

Women's right to active participation in political governance: the issues, prospects and challenges in the post-Beijing-Nigeria

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Abstract: The Beijing declaration prescribes a 30% representation of women in elective and appointive positions. The United Nation's states parties have the mandate to combat all forms of discrimination against women through appropriate legislative, institutional and further, by taking other measures. The work examines the prospects of equal participation and cultural challenges embedded in the indigenous legal tradition and in the patriarchy system. It examines particularly the culture which denies the girl education desired to function in political offices. Global visioning on women political participation is a workable experience except for the challenges posed by cultural practices. The prospects and challenges are considered on the basis that if most of the Nigerian women are not educated as to being fit for political offices, and if those that are competent and eligible to vie for political offices do not have the fund to finance their political activities, the political integration of the women remains an ideal.

Keywords: democracy; participatory political governance; gender equality; culture; property rights; access to factors of production; Nigeria.

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1 Introduction

Participatory governance operates under a political system such that democracy is found most suitable, being a government of the people, by the people, and for the people [Epstein, (2011), p.819; Olayinka, (2016), p.87]. The people elect their representatives based on the programs they offer to execute if they are voted in. Voting in election, in a democracy is the height of participation as it makes the people to take decisions on how they want to be governed over a space of time. Participatory democracy is attained when every hand is on deck and no one of voting age is shut out for having been paid for his right to political participation or for any other reason at all [Olayinka, (2019c), p.134].

There is political exclusion when elected representatives cut off from their constituents after election, when representatives fail to relate with, and to give an account of their stewardship to their constituents, but only to launch back towards another election. In the circumstances, the people miss the economic, social, cultural and political development, under which all human rights and fundamental freedoms are realised [Home, (2018), pp.162–163]. Development goals in Nigeria are not achieved given the fact that the 50% women population records very less than 10% in political participation [Snyder and Tadesse, (1995), p.16; Ige and Ngang, (2018), p.99]. Given the more than 40% of women (not minding that the treatment meted to the menfolk is not better) that are marginalised in the political scheme, participatory government in Nigeria has to be given a second look.

The paper presents as issue for consideration, the Fourth World Conference on Women in Beijing which rightly prescribes a benchmark of 30% of women in the elective and appointive positions (Beijing Declaration and Platform for Action, 1995). It identifies other complementary international instruments such as the Declaration on the Rights of the Child (1959), MDG (1990–2015); the CRC (1989), Convention for the Elimination of Discrimination Against Women (CEDAW, 1979), ICCPR (1966) and SDGs (2015) which address in part, eradication of gender in-equality [Akinbola, (2010), p.459; Darrow, (2015), p.56; Olayinka, (2019a), p.565]. Section 42 of the 1999 Constitution of the Federal Republic of Nigeria also complement the above provisions as it prohibits discrimination on account of a person's place of origin, sex, religion or political opinion. Consequently, the above provisions should be adequate to tackle those cultural limitations and traditions which militate against women participation in political governance. Political activism of the women has to be registered at the political party level. The challenges confronting the women in the area of political participation are then considered from two major angles.

The first challenge borders on how traditional and cultural factors affect women's qualification to fill both elective and appointive positions. Electoral laws and regulations prescribe the qualifications to contest for an elective position and political parties have to field their best candidates capable of securing victory in general elections. Electoral regulations require academic qualifications and political party leadership feel obliged to present candidates that have experience in the field of management of men and resources, and people of amiable dispositions.

Culture and tradition in most states of northern Nigeria are not supportive of girls pursuing formal education, when 'they are deemed to be mature' to be married [Wellbeing Foundation, 2020; Peters, (2014), p.186]. The Boko Haram appoints itself as compliance outfit as it abducts Leah Sharibu and other Chibok Girls from their schools [Peters, (2014), p.186]. There is a conflict between the provisions of international

instruments which qualify child marriage as one of the ‘harmful practices’ (Art. 27, 30, Beijing Declaration; Child Right Act, 2003; Article 10 CEDAW) and the cultural beliefs that child marriage meets quaranic injunctions and is thus, effective at curbing fornication. The paper examines whether the cultural value that reject the girls’ right to education, under the Child’s Right Convention (1989) in the 11 northern States of Nigeria will make the girl/women eligible to hold elective and appointive positions (Awofadeji, 2019). Will the nation not miss the women folk in the political arena in Nigeria, as the women are expected to offer unique state administration, distinct from the male dominated political scene [Dim and Asomah, (2019), p.91]?

The paper raises as well the issue of funding of political activities, as it probes the ability of eligible women for the elective and appointive positions to raise fund to enforce their political right. Democratic and participatory governance is capital intensive (Cole, 2016). The cost of organising political parties, the cost of parties having to streamline their aspirants, and that of fielding candidates for general elections have to be borne by the political party membership. This obligation has now been hijacked by ‘moneybags’ who run political parties and the state as political merchants [Katz and Mair, (2016), p.14; Olayinka, (2016), p.87]. In terms of political dealership and merchandise, and the profit motive, the paper examines how realistic is the women political participation.

The Nigerian women’s less than 10% political representation [Snyder and Tadesse, (1995), p.16; Ige and Ngang, (2018), p.99] gives the country a ranking of 181st out of 193 countries (CDD) and the work makes recommendations on how offensive culture can be modified to propel women’s political participation and development. In addition, since the political space is highly monetised, recommendations are made towards economic emancipation of the woman to facilitate their political activity.

2 Democracy

Participatory governance assumes a system of government in which the people determine how and who governs them. A military system of government, for instance, is an imposed, forceful and coercive arrangement which does not require the consent of the citizens. Democracy is the ideal participatory governance, which represents a government of the people, by the people, and for the people [Epstein, (2011), p.819; Olayinka, (2016), p.87]. The Universal Declaration of Human Rights, 1948, in Article 21(3) provides on democracy thus: “The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections, which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures”.

Participatory democracy entails having a genuine public involvement in government, which is crucial to both the proper functioning and the legitimacy of democratic institutions. Participatory democracy is attained when a variety of interest groups and the public are involved in the electoral processes [Olayinka, (2019c), p.134]. The Fourth World Conference on Women in Beijing advocates 30% of women in elective and appointive positions (Beijing Declaration and Platform for Action, 1995), the Nigeria’s National Gender Policy (NGP) recommends 35% affirmative action for a more inclusive representation of women both in elective and appointive positions (The Citizen, 2015; Okonkwo-Chukwu, 2013). Nigeria had democratic governance in 1960, which was

truncated in 1966. Military rule took place from 1966 to 1979 and from 1983 to 1999 [Taiwo, (2009), p.244; Olayinka, (2019c), p.131].

At independence, the countries of Africa adopted democratic governance, with a view of attaining economic development. Political leadership recycles itself, indulges in every manner of electoral fraud [Mengisteab, (2008), p.47; Benson, (2009), p.6], and such that the electorates' votes no longer count and that hinders participatory democracy. Nigeria celebrated 20 years of unbroken democracy in 2019. Global visioning such as the sustainable development goals (SDGs) and the Beijing Declaration and others are however expected to be realised on democracy, good governance, the rule of law, and general enabling environment (Vision of the SDG; Beijing Declaration).

Political participation is attained with the selection of leaders through regular free and fair elections, denoting the integrity of political competition and participation [Fatile et al., (2017), p.58]. Mangcu (2011, p.1154) as such submits that elections are the procedural mechanism by which people choose their government [Olayinka, (2016), p.87]. This eliminates the burden of having to vote for a multitude. Yigal Mersel makes assertion on political parties as essential element in a democracy as such: "the parties' presumed permanence enable them to grant political credit by forming coalitions and voting agreements. Political parties as such afford a unique mechanism for governance, decision making, and consensus building" [Olayinka, (2016), p.87].

Elections in a democracy connote citizens' direct or indirect contributions to governance, political authority is conferred on government for a term certain; it also affords the people opportunity to take position on any public matter, in the case of a referendum. Parties offer voters the candidates and programs, which they plan to execute if voted in. They equally offer an avenue for activism and the opportunity to take part in debate and political decision-making [Anstead, (2008), p.2; Olayinka, (2016), p.87]. As such, one essential platform for the women to exhibit activism and leadership skills is the political parties.

Towards the people's participation in political governance, political parties streamline candidates that may participate in an election. Women's political participation can only be fruitful if women play useful role when political parties form coalitions, with women seeking to receive more acceptability at the political party primaries, just as political parties make concessions in choosing candidates for a general election. This is required because an active participation at the party primary election boosts the chances of women, securing elective or appointive positions.

2.1 Political participation and development

Political participation of women and development are conceived in the circumstances of the exclusion of women from governance, which hinders the full realisation of the right of the women to self-determination. Non-participation, otherwise, implying exclusion also hinders the people's right to make useful contributions to the economic, social, cultural and political developments, under which all human rights and fundamental freedoms are realised [Home, (2018), pp.162–163]. Participation in the political context is the unhindered contribution of an individual to political affairs, in the circumstances that free and fair election hold in a political system. Subscribing to this, Fatile et al. (2017, p.54) identifies political activities that a person may be involved in at the political party level, such as; enrolment as a member, attendance of meetings, meeting financial

obligations, taking part in political discussions or attendance of political events, and rallies on membership drive or to canvass for votes.

In the global arena, particularly in Nigeria, development is envisaged in the circumstances that women who comprise more than half of the nation's population being rated outside the minority group in terms of the socio-economic advancement of society. Minorities refer to the set of people who are assigned no role in the developmental programs as being irrelevant. The essence of political participation in any society, either civilised or primitive is to acquire power, to control power, and to influence decision making in line with corporate or individual interests [Uwa et al., (2018), 24].

In the same vein, all groups (including those of women) seek to influence the dispensation of power in line with their articulated interests, being the fundamental motive of political participation [Uwa et al., (2018), p.24]. Snyder and Tadesse (1995, p.16) as such establish that development goals cannot be fully achieved without the participation of women as they are sufficiently endowed to make the useful contributions to development [Ige and Ngang, (2018), p.99]. Women's political participation is expected to introduce administrative uniqueness in that developmental issues that are often considered un-important will receive the attention of the women.

The historical perspective of the women participation in Nigerian politics is such that in the pre-colonial era, the Nigerian women played active role in the traditional political governance. This is notwithstanding, the fact that very few women were initiated into the traditional cults, such as the Ogboni, Osugbo, Ekpo, Ekpe, Eyo, etc. and that only a few possessed political powers [Uwa et al., (2018), p.30]. It was not debatable that meaningful governance capable of yielding development could be attained without the political leadership being initiated into cult groups. Issues of state were not discussed in the open or daytime so as to avoid distraction; initiation then meant the intimate bonding, which yield fraternity in *consensus ad idem* among the team players.

Nigerian women's low participation in political governance is not without its attendant consequences. Several issues affecting women and children are continuously ignored by the Nigerian Legislature which is dominated by men [Dim and Asomah, (2019), p.102]. Active participation of Nigerian women affords them the opportunity to contribute to debates on review of customs and tradition that hinder their development [Njieassam and Mbao, (2018), p.152]. It is now an international standard and requirement that the consent and active involvement of women must be sought and obtained on matters which affect them [Clavero, (2005), p.97; Njieassam and Mbao, (2018), p.152]. Developmental programs which do not meet the set standards are to be invalidated as illegal. The right to participate in decisions regarding development processes is a direct and indirect means of protecting and preserving the moral, cultural and traditional values of women [Clavero, (2005), p.97; Njieassam and Mbao, (2018), p.152].

Gender inequality in the political arena is a serious challenge being faced by women for several centuries. History has it that fewer women in Nigeria have been in political governance, even before colonialism. Instances of the few women are the Queen of Daura, the Sarauniya of Zazzau in pre-jihad, the Angwu Tsi who was almost the counterpart of the King, with her own palace, in the middle belt, Iyayun the Queen who ruled in 15th century in Oyo Empire, after the death of her husband [Modupe, 2001; Uwa et al., (2018), p.22].

The 2015 general elections presented women with good opportunities to navigate their way to power on account of the 35% affirmative action plan of the President Goodluck Ebele Jonathan [Okonkwo-Chukwu, 2013; The Citizen, 2015; Uwa et al.,

(2018), p.23]. Nigerian women are still being marginalised due to the political structure of the country. This is attributed to the kind of democracy in Nigeria which is the mercantile – ‘cash and carry’ democratic system whereby, he who finances political activities calls the shots. If most of the Nigerian women are peasants with limited access to financial resources, the political status of the woman, like most of her male counterpart is thus featherweight.

As such, women membership in the House of Representatives in 2016 was 5 out of a total of 360. The data on women representation in political offices shows a performance of below 10% representation [Uwa et al., (2018), p.34]. In the House of Representatives, in 1999, out of 360 seats, women won 12 seats representing 3.3%. In 2003, men occupied 318 out of 339 leaving women with only 21 seats, a percentage of 5.8%. The number increased in 2007 as women occupied a total of 25 seats, a percentage of 6.9%. In 2011 and 2015, there were significant drop in the number of successful candidates into the House of Representatives. Out of 360 available seats, women won only 19 (5.2%) and in 2015, women had 19 seats at 5.2%. In the 1999 Senate, women occupied 3 seats out of total of 109 (2.8%). In 2003, the number of women increased to 4 (3.7%) as men occupied 105 seats out of 109 seats [Uwa et al., (2018), p.34].

The election results in the 2019 national polls showed that only 5 out of 73 candidates running for office of the president were women. Of the 4,139 candidates that contested the House of Representatives election, 560 representing 12% were women. The election result had women representing a meagre 4% of total seat returned duly elected. President Muhammadu Buhari's newly constituted cabinet has only seven women out of 43, making up a little above 16% of the federal cabinet. This is under-representation of a women population of not less than 50% which situation has to improve to effect development (UN Women Release).

The UN Women release coming just before Nigeria's 2019 elections indicated that Nigeria has one of the lowest rates of female representation in parliament across Africa (UN Women Fact Sheets). In 11 African countries, women hold close to one-third of the seats in parliaments, more than in Europe (ADB, 2015). Rwanda had the highest number of women parliamentarians worldwide, with women having won 63.8% of seats in the lower house (UN Women Fact Sheets).

Globally, Nigeria ranks 181st out of 193 countries (CDD). At the continental level, available data explain Nigeria has a long way to go. It is observed that the Beijing benchmark of 30% and the Nigerian affirmative actions of 35% representation are far from being realised. Given the poor representation of women, and the fact that democracy is a game of numbers, the easiest being a simple majority in reaching a resolution, a 35% women representation will only partake in political decision-making by alignment, concessions and by compromise with their male counterparts.

2.2 The 1995 Beijing declaration and other relevant international instruments

United Nations Report of the Fourth World Conference on Women Beijing, 4–15 September 1995 otherwise known as the Beijing Declaration prescribes a 30% representation of women in elective and appointive positions. Towards the realisation, the Declaration emphasises in Article 26 on economic independence, ensuring equal access for all women, to productive resources, opportunities and public services. In essence, the provision establishes that there may not be political participation of women if they remain poor, with little or no financial support for the course of democracy. The Beijing

Declaration establishes that participatory governance, having women playing vital role may not be attained if girls and women do not have basic education, like their male counterpart (Art. 27, 30, Beijing Declaration).

Following the adoption of the African Union Gender Policy in 2009, African leaders launched the African Women's Decade 2010–2020 and the Fund for African Women to accelerate the implementation of all commitments on gender equality and women's empowerment in the continent. These continental frameworks complement important global instruments, to which many African Governments are signatories, including; the Dakar Platform for Action (1994); Beijing Declaration and Platform for Action (1995); CEDAW (1979), and the UN Security Council (2000) on Women, Peace and Security among others. At the 24th Summit of the African Union, held on 23–31 January 2015 in Addis Ababa, Ethiopia, African Heads of State and Government adopted Agenda 2063, the continent's 50-year structural transformation and development agenda. The Agenda's Sixth Aspiration is: 'An Africa where development is people-driven, unleashing the potential of women and youth'. Inter alia, it calls for Africa to work towards full gender equality and the empowerment of women in all spheres of life.

The United Nation's member states are under the obligation to combat all forms of discrimination against women through appropriate legislative, institutional and in application of other measures. Existing literature believes that a 'one-size-fits-all' approach to gender equality in political representation is feasible through the MDG (Darrow, (2015), p.56], the Convention for the Right of Women (CRW), CEDAW, ICCPR and SDGs to eradicate gender in-equality. The recommendations remain illusory on account of the various cultural believes that contradict the gender equality agenda. Thus, Article 2(5) and 13 of SDG mandate UN member states thus: "Parties shall endeavour to foster aspects relating to the protection and promotion of the diversity of cultural expressions". Clammer (2018, p.6) as such concedes that an instrument may only be enforced subject to a local convenience [Olayinka, (2019a), p.565].

There is the Beijing Declaration which mandates the benchmark of 30% of elective and appointive positions going to women. CEDAW also specifically requires the taking of all appropriate measures to ensure that women have rights on equal terms with men in public life (Article 7), education (Article 10), and employment (Article 11). It requires that states must take all appropriate measures to eliminate discrimination against women by any person, organisation or enterprise [Article 2(e)]. Raday (2012, p.525) thus confirms this obligation is on the state party to exercise due diligence to prevent discrimination against women by non-state bodies.

States have the obligation to promote participatory governance and the equal participation of women in the political life by making national legislation and by taking other measures to ensure that women participate without any discrimination in all elections; equal representation for women at all levels. Moving in that direction, almost all the political parties in Nigeria, during the election into the Fourth Republic gave women aspirant's nomination forms free of charge [Section 42, 1999 Constitution of Nigeria; Art 9(1) African Charter, Right of Women; Uwa et al., (2018), pp.27–28]. It is then important to consider how global visioning on gender equality links with cultural practices.

3 Cultural challenges against women and governance

3.1 Culture, participation and development

Cultural norms and practices have great influence on women's political participation. Among the cultural ideological factors that affect women's political participation is patriarchy system. In a patriarchal system, gender inequality is determined by the uneven access to political governance (Pateman, 1988). In Nigeria, traditions continue to emphasise and often dictate, women's primary role as mothers and house wives [Fatile et al., (2017), p.60]. Few women who venture into politics are blackmailed and intimidated by men on account of culture and tradition or for just being uncomfortable with the healthy rivalry which women's participation introduces.

The way out of the clash between culture and gender equality is expressly regulated in Articles 5(a) and 2(f) of CEDAW as States have the mandate to modify the social and cultural patterns of conduct of men and women in a manner devoid of discrimination; with no sex being inferior to the other. Article 17(2) of the African Charter on Human and Peoples' Rights as such allows every individual to freely take part in the cultural life of his community. Raday (2012, p.520) as such submits that cultural practices, customs and religious norms have to give room for gender equality in the case of a clash between the two.

Culture is a factor to reckon with in terms of development. This is relevant in that a nation has to appraise its cultural past, to do a present appraisal and to make a projection into the future. Consequently, development has to ride on a culture if such attainment is to be sustainable. Thus, to Clammer (2018, p.9), it is worthwhile to adequately triangulate culture, development and sustainability (Scott 1998). Development is not feasible at a globalised level because cultural values and yardsticks are peculiar to a specific geographical divide.

The cultural dimension of human right provisions has to be examined with a view of protecting classes of people that are continuously marginalised, such as the physically challenged, children, girls and women which encompasses orphans and widows. Adeola (2017, p.38) however observes that the state should consider how culture can complement in effecting development of girls and women. Consequently, development which is conceived outside cultural considerations is baseless, unsupportive and unsustainable, particularly in the face of globalisation and westernisation. Clammer (2018, p.3) as such rightly captures this as the writer submits that culture contributes to the delivery of development goods. To attain development as such, culture is incorporated into national and international development policies, so as to protect the attained development from erosion, particularly under the impact of globalisation.

Development is local, since it is piloted by culture known to a particular geographical expression. In relation to gender, culture is the agent of socialisation or conditioning through which male and female internalise societal values, develop a self-concept and identify with members of their respective gender groups [Para-Mallam, (2006), p.462]. As such, culture is a powerful tool for the reproduction of meaning, social relations, classification and power configurations. The impact of education on culture is captured in Article 12 of the African Charter on Human and Peoples' Rights on the Rights of Women in Africa – Right to Education and Training which provides:

- 1 States parties shall take all appropriate measures to:
 - Eliminate all forms of discrimination against women and guarantee equal opportunity and access in the sphere of education and training.

This position aligns with the UN's commitment to gender equality under the United Nations Charter and the Universal Declaration on Human Rights, which states that rights and freedoms will not be limited by a person's gender and establishes that 'all human beings are born free and equal in dignity and rights (UDHR, 1948).

The position of women in the home front is supportive of the husband and the children, which also extends to in-laws and other family members. People then consider how a woman can cope with participation in political governance and the home demands. The belief however is that it is obligatory for women to heed the civil call to leadership, which enhances a woman's domestic convenience. This is because women's participation in government is capable of addressing rights violations, such violations sustained by culture, that impinge on the rights of women and girls, including; female infanticide; female genital mutilation (FGM); forced marriage and child brides; patriarchal marriage arrangements denying women right to land, property, or freedom of movement; husband's right to commit acts of violence against his wife, including marital rape; witch-hunting; compulsory restrictive dress codes; and stereotypical restriction of women to the roles of housewives or mothers, without a balanced view of women as autonomous and productive members of civil society (Reports by the Committee for Elimination of Discrimination against Women; Raday, (2012), p.518].

The Boko Haram criminal abductors believe that western education especially for a girl is sinful as she is expected to be married to her husband and nothing more. The abduction of Leah Sharibu and other 275 Chibok girls in 2014 makes a categorical statement on the hostility and cultural intolerance of girl – western-education [Wellbeing Foundation, 2020; Peters, (2014), p.186]. This culture however contradicts the provisions of international instruments and the law which stipulates no gender should be discriminated against in pursuit of his or her development in life (Art 27, 30, Beijing Declaration; Article 10 CEDAW). The 30% political leadership slot for women is expected to be met under access to education, a safe school environment for girls, leading to a sound moral and educational lifting of the status of the girl, who later develops as a woman.

Gender-based violence is a phenomenon in Nigeria, having damaging effects in the learning environment. At all levels, girls experience sexual harassment and assault from male students, teachers and from other stakeholders in the teaching arena. This prompts schools to consider the inauguration of Sexual Harassment Committee and a Gender and Diversity Complaints Committee to curb the menace [Para-Mallam, (2006), p.474]. The impact of culture on gender equality propositions cannot be ignored; this is precisely examined under culture and access to education.

3.2 Early marriage and the right to education

Cultural and religious prescriptions on role and status of women hinder the drive towards their political participation [Para-Mallam, (2006), p.460]. Equal access to education is necessary if more women are to become agents of change. Investing in formal and non-formal education and training for girls and women, is the best means of achieving sustainable development and economic growth (Article 69 Beijing Declaration). The

educational opportunities and empowerment in the 1999 Constitution is thus an essential tool for women political participation, because it is based on the equal and adequate educational opportunities provided by the state for everyone (Section 18(1) CFRN, 1999).

Education is a human right and an essential tool for development. Akinbola as such acknowledges the right to education and provisions in a number of important international and regional human rights instruments such as Article 10 of the Convention on the Elimination of Discrimination Against Women (CEDAW) 1979; Articles 23, 28 and 29 of Child's Right Convention; Article 17 of the African Charter on Human and Peoples' Rights; Article 11 of the African Charter on the Rights and Welfare of the Child; the UNESCO Convention Against Discrimination in Education, 1960; the World Declaration on Education for All – Meeting Basic Learning Needs, adopted by the World Conference on Education for All on 9 March 1990; the European Convention 1953; the American Declaration of the Rights and Duties of Man, 1948, amongst others [Akinbola, (2010), p.460; Olayinka, (2019a), p.565]. This much premium has been placed on the right to education because a child who enjoys the right to education has freedom to choose a way of life that can lead to development of the self and of the nation [Sen, 1999; Ige and Ngang, (2018), p.98].

In the northern Nigeria, the influence of religion encourages all behaviour, attitudes and/or practices which negatively affect the fundamental rights of women and girls, such as their right to life, health, dignity, education and physical integrity. The Quran specifies that girls can marry once they reach maturity, and by different interpretations, certain girls of between age 9 and 13 qualify as brides (Oduah, 2018). This is a contrast to the provisions of section 277 of the Child's Rights Act, 2003, which qualifies a child as a person under the age of 18 (CRA, 2003). The underage is given out in marriage, believing early marriage of the girl would curb fornication. This is confirmed in the words of one of the parents of girl / bride who argues: "I do not want men to be looking at her and if I allow her to continue with school, men will be looking at her as she walks to school or even the men in the class. I can't allow that" (Oduah, 2018).

A girl-child is afforded education and training which is commensurate with a career in the home, under the marriage institution, and thus she is kept out of school. This setting earns the girl an early marriage which takes her out of school, in a manner that is discriminatory to her [Article 1, 3 CEDAW; Uwa et al., (2018), p.27]. Female children are more out of school just as 44% of girls in Nigeria are married before their 18th birthday and 18% are married before the age of 15. According to UNICEF, Nigeria has the third highest absolute number of child brides in the world – 3,538,000 – and the 11th highest prevalence rate of child marriage globally. Child marriage is most common in the North West and North East of Nigeria, where 68% and 57% of women aged 20–49 get married before their 18th birthday. Child marriage is particularly common among Nigeria's poorest, rural households and the Hausa ethnic group (Wellbeing Foundation, 2020).

Under the Child Rights Act 2003, the minimum legal age for both parties in a marriage is 18 years. On account of the conflict of culture and the law, out of the 36 states in the country, 11 states based in the northern part of Nigeria are yet to domesticate the Child Rights Act which was passed into law in 2003 [Child Rights Act, 2003; Wellbeing Foundation, 2020; Tallen, 2020; Olayinka, (2020), pp.12–13]. The discriminatory culture received a boost in 2013 when Ahmad Sani Yerima, a senator and former governor allegedly married a 13-year-old girl (Oduah, 2018).

Given the 50% population of women in Nigeria, and the early marriage culture resulting in 62% of the women population, the 5%–6% women representation in public offices is substantially explained. If the expected women political participation will not remain mere propaganda, the culture has to change in line with the global reality. The intervention of the federal government towards a cultural revival is such that in 2016, the Ministry of Women Affairs and Social Development launched a National Strategy to End Child Marriage. The strategy's vision is to reduce child marriage by 40% by 2020 and to end the practice entirely by 2030 (Wellbeing Foundation, 2020). The steps taken by Government are informed by Articles 5(a) and 2(f) of CEDAW that mandate state to modify the social and cultural patterns of conduct of men and women, towards the elimination of discrimination. Presently, no meaningful mark has been made, with concerted efforts however, much can be accomplished by 2030.

3.3 Party funding and corruption

Despite the increasing agitation for gender equality, women record poor participation in politics and decision making positions. This is notwithstanding that women constitute about half of the nation's population [Uwa et al., (2018), p.36]. The challenges facing women are enormous; however, there is still marginalisation of Nigerian women in politics. The challenges are categorised into two. The first links directly with funding of political activities, while the other is remotely connected to it.

Contesting for political positions in Nigeria requires heavy funding. The process of electing the party's nominees who contest in the general election is the primary election. Funding as it relates to aspirants contesting in primary election covers maintenance of campaign office, supporting campaign staff, procurement and maintenance of campaign vehicles, accessing internet services, advertising on radio and television, and meeting litigation expenses when necessary, incurring expenses in giving desired support on voter registration, and complementing on regular functions of the party [Duschinsky, (2006), p.189; Olayinka, (2016), p.90].

Cole (2016) as such submits that Nigeria runs one of the most expensive political systems in the world, considering in particular, the cost of mobilising the not less than 85,140 national delegates for presidential primary election. The financial demands in party politics is more felt in the procurement of nomination and expression of interest forms by all aspirants which range between N1.2 million Naira and N27.5 million, depending on what office is involved. The People's Democratic Party's presidential forms was N22 million; senatorial seat, House of Representatives and state assemblies forms cost N4.5 million, N2.5 million and N1.2 million respectively. In the All Progressives Congress, aspirants to the office of the President were requested to pay N27.5 million [Olayinka, (2016), p.90; Channels Television, 2019].

Under the First Republic in Nigeria, and like in other advanced democracies, party members were obliged to make timely financial contributions, which formed part of the political party funds. A party has now crept into the democratic experience on account of lacking dividends of democracy (Olayinka, 2016). Funds are now contributed by a few people and this gives them the control on how the ruling political party and even the Government are run. State sponsored projects are executed in a way that gives appreciable percent out as returns on political investment [Katz and Mair, (1995), p.14; Olayinka, (2016), p.87].

To Governor Kayode Fayemi, success in Nigerian political contest, and in securing political appointments, depends upon the aspirant's active and purposive appeasement of five mini-gods. These gods are the self in the aspirant, which shows how determined he is to rule; the Independent National Electoral Commission (INEC), the Nigerian Police Force, State Security Service and military, and thugs and bandits employed to rig elections. Others are the Nigerian judiciary, needed to legally secure stolen elections, money god/godfather complex, who determine who can run, and who wins elections [Fayemi, 2009; Okonkwo, (2016), pp.122–123].

Politics in Nigeria involve a lot of money, material and human resources. Notwithstanding, the Nigerian Women's access to and control of productive resources, such as land and capital still remain low (Olojede, 2016). Many Nigerian women do not possess the wherewithal to mobilise for elections. Most Nigerian women aspirants who seek these positions cannot afford meeting the financial obligations therein, despite the waivers given to women aspirants by some of the political parties. This aligns with the assertion of former President Obasanjo who likens elective offices to commodities which go to the highest bidder, and in which investors make profits [Okonkwo, (2016), p.122]. This encourages the women to look for sponsors who have the financial strength in picking such bills [Duschinsky, (2006), p.189; Olayinka, (2016), p.91]. The financial demands cannot be met individually except an aspirant reaches out to interests, which in practice makes for compromised integrity later on.

Most Nigerian politicians are corrupt, without exonerating the female politicians. This is attributed to the political culture and tradition which aligns with the huge financial and material resources required. The political demands compel the female politician, like her male counterpart to seek godfathers and sponsors who expect profit on investment made. This political dealership compels the female politician to abandon her feminist agenda for selfish gains (Cornwall & Goetz, 2005, 784; Okonkwo, (2016), p.122]. Party campaigns in most African countries are fraught with despicable levels of corruption and this aligns with the observations of Bishop Kukah (2016) that democracy in Nigeria is funded and sustained mainly from the proceeds of looting of public treasuries. The INEC thus remarks that elected officials are more accountable to those who finance their campaigns than to their constituents [Olayinka, (2016), p.87].

Lack of transparency in governance sustains corruption, which militates against efficient resource planning and allocation, and results in high institutional expenditures as a result of inflation of contract costs [Alemika, (2012), p.86; Olayinka, (2019b), p.43]. Public sector corruption is just established as it is borne out of the massive deployment of fund to electioneering activities. It is attributed also to the political under-representation of women in political governance. Poverty is magnified by a growing level of inequality in a nation; this is as a few corner resources for a whole nation [Darrow, (2015), p.91]. Public sector corruption pitches most women in the have-not-class and this affects their political consciousness. Corruption hinders the realisation of equality in dignity and rights assured in international instruments (Article 1 UDHR 1948; Article 2(1) ICCPR, 1966; Campbell 514). Corruption makes the women more marginalised, just as the economic resources due to them are withheld and thus, economic denial leads and sustains their political exclusion.

3.4 *Violence and other forms of electoral conflicts*

The Nigerian political landscape regularly witnesses violence, electoral irregularities and other criminal activities. However, the continuous campaign for women participation in the democratic space has yielded little, when compared with the increasing number of women heading key positions in other countries (Adeniyi, 2003; Fatile et al., (2017), p.60]. Violence and other forms of electoral conflicts are regular occurrences in political activities; the development is beyond what many women can stand, they as such stay away from active participation in politics. The violence in Nigerian politics is an obstacle to women's participation in governance [Diamond, 1988; Uwa et al., (2018), p.24]. Most women cannot cope with violence which flows with partisan politics in Nigeria.

3.5 *Cattle rearer/farmers clashes*

Gender's equal participation in political activities has to do with equal access to the factors of production [Haysom, (1992), p.454; Olayinka, (2019a), p.568]. The criminal curtailment of food security which the Press tags as 'farmer/cattle rearer clashes' amount to 'violence against women'. All acts perpetrated against women, which cause women physical, sexual, psychological, and economic harm, and which deprive women of fundamental freedoms in private or public life. The cattle invasions of farms do enough havoc on the political ambition of the woman. It rather meets the self-seeking ethnic disposition of a few people inside and outside government [Njieassam and Mbaou, (2018), p.152]. Innocent and defenseless men and women are either kidnapped, for release on ransom payment or severely brutalised while eking a living on their farms. The farms are vandalised, and devoured by the cattle; the male farmer is assaulted and sometimes killed. The defenseless woman farmer are sexually assaulted, and sometimes killed in the process [Okoro, (2018), p.6; Ofuoku and Isife, (2010), p.39; Okeya, 2020].

The governor as the chief security officer of a state and the Commissioner of Police in the state, working with the divisional police officers in communities do receive reports on loss of lives and properties. The usual responses are reconciliation, and a times, counter-allegations against the victim. This explains the position held in certain quarters that human rights violation is largely traceable to government officials who discharge obligations wrongfully and negligently [Rotman, (2004), p.289; Olayinka, (2019a), p.577].

Article 26 of the Beijing Declaration canvasses for the women's economic independence towards the eradication of the increasing burden of poverty on women, by addressing the structural causes of poverty [Art 25, UDHR, 1948; Haysom, (1992), p.454; Olayinka, (2019a), p.568]. Beijing Declaration in Article 29 condemns all forms of violence against women and girls. The absence of investigation, trial and application of sanction, capable of serving as deterrence to potential criminals encourages lawlessness. How relevant is the Beijing Declaration to Nigeria, if law enforcement agencies presently do not know that the constitutional provisions on the rule of law cannot be invalidated on account of 'body language' of the chief law enforcement officer of Nigeria. This disposition violates access to justice and the right of everyone to equal protection before the law (Article 8(c) CEDAW). The trend raises the need to train and equip law enforcement organs on interpretation of human rights, particularly, that relates to women (Article 8(d) CEDAW; Beijing Declaration). The states in South West of Nigeria launched security outfits codenamed 'Operation Amotekun', to handle crimes, to

complement the efforts of the Nation's security outfits. The Coalition of Northern Groups also announced the establishment of a regional security outfit known as 'Shege-Ka-Fasa' amid the Amotekun controversy (Agada, 2019). Where the law is not allowed to take its full course on account of 'body language' of the chief executive, it amounts to sustainable anarchy where no development takes place.

3.6 Access to justice

A society makes for sustainable development by the promotion of the rule of law, and equal access of everyone to justice (16 (3) SDG). Access to justice assures of fair trial proceedings which is affordable, timely and effective [Metiku, 2014; Olayinka, (2018), p.143]. The right to fair trial as it relates to women, in the context of this work, relates to how easy it is, for women to access justice when their rights are violated. It has been established that the provision of legal aid service, within the Country is quite important in the sense that it improves accessibility to justice, particularly for vulnerable groups in the society, such as the elderly, children and women [Metiku, 2014; Mohammed, (2017), pp.54–55].

Over the armed conflict situations in States of Africa, member states undertake to ensure respect for the rules of international humanitarian law, applicable in armed conflict situations, which affect the population, particularly women (Article 11(1) of the African Charter on Human and Peoples' Rights on the Rights of Women in Africa). The state's law enforcement agencies are to be specially trained on the enforcement of the rights of the people to live in a crime free environment. There should be adequate educational and other appropriate structures to sensitise everyone on the rights of women. To the extent that farmers are killed and women are sexually assaulted, even unto death on the farms without justice, Article 8(c) CEDAW insists there should be access to justice and equal protection before the law. Article 8(d) provides that law enforcement organs at all levels should be equipped to effectively interpret and enforce gender equality rights.

This criminal assault further compounds the plight of the already marginalised women. Such women that is less educated, under-employed, and lacking in other basic social services, who suffer limited access to land, and are deprived of the full enjoyment of other human rights, including the right to political participation in governance. This development seals the woman in the depth of poverty, which cuts her off from the production chain and makes her more unsuitable to participate in political governance.

4 Economic empowerment and political participation

States have the mandate to create conducive environment for women political participation (Articles 5(a) and 2(f) of CEDAW). Article 25(1) of the UDHR provides on the entitlement of citizens to social and economic rights (SERs) as follows:

Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in the circumstances beyond his control [Olayinka, (2019a), p.571]. On account of female career development challenge, the incidence of poverty is higher among the women than men (National

Bureau of Statistics, 2005). Enjoyment of political rights is considered in relation to existing economic rights [Haysom, (1992), p.454; Olayinka, (2019a), p.568].

The right to development is attained where development is effected in a manner whereby each and every other human right are realised in compliance with international human rights standards [Fikre, (2011), p.254]. The 1986 United Nations Declaration defines the right to development, as “a comprehensive economic, social, cultural and political process, which aims at the constant improvement of the well-being of the entire population and of all individuals on the basis of their active, free and meaningful participation in development and in the fair distribution of benefits resulting there from” [UNDR, 1986; Mubangizi, (2010), pp.1–3].

Development which is viewed from a social and economic perspective reflects life expectancy at birth; literacy and years of schooling; standard of living, measured by per capita income (UNDP; HDI measurement; Ige and Ngang, (2018), p.98]. Harmful cultural practices exist which hinder access to and ownership of natural wealth and resources. Except the access challenge is addressed, the right to development cannot be realised [Art 1(2) Declaration on the Right to Development, 1986; Ige and Ngang, (2018), p.118]. It is important to note that the defunct millennium development goals (MDGs) prescribed development as a global program focusing particularly on the advancement of women in society.

The indigenous legal tradition, the patriarchy system and the effect on women participation in politics is such that the woman had access to land for agricultural purposes like her male counterpart [Rodney, (1972), p.68]. Women are deemed to enjoy ‘access to and control over productive resources such as land and right to property’, ‘access to credit, training, skills development and extensive services’, which are assurances for the realisation of the right to sustainable development (Art. 19(c)(d) African Women’s Protocol; Ige and Ngang, (2018), p.118].

The reason for the break from the production chain as it relates to the Nigerian woman is obvious. Under the indigenous legal tradition, everyone had unhindered access to land for farming purposes. The colonial legal system and the Nigerian Legislation changed the trend as they treat land as property that can be bought by those who can afford it [Watson, (2018), p.119; Olayinka, (2021), p.7]. This now promotes class struggles in which the ‘fittest’ survive and thrive and thus militating against the right of every other person’s to land and production resources (The African Charter on Human and Peoples’ Rights, 1981). Communalism that manifested under the indigenous legal tradition aligns with women’s economic empowerment, as it gave equal access to land as factor of production. It is believed that the system of equality is capable of giving a direction into the national and international development policies [Udombana, (2003), p.485; Clammer, (2018), p.6; Olayinka, (2021), p.5]. It is believed that under a workers’ political governance, the women have a say and way, just as with equal and communal ownership of factors of production [Marx, 2001; Uwa et al., (2018), p.30]. Unfortunately, the dream of women liberation and emancipation from men’s oppression through communism may not be realised as communism is less applied now. It is however believed that women economic development can be realised better if women enjoy the right to inherit property.

4.1 Right to inherit property

Relevant to economic emancipation of the woman is her right to inheritance. The Islamic personal law discriminates in various ways against women. Nigerian women's inheritance and property rights are denied by the concomitant existence of customary and religious (Islamic) laws that limit women's access to land and property (Article 26, Beijing Declaration, 1995). Access to land and property is primarily through a patrilineal system of inheritance that largely excludes females. There is no guarantee that a widow enjoys an equitable share in the inheritance of the property of her husband, such that she may continue to live in the matrimonial house after the demise of the husband (Article 21 African Charter on Human and Peoples' Rights on the Rights of Women in Africa).

When the male politician raises funds for political activities through mortgage of family property or outright sale, what can the woman politician having no inheritance turn to, to raise fund? The woman who falls into this category qualifies as minority notwithstanding that women generally have not less than half of the nation's population (Article 27 ICCPR). Women, like her male counterpart should enjoy the right to inherit, in equitable manner, their parents' properties and should inherit her husband as well.

5 Recommendations

5.1 Restructuring of Nigeria

Development is peculiar to a particular geographical divide, and it is driven by the people's culture. Under the First Republic in Nigeria, the country was divided into the Northern Region, Western Region and Eastern Region. The country knew what development was, because each region was propelled by its local peculiarities denoted by culture. The military administration started to break the regions until most of them are no longer viable. Given the fact that Nigeria is an heterogeneous nation, and that the Beijing Declaration expects the Federal Government of Nigeria to effect a 30% women representation in governance, the question to ask is by which culture that is to be attained.

Cultural rights are the foundation of cultural policies, and the guarantee of their legitimacy and coherence. Nigeria as a Nation does not have a common indigenous language nor culture. Each geo-political zone rather has its peculiar culture by which development and women representation in government can be effected. In essence, since there is no national culture for Nigeria, there cannot be national policies; neither can there be national enforceable rights. Consequently, it has not been easy for the Federal Government to effect women political participation, particularly, when culture stands against the same. Under a restructured Nigeria, what appears not feasible at the national level may be easily realised in any two or more geo-political zones.

5.2 Synergy and alliances

The gender advocacy groups should be conscious of the fact that where the sub-structure is bad, the structure is worst off. The present structure of Nigeria offends everyone except those who operate and take the spoils of the system. Even at that, most of the people in

the political leadership endure the system for as long as they make their money, after which they go back to their foreign investments. For clarity sake, apart from the women folk, we still have the youths, physically challenged, the un-employed, the very poor, professional bodies such as the ASUU, NMA, NBA et cetera and citizens generally bringing to the table problems which directly or indirectly go to the issue of the nation's structure. There are so many non-governmental organisations (NGO) pursuing in bits, accountability, widowhood, orphanage, disability, crime et cetera, that are fragments of the political structure of Nigeria. What we have however, is the solo-efforts by way of industrial actions, protest and warnings, propaganda, proclamation et cetera. At this stage, there should be a synergy of efforts for restructuring of Nigeria, between the professional groups, interest groups and the NGO's towards a national megaphone that cannot be ignored by the government.

5.3 Public servants and partisan politics

To be found eligible for public office, a person has to be literate with private and public exposure and of a good character. A political party considers these and more factors as it weighs the chances of each aspirant vis-a-vis the success of the party in general elections. The educated women are mostly public servants who by civil service regulations have to stay away from partisan politics. Section 4(g) of the Civil Service Rules (2008) categorises the engagement in partisan political activities as a serious misconduct, punishable with a dismissal from service. The regulation is meant to ensure that the public service's value of loyalty, impartiality and neutrality is protected in the public interest (Olaopa, 2019).

The female public servants, like her male counterpart, as such hardly register as party members, they do not register to vote most times, and when they do; they hardly go to vote on election days. The eligible women do not want to risk their job security for partisan politics and they are absent in the party leadership reckoning, when political offices are shared out. The women representatives on the political field are the less educated, the aged, the poor that are generally not eligible for elective and appointive positions.

Democracy is a game of numbers, whereby decisions are reached in the legislature either by absolute majority or simple majority vote. Women's representation required under the Beijing prescription is 30% and under the Nigerian affirmative action is 35% representation. These requirements in the Nigerian political space cannot establish the feminist presence. In the circumstances, recourse is made to the civil service rules, and Section 40 of the Constitution, which allows every Nigerian to assemble freely and to associate with other persons, and in particular to form or belong to any political party, trade union or any other association for the protection of his interests. The supremacy of constitutional provisions over the Civil Service Rules should be upheld by the courts, for women public servant to actively participate in political affairs.

5.4 Education and cultural revival

Culture is flexible as it responds to sensitisation, education and enlightenment. This gives hopes that through education and enlightenment, women participation in politics and development can be attained. At the level of political enlightenment, aggressive

re-orientation, programs are vital and healthy for women to feature more in the political life of Nigeria [Fatile et al., (2017), p.63]. Article 5(8) of the African Union Convention on Preventing and Combating Corruption Convention mandates the member states of the African Union to encourage political participation through an enabling environment such as the school educational programs and sensitisation of the media (AUCPCC, 2003).

5.5 Enforcement of quota system

Political parties may have to be mandated to observe a quota system, whereby they should reserve 30% of all elective positions for women. The INEC may be mandated to enforce such regulations. It is however advisable that the women be allowed to evolve into the political landscape, than by legislation. This should be done in a way that does not perpetuate 'godfatherism'. The said quota system which should be the equivalence of the federal character principles should not be abused as to sacrifice merit for gender. Any woman that will be nominated should meet the qualification and criteria for election or appointment.

6 Conclusions

The very laudable issue of equal participation of women in the political landscape, coming from the Fourth World Conference on Women in Beijing turns out as of persuasive influence in Nigeria. The benchmark of 30% of women in the elective and appointive positions and female gender equality and avoidance of discrimination on account of sex remains a myth as less than 10% female participation is recorded in Nigeria (Beijing Declaration and Platform for Action, 1995; ICCPR, 1966; SDGs, 2015; Section 42 of the 1999 Constitution of the Federal Republic of Nigeria. The culture and tradition in Nigeria does not believe in gender equality as it puts the female gender out of formal education and rather positions the female sex under the care of her male counterpart [Peters, (2014), p.186].

The unsupportive impact of customs and tradition manifests in the intolerance of qualified women folk in the political circle. Reservation of back seats for women by their male counterparts, which is effected most times by blackmail and coercion discourage women participation in politics. Women's participation in politics and western education complements each other towards assumption of elective and appointive positions. Lack of formal education militates against having qualified women to vie for elective and appointive positions. The paper also considered the high cost in funding of political activities, in which most women are not financially buoyant to call the shot. The influence of 'moneybags' who are mostly men on the political space exclude the women [Katz and Mair, (2016), p.14; Olayinka, (2016), p.87], because the profit-motive in political investment run contrary to the ideal of gender equality and equal participation in politics.

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