument is that democracy facilitates gender equality through mobilization of women and electoral accountability¹⁹. De Haan and Sturm²⁰ have posited that democracy and institution of democracy makes for greater freedom that makes possible policies and practices that do not discriminate. More so, gender equality is often absent in dictatorial regimes due to the absence or disregard for the rule of law²¹.

Moreover, despite the importance of equality for all, including women, as a fundamental principle of liberal democracy, there is much debate in the academic literature^{19,22-27} regarding the precise relationship between the quality of democracy and women's rights in civil and political space. However, empirical, and theoretical assumptions are often inconclusive and contradictory. Richards and Gelleny²⁴, Arriola and Johnson²⁷ revealed that there is a positive relationship between gender equality and democracy; particularly in women's representation in cabinets²⁸. In contrast, another study²⁹ showed that democracy has no significant and empirical impact on women's representation in civil and political space. Whereas Hughes¹⁷ found a slight democratic effect of democratic governance on women's rights particularly their representation in decision making (parliaments) in low-income countries, other studies found a negative one^{22,30} found a negative one. Hogstrom's¹⁶ global cross-sectional study on the extent to which development across three levels (less developed, developing and developed) and political regimes (democratic, royal dictatorship, military dictatorship) creates gender equality revealed that depending on context democracy impact on gender equality in cabinet positively only in few environments.

Table 1: Lists of women representation in 1999, 2003, 2007, 2011 and 2015 elections

Offices	1999		2003		2007		2011		2015	
	Seat Available	Women	Seat Available	Women	Seat Available	Women	Seat Available	Women	Seat Available	Women
President	1	0	1	0	1	0	1	0	1	0
Senate	109	3 (2.8)	109	4	109	7 (6.4)	109	9 (8.3)	109	6
House of representative	360	12 (3.3)	360	21 (5.8)	360	26 (7.2)	360	25 (6.9)	360	13
Governor	36	0	36	0	36	0	36	0	36	0
State House of Assembly	990	24 (2.4)	990	40 (3.9)	990	68 (6.9)	990	57 (5.8)		
SHA Committee Chairperson	829	18 (2.2)	881	32 (3.6)	887	-	887	52 (5.9)		
LGA Chairperson	710	13 (1.8)	774	15 (1.9)	740	-	740	27 (3.6)		
Councilors	6368	69	6368	267	6368	-	6368	235		

Source: Irabor (2012)³³ and Okoronkwo-Chukwu (2013)³⁴ Ngara and Ayamba 2013³

Table 2: Outline of women representation in 2019 elections

Positions	Total Number of candidates	Number of Position	Number of Women	%	APC Candidates	Female Candidates	PDP Candidates	Female Candidates	Total Women Elected
President	73	1	6	8.22%	0	0	0	0	0
Vice President	73	1	22	30.13%	0	0	0	0	0
Senate	1,904	109	235	12.34%	7	10	7	7	7
House of Rep	4,680	360	533	11.39%	15	16	11	11	11
Governor	2,412	36	74	3.07%	0	0	0	0	0
Deputy Governor	2,412	36	275	11.49%	2	3	4	4	4
State Assembly	14,583	944	1,825	12.51%	28	39	40	40	40
Total	26,137	1,487	2,970	11.36%	52	68	62	62	62

Source: Center for Democracy and Development 2019³⁶

Table 3: Trends of in numbers of women deputy governors in Nigeria since 1999-2019

Election Year	No. of Women Deputy Governors
1999	1
2003	2
2007	6
2011	1
2015	4
2019	4

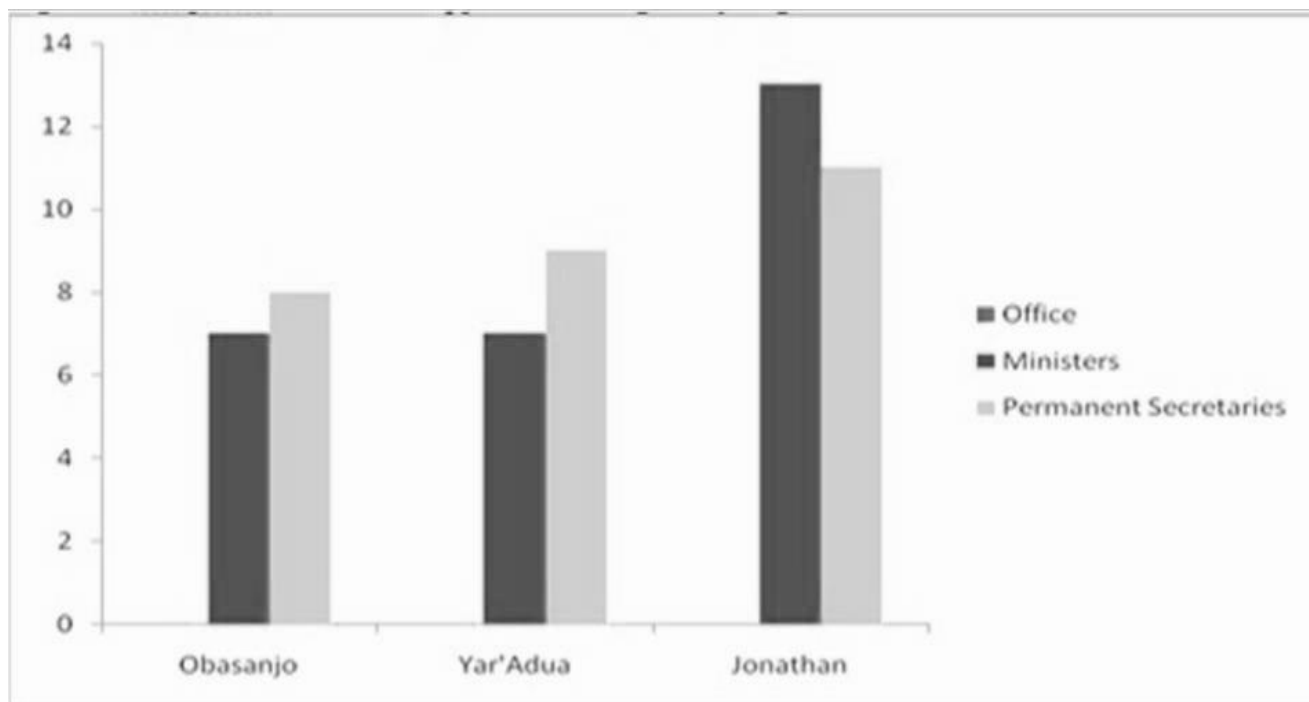
Source: Ogunyankin (2012)³⁷ and Author

The finding of this paper is similar to Mervis *et al*³¹ which found no positive relationship between democracy and women involvement in politics as democratic countries and parties have less women than autocracies. However, while immense data about levels of women's political representation is available through the Inter-Parliamentary Union (IPU) (an INGO that collates information about

women's civil and political rights), the review of empirical evidence and theoretical assumption supporting the intersection between democracy and women's civil and political rights is mixed.

Democracy and women's civil and political rights in Nigeria 1999-2019

Nigeria received its independence from British colonial rule in 1960. The country enjoyed six years of civilian rule from 1960-1966 before the first military intervention in Nigerian politics led by Major General Kaduna Ezeogwu. From 1966 till 1999, Nigeria had intermittent military rule except for 1979-1983 under Shehu Shagari and the transitional government of Ernest Shonekan August 26th, 1993 - 17th November 1993. The country returned to democratic rule from 1999-2019 without any military intervention.



Source: Ayamba & Ngara, 2013³⁵

Figure 1: Graphical illustration of women appointees in Nigeria by different administration

Theoretically, democracy is often expected to guarantee equal power relations between men and women. Particularly, it is expected that democracy would promote and protect women's civil and political rights. It is argued that democracy is not democracy without the inclusion of women in politics and the amplification of women's voices in legislation, political institutions and processes. As Madeleine K. Albright³² puts it, "Success without democracy is improbable; democracy without women is impossible". Beer¹⁹ argued that democracy creates platform for women to promote their interests through mobilization, advocacy, and elections.

Hogstrom¹⁶ argues that democracy opens the civic space for women; specifically, to form pressure groups that mobilize and advocate for their interest, demand for gender quotas and affirmative action, and as such leading to the inclusion in politics; particularly increasing female representation in politics. Paxton²² opined that democracy and democratic processes eliminate the artificial and arbitrary restraints that poses as obstacle to women's political representation. Hogstrom¹⁶ further argues that because of electoral competition and the pursuit of political power,

political parties and political leaders often nominate female candidates for political positions to attract female voters, this sometimes create more opportunities for women to access political power. This section of the paper provides a statistical illustration of women's civil and political rights particularly in elective and appointive position using percentage and tables under three different administrations in Nigeria spread over sixteen years 1999-2015. These administrations include President Olusegun Obasanjo/Abubakar Atiku Administration 1999-2007, President Musa Yar'Adua/Goodluck Jonathan Ebele 2007- 2011, Goodluck Jonathan Ebele / Sambo 2011-2015, and President Mohammadu Buhari 2015-present. Nigeria operate a presidential or system of government with three levels of government, federal, state, and local government levels. The table 1 and 2 show the representation of women in elected and appointed office at three level of government: federal and states from 1999 till present. Table 3 compares women's representation across regimes.

The tables illustrate that democratic governance does not necessarily lead to gender equality for women in elective and appointive

position. Even though women have been able to participate in governance under democratic dispensation than in military dictatorship. Yet their levels of representation and participation is low when compared to global and regional benchmarks in Africa and across the world. In 2015 in Rwanda women comprised 61 out of the 106 parliamentarians (58 percent), and in Senegal women consisted of 65 of the 150 parliamentary seats (43 percent)³⁸. Following the 2019 elections, women made up 7.3% of the Nigerian Senate and 3.1% of the House of Representatives, with no woman being a state governor in the country³⁹.

Using Milbrath cited in Awofeso and Odeyemi⁴⁰ classification of political participation, women's political participation at the highest level still remain still very low. Milbrath⁴⁰ classifies political participation into three namely: gladiatorial, spectator and transitional activities. Gladiatorial activities entail holding political offices, campaigning for party funds, and contesting in elections. Spectator activities comprises of political activities such as wearing of party badges, caps, running errands for political leaders, uniforms or emblems and voting at elections. Finally, transitional activities entail attending political meetings, making monetary contributions to political parties, and wearing uniforms or emblem. Awofeso and Odeyemi⁴⁰ observed that "Nigerian women are mostly involved in political rallies and campaign activities, wearing uniforms, caps and badges: all of which constitute spectator activities rather than gladiator and transitional activities".

They further noted that women participation in voter's registration and voting turn out has increased as revealed by statistics. However, their participation as gladiator and transition actors in politics is limited. For instance, statistics on registered voters for the 1999 election showed that of the 47 million that were eligible, 27million were women representing 57.4% of registered voters⁴¹, yet women rights in Nigeria remain questionable. Much more disheartening is the 2015 election. There was only one female out of the fourteen candidates for the president in the general election in 2015. Similarly, of the 380 candidates for governor and deputy governors, only 87, representing 22.9 percent, were females. Also, out of 747 for Senate, only 122 females contested (16 percent) and 267 out of 1774 candidates for House of Representatives (15 percent). However, in

the outcome of the election, Senate had seven (6.4%) female members and 19 females were in the House of Representatives (5.2%). This outcome indicates that women lost some of the grounds they covered in 2007 and 2011.

Quadri⁴² contends that despite women's active participation in all aspects of the electoral processes leading to the 2015 General Elections, the outcome of the election revealed a decrease in the electoral success of women and decline in the number of elected female politicians. The author contends that the dwindling performance of women in the 2015 election was due to the exclusionary politics based on gender relations manifested among others in the failure of parties to implement any gender policy, lack of democratic practices within internal structure of political parties, and the tense political atmosphere preceding the election which was characterized by intense and fierce campaign of defamation, hatred and numerous forms of hate speeches on the part of party supporters and candidates themselves. She concludes by noting that the more women advocate for inclusion in politics through various avenue, the less democratic the spaces for inclusion open to them. This is corroborated by Akpan⁴³ who notes that the factors, such as biased imposed by men, that limited women in 2015 election are not different from factors that have inhibited women in previous election factors.

In the final analysis, it is evident that women's civil and political rights which include among others participation and representation is inadequate in the Nigeria political scene. Given this Momodu⁴⁴ argues that women's political participation and representation in politics and governance expresses itself in four major ways namely, access, participation, representation, and transformation. Access allows for inclusion in political process and institutions; participation (makes the access count as women participate in the control of power within such institutions), representation (this presages parity in number, influence and impact) and ultimately social and political transformation in the polity. It is when these four conditions are fulfilled that women's political empowerment can be enhanced⁴⁴.

Challenges to women's civil and political rights in Nigeria 1999-2019

Despite being granted franchise, the participation of women in elective politics in Nigeria has remained

limited. Numerous studies⁴⁵⁻⁴⁷ examine the issues that hinder women's equal participation and representation alongside their male counterpart. Agbalajobi⁴⁶ observed that although women's participation in politics has increased, their representation is still low in elective and elective position. The reason for underrepresentation in politics has been adduced to several factors among which are abuse of religious and traditional practices, patriarchy, political and social power are dominated by men, persisting cultural stereotype, and the role of women which have been historically played as the followers of male political leaders (Ibid). Furthermore, Adefi and Aladi⁴⁷ also observed that violence, state sponsored assassination, tax declaration politics, have all combined to limit women's active participation in elective offices. Supporting the case of women enmity or antagonistic attitude towards themselves, Okpalaobi⁴⁸ cited the incidence at the Presidential primary of People Democratic Party (PDP) held on the 16th January 2011 where three candidates were nominated for the primary, two male, and one female. Of the 4000 delegates for the primary, women numbered up to 2000 and yet the only female candidate in the primary Sarah Jubril got only one vote despite the presence of 2000 women delegates. The factor of women being enemies of themselves is further exacerbated by challenges such as envy, jealousy, and other challenges that accompany interpersonal relations among women. Arguably, it has been posited that most female electorate will rather vote or support men to win an election than voting their fellow women despite women's numerical strength as most registered voters³⁵.

Also, in the 2015 election, despite the advocacy of women's group for women representation in politics, the only female presidential candidate (Professor Remi Sonaiya) won less votes compared to the male candidates. The British Council "Gender in Nigeria" report⁴⁹ observed that women's participation in politics is also hindered by lack of finance, low-level education, lack of capacity in political, interpersonal skills and knowledge. It is important to note that the report of the British Council is affirmed by other studies^{46-48, 35, 50-51}. The studies agreed that discriminatory socio-cultural and religious practices, unhealthy political environment, lack of money, political party's discrimination; lack of family support, erroneous

perception of women in politics; indigenization politics based on location, ethnicity, and marriage; inadequate media support; political violence; sexualization and labeling; abusive language and expressions among others limit women's civil and political rights.

Jaja⁵² further notes that women's civil and political rights in term of participation and representation in politics are also suppressed due to the absence of government supportive and definitive laws that could encourage women to participate in politics. A study by Nwabunkeonye⁵⁰ asserts that the paucity of women in executive councils of many political parties limits their ability to vote for who gets to be finally nominated for election in party's primary election. Nwabunkeonye⁵⁰ further argues that "the apex position held by women in key leadership position of political parties include the trivial posts of ex-officio members and women leaders whose function and relevance is only for mobilizing womenfolk to vote for men". Also, a study by Oni and Segun⁵³ on women participation in politics specifically in Southwest state of Ogun and Lagos states also identified factors that hinder women's civil and political rights to include socioeconomic challenges, cultural heritage, political hostility, and institutional designs. Specifically, the rancorous patrimonial system of political godfatherism, thuggery and gangsterism and institutional designs such as the practice of a majority electoral system instead of proportional representation, absence of gender electoral quota systems and constitutional provision for equal gender representation in parties' political nomination limit women participation in the two states.

Similarly, the study of Oni and Segun⁵³ is consistent with another study by Fayomi⁵⁴ on women participation in Ogun state. Furthermore, a cross-sectional study by Ogbogu⁵⁵ of over 700 respondents which consist of female politicians, activists, professionals and members of dominant political parties drawn from the 36 state in Nigeria on the challenges to women's participation in politics found that the greatest factor that affects women's political participation is "exclusion from informal political party networks" (91.4%). This is followed by the problematic of patriarchy and cultural barriers (66.4%), the multiplicity of roles that women play (64.2%), money (63.5%), education/training (55.9%) and lack of adequate apparatuses for monitoring electoral outcomes and

protecting women's vote (56.4%). Others are lack of mentors (21.4%) and religion (17.1%). Respondents in the study all attribute marginalization in politics to the male dominant structure of the politics. In other words, political parties in Nigeria are an extension of the old boys network. One respondent particularly notes:

Because of the structures of the political parties with many sub-groups within each one, women do not get a chance to network nor build relational ties that can advance them in politics.... Also, the men exhibit a chauvinistic disposition and affirm that decision-making positions are exclusively for men, while women are to be instructed. This puts women off...

Nwabunkeonye⁵⁰ agrees with Ogbogu's⁵⁵ that women's participation in politics is not only limited by the male dominant structure of political party but also to the cultural chauvinism, religion and sharp practices of "zone out" and "step down" further hinders women participation in politics. The "zone out" situation occur when a political party give out the political slot of a female aspirant to constituency where she is not regarded as a native while "step-down" practice happens when female candidate who has evidently scaled through party nomination and is eligible to contest an election is requested to step down for a more suitable candidate (mostly men). This is further exacerbated by the negative perception of women. Labelling such as stubborn, free women, prostitutes, wayward, whores, domineering, cultural rebels have all been imposed on women who participate in politics.

Fundamentally, the marginalization of women in politics dates to the colonial period. For instance, while colonial political parties such as the Action Group (AG) and the National Council of Nigerian Citizens (NCNC) allowed women wings in their parties, yet no women occupied the top echelon of the parties where decisions were made⁵⁶. Also, of the executive positions of the political parties that existed during the botched third republic in 1993, women had only 4% of women thus party politics and governance throughout post-colonial Nigeria has been marked by a striking exclusion and marginalization of women⁴¹. It is instructive to note that all the above impediments to women's representation in politics represent the immediate cause of marginalization in politics. The root cause of women's marginalization, scholars have argued, is rooted in colonial politics.

The position of women in Nigeria's political sphere has been a contested issue among scholars. While some scholars opine that the Nigerian society since pre-colonial has been patriarchal and unfavorable to women. Others argue that women's rights to political office has always been respected. The latter scholar cite example of notable and historically celebrated women leaders such as Queen Amina of Zazau, Iyalode Efunsetan Aniwura of Ibadan, Princess Moremi of Ife, Princess Inikpi of Igala and Emotan of Benin⁵⁷. The argument of these scholars is that colonialism altered the gender balance that had always existed in precolonial Nigerian societies or cultures. Importantly, this view happens to have been popularized than the first views. Scholars have argued that pre-colonial African societies and specifically pre-colonial Nigeria placed great value on women in their various role and function (as mother, daughter, wives, or sister) and that colonialism altered the gender architecture in pre-colonial African society. For instance, most of the African and especially Nigeria traditional pantheon compose of both men and women deities. The female deities include the 'oya' in Osun state which is still worshiped till today and have a yearly festival that attracts international participant; iyemoja and as well as other goddesses such as the river goddess, the earth goddess as well as the goddess of fertility⁵⁸. In other words, women played a major part in the religious life which in most cases is linked with the political life of pre-colonial African societies.

It has also been argued that before the advent of colonialism, women participated in leadership and governance in Nigeria. Nigerian women participated in politics and government through, the institution of women chiefs, the authority of first daughters and the age grades. In pre-colonial Nigeria, women held important positions and played prominent roles in politics among most ethnic groups particularly among the Yoruba, Hausa and the Igbo⁵⁹. Fayomi⁵⁴ notes that in the western part of Yoruba kingdom, one of the renowned women was Efunsetan Aniwura who later emerged as the Iyalode or leader of women in Ibadan. Her business acumen, as well as her charisma, was noted to have given her undisputed influence not only in commerce but also in political and social life. Madam Tinubu was also powerful so much so that she supplied arms to the Egba in the late 19th century. In traditional Yoruba states,

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women held high political offices like the Iyalode, Iyaloja, Iyalaje and even the office of the Oba, and their political impacts in such societies were variously felt⁶⁰. The city of Zaria in modern northern Nigeria was founded by a woman (Queen Bakwa Turuku) in the 16th century. She was succeeded by the renowned female leader Amina, who built walls to protect the city, and then extended its influence and boundary beyond Bauchi, and commanded tributes from Kano and Katsina⁶¹. Also, in Hausa land, women held titles and offices like the Iya, Magajiya and Mardani⁶²

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Democracy and gender equality in elective and appointive positions have been linked together yet empirical evidence and theoretical assumptions on the relationship between the two concepts remain mixed in several climes as revealed in the literature. Although successive administrations have made efforts to implement gender quotas the extent to which they fulfilled global and regional gender benchmarks remain controversial. In Nigeria, the impact of democracy on gender equality is relative when compared with what is expected of democracy and particularly given the anticipated outcome for advancing of democracy in Nigeria. Western scholars have suggested that if developing countries apply democracy it will end underdevelopment and promote gender equality, but the current reality of women's civil and political rights is a paradox to this expectation. Since return to democracy over the last sixteen years there has been no female president, vice president, senate president or secretary to the government. The nearest a woman came to the apex of leadership of government is the first female speaker of house of representative and the only one the last 16yrs Mrs Patricia Etteh and even then her inglorious exit which is intertwined with gender and patriarchal dynamics remain debatable. The gender disparity is further reflected in the male to female ration representing each of the six geo-political zone in Nigeria. Presently, there is only one female senator Binta Masi out of the 57 senators in the 19 states in northern Nigeria⁶³. At the state level, no female governor since 1999-till date except for Virginia Etiaba who acted few months as governor in Anambra state. There have been only few female deputy governors (presently four) out of the thirty-

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six states in Nigeria and Most of the state house of Assembly remain largely male dominated. Senator Binta Masi in an interview in October 2017 comments: that

Houses of Assembly where there are hardly any female representation, states like Kano, Kaduna, Jigawa, Katsina, Kebbi, Yobe, Borno, Zamfara, Bauchi, I think up to about ten states or more have no female representation.

In the appointment of women into cabinet at the state level, the situation is the same with extreme instance of Adamawa state in 2015 appointing a man by name Aliyu Tola as Commissioner for Women and Social Development; a position that traditionally is always reserved for the few women appointed to position in politics Nigeria⁶⁴. Similar situation play out at the grass root level as revealed by the studies^{65,66}. Hence, the burden of evidence provided in this paper affirm the argument that democracy does not necessarily protect women's civil and political rights because more is required for gender equality to thrive in democracy. In addition, as Popoola⁶⁷ notes advocacy in Nigeria since 1999 till date has only enhance promotion of women's civil and political rights, it has not ensure its protection. It is against this backdrop that the study gives the following suggestions towards protecting women's civil and political rights.

Recommendations

The paper provides three suggestions for protecting women's civil and political rights. First, there is need to intensify advocacy aimed, among others, to create recognition for women's rights as human rights. In Nigeria, feminist advocacy for women's rights is perceived in many parts as western ideological movement that aim to destroy African traditional values. More so, traditional expectations of gender roles persist, spilling over into public and private expectation for normative women's role. Many still believe that women should be restricted to domestic roles. Arguably, prevalence of this perspective was affirmed by President Buhari's response to a reporter 's question about the comment of his wife Mrs Aisha Buhari' that she might not back him at the next election unless he got a grip on his government. The president responded that "I don't know which party my wife belongs to, but she belongs to my kitchen and my living room and the other room"⁶⁸. The comment affirms that many still think that women belong

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everywhere but politics and public life hence the need for advocacy to create recognition for women's civil and political rights and enforce the same.

Secondly, there is need for mobilization and advocacy to democratize the governance process and structure of political parties in Nigeria. Pogoson⁶⁹ and Agishi⁷⁰ found that executive council of most political parties are male dominated and the only leadership position for women in most political party is the position of women leader which has no executive power other than to mobilize women group to vote for candidate of political parties. Similarly, very few groups nominate women as candidate in election and only a few contest elections. A study by Idowu, Azeez and Olusegun⁷¹ found that the percentage of Presidential women contestants dropped from 12.5% in 2011 to 7.1% in 2015, in gubernatorial, there was reduction from 10.2% in 2011 to 7.1% in 2015, while the percentage of women for deputy governorship positions had only marginal increase. The first suggestion will help achieve the second which is mobilization and advocacy to democratize the governance process and structure of political parties in Nigeria, because when awareness of women's human rights increase it will impact on perception and expectation of the role and function in public and private life.

Finally, there is need to strengthen key democratic institutions to execute gender equality laws and to strength the capacity of democratic process to guarantee woman rights. The capacity of the courts, electoral commission and the police need to be enhanced to redress the concern of women whose rights have violated. This will help bring perpetrators to book and serve as warning to potential violators of women's rights thus guaranteeing women's rights.

Conclusion

Democracy and women's rights are often perceived to be intertwined although available empirical evidence and theoretical assumptions remain unclear. The findings of this paper revealed that in Nigeria, the result is negative when compared with the expectations for democracy, global and regional gender benchmark of 50% and 35% respectively. This finding supports previous studies that suggest that democracy has negative relationship with women's rights, in this case women's civil and

Gender, democracy and women's rights in Nigeria political rights in elective and appointive position in Nigeria. Hence, further study can compare democracy and women's rights in the six geopolitical zone in Nigeria: noting similarities and differences or exploring the impact of geography, religion, socio-economic development on outcome. The paper contributes to body of knowledge that seek to examine nationally and cross-nationally, the relationship between democracy and women's rights.

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Contribution of authors

All author contributed equally to this paper from conception of paper, writing and copyediting. Authors approved the manuscript for publication.

Rosemary Oyinlola Popoola: conception of paper, literature review, synthesis of finding abstract and referencing

Mathew Egharevba: literature review, sourcing of statistic and tables and copyediting

Oluyemi Oyenike Fayomi: literature review, introduction and conclusion

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