

**POLICY BRIEF**

# IMPROVING WOMEN'S POLITICAL REPRESENTATION IN NIGERIA

## Summary of Brief

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Africa has achieved remarkable progress in increasing women's participation and representation in the electoral process in the last 15 years, but Nigeria remains one of the countries struggling with low representation of women in politics. Nigeria therefore must make efforts to decrease the politicisation of its electoral system and facilitate an urgent amendment to its Constitution and electoral law to reflect a clear non-discriminatory right of women to participate and be represented by at least 35 per cent in all elective processes. With an increase in political will by government and the efforts by political parties, legislators and civil society organisations, Nigeria will attain the requisite capacity to facilitate the required revolution for women in its electoral processes and procedures, just like its counterparts in other jurisdictions.

## Introduction

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An essential tenet of any democratic framework is the principle of human rights, including the granting and exercise of the political rights of both men and women.<sup>4</sup> The fair re of women in political life has a positive impact on gender mainstreaming in various policies.<sup>5</sup> In 2019, the Inter-parliamentary Union (IPU) pointed out that virtually all legislative bodies across the globe are male-dominated in nature.<sup>6</sup> Currently, only approximately one in four members of lower or single houses of parliament worldwide is a woman, while globally, women's membership of parliaments rose to 24.1% at the end of 2018, representing an increase of 13 percentage points compared with two decades ago.<sup>7</sup> In Africa, the under-representation of women in politics is facilitated by several obstacles which are political, socio-economic, ideological and psychological.

### Box 1: Obstacles to Under-Representation of Women in Politics

Features of political barriers include:

- Lack of party support such as limited financial support for women candidates, limited access to political networks, and the more stringent standards and qualifications applied to women;
- lack of sustained contact and cooperation with other public organizations such as trade (labour) unions and women's groups;
- lack of access to well-developed education and training systems for women's leadership in general, and for orienting young women towards political life; and
- the nature of the electoral system, which may or may not be favourable to women candidates.<sup>8</sup>

Socio-economic barriers include:

- lack of financial resources;
- limited access to education and choice of professions;
- the dual burden of domestic tasks and professional obligations
- The social and economic status of women;<sup>9</sup> and
- Substantial monetisation of politics: A 2017 report by the Westminster Foundation for Democracy reveals that on average, women politicians spend less than their male counterparts on election campaigns. Generally speaking, women finance their campaigns through fundraising in their private and professional networks; private savings (based on negotiation with their husbands); loans and gifts, which often come with the expectation of favours in return.

Ideological and psychological obstacles result from:

- the traditional roles of women in the society;
- traditionally, women are restricted to the role of mother or caretakers giving them a place in the private sphere; any involvement outside of the household is to be a working mother; and
- these roles forge an image of women being apolitical.<sup>11</sup>

## International Efforts to Promote Women Representation in Politics

Over the past 30 years, the international community has made efforts to promote gender equality in politics and discard the narratives associated with women representation in politics. These efforts include the adoption of the:

- **Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW)**- this explicitly addresses the issue of women political participation in its Articles 7 and 8. It provides for the right of women to non-discrimination in a country's public and political spheres, as well as their right to equality with men with regard to the following: the right to vote; the right to be eligible for election to all publicly elected bodies; the right to participate in the formulation of government policy and its implementation; the right to hold public office and to perform all public functions at all levels of government; the right to participate in non-governmental organizations (NGOs) and associations concerned with the public and political life of the country; and the right to represent the national government at the international level and to participate in the work of international organizations.<sup>12</sup> In addition, the preamble of the Convention links the 'full and complete development of a country, the welfare of the world and the cause of peace' with the need for the 'maximum participation of women on equal terms with men in all fields', implicitly including the public and political aspects.<sup>13</sup>
- **International Covenant on Civil and Political Rights (ICCPR)**- this provides for equality of all persons before the law, and further provides a two pronged protection to solidify this equality: prohibition of discrimination

against any person; and a guarantee of protection against discrimination on any grounds such as sex or political opinion.<sup>14</sup>

- **2003 Protocol to the African Charter on Human and Peoples' Rights (ACHPR) [Maputo Protocol]**- the 2003 Protocol appears to be Africa's most progressive legal instrument providing a comprehensive set of human rights for African women.<sup>15</sup> It details wide-ranging and substantive human rights for women covering the entire spectrum of civil and political, economic, social, cultural and environmental rights.<sup>16</sup> The Protocol is laudable for its emphasis on the right of women to participate without discrimination in all elections, equal representation of women in the electoral process and equal partnership of women with men at all levels of development and implementation of State policies.<sup>18</sup> The Maputo Protocol has been strengthened by other instruments such as the African Charter on Democracy, Elections, and Governance (African Democracy Charter).<sup>19</sup>
- **Beijing Platform for Action (BPFA) 1995**- this improved African women representation in politics, due to the monitoring and evaluation system established at international, regional and sub-regional levels; and<sup>20</sup>
- **Sustainable Development Goals (SDGs)**- Sustainable Development Goals (SDG) 5 aims to 'ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life.'

## Best Practices for Women Representation in Politics

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A few countries in Africa appear to have progressed in women political participation and representation, with the largest number of women in decision-making positions emanating from countries that have recently experienced armed conflict<sup>21</sup> such as Rwanda, Burundi, Mozambique and Uganda.

- **Rwanda** has maintained a record as a country with the highest female legislative representation (61.25%) in the world<sup>22</sup>, surpassing the Nordic countries. The Rwandan Constitution was amended in 2003 and provides for the reservation of a quota of 30% of all decision-making positions of the State for women's representation. Rwanda also amended its Organic Law governing political parties and politicians in July 2013 to eliminate any form of discrimination in political parties. These amendments to Rwandan legislation also established a Gender Monitoring Office to promote and oversee gender-equality initiatives.<sup>23</sup>
- In **Uganda**, Article 32 of the Constitution mandates the State to take affirmative action in favour of groups marginalised on the basis of gender and make laws for the establishment of an Equal Opportunities Commission to give full effect of such action. The Constitution also mandates the State to protect women and their rights, and such rights include right to equal treatment with men including equal opportunities in political, economic and social activities.<sup>24</sup>
- **Cuba** ranks as the second country with the highest number of women in national parliaments after Rwanda with 53.2% of women in parliament.<sup>25</sup> Its significant efforts in achieving gender equality and women's representation in Cuban Parliament is facilitated by the work of the National Candidate Commission, which made female candidates' top priority rather than using a quota system.<sup>26</sup>
- In West Africa, **Senegal** adopted a 2010 Law on Parity which obliges all political parties to place women and men in an alternating manner on candidate lists, aiming at a male-female ratio of 50%. In cases of non-compliance, the Electoral Commission (CENA) has the authority to reject lists and thus, exclude parties from competing in elections. This innovative law facilitated an increase in the number of women representatives in the 2012 national elections from 22.7% to 42.7% in the National Assembly, and from 16% to 47% in local legislatures in the 2014 local election.<sup>27</sup>

## Women Representation in Politics: The Nigerian Reality

Nigeria currently ranks among countries with the lowest rate of women representation in parliaments across the world, ranking 186 out of 193 countries globally.<sup>28</sup> Section 42 of the Constitution of the Federal Republic of Nigeria 1999 ('1999 Constitution) provides for non-discrimination and/or restrictions against any citizen of Nigeria, whether male or female or by virtue of his/her political opinion. The Electoral Act 2010 (as amended) does not provide for a quota system to facilitate the representation of women in politics; and its attendant Electoral Regulations deals strictly with the procedural aspect of an election process.

In the 9th Assembly, only 4% of members of the National Assembly are women. This is representative of the lack of political will of government to push for representative positions for women in the legislature, and reluctance of women to enter into politics due to the prevailing patriarchal culture in Nigeria. Hence, Nigeria's options for effective women representation in Nigeria should be based on quotas or affirmative action provisions – those mandated by a constitution or legislation (i.e. reserving seats in national parliament for women,<sup>29</sup> or provisions are written into electoral laws for women)<sup>30</sup>, or those that are voluntary on the part of political parties (i.e. adoption of internal rules by political parties to include a certain percentage of women as candidates for office).<sup>31</sup> Interestingly, the main arguments against quota systems include the idea that they are in breach of the principle of equality, as some candidates are allegedly favoured over others based on their gender. They are also often viewed as reducing the freedom of choice of voters. Even many female politicians oppose quotas, as they "do not want to be elected just because they are women". However, support for quota systems is increasing as a new idea of gender equality gains ground: equality of results is replacing the older, more abstract concept of equal opportunities.<sup>32</sup>

Nevertheless, in attempting to transplant the prevailing options of other jurisdictions on women representation and participation in electoral processes into the Nigerian situation, it is important to be conscious of the differences in cultural, legal and judicial systems and move towards a progressive realisation of these representative positions in consideration of Nigeria's electoral and legislative realities.

Over the past 9 years, various bills have been sponsored by legislators in the National Assembly to facilitate women's political participation, some of which include the following:

**Table 1: Some Legislative Bills on Women's Political Representation**

S/N	BILL TITLE
1.	Gender Equal Opportunities, Abuse and Administration Bill 2010
2.	Gender Equal Opportunities Abuse and Administration Bill 2012 (SB. 150)
3.	Affirmative Action (Equal Opportunity for Women) Bill, 2012 (HB 350)
4.	Gender and Equal Opportunity Bill, 2014 (HB 756)
5.	Women Empowerment and Gender Equality Act, 2015 (SB 37)
6.	Gender and Equal Opportunities Bill, 2016 (SB 116)
7.	Gender and Equal Opportunities Bill, 2016 (SB 301)
8.	Gender and Equal Opportunities Bill, 2015 (HB 86)
9.	Electoral Act (Amendment) Bill, 2015 to Ensure that all Political Parties are Gender Sensitive and to Eliminate all forms of Discrimination in all Political Parties (HB 174)
10.	Constitution of the Federal Republic of Nigeria (Alteration) Bill, 2016 (HB 538)
11.	Women Participation in Election Support Bill, 2018 (HB 1594)

Source: PLAC's Compilation

Despite the intentions behind these Bills, various factors obstructed the successful passage of these bills into law such as the nature of the Bill; calibre or influence of its sponsor (s) (e.g. whether it is an executive or non-executive Bill); whether it enjoys adequate legislative interest, including among the NASS leadership; whether it affects a large population and enjoys robust stakeholder engagement among others. In terms of the failure of proposed Bills, this has sometimes been attributed to: misconceptions about the Bill or its objectives; lack of strong political sponsors or popularity of the sponsor; inadequate research in drafting the Bill; inability of the Bill to resonate with Members; and so on. While these factors are significant when assessing how gender targeted Bills have fared in NASS since 1999, such Bills also appear to have distinct factors that impact their success or failure including how they affect the different gender; whether they impact established gendered norms and values; impact on the political power of men; and evidence of support from development partners, etc.<sup>33</sup> Most importantly, these bills also appear to have been poorly drafted with weak proposals accompanying the bill which do not effectively justify the need for inclusion of provisions for women representation and participation in the Nigerian electoral process.

In view of the recent commencement of the 9th Senate in 2019, it is expected that more strategised efforts will be made by the legislature to bring the representation of women in the legislature to higher percentages like their counterparts in other countries.

#### **Box 2: Recommendations**

The procedure for inclusion of women in politics in Nigeria may not be clear-cut, but the roles of various actors will ensure the actualisation of these recommendations.

##### *Legal Framework*

1. The 1999 Constitution needs to be amended urgently to set out explicit provisions on non-discrimination against women. Where necessary, it may require an insertion of a section under the discrimination provision clearly setting out the right of women to participate and be represented in all electoral processes in Nigeria. This right must be further entrenched by including a specific formula for inclusion of women by at least 35% in the various legislative houses in Nigeria. Similarly, it is imperative that the constitutional provision relating to political parties and elections be amended to include a revision of party rules to include affirmative action provisions for women participation and representation in elective processes.
2. In view of this recommended amendments, it is imperative that the Electoral Act 2010 be amended to reflect these provisions relating to women participation and representation and 35% sharing quota in the submission of lists of candidates for primaries and the nomination of candidates for elections made to the Independent National Electoral Commission (INEC) by political parties. Political parties are the main gatekeepers to elected positions. As such, political parties should adopt internal party rules that require the party to advance women in at least 35% of positions in each election. To further advance this goal, political parties must periodically address gender equality issues in their platforms; allocate equal and adequate resources for women's political campaigns and electoral processes, and organise trainings for women members on leadership skill development, preparing women candidates, etc.
3. The adoption of a stand-alone bill on women participation and representation in elections into legislative houses in Nigeria is overdue. This bill should be reflective of the rights of women in elective processes in international law and other jurisdictions and its provisions adapted to reflect a quota system or affirmative action provision that establishes a 35% quota system for women in elective processes.

### Legislators

1. Facilitate and forge strong links with their constituents.
2. Prioritise women's issues, including the promotion and protection of women's rights and the economic and social empowerment of women.
3. Women legislators must also work with women from all political parties to establish a formal women's network to advocate for a common women's agenda.

### Civil Society Organisations (CSOs)

1. Persuade public authorities to conduct a legislative review to ensure that equal rights for women and men are guaranteed, in particular as concerns political rights.
2. Also, women who are active in civil society must do more to prepare women and girls for political engagement and must reach out to women and men in government to form coalitions.

### United Nations, other international organisations and the diplomatic community

1. Continue to provide financial and technical support to build women's capacity in Nigeria.
2. Forge partnerships with government, private sector and CSOs to advance the equal participation of women as political leaders in Nigeria.
3. Apply diplomatic pressure on the Nigerian Government to take affirmative action in favour of women in politics

## Some Key Statistics

**Table 2: Comparative analysis of the distribution of the 469 legislators at the joint session in the National Assembly by gender 1999-2019**

Legislative Session	1999-2003		2003-2007		2007-2011		2011-2015		2015-2019	
	No.	%	No.	%	No.	%	No.	%	No.	%
Male	454	96.8	443	94.5	433	92.32	438	93	440	93.82
Female	15	3.2	26	5.5	36	7.68	34	6.6	29	6.18
Total	469	100	469	100	469	100	469	100	469	100

Source: Office of the Clerk of the Senate and House of Representatives, National Assembly Abuja 2008 in NASS Statistical information Vol. 2 no. 1 2008 and NASS Data 2014; National Assembly Gender Strategy 2014; PLAC's compilation.

**Table 3: Predicted composition of male and female legislators in NASS for the years 2015-2031\***

Gender	1999-2003	2003-2007	2007-2011	2011-2015	2015-2019	2019-2023	2023-2027	2027-2031
Male	96.2	94.5	92.19	89.7	87.4	85.07	82.73	80.38
Female	3.2	5.5	7.81	10.2	12.6	14.93	17.27	19.62

Source: NASS Statistical information vol. 2 no.1, 2008, page 48; National Assembly Gender Strategy 2014.

\*Predictions were contained in a 2008 National Assembly Statistical document based on realities at the time. Predictions for the 2011, 2015 & 2019 elections did not manifest. 2023 and 2027 predictions no longer considered realistic in light of dwindling numbers. In absence of clear affirmative action, numbers may actually get worse.

**Table 4: Estimated number of bills directly affecting women presented to NASS between 1999 and 2019 (4th to 8th Assembly)**

Item/Session	8th (2015-19)		7th (2011-15)		6th (2007-11)		5th (2003-07)		4th (1999-03)	
	No.	%	No.	%	No.	%	No.	%	No.	%
Number of bills related to women introduced	49	1.9%	45	3.5%	35	3.57%	7	0.89%	14	2.43%
Number of bills related to women's political participation & elections	7	0.27%	4	0.3%	1	0.1%	1	0.12%	1	0.17%
Number of women related bills passed (by at least one chamber)	6		10		6		3		5	

Source: PLAC's compilation of total number of bills on women is based on information available.

## Endnotes

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## About PLAC

Policy and Legal Advocacy Centre (PLAC) is a non-governmental organization committed to strengthening democratic governance and citizens' participation in Nigeria. PLAC works to enhance citizens' engagement with state institutions, and to promote transparency and accountability in policy and decision-making processes.

The main focus of PLAC's intervention in the democratic governance process is on building the capacity of the legislature and reforming the electoral process. Since its establishment, PLAC has grown into a leading institution with capacity to deliver cutting-edge research, policy analysis and advocacy. PLAC receives funding support from donors and other philanthropic sources.



Plot 451 Gambo Jimeta Crescent, Guzape District, Abuja, Nigeria.

Website: [www.placng.org](http://www.placng.org) \*Email: [info@placng.org](mailto:info@placng.org) \*Phone: 08091899999