



***ADVANCING GENDER LEGISLATION IN NIGERIA:
CHALLENGES AND OPPORTUNITIES***

by

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INTRODUCTION

- Legislators play a pivotal role in advancing gender-responsive legislation and budgeting in Nigeria. Their responsibilities encompass lawmaking, oversight, and representation, all of which are crucial for promoting gender equality and ensuring that national resources are allocated equitably. To achieve these goals effectively, it is essential to include Men and women in legislative authority. Legislators are responsible for drafting, debating, and enacting laws that promote gender equality. This includes creating and amending laws to protect human rights, eliminate gender-based violence, and ensure equal opportunities in education, employment, and political participation. Legislators ensure that existing laws and policies are effectively implemented. They also monitor government agencies and departments to ensure compliance with gender-responsive policies and hold them accountable for any lapses. This oversight is essential for the successful implementation of gender-responsive budgeting, which aims to allocate resources in a way that addresses the specific needs of both men and women

- Gender-responsive legislation and budgeting are crucial for promoting gender equality and ensuring that national resources are allocated equitably. In Nigeria, legislators play a pivotal role in this process through their responsibilities in lawmaking, oversight, and representation. The inclusion of women in legislative authority is essential for achieving these goals effectively.
- As representatives of the people, legislators advocate for the interests of their constituents, including women and marginalized groups. Their inclusion in legislative authority ensures that the voices of women are heard and considered in policy-making processes. By championing gender-responsive budgeting, women legislators can ensure that budget allocations reflect the needs of women and contribute to their empowerment. Engaging with civil society organizations, women's groups, and other stakeholders is also a key aspect of their role.

- Despite the progress made, several challenges hinder the effectiveness of gender-responsive legislation and budgeting in Nigeria. Cultural and societal norms, inadequate funding, and lack of political will are significant barriers. Women's representation in politics remains low, with efforts to amend the constitution to improve this facing resistance. Gender-based violence is a pervasive issue, and the implementation of laws like the VAPP Act is often hindered by societal attitudes and inadequate enforcement.

WOMEN INCLUSION IN LEGISLATIVE AUTHORITY

- The inclusion of more women in legislative authority has numerous benefits. Diverse perspectives leads to more comprehensive policies that address the needs of all citizens. Women legislators are more likely to focus on issues affecting women, such as healthcare, education, and economic empowerment. Their presence also enhances accountability and transparency in governance, contributing to a more equitable society.

BENEFIT OF WOMEN INCLUSION

- Success stories of women legislators in Nigeria highlight the positive impact of their inclusion. For example, women lawmakers have been instrumental in advocating for the VAPP Act and other gender-responsive policies. International examples also demonstrate the benefits of gender-responsive budgeting, with countries like Rwanda and Sweden showing significant progress in gender equality through inclusive legislative practices.
- Drawing inspiration from Rwanda's success in promoting gender equality, Nigeria can adopt similar strategies to enhance women's inclusion in legislative authority. This includes strong political commitment, constitutional and legal reforms, and active engagement with civil society organizations. By following these steps, Nigeria can make significant strides towards achieving gender equality and empowering women across all spheres of society.

PROPORTIONAL REPRESENTATION IN TANZANIA

- In Tanzania, reserved-seat legislators are indirectly elected by their parties through a Proportional Representation system. Elections for general seats are held under the existing first-past-the-post (FPTP) system, and each party submits a women-only candidate list for the reserved seats. Once the FPTP seats are allocated, the party or seat shares from the FPTP election determine how many of the reserved women seats each party will then occupy.
- The seats are proportionally distributed among the political parties that meet a 5% threshold of popular votes in the election. One of the benefits seen with this model in Tanzania is that it combines the FPTP and List PR systems.
- It was found that many women could transfer from quota seats to open seats, thereby significantly contributing to an increase in the number of female constituency legislators. It was also found that most female constituency legislators in the Tanzanian parliament came from reserved seats. The major criticism here is that these women lack a constituency base and are mostly accountable to party leaders, not to voters.

INDIA LOCAL GOVERNMENT ADMINISTRATION

- The 73rd Amendment to the Indian Constitution, enacted in 1992, requires that at least 33% of seats in village governments (Panchayats) and 33% of Chairperson positions be reserved for women. These reserved seats are rotated among different constituencies, typically every five years, depending on state legislatures. This reform significantly boosted women's representation in local governance from 5% to 40%, with about one million women elected to local bodies between 1993 and 1996.
- Women in India faced several challenges following the implementation of the 73rd Amendment, which mandated reservations for women in local governance. These challenges included limited education, balancing family responsibilities with political duties, and overcoming socio-economic barriers. Additionally, male dominance and political interference often undermined their authority.
- To overcome these obstacles, women engaged in capacity-building programs and formed support networks. Advocacy efforts by women's rights organizations led to protective policies, while community engagement helped build trust and support. Education campaigns improved literacy and awareness, and successful women leaders served as role models and mentors. These strategies collectively enabled women to navigate and overcome the barriers, leading to more effective and inclusive local governance

Rwanda's Success in Gender Legislation and Women Inclusion in Legislative Authority

- Rwanda is often cited as a leading example of gender equality in Africa. The country has made remarkable progress in promoting gender-responsive legislation and ensuring women's inclusion in legislative authority. This success is attributed to a combination of strong political will, effective legal frameworks, and active participation of women in governance. Following the devastating 1994 genocide, Rwanda embarked on a transformative journey to rebuild its society, placing a strong emphasis on gender equality as a cornerstone of its development strategy. This commitment is enshrined in the 2003 Constitution, which mandates a minimum of 30% representation for women in all decision-making bodies.
- The success of Rwanda's gender legislation is evident in its remarkable achievements. Rwanda became the first country in the world to have a female-majority parliament, with women currently holding over 60% of the seats². This high level of representation has been instrumental in advocating for and passing laws that promote and protect women's rights. Key legislation includes laws against gender-based violence, policies promoting women's economic empowerment, and initiatives ensuring equal access to education and healthcare

How Nigeria Can Achieve Similar Success ?

To replicate Rwanda's success in gender legislation and women's inclusion in legislative authority, Nigeria can adopt the following strategies:

1. **Strong Political Will:** Nigeria's leadership must demonstrate a strong commitment to gender equality. This includes supporting legislative reforms and promoting women's participation in politics at all levels.
2. **Constitutional and Legal Reforms:** Amend the Nigerian Constitution to guarantee equal rights for men and women and mandate a minimum representation for women in decision-making bodies. Enact and enforce laws that promote gender equality and protect women's rights.
3. **Establish Monitoring Bodies:** Create institutions similar to Rwanda's Gender Monitoring Office to oversee the implementation of gender policies and ensure compliance. These bodies should have the authority to hold government agencies accountable.
4. **Internal Political Party Democratic Policies:** Political parties should enforce internal party democratic policies to provide opportunities for reserved political seats for women.

4. **Gender-Responsive Budgeting:** Integration of gender-responsive budgeting into national planning and budgeting processes. This ensures that resources are allocated in a way that addresses the specific needs of both men and women.

5. **Increase Women's Representation:** Implementation of policies and quotas to increase women's representation in legislative and executive positions. Encourage political parties to nominate female candidates and provide support for women running for office.

6. **Support Civil Society and Women's Movements:** This strengthens civil society organizations and women's movements to advocate for gender equality and hold the government accountable. Provide funding and support for these groups to carry out their activities effectively.

7. **Public Awareness and Education:** There should be public awareness campaigns to change cultural norms and attitudes towards gender equality. Promote education and training programs to empower women and girls

CHALLENGES

1. **Cultural And Religious Beliefs:** Deeply ingrained traditional and religious beliefs often perpetuate gender stereotypes and hinder gender equality.
2. **Patriarchal Society:** Nigeria's societal structure is largely patriarchal, making it difficult to challenge existing power dynamics.
3. **Limited Political Representation:** Women's underrepresentation in politics and decision-making positions limits their ability to influence gender-related policies.
4. **Inadequate Enforcement:** Existing laws and policies often lack effective implementation and enforcement mechanisms.
5. **Inadequate Democratic Policies :** There are no democratic policies enforced by internal political parties to provide substantial reservation for available political seats for women

OPPORTUNITIES

1. **Growing Advocacy:** This can be implemented by Increasing awareness and activism by civil society organizations, women's groups, and individuals push for gender equality.
2. **International Pressure:** Global frameworks like the Sustainable Development Goals (SDGs) and the African Union's Gender Policy encourage Nigeria to address gender disparities.
3. **Reforms And Initiatives:** Efforts like the Violence Against Persons (Prohibition) Act (2015) and the Gender and Equal Opportunities Bill (2019) demonstrate progress.
4. **Education And Awareness:** Increased focus on gender-sensitive education and awareness campaigns can shift attitudes and behaviors.

TO ADVANCE GENDER LEGISLATION IN NIGERIA, IT'S ESSENTIAL TO:

- Engage In Continuous Advocacy And Awareness-raising
- Build Coalitions And Partnerships Among Stakeholders
- Support Women's Political Participation And Leadership
- Strengthen Enforcement Mechanisms And Institutions
- Address Cultural And Religious Barriers Through Inclusive Dialogue
- Political Parties Should Enforce democratic policies To Promote internal Democratic Policies To Provide More Opportunities For Women Reserved Seats.



BY ACKNOWLEDGING THESE CHALLENGES AND OPPORTUNITIES, WE CAN WORK TOWARDS CREATING A MORE GENDER-INCLUSIVE SOCIETY IN NIGERIA.



GENDER RESPONSIVE BUDGETING

- The organization for Economic Co-operation and Development (OECD) defines Gender Responsive Budgeting as “integrating a clear gender perspective within the overall context of the budgetary process through special processes and analytical tools, to promote gender-responsive policies”. The Gender-Responsive Budgeting Initiatives are one of the most essential tools for promoting gender equality and ensuring that budgets are more accountable.
- The first attempt at Gender-Responsive Budgeting was in Australia, in 1984. An effort was, made to analyze government budgets from a gender perspective, resulting in the implementation by the Australian government of what was, called the “Women’s Budget Statement (WBS)”. This became a tool used by the Australian government for measuring gender in economic and social policies. Ever since some countries and International Organizations have imbibed gender-responsive budgeting processes with resultant positive impacts



- Countries Like South Africa (which was the first country In Africa to embrace gender budgeting), Rwanda, Benin, and Tanzania have all adopted gender budgeting and recorded successes in the equal distribution of resources and ensuring women’s rights.
- Research has shown that gender-responsive budgeting can address the marginalization of target groups by focusing on raising incomes as well as improving access to resources and services. It further reveals budgeting priorities, discrepancies including government policies and their actual impacts. In addition, it will be an important mechanism for realizing the government’s economic goals while ensuring social commitments

CHALLENGES IN IMPLEMENTING GENDER RESPONSIVE BUDGETING IN NIGERIA

- 1. Lack of Comprehensive Framework:** There is an absence of a well-defined legal and institutional framework to guide the implementation of Gender Responsive Budgeting. This results in inconsistent application and limited progress
- 2. Political Resistance:** Gender Responsive Budgeting often faces resistance from public officials and political actors who may not prioritize gender equality. This resistance can hinder the allocation of resources to gender-specific programs
- 3. Poor Budget Execution:** Even when budget allocations are made for gender-based programs, they are often not fully executed. This can be due to financial constraints, lack of commitment, or bureaucratic inefficiencies
- 4. Transparency and Accountability Issues:** There is a need for improved transparency mechanisms and accountability in the budgeting process to ensure that funds allocated for gender equality are not redirected to other objectives
- 5. Capacity Building:** Strengthening the gender capacities of ministries and public officials involved in budgeting is crucial. Without adequate training and awareness, the implementation of Gender Responsive Budgeting can be ineffective.

SPECIAL SEATS BILL 2021

- Civil Society Organizations (CSOs) in Nigeria have been actively promoting women's political participation by focusing on expanding political resources, fundraising, capacity building, and raising awareness. These efforts have led to positive outcomes, such as an increase in the number of women voting in elections, joining political parties, and participating in political campaigns. However, despite these successes, the performance of women in successive elections has raised questions about the effectiveness of the political resources approach.
- In 2021, Civil Society Organizations (CSOs) in Nigeria promoted a new strategy to enhance women's political participation by introducing a constitutional amendment bill in the National Assembly, known as the 'Special Seats Bill.' This bill aimed to reserve seats for women in the legislature as a temporary measure to increase their representation in the National and State Houses of Assembly. Inspired by the successful implementation of gender quotas in Africa and globally, this bold and innovative approach was seen as one of the fastest and most effective ways to boost women's political representation. However, it faced resistance and was ultimately rejected by the National Assembly.

- The Special Seats Bill Was Introduced In The 9th House Of Representatives and It Was Sponsored By Honorable Nkeiruka Onyejeocha From Abia State, Who Is A Member Of The All Progressives Congress And The Deputy Chief Whip Of The 9th House, Along With Honorable Femi Gbajabiamila, The Speaker Of The 9th House.
- The Bill Was Co-sponsored By 85 Other Members, Including All 13 Female Members Of The House. It Aimed To Amend Sections 48, 49, 71, 77, 91, And 117 Of The Nigerian Constitution To Create Additional Seats For Women In The National Assembly And State Houses Of Assembly. The “Special Seats Bill” Introduced To The National Assembly In 2021 Aimed To Amend The 1999 Constitution Of The Federal Republic Of Nigeria (CFRN) To Create Additional Special Seats For Women In Both The National Assembly (NASS) And State Houses Of Assembly. This Bill Was Proposed As A Temporary Special Measure (TSM) To Address The Underrepresentation Of Women In The Legislature. This Concept Was First Established In International Law Under Article 4 Of The Convention On The Elimination Of All Forms Of Discrimination Against Women (CEDAW), Which Nigeria Ratified In June 1985.
- The Inauguration Of A New Administration And The New 10th National Assembly Inaugurated In June 2023 Following The 2023 General Elections Offers An Opportunity For Civil Society To Revive Conversations And Advocacy On Increasing Women’s Representation And Inform Legislative Priorities On Further Constitution Amendments By The Assembly Which Will Provide Significant Change To The Nation.
- Section 42 (1) Of The Nigerian Constitution Provides That Restrictions Should Not Be Placed, Nor Advantages Conferred Via Law Or Executive Action On The Basis Of Sex. This Has Made Quotas Difficult To Achieve Via Ordinary Legislation.

Strategies To Enhance Women's Legislation And Political Participation In Nigeria

- **Affirmative action and quotas:** implementing gender quotas can ensure a minimum percentage of women in political positions. This has been successful in other countries and can help balance representation
- **Capacity building and training:** providing training programs to enhance women's leadership skills, political knowledge, and confidence can empower more women to run for office and succeed
- **Financial support** establishing special funds or financial support mechanisms can help women overcome the high costs associated with running for political office.
- **Mentorship and networking:** creating mentorship programs where experienced female politicians guide and support new entrants can help build a strong network of women leaders.
- **Public awareness campaigns:** conducting campaigns to change societal attitudes towards women in politics and promote gender equality can reduce cultural and social barriers.
- **Legal and policy reforms:** advocating for and implementing legal reforms to protect women from electoral violence, discrimination, and harassment can create a safer and more supportive environment for women candidates.
- **Media representation:** ensuring fair and positive media coverage of female candidates can help change public perceptions and encourage more women to participate in politics.
- **Community engagement:** encouraging women to engage with their communities and build grassroots support can strengthen their political base and increase their chances of success.

CONCLUSION

- Gender-responsive legislation and budgeting in Nigeria are essential for achieving gender equality and fostering inclusive development. Despite progress, significant challenges remain in fully integrating gender considerations into national and state budgets. Effective gender-responsive legislation provides the legal framework necessary to ensure equal opportunities and protections for women, addressing issues such as gender-based violence, discrimination, and economic barriers.
- Gender-responsive budgeting ensures that financial resources are allocated to meet the specific needs of both women and men, promoting fairness and equity. This approach not only addresses gender disparities but also enhances the overall effectiveness of public spending by ensuring that resources are used to benefit all segments of society.

- To advance gender-responsive legislation and budgeting, it is crucial to strengthen the capacity of lawmakers and budget planners, foster public awareness, and engage all stakeholders, including government, civil society, and the private sector. Continuous advocacy, training, and the establishment of monitoring and evaluation mechanisms are necessary to track progress and ensure accountability.
- Ultimately, achieving gender equality through responsive legislation and budgeting will lead to a more just and equitable society, where both women and men can contribute to and benefit from Nigeria's development. This comprehensive approach is vital for building a sustainable future that leaves no one behind.

THANK YOU.