

Perspectives on the 2003 Elections in Nigeria

Edited by

Isaac Olawale Albert

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Perspectives on the 2003
Elections in Nigeria
A Special Edition of IDASA

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[A Special Edition of IDASA Conflict
Tracking Dossier]

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Electoral Governance and Women's Political Leadership in Nigeria

*E. Remi Aiyede*¹⁶⁰

Introduction

Women are at the margins of politics in Nigeria's largely patriarchal society. Since independence, women have held less than five percent of the positions of authority in the political arena, whereas public offices are fairly distributed according to the ethno-linguistic components of the country due to the practice of Federal character. The number of women that have stood for elective positions is negligible and the percentage of those women that have eventually won elections is insignificant.

While researchers have focused on cultural, social, religious and historical factors inhibiting women participation in politics, few serious studies have been done concerning how the rules of electoral competition at various levels as well as the general electoral processes inhibit or foster women political leadership.

This paper explores the significance of electoral governance to women's political leadership, drawing on studies on electoral governance, gender and development. It argues that electoral governance is a strategic arena for promoting women's presence in political leadership positions. Analysing the electoral governance situation in Nigeria, it shows how electoral management and the electoral processes fail to take into account the challenges of redressing gender imbalance. It identifies challenges and opportunities for promoting women political leadership in the electoral governance arena.

The Road to the Present

Nigeria's pre-colonial society was a patriarchal society¹⁶¹. It was characterised by forms of social stratification and differentiation on the basis of sex, that provided material advantages to males while placing severe constraints on the roles and activities of females.

¹⁶⁰ Dr Remi Aiyede is a Lecturer at the Department of Political Science, University of Ibadan.

¹⁶¹ O.I. Aina, "Women, Culture and Society", in Amada Sesay and Adetanwa Odebiyi (eds), *Nigerian Women in Society and Development*, Ibadan: Dokun Publishing House, 1998, p.6.

Yet for all that, women's political leadership was not as severely constrained, as it came to be under colonialism and in the post-colonial era. While on the overall average, women in pre-colonial Nigeria performed relatively better in terms of representation, relevance and influence in the public sphere than their counterparts of the same period in Britain and other Western countries, the status of women varied from society to society. Women were leaders in several Nigerian societies where the cultures upheld a "concept that women can lead, lead to do battle if necessary, fight for her society and kill for her people"¹⁶². In some societies women were not only powerful in the public sphere; there were traditions of female monarch, aside from the central role of women in the running of kingdoms. It is written thus context that some female personages have become folk heroes in feminist reconstruction of Nigerian history. A quick list will include Queen Amina of Zazzau, for her distinguished military skills and victories in battles; Moremi of Ile-Ife, who saved her people from war through political diplomacy.¹⁶³ Indeed, Sofola¹⁶⁴ outlined eight forms of the co-rulership concept in pre-colonial Nigeria.

1. Monarchy evolved on gender lines.
2. Monarchical co-rulership based on the principle of daughterhood.
3. Monarchy based on the principle of queen-motherhood.
4. Priestess/Spirit medium principle.
5. Warrior-Queen system based on daughterhood representative of the throne in the supreme military council of the kingdom.
6. Monarchical co-rulership based on the principle of *Anasi Obi* (Igbo) woman of the house, role of the first wife of the king, *Olori* (Yoruba).
7. Co-rulership system based on constituted roles of heads of female professionals, *Iyalode* (Yoruba).
8. Co-rulership based on the institution of daughters, *Umu-Ada* (Igbo) and institution of wives *Otu Inyemedi* (Igbo).

¹⁶² N.E Mba, *Nigerian Women Mobilised: Women's Political Activity in Southern Nigeria. 1900-1965*, Berkeley. Institute of International Studies. 1982, p. 76.

¹⁶³ See Bolanle Awe (ed.) *Nigeria Women in Historical Perspective*, (War edition) Ibadan: Bookcraft Ltd., 2001.

¹⁶⁴ Sofola, Zulu. "Feminism in Cultural Perspectives: Women in Africa and the Psyche of African Womanhood". A paper presented at the first Conference on Women in Africa and the African Diaspora. University of Nigeria, as cited by Bola Bateye, (1994). "Reclaiming a Lost Tradition: Nigerian Women in Power and Resistance" in Dorcas Akintunde and Helen Labeodan (eds). *Women and the Culture of violence in Traditional Africa*, Ibadan: Sefer Books Ltd., 2002, p.82.

Indeed, there is a strong school of thought that holds that African patriarchy was not one that perceived a woman as a rib or appendage or an after thought to a man but as his divine equal¹⁶⁵. To this school, therefore, colonialism served to deepen gender bias in the public sphere in Nigeria. Awe¹⁶⁶ writing about colonialism and gender noted that in the "political sphere, women lost even more than men, as colonial officials denied them the opportunity which they had enjoyed to participate, if only to a certain degree, in decision making".

Interestingly, the selection process was crucial to the presence of women in the public sphere during the pre-colonial period. Religious beliefs were always a strong deciding factor in the selection process and the ascription of role in the public sphere in several traditional African societies. Women had been involved in numerous cults; they had had their own cults and shrines with significant influence on the social order and thus securer or say for themselves in the political leadership selection process. In patrilineal societies women had performed extra-ordinary feats that enabled them to become goddesses and were admitted into the highest priesthood. Thus, as high priests, and medicine women they wielded power and influence.¹⁶⁷ And in some matrilineal societies women still have veto power over the selection of the king, as is the practice among the Ashanti of Ghana.¹⁶⁸

Under the decentralised despotism of the colonial period, the future of women became subject to efforts to eternal colonial power in an era when English common law gave husbands controlling power over their wives. The Boer and British authorities, legislated a customary code that treated woman as perpetual minors subject to a patriarchal chief dominated authority in South Africa¹⁶⁹. Most local authorities were composed entirely of men. Indeed, colonial rule served to intensify patriarchal structures in several African societies because the colonial state, which gave birth to the post-colonial state was underlined by an egregious exclusion of women from the public sphere. Thus, the struggle for independence in Nigeria had to be given a fillip by women resistance typified by Aba women

¹⁶⁵ Ivan van Sertima. *Black Women in Antiquity*. New Brunswick: Transaction Books, 1989, p.8.

¹⁶⁶ B. Awe, (1989). "Nigerian Women and Development in Perspective", J. Parpart (ed), *Women and Development in Africa: A Comparative Perspective*. New York: University Press, 1989, p.31.

¹⁶⁷ Adeoti O. Akintan, "Women in Yoruba Culture: An overview", in Dorcas Akintunde and Helen Labeodan (eds) *Women and the Culture of Violence in Traditional Africa*. Ibadan: Sefer Books, 1989, p10-11.

¹⁶⁸ Bola Bateye. "Reclaiming A Lost Tradition: Nigerian Women in Power and Resistance" in Dorcas Akintunde and Helen Labeodan (eds). *Women and the Culture of violence in Traditional Africa*, Ibadan: Sefer Books Ltd, 2002, p.84.

¹⁶⁹ Mahmood Mamdani (2002). *Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism*. Ibadan: John Archers, 2002, pp. 117, 121

riot of 1929 to discriminatory taxation as well as political marginalisation by the colonial government. Another case in point was the Yoruba women revolt in Abeokuta in 1948 to protest their oppression by the *Alake* and his male-dominated Native Authority Council.¹⁷⁰ In the build up to independence, the question of women's political leadership in Nigeria began with the struggle to endow women with the suffrage within the framework of an emerging patriarchal post-colonial state. Women had to struggle to infuse the public arena in post-colonial Nigeria with women's issues and concerns by mobilising to secure effective women representation in public agencies and institutions. A detailed review of the efforts, successes and difficulties faced by women during the early democratic experiments and under the military is available in several works.¹⁷¹

From these works, it becomes very clear that men have had more access to education of our women since the colonial era. The paradox, however, is that those women who had access to education have been deliberately steered away from public life. As such, women have been largely removed from positions that would expose them to political skills, enable them to develop self-esteem and enter political networks that would make them competitive in the political world. These disadvantages have been reinforced by the patriarchal character of Nigerian cultures that portray women's roles as mothers and wives, as being subordinate to the roles preserved for under men in society.

The prevalence of a "masculine model" of political life under democratic rule as well as under military dictatorships characterised by violence, fraud, undue influence of money and ethnicity raises the cost of women participation to frightening levels. There has been an absence of well-developed educational systems for women leadership in general. Worse still, there are currently no established processes for re-orientating young women to political life. The electoral system is riddled with fraud and irregularities; women candidates have limited financial support and limited access to political networks.

Nonetheless, women's organisations and groups have become increasingly active since the 1990s. This activism has been influenced by global developments concerning the participation of women in politics and development. Among these developments

¹⁷⁰ Peggy R. Sanday. *Female Power and Male Dominance: On the Origins of Sexual Inequality*. Cambridge University Press, 1981, p. 30-31.

¹⁷¹ For example, see N.E Mba, (1982). *Nigerian Women Mobilised: Women's Political Activity in Southern Nigeria. 1900-1965*, Berkeley. Institute of International Studies; Clara Osinulu and Nina Mba, ed. *Nigerian Women in Politics*, 1982. Malthouse Press, 1996; Nkechi Nwankwo. *Gender Equality in Nigerian Politics*. Lagos: Dentchetz Publishers; and Bola Udegbe. "The Constitutional Conference, Political Restructuring and Women's Access to Power", in 'Kunle Amuwo, Adigun Agbaje, Rotimi Suberu and Georges Herault (eds) in *Federalism and Political Restructuring in Nigeria*, Ibadan: Spectrum Books Ltd and IFRA., 1998, pp. 147.

are the 1975-85 decade for women declared by the United Nations, the celebrated international women meetings in Cairo, 1985 and Beijing, 1995, and the increasing emphasis on women's issues by international development agencies and their impact on local NGOs and governments.

Women in Nigeria (WIN), an umbrella women's group was particularly very active during the political debates of 1986 conducted by the Political Bureau in its efforts to fashion a new political philosophy and system of government for Nigeria. The 1990s were characterised by a multiplication of women's groups and gender-focused NGOs engaged in mobilising women to advance women's issues and concerns.

The impact of women activism has shown in the outlawing of sexual discrimination in customary or Islamic law, the increasing number of women on the membership of political parties, and the persistence of gender issues at every level of the discourse on power. Women's mobilisation was transformed by the emergence of "First Ladyism" under the Babangida regime, in which apparent steps were taken latter by government to encourage women's political participation. Critical appraisals of this phenomenon have however argued that it amounted to a complex process of disempowerment and personalisation of power by first ladies and their president-husbands. According to these critics the resources of the state were merely utilised to control women's political agenda or thwart its development. "First ladyism" amounted to an entrenchment of "femocracy" an anti-democratic female power that claim to exist for the advancement of the aspirations and status of ordinary women but which, because it was dominated by a circle of women whose interests and power derived from being wives of military dictators, constituted a negation of women advancement.

Naturally, therefore, the transition from dictatorship to democracy carried fundamental challenges as well as opportunities of transforming gender relations.

The Persisting Marginalisation of Women in Political Leadership

With only a few qualified exceptions, in the Scandinavian countries, women continue to be confined to the margins of politics all over the world. The report by the International Institute for Democracy and Electoral Assistance¹⁷² on women in parliament noted that, "men dominate the political arena; men formulate the rules of the political

¹⁷² A. Mama, 'Feminism or Femocracy? State Feminism and Democratisation in Nigeria.' *Africa Development*, XX(19995): pp.37-58; A. Mama, 'Khaki in the Family: Gender Discourses and Militarism in Nigeria' *African Studies Review*. 41(2): 1998, 1-17; International IDEA. *Democracy in Nigeria: Continuing Dialogue(s) for Nation – Building* (Capacity – Building series 10. Stockholm: International Institute for Electoral Assistance: 2000, pp.107-124.

game; and men define the standards for evaluation. The existence of this male dominated model results in either women rejecting politics altogether or rejecting male-style politics'.

The number of women occupying high levels of decision-making bodies buttresses this. For instance men constitute 100% of the IMF board of directors while only 8% of the World Bank's board of directors are females.¹⁷³ There have been 31 elected women heads of state in world history and majority of the women who have in recent years held the highest offices of state have initially derived at least part of their political legitimacy from their association with a prominent male politician.¹⁷⁴

A very important index for measuring women political leadership is the number of seats occupied by women in national parliaments. Statistics provided by the international Parliamentary Union (see Table 1) show that women currently hold about 15.2% seats across the world in parliament. Viewed relatively sub-Saharan Africa is close to the average, recording 16.3% and performing better than the Arab States. But it stands at a distant position from the Nordic countries (40.07%) that are in the forefront of achieving gender equality/empowerment.

Table 1: Regional Averages

	Single House or Lower House	Upper House Or Senate	Both Houses Combined
Nordic countries	40.0%	----	40.0%
Americas	20.6%	21.2%	20.7%
Europe - OSCE member countries including Nordic countries	19.9%	17.4%	19.4%
Europe - OSCE member countries excluding Nordic countries	17.7%	17.4%	17.6%
Asia	16.5%	17.6%	16.6%
Sub-Saharan African	16.3%	14.7%	16.1%
Pacific	11.8%	26.5%	13.8%
Arab States	8.2%	5.9%	7.7%
Average	16.8%	14.8%	19%

Regions are classified by descending order of the percentage of women in the lower or single House.

Source: *Inter-parliamentary Union, 2006*

¹⁷³ International IDEA, International IDEA's (1997). *Women in Parliaments: Beyond Numbers*, Stockholm: International IDEA, 1997. Available at <http://www.idea.int>, p.1.

¹⁷⁴ United Nations Development Programme (UNDP). *Global Human Development Report, 2002*, New York: UNDP.

Nigeria's performance in terms of the number of women in political leadership positions was lower than the African average in the first term of the Fourth Republic. Overall, women in key political positions stood at 3.2%. At the national level, women occupied only 3.1% of the seats in parliaments. That is, out of the total number of 469 parliamentarians, only 15 were women. The record is worse at the state level where only 1.2% (12) out of 995 members of parliaments were women. Indeed, the only female speaker at the state level had to resign her appointment. More significant for our concern is the performance of females in elections. As seen from Table 2 the number of female candidates who stand in for elections is very low. Of the over 8000 elective offices represented in the table there were only 510 women contestants, representing about 6% of the total number of candidates standing for elective positions. 28% of the women contestants won the seats. The impression here is that if more women were to stand in elective positions they would have a 28% chance of winning. There has been a marginal increase in the number of women contesting and winning elective offices in Nigeria after the second transition election of 2003. Is this a motivational statistics for women to stand for elections? Why do few women stand as candidates for elections in Nigeria? Even though the women movement has gathered momentum since the 1980s, to what extent does electoral governance affect the willingness of women to stand for elective positions and to what extent does the electoral system affect the fortunes of women who stand for election?

Table 2: Participation of Women in Governance in Nigeria (1999) Elections

Level of Government	Political position	Position available	Number occupied by women		Percentage of available position occupied by women	
			1999	2003	1999	2003
Federal	Federal Executive Council	49(40 for 2003)	4	6	8.2%	15%
	Senate	109	3	3	2.8%	2.8%
	House of Representatives	450	12	30	2.7%	6.7%
State	Governors	36	0	0	0%	0%
	Deputy Governors	36	1	2	2.8%	5.6%
	Commissioner	360	15	NA	4.2%	NA
	Speaker, House of Assembly	36	1	2	2.8%	NA
	Member House of Assembly	995	12	24	1.2%	NA
Local Govt	LGA Chairman	774	9	NA	1.2%	NA
	Councillors	8800	143	NA	1.6%	NA

Source: Compiled from UNIFEM, 2000, *Gender and Development Action (GADA) Report, 2000*, INEC 2003.

It should, however, be noted that the number of women in political offices has improved over the years, and that this number is more likely to increase than decrease. Emphasis has to be laid on the fact that the degree of improvement remains marginal. In fact, the presence of women in political leadership positions decreases as we move down from the centre to the states and local governments. This shows the deep-rooted nature of women's political marginalisation in Nigeria. Under the second term of the Fourth Republic there has not been any remarkable departure from this situation. Of the 40-member Federal Executive Council only five are females, while there are three women senators, 21 female members of the House of Representatives, and two women deputy governors.

Electoral Governance and Gender

Democratic transition has often been viewed in a manner that tends to lose sight of the gendered content of authoritarianism. When gender is discussed in transition it is often in terms of the general efforts at reflecting pluralism that will help open up the public space to a plurality of views. But plurality of views in the context of public institutions in Nigeria often fails to include gender, being largely preoccupied with ethno-linguistic and religious groups. Also because there is limited contact and cooperation between women groups and other public organisations like labour unions and ethnic movements, women issues tend to appear as a distraction from more salient and volatile issues of ethnicity, class and religion. As a result, an analysis of the democratic transition process fails to take into account the gender content of democratic transition, especially as these relate to critical moments and to the core institutions of electoral governance. Yet the transition from patriarchy to gender equality and the transition from dictatorship to democracy are linked because women's concerns are integral to and an inseparable part of their human rights. Women's points of view need to be taken into account just as ethnic diversity and minority rights have become central to institutional and structural processes in the transition from dictatorship to democracy.

The degree of marginalisation of women in politics varies across regions, appearing in various forms. This has in turn affected the significance of electoral governance for women political leadership across different countries. In the Scandinavian countries where a lot has been achieved in gender equality in the social and the economic sphere, a great emphasis is placed on the electoral system regarding factors that affect the fortunes of women. This wonderful achievement of women political empowerment may derive from the fact that other cultural and economic barriers have largely been addressed; institutions function according to well defined democratic norms; crime, violence and overall competition are low; decision making is not concentrated in the hands of a few; and citizens actively participate in local governance without needing to become full – time politicians. But in countries where women still face serious cultural, social and economic barriers, such barriers are sometimes viewed to be so significant that the electoral system is pushed to a point of irrelevance in accounting for women political participation.¹⁷⁵

Nevertheless, the strategic importance of elections for engendering the democratisation process is underscored by the status of credible elections as one of the most important sources of

¹⁷⁵ Maria Nzomo, "Women in Politics and Public Decision-Making", pp. 203-217 in Ulf Himmelstrand, Kabiru Kinyanyui and Edward Mburugu (eds), *African Perspectives on Development: Controversies, Dilemmas and Openings*. London: James Currey, 1994, p.204

democratic legitimation. Successful elections, as "*organised methods of peaceful democratic transition*, a salient indicator of democratic consolidation, and the principal institutionalised means for large numbers to participate peacefully in forming and changing democratic governments afterwards,"¹⁷⁶ are critical to the possibilities of promoting women political leadership. Indeed, electoral governance needs to be engaged in order to make it reflect women concerns especially at the critical moments of interactions for choosing the rules that configure the institutions and structures that shape political outcomes. "Electoral governance is the wider set of activities that creates and maintains the broad institutional framework in which voting and electoral competition take place"¹⁷⁷ It is the outcome of (a) the strategic calculations and moves by key political actors, (b) the social structural context that defines power relations in society, and (c) the path contingencies that shape the trajectories and outcomes of democratic transitions.¹⁷⁸

The important point is that the rules of electoral competition and electoral governance are subject to change according to mutations in politics and power relations in society. They are underlined by struggles by stakeholders and political actors who work to improve their chances in the scheme of power. The bottom line is that a process approach which electoral governance entails shows the strategic importance of engaging the electoral process in the effort to make politics reflect gender balance. The electoral process is the gateway to filling women into political leadership positions in a democratic context.

Besides, a survey of the impact of electoral systems on women's political representation shows some quite dramatic differences across electoral systems. Since this is the case, working towards changing the electoral governance elements in favour of women seems a clearer and more realistic goal to work towards than to change a culture's view of women. Generally, women have been able to translate demands for equal rights on federal issues into greater representation in proportional representation systems than they have been able to do in majoritarian systems.¹⁷⁹

Mozaffar and Schedler¹⁸⁰ provide a very useful model of electoral governance. According to this model electoral governance (see

¹⁷⁶ Madh Kishwar. "Women's Marginal Role in Politics", available at [http:// free.freespeech.org/manushi/97/politics.html](http://free.freespeech.org/manushi/97/politics.html), 1997, p.10.

¹⁷⁷ S. Mozaffar. "Patterns of Electoral Governance in Africa's Emerging Democracies *International Political Science Review*, 33(1): 2002, p.86.

¹⁷⁸ S. Mozaffar and A. Schedler. "The Comparative Study of Electoral Governance – Introduction," *International Political Science Review*, 23(1): 2002, p.7

¹⁷⁹ S. Mozaffar. Op. cit., 2002, p. 87.

¹⁸⁰ Richard E. Matland, "Enhancing Women's Political Participation: Legislative Recruitment and Electoral Systems" in International IDEA's Handbook: *Women in Parliaments: Beyond Numbers* (updated version of chapter), Stockholm: International IDEA, 1998. Available at <http://www.idea.int>, p.5-6.

Table 3) operates at three levels: rule making, rule application, and rule adjudication. An elaboration of these facets of electoral governance reveals various opportunities for promoting women's participation in political leadership.

Table 3: ¹⁸¹ The Three Levels of Electoral Governance

Levels	Elements
1. <i>Rule Making</i> Choosing and Refining the basic rules of the electoral game.	
(a) <i>Rules of Electoral Competition:</i>	<ul style="list-style-type: none"> - Formular - District Magnitude - Assembly size - Electoral Time Table - Franchise
(b) <i>Rules of Electoral Governance</i>	<ul style="list-style-type: none"> - Voters Registration - Campaign Financing and regulation. - Election observation - Ballot design - Polling stations - Voting, Counting, and tabulating - Election management bodies - Dispute Settlement Authorities
2. <i>Rule Application</i> Organising the Electoral game	<ul style="list-style-type: none"> - Registration of voters, candidates, parties. - Registration of election observers. - Voter education. - Electoral organisation. - Voting, counting and Reporting
3. <i>Rule Adjudication</i> certifying election results and resolving disputes	<ul style="list-style-type: none"> - Admission of complaints - Processing of cases - Publication and implementation of rulings.

Source: S. Mozaffar and A. Schedler. "The Comparative Study of Electoral Governance. Introduction." *International Political Science Review*, 23 (1): 2002, p.7.

¹⁸¹ S. Mozaffar and A. Schedler. "The Comparative Study of Electoral Governance. Introduction." *International Political Science Review*, 23 (1): 2002, p.7.

Gender Analysis of Electoral Governance in Nigeria

Electoral Rule Making

The constitution remains the most fundamental document on elections in Nigeria. It not only contains elaborate provisions on elections and the electoral process, it also deals extensively with political parties and the election management bodies in Nigeria. The provisions of the relevant sections of the constitution are completely silent on women concerns. The reasons for this shortcoming is to be located in the importance attached to women issues in the process of the making of the various constitutions, especially the current 1999 Constitution. The nineteen-member National Constitutional Conference that organised the 1994-95 Constitutional conference had only one woman as member. Of the 369 delegates to the conference only eight were females. There was no committee on gender amongst the eighteen committees of the conference. There was no female member in the committee on elections and electoral process in the committee on power sharing and in the committee on political transition. Of the 30-member committee on political parties only one was a female. It was therefore not surprising that no importance was given to women concerns in the conference recommendations on freedom, equality, equity and justice. According to Udegbe¹⁸² the recommendations on these principles "gives the impression of gender-neutral recommendations which prefer to subsume gender issue under geographical and ethnic considerations". Also the justice Niki Tobi Constitution Debate Conducting Committee which collected and collated public views on the 1995 constitution which eventually informed the 1999 Constitution had no woman member at inception. It was only after a protest by the National Council of Women Societies that four women were added to it.¹⁸³ Little wonder that the 1999 constitution has been criticised by the women movement as completely gender insensitive both in its wording and content.

Indeed, the question of inclusive representation for sections of the country has been largely interpreted in ethnic and geographical terms. The major principle for reflecting the plural nature of the

¹⁸² Bola Udegbe, "The constitutional Conference, Political Restructuring and Women's Access to Power", in 'Kunle Amuwo, Adigun Agbaje, Rotimi Suberu and Georges Herault (eds) in *Federalism and Political Restructuring in Nigeria*, Ibadan: Spectrum Books Ltd and IFRA., 1998, p.153 .

¹⁸³ T.A. Koripamo-Agar. "Women and Constitution Making in Nigeria—Agenda for Action" in Abiola Akiyode-Afolabi ed. *Gender Gaps in the 1999 Constitution of Nigeria*. Lagos: Women Advocates Research and Documentation Centre (WARDC). 2003, p.140.

Nigerian society is the Federal Character Principle. According to section 14(b) of the 1999 Constitution, the composition of the government of the Federation or any of its agencies must reflect the federal character of Nigeria and the need to promote national unity and command national loyalty by ensuring that there shall be no predominance of persons from a few states or ethnic groups or sections. It has been interpreted to mean that the states are to be equally represented in all federal ministries, departments, agencies, national institutions as well as public enterprises and organisations, in the citing of economic projects, and in the distribution of health and educational facilities and development infrastructure like roads, electricity and telecommunications equipment. It is also interpreted to mean that the principle of inter-unit equality should be used in the distribution of patronage between council areas within states, and between wards within local government areas.¹⁸⁴ Section 22:3(1b) of the constitution requires political parties to ensure that "the executive committee or other governing body of the political party reflect the federal character of Nigeria". And section 223(2b) defines reflection of this principle as "only if the members thereof belong to different states not being less in number than two-thirds of all the states of the Federation and the Federal Capital Territory, Abuja".¹⁸⁵

This provision of the constitution has been taken seriously in constituting the membership of the policy-making body of the Independent National Electoral Commission (INEC). INEC enjoys the power to divide the country into constituencies for the purpose of elections; and organises, conducts and supervises all elections in Nigeria.

The policy-making body of INEC in 2003 consist of a chairman and twelve national commissioners. Both the chairman of the commission and its secretary were males. Of the remaining eleven members only four were women. One of the women resigned just after the 2003 elections for personal reasons. At the national office, there were eight directors including only one female, the Acting Director of Legal Services.

At the state level, there were two females in a list of 37 Resident Electoral Commissioners since 1999. Thus, are women marginalised at the highest levels of the governing body of elections in Nigeria. The situation is worse as you move down to the States. With this

¹⁸⁴ R.T. Suberu, "States Creation and the Political Economy of Nigeria Federalism," in Kunle Amuwo, Adigun Agbaje, Rotimi Suberu and Georges Herault (eds) in *Federalism and Political Restructuring in Nigeria*, Ibadan: Spectrum Books Ltd and IFRA., 1998, p.280.

¹⁸⁵ Federal Republic of Nigeria, *Constitution to the Federal Government of Nigeria*, Lagos: Government Printer, 1999.

kind of inadequate and poor quality of representation of women, there is no basis for expecting that women issues and concerns are adequately reflected in the guidelines as well as actual implementation of elections in Nigeria. At the level of rule making, four areas are critical for women participation, these include the rules of representation, laws and regulations that affect the resource endowments of parties and candidates, and rules that govern candidate eligibility and registration, and the election formula.

Rules of Electoral Governance

While federal character and the zoning formula of political parties ensure that various states and nationalities are represented even in the selection of candidates into party positions, this is not the case for gender balance. A cursory review of the membership of the executive committee of all the political parties shows how women are poorly represented. For instance, none of the three big parties has a woman as chairman or vice chairman. This is because the elaborate provisions on political parties and the INEC guidelines on party registration pay no attention to gender balance. .

The rules of eligibility for candidacy within the parties do not favour women. In some parties the basic monetary requirements forecloses the effective participation of women considering their historic economic disempowerment. Also, given the economic disadvantage of women, it is desirable that the guidelines for political parties include provisions that would ensure that political parties address the problem. According to the Electoral Act 2002 Sections 80, 82 and 83 which makes provisions for financial grants to political parties as well as the criteria of eligibility for such grants, a part of the grant is to be shared among the registered political parties in proportion to the number of seats won by each party in the National Assembly. No party is entitled to a grant except it wins a total of 10 percent votes cast in the local government elections in at least two-third of the states of the Federation.¹⁸⁶ The new Electoral Act 2006 section 91 (2) makes a similar provision that 10 % of the grant of political party shall be shared equally among all the registered political parties to assist them in their operations. The remaining 90 % is to be shared in proportion to the number of seats won by each party in the National Assembly.¹⁸⁷ The process of the passage of the Electoral Act 2006 remains another unutilised opportunity to promote women participation. A certain proportion of grant could have been tied to

¹⁸⁶ Federal Republic of Nigeria, *Electoral Act 2006*. Abuja: Government Printer, 2002.

¹⁸⁷ Federal Republic of Nigeria, *Electoral Act 2006*. Abuja: Government Printer.

the proportion of women candidates presented by a political party. Also special provision could have been made on campaign financing in a way that would promote women candidacy.

While it is correct that in general the electoral laws do not discriminate against women or abrogate the rights of women to participate in politics, it is not logical to argue that such apparently neutral laws are adequate to promote women's participation in political leadership. Efforts must be made by the leadership of the political parties and INEC who are the gatekeepers to elective positions to embark on affirmative actions as in the quota system adopted in several countries. The failure to do this goes against the logic behind the adoption of the federal character principle in addressing problems of ethnic/geographical imbalance within the country.

Although quotas raise serious questions and sometimes strong resistance from women and men alike, several countries have adopted them. For instance, in 1999 a constitutional amendment was introduced requiring political parties to include 50 per cent representation of women on their party lists for election in France. In Argentina, a 1991 legislation required that "lists must have, as a minimum, 30% of women candidates and in proportions with possibilities of being elected. Any list not complying with these requisites shall not be approved." The Municipal Structure Act in South Africa states that political parties must seek to ensure that women comprise 50% of lists submitted for election at the local level. In Namibia affirmative action laws require political parties to include at least 30% of women on their party candidate lists for local authority election.¹⁸⁸ It is time for quotas to be adopted for political parties in Nigeria.

Rule Application

The nomination processes or formula adopted by parties can have positive or adverse consequences for women participation. The nomination formula may furnish a wide breadth of participation, it may be decentralised or centralised. Primary elections, as used in the United States of America (USA) and by some parties in Nigeria, offer opportunities for broad participation but they can be tailored to determined outcomes. Witness the People's Democratic Party (PDP) presidential primaries that were held in the wee hours of the

¹⁸⁸ International IDEA. *Women in Parliament: Beyond Numbers*. Stockholm: International IDEA Hand book Series, Inter-Parliamentary Union. 2006. Women in Parliament: World Classification. Available at <http://www.ipu.org/wmn-e/classif.htm>, 2006.

night in Abuja in 2003. To what extent does that encourage women participation? Such 'macho' conduct of party primaries adversely affects women participation.

Some party nomination procedures may be under the control of party factional leaders. Internal party processes may be patronage-oriented or bureaucratic. In a patronage-oriented system, rules are not likely to be clear and are usually not carefully followed, and premium is placed on loyalty to those in power in the party. Bureaucratic systems usually involve detailed candidate selection rules. Such rules are explicit, standardised and are followed regardless of who is in possession of power. Bureaucratically-based systems that have incorporated rules guaranteeing women's representation have had very dramatic and positive effects on women representation in the Nordic countries. Once these are clear, distinct and predictable rules, women are motivated to carry out strategic moves to take advantage of the rules. The focus of mobilisation of women will then be streamlined to strategic points such as recommendation or nomination convention stages.¹⁸⁹

In Nigeria, we have a patronage-oriented system. The rules are deliberately left unclear. Under the Babangida-led failed transition to democratic rule, the electoral law required parties to establish women's wings to promote women participation. However, men dominated the political party executives. The women's wings were then used to get women's support and canvass for women's votes for men. "Women's wings registered women, ensured their votes for the party, and campaigned for the party's candidates in rural constituencies. The wings were represented in national executives, but the representatives were not part of the policy-making caucuses of the national executives".¹⁹⁰

Concerning the voting procedure, Nwankwo¹⁹¹ criticised the open ballot system adopted in the 1990 elections for exposing women to intimidation. The open ballot system requires that voters stand behind the photographs of their chosen candidates in public glare, which for many women meant that they had to vote for their husband's candidates. Thus, the secret ballot might be more protective of women's franchise than the open ballot. It remains speculative whether the election managers took the gender implications of the

¹⁸⁹ See Richard E Matland 1998. Op. cit. p. 2-3.

¹⁹⁰ N.E. Mba, 'Kaba and Khaki: Women and the Militarised State in Nigeria'. In J. Ibrahim eds. *Expanding the Democratic Space in Nigeria*. Dakar: CODESRIA, 1989, p79.

¹⁹¹ Nkechi Nwankwo. *Gender Equality in Nigerian Politics*. Lagos: Dentchetz Publishers, 1996, p.74.

open ballot voting system into account. The 2003 general elections adopted the secret ballot system.

During the just concluded elections, in some parties such as the Alliance for Democracy (AD), primaries were the exception rather than the rule at the state and local levels. There were fierce intra-party conflicts as party chiefs disagreed over the candidates that were presented for elections. In all of the major political parties violence, corruption and fraud held sway. The 2003 general elections themselves were riddled with malpractices, corruption, fraud, violence and administrative irregularities.¹⁹² These pose specific challenges for women organisations and potential women candidates who might want to participate. What strategies are likely to be effective? How should women engage the electoral governance process in this circumstance?

Some non-governmental organisations (NGOs), including women NGOs have become very active in voter education. Such voter education programmes have however not emphasised the need for more and more women to participate in the management of the electoral process, such as being involved in vote counting, or as polling agents, returning officers and so on. Most of the people usually employed to play these roles are men. Women are probably discouraged from playing such roles because of the living possibilities of violence at polling stations. It is hoped that as elections become more and more peaceful and rule of law holds sway Nigeria will experience greater participation of women in the electoral activities. However, creating this enabling environment is a tall order, in a context where the struggle for political offices is fierce because the state is a major (if not the main) source of social mobility.

Rule Adjudication

The Nigerian Constitution recognises the need for a process whereby electoral participants and voters can lodge complaints and seek redress in case of electoral malpractices. For this purpose the constitution establishes election tribunals at the federal and state levels. These tribunals have original jurisdiction over election matters at the various levels of government. The experience in Nigeria has been uneven. In some situations cases has been handled with

¹⁹² See Human Rights Watch. *Nigeria's 2003 Elections: The Unacknowledged Violence*. New York: Human Rights Watch, 2004. Available at <http://hrw.org/reports/2004/nigeria0604/nigeria0604.pdf>

despatch, while in others the process of adjudication has been very slow, the most notorious being the Governor Chris Ngige trial. In that trial, a supposedly elected governor was proven to have been wrongly declared winner after he had spent about three years of the four-year term in office. Overall, the establishment of special tribunals point to the commitment to handle such matters with despatch, but timely justice in practice remains an uphill task. This partly explains why cases of electoral violence remain a regular feature of the system. The basic challenge here is the need to foster the rule of law in the polity generally so that 'macho' politics can pale into insignificance. This will expand the possibility of justice for the disadvantaged, especially women politicians.

Conclusion

This paper has argued that women's points of view and concerns need to be taken into account in the same manner that ethnic diversity, religious and minority rights have been taken into account in important institutions of governance in Nigeria. It has emphasised the significance of electoral governance to doing this effectively. It has also demonstrated the failures of the electoral management body and the electoral processes in taking into account the challenges of redressing gender imbalance. It identifies challenges and opportunities for promoting women political leadership in the electoral governance arena. Among the unexplored opportunities for promoting women participation identified are: the use of mandatory quota at the political party level for the presentation of candidates for elections, the fixing of grants to political parties to the proportion of women candidates presented by each party, and the adjustment of the nomination processes of political parties to encourage women participation. Finally, the electoral rules must be made clearer to make the process more predictable, thereby making women mobilisation more concretely focused.