

**INCLUSION OF WOMEN IN GOVERNANCE  
AT ALL LEVELS: A CALL FOR THE  
AMENDMENT OF THE NIGERIAN  
CONSTITUTION**

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**BY**

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# INCLUSION OF WOMEN IN GOVERNANCE AT ALL LEVELS: A CALL FOR THE AMENDMENT OF THE NIGERIAN CONSTITUTION

## ***Abstract***

*Inclusion of women in Governance at all levels has been a subject of controversy and interest among persons of different strata in Nigeria and indeed throughout the world as reflected in the vast amount of literature on the subject. While one may argue that section 42 of the Nigerian Constitution provides for equality and lack of discrimination on the basis of sex among other things, and that other provisions of the Constitution providing for elected offices do not in any way seem to favour any gender, it is evident that the said general provisions have not manifestly dealt with the situation in which the Nigerian woman finds herself. Furthermore, it is not in dispute that there are several international instruments which provide for the rights of women. However, it is debatable whether these are adequate to protect the rights of women in Nigeria. This is more so with the rejection of the 'Five Gender Bills' by the National Assembly in 2022 which had sought to address gender issues in the fifth constitution alteration exercise of the 9<sup>th</sup> Assembly. It is against the foregoing background that this paper examines the necessity for the amendment of the Constitution so as to specifically provide for the inclusion of women in governance at all levels. The paper found that while it may be safe to argue that the constitution gives equal opportunities to all persons to participate in governance, the practical implementation of the said position of the Constitution seems unfavourable to women because of some socio-cultural considerations. Consequently, it recommends constitutional actions geared towards promoting the rights/chances of women to participate in governance; as well as the provision of adequate machineries for the implementation and enforcement of women's fundamental rights in Nigeria.*

**Keywords: Governance, Women, Nigeria, Constitution**

## **1.0. Introduction**

In recent times, the protection of human rights (which includes the right to participate in governance i.e. the right to vote and be voted for) has become an indispensable political, social and developmental ideal.<sup>1</sup> Flowing from the above, regimes which lack respect for the rights of

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<sup>1</sup> MT Ladan, 'Human Rights as the Benchmark for Development Policy', (2002), *JESCR Vol. 1 No. 6*, 1-28.

their citizens, place their legitimacy at risk. In this wise, it has been opined and rightly so, that effective enforcement of human right is no longer a matter of or subject only to domestic jurisdiction of a sovereign State as it is now an issue of concern to the international community<sup>2</sup>.

Over the years, there has been a lot of global outcry on the rising incidences of exclusion of women in governance at all level in Nigeria and indeed all over the world. The need and necessity for the inclusion of women in governance cannot be over-emphasized. This is especially true of Africa where lack of adequate mechanisms for enforcement of the rights of women has the effect of rendering them helpless without necessary judicial and social remedies as well as excluding the insights that their experience as women promise. These issues relating to exclusion of women from governance have attracted attention from people of different strata and how these are addressed has a direct impact on the livelihood and security of women, especially those in the rural areas.<sup>3</sup>

It is common knowledge that women suffer from a lot of societal issues, including discrimination in the workplace, sexual harassment, abuse from spouses and other inimical treatments and Nigeria has gained the unfortunate recognition all over the world as a patriarchal society where the rights of women often suffer neglect, abuse and derision<sup>4</sup>. It is therefore of vital importance that their rights be protected especially having regard to their critical contributions in national development<sup>5</sup>.

As at July 2024, there were only 4 female Senators and 16 female Representatives in the 469-member National Assembly. At the States, only about 55 women occupy elective positions in the State Houses of Assembly out of a total of 990 legislative seats.<sup>6</sup> This appalling statistic is

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<sup>2</sup> AA Idowu, 'Enforcement of Human Rights in Nigeria Courts: Probing into Procedural and Extra-Legal Problems', (2002), *JESCR Vol. 1 No. 5*, 41-58.

<sup>3</sup> O Bamgbose, 'Customary Law Practices and Violence against Women: The Position under the Nigerian Legal System', Being the text of a paper presented at the 8<sup>th</sup> International Interdisciplinary Congress on Women hosted by the Department of Women and Gender Studies, University of Makerere, Uganda in July 2002. See also, WM Adolwine and A Dudima, A, 'Women's Access to Emerging Urban Land in the Sissala East District in Northern Ghana', (2010) *Journal of Science and Technology*, Vol. 30, No. 2.

<sup>4</sup>NO Odiaka, 'The Concept of Gender Justice and Women's Rights in Nigeria: Addressing the Missing Link', *AfeBabalola University: Journal of Sustainable Development Law and Policy*, Vol. 2, Issue 1 (2013), 190.

<sup>5</sup>N Umejiaku, 'Advocating for the Protection of Rights of Children and Women in Nigeria: an Appraisal', *Journal of Legal Studies*, (2020), 26(40), 48.

<sup>6</sup>Plac, 'Bill for Special Legislative Seats for Women Reintroduced in the House of Representatives as Nigeria Retains Low Ranking on Women in Parliament' <<https://placng.org/Legist/bill-for-special-legislative-seats-for-women-reintroduced-in-the-house-of-representatives-as-nigeria-retains-low-ranking-on-women-in-parliament/>> accessed 11<sup>th</sup> August, 2025

further highlighted in the Interparliamentary Union's (IPU) ranking for women in national parliaments where Nigeria occupies a very unimpressive position of 178 out of 182.<sup>7</sup>

The long-standing advocacy for inclusion and participation of women in governance gained major prominence in 2022 when five gender bills were presented but however failed to sail through in the 9<sup>th</sup> National Assembly's Constitution review process, including the bill to create Special Seat for women in the federal and state legislatures. As the 10<sup>th</sup> National Assembly kicked off its Constitution review process at the beginning of 2024, the leadership of the House of Representatives demonstrated a commitment to address the issue of abysmal political representation of women in Nigeria. The push for greater inclusion and participation of women gained further significant traction when the House Committee on the Review of the Constitution, in collaboration with the Policy and Legal Advocacy Centre (PLAC), with support from the European Union, convened an International Legislative Dialogue on Women and Constitutional Amendment in Abuja, on Monday, October 28, 2024.<sup>8</sup> With the bill to create Special Seat for women in the federal and state legislatures brought back for consideration, it is hoped that this time, the National Assembly will see reasons to do the right thing.

Notwithstanding the need for the protection of the rights of women and their inclusion in governance as highlighted above, it is unfortunate that the problems of discrimination against women and inadequate enforcement of the rights of women have remained unaddressed. Be that as it may, it must be observed that within the international human rights jurisprudence, the problem of discrimination has been conceptualized as involving the denial of self-determination to women<sup>9</sup>. However, the Nigerian government and human rights activists are more responsive to the international regime for human rights without paying sufficient attention to indigenous philosophies and traditions about respecting human rights. In so doing, they often consider international protection of human rights as the major avenue to achieving equality in the treatment of both genders, forgetting the age-old adage that 'charity begins at home'.

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<sup>7</sup>*Ibid.*

<sup>8</sup>Plac, 'Legislative Dialogue Underscores the Urgent Need to Address Political Inclusion of Women' <<https://placng.org/Legist/legislative-dialogue-underscores-the-urgent-need-to-address-political-inclusion-of-women/#:~:text=The%20push%20for%20greater%20inclusion,Benjamin%20Kalu.> > accessed 7/08/2025

<sup>9</sup> MO Okome, 'Domestic, Regional, and International Protection of Nigerian Women against Discrimination: Constraints and Possibilities', (2002) *African Studies Quarterly* Volume 6, Issue 3, 34.

The above notwithstanding, one major issue that has not been sufficiently tackled is the adequacy of some of these international instruments in fighting discrimination; especially in view of the legal regime in Nigeria that may have the effect of impeding the role of these international instruments. This question is related to the issue of whether or not the legal regime in Nigeria is adequately positioned to tackle the problem of discrimination faced by women in the enforcement of their rights.

## **2.0. The Nigerian Constitution and the Rights of Women**

The Constitution of the Federal Republic of Nigeria, just like most modern constitutions, makes adequate provisions for the protection of human rights of all persons irrespective of their gender. Section 42 (1) (a) of the Constitution prohibits discrimination of any form including on ground of gender. For the avoidance of doubt and clarity of thought, it stipulates thus:

(1) A citizen of Nigeria of a particular community, ethnic group, place of origin, sex, religion or political opinion shall not, by reason only that he is such a person:-

(a) be subjected either expressly by, or in the practical application of, any law in force in Nigeria or any executive or administrative action of the government, to disabilities or restrictions to which citizens of Nigeria of other communities, ethnic groups, places of origin, sex, religions or political opinions are not made subject<sup>10</sup>.

From the foregoing provision, it is clear that there is nothing in the Constitution precluding a woman from enjoying all the rights provided for under the Constitution including the right to participate in governance. This is even moreso, when one considers that all other provisions of the constitution providing for elective positions and the qualifications to contest for those positions are not made to favour any particular gender.

Another provision of the constitution that has far reaching implications on the realisation of the fundamental rights of women; especially as it relates to taking benefit of international treaties and conventions to which Nigeria is a party is section 12 of the Constitution, by virtue of which, treaties validly concluded between Nigeria and other subjects of international law do not

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<sup>10</sup>R Muftau, 'An Appraisal of the Legal Rights of Women in Nigeria', *Journal of Law, Policy and Globalization*, Vol. 52, 2016, 76.

automatically transform into Nigerian laws without legislative intervention – they must be specifically enacted into law by the National Assembly before they can have the force of law. For reference purposes, it provides as follows:

- (i) No treaty between the Federation and any other country shall have force of law except to the extent to which any such treaty has been enacted into law by the National Assembly.
- (ii) The National Assembly may make laws for the Federation or any part thereof with respect to matters not included in the Exclusive Legislative List for the purpose of implementing a treaty.

This section makes it very clear that the National Assembly is the only legitimate organ of government that is responsible for domesticating treaties in Nigeria. The implication of the provision of section 12 of the 1999 Constitution is simply that while on the international level, Nigeria may be bound by any treaty they have ratified; the citizens of Nigeria may not derive the benefits accruing from such treaties unless they have been domesticated.<sup>11</sup> What this means for instance is that Nigerian women cannot take benefits of the protection offered by the Convention on the Elimination of All forms of Discrimination against Women (CEDAW) which is the basic international legal instrument that requires countries to eliminate discrimination against women in all areas of life and promote women's equal rights. This is worrisome; especially when one considers that one of the major goals set out by the National Gender Policy 2021-2026 is the full domestication of CEDAW by the year 2025 – we are in the year 2025 and no discussions are going on in that direction.

### **3.0. The Five Gender Bills in Nigeria**

The five “gender bills” on constitution alteration were constitutional alteration bills introduced in the 9<sup>th</sup> Assembly which had sought to address women issues in the fifth constitution alteration exercise of the 9<sup>th</sup> Assembly. They aimed at increasing women's representation and participation in governance and society in general, but were all overwhelmingly rejected in

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<sup>11</sup>*Abacha vs Fawehinmi* (2000) 6 NWLR 228.

March 2022. The bills sought to provide special seats for women in the legislature, expand citizenship by registration, establish affirmative action for women in political parties, create criteria for state indigeneship, and set a minimum percentage of women in ministerial appointments. However, none of them has successfully been passed into law.

### **3.1. Bill for Special Seats for Women**

The Special Seats for Women Bill is a bill that aims to create additional seats in the National Assembly and State Houses of Assembly specifically for women so as to address the country's historically low representation of women in politics. The bill seeks to establish women-only constituencies for a temporary period, which would then be reviewed after 16 years (four election cycles).

The bill at the time had originally proposed 111 seats at the National Assembly, i.e., three special seats for women in each State of the federation and the FCT in the Senate and House of Representatives. It proposed one additional Senate seat and two additional House of Representatives seats for women from each State and the Federal Capital Territory (FCT). It also proposed creating three special seats for women in each State's House of Assembly, one from each senatorial district.

It has been reintroduced in the current 10th National Assembly, with the goal of securing a constitutional alteration to implement these measures. The current bill (HB 1349) however reduces the number of seats to 74 in response to concerns raised about having a bloated legislature. It proposes the creation of one additional legislative seat to be contested by women only for each State and the Federal Capital Territory (FCT) in the Senate and House of Representatives. It further proposes three special seats for women in each of the 36 State Houses of Assembly totalling 108 women only seats. It has a provision mandating its review and possible termination after 16 years. Only women would be eligible to contest and fill these newly created seats. These provisions are temporary and will be reviewed after four election cycles (16 years) to assess their effectiveness and impact.

The purpose/rationale for this bill is to address low representation of women in politics in Nigeria which has had a consistently low number of women in elective and appointive positions, which is among the lowest in Africa. It is also meant to promote gender inclusion by

removing “concrete ceilings” that prevent them from participation<sup>12</sup> and ensuring that women's voices are heard in governance. It is also meant to enrich governance through women who would bring critical perspectives that enrich policy and deepen governance.

### **3.2. Affirmative Action Bill**

This bill seeks to amend the constitution to ensure that women occupy at least 35% of executive positions in political parties and appointive positions in government in consonance with the National Gender Policy 2006 as well as the Revised National Gender Policy (2021 - 2026).

There have also been proposals by some persons that the Electoral Act be amended to provide that a list of candidates submitted to the INEC by a political party for election into: (a) the Senate shall have at least one-third of candidates from each gender; and (b) the House of Representatives, State Houses of Assembly and Area Councils of the Federal Capital Territory shall have at least 35 percent of candidates from each gender.

### **3.3. Citizenship Bill**

Citizenship Bill proposes to amend the Constitution and among other things, grant citizenship rights to foreign men married to Nigerian women, addressing a gender disparity in the current law. This Bill aims to establish a more reciprocal and equitable framework for citizenship by granting rights to foreign men married to Nigerian women. This Bill seeks to alter the provisions of sections 26, 42 and 223 of the Constitution of the Federal Republic of Nigeria, 1999 to grant citizenship rights to men who marry women from Nigeria.

The bill highlights a critical issue of gender disparity in citizenship rights. While the current provisions allow foreign women who marry Nigerian men to obtain citizenship, it is not so in the case of a male foreigners who marry Nigerian women. This proposal therefore aims to create a reciprocal framework that extends similar rights to foreign men married to Nigerian women. This focus brings to light a contrast between the existing legal landscape and the proposed changes, which advocates for equal treatment in matters of citizenship for spouses.

### **3.4. Indigeneship Bill**

The Indigeneship Bill proposes, among other things, that individuals who marry an indigene could acquire the status of an indigene in that state. This bill proposes to allow women to claim their

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<sup>12</sup>By this we mean the social and cultural barriers that impede the participation of women in politics and governance

husbands' state of origin after at least five years of marriage and enjoy the same rights and privileges as men in their state of origin.

### **3.5. Ministerial or Commissioner Nomination Bill**

This bill seeks to ensure that at least 35% of nominees for ministerial or commissioner positions are women.

These bills are part of a broader effort to promote gender equality and increase women's representation in politics and governance in Nigeria. They were initially rejected by the 9th National Assembly in 2022, but women's groups and advocates are pushing for their reintroduction and passage. Some of the issues raised for rejecting them are cost concerns - the potential financial cost of adding more members to the National and State Assemblies particularly during economic challenges; compatibility with the electoral system i.e that the effectiveness of such measures depends on their compatibility with the country's existing electoral system which allows for equal playing ground; discriminatory provisions, that the reservation of legislative positions exclusively for women contradicts section 42 of the Constitution, etc.

As much as these concerns may have some merit, it is the view of the writer that the advantages of having more women participation in politics and governance far outweigh those concerns moreso as the system presently dominated by men has produced better results.

### **4.0. National Gender Policy**

The National Gender Policy (NGP) represents a set of minimum standards expected of the Nigerian Government to meet its mandate for gender equality, good governance, accountability, and being socially responsive to the needs of its vulnerable groups. The National Gender Policy (2021-2026), is a strategic framework to promote gender equality by mainstreaming gender into all aspects of society, including enhancing women's participation in leadership and governance. It addresses systemic barriers and seeks to achieve fair representation and decision-making power for women, often through strategies like affirmative action (e.g., the 35% quota for appointments) and promoting inclusive planning processes. While committed to closing gender gaps, the effective implementation of the policy faces challenges, such as the need for

legislative backup, financial incentives, and a consistent political will to ensure women's empowerment and inclusion at all levels of government.

By implication, achieving this core principle demands that 'gendered power relations' which serve as triggers of social, political, cultural, and economic exclusion are dealt with, while the benefits of sustainable development are extended to groups that are routinely and structurally excluded, that is, women, girls, persons with disabilities, the elderly, and the poor among others. The policy is also in consonant with the Constitution of the Federal Republic of Nigeria, which includes specific provisions protecting human rights and fundamental freedoms. Notably, progress and development in human societies require the participation of both men and women. However, it is common knowledge that women have been historically marginalised in all spheres of life including social, economic, and political spheres. This anomaly has been recognised globally and it has become accepted that issues of women's human rights are important for any meaningful development to take place. Apart from social justice, which demands equal opportunity for all citizens, it is smart economics to plan with both halves of one's population because it benefits society as a whole.

The overall objective of the gender equality goal is a society in which women and men; girls and boys; and other vulnerable groups enjoy the same opportunities, rights, and obligations in all spheres of life. Thus, like the 2006 NGP, the goal of the NGP 2021-2026 is - "to build a just society devoid of discrimination, where the needs and concerns of women, men, girls, boys, and other vulnerable groups are mainstreamed equitably into all sectors of national development"

The National Gender Policy is anchored within the framework of the Constitution of Nigeria 1999 (as amended), which guarantees equality and right to freedom from discrimination; and the various global, regional, and national policy commitments to gender equality and human rights (including CEDAW; the Beijing Platform of Action; the SDGs; the African Charter and its Protocols for Gender Equality amongst others). It provides institutional guidelines for achieving a just and gender-equitable society, with women and men contributing optimally to and benefitting from national development across all sectors.

Thus, the revised policy is premised on the following key principles:

- i. That the promotion and protection of women’s rights as human rights, provision of social buffers and safety nets, social justice, and equity are critical to national cohesion, growth, and stability;
- ii. That the peculiarity of the needs of women and girls, as distinct from men and boys, are demonstrably not homogeneous, originate from varying circumstances and therefore demand distinct policy responses at sector and sub-sector levels;
- iii. That the gender policy is central to the achievement of overall national development goals, objectives, and targets on many fronts and from both the macro to the micro economic levels as gender equality is a driver of growth and good governance;
- iv. That the cooperative interaction of all stakeholders including government, private sector, civil society organisations, traditional and religious leaders, community-based organisations and development partners at all levels is required to drive effective implementation of the policy;
- v. That implementation shall build on existing structures and draw on international policy frameworks, protocols, experiences and practices including affirmative action interventions targeting women and girls, recognizing them as corrective measure to bridge gaps in opportunities and access to resources; and
- vi. That gender analysis is seen as an integral part and essential component of all policy articulation, implementation, monitoring and evaluation.

The 2021 National Gender Policy addresses the following key policy priority areas,

- i. Legislation and policy frameworks
- ii. Economic Empowerment, Productivity and Livelihoods
- iii. Human Development
- iv. Gender Equality, Empowerment of Women, and Social Inclusion Agenda (GEESI) in other Key Institutions in the Social Sector
- v. GEESI in the Security Sector
- vi. GEESI in Access to Justice, Human Rights & Governance

- vii. GEESI, Leadership and Political Participation
- viii. GEESI, Gender Norms and Socio-cultural Practice

The policy has an estimated life span of five years, 2021 -2026 with a review at the expiry of the NGP. The review will afford an opportunity for a thorough performance review. This is critical and will serve as a good appraisal and lessons learning exercise that will feed into the next NGP and the attainment of the Sustainable Development Goals 2030. The issue that arises is whether in view of the provision of section 12 of the Constitution, the NGP can take benefit of the various global and regional laws that promote the rights of women – the answer is in the negative.

It is therefore unsurprising but however, disheartening that in 2025, when about 80% of the time for the implementation phase of the policy has expired, Nigeria cannot be said to have recorded success towards its implementation. In fact, it is safe to say the policy has been achieved in the opposite as matters have worsened. The failure of the five gender bills and the exclusion of women in governance at all levels lends credence to this position. It is therefore recommended that unless a strategic plan for the policy implementation is developed, Nigeria will not make any progress in its quest for gender equality, empowerment of women, and social inclusion agenda. There is therefore an urgent need to critically assess the policy performance and to review the implementation plan.

## **5.0. Factors affecting the realization of Gender Equality, Empowerment of Women, and Social Inclusion**

Nigerian women face barriers to full equality, empowerment, and advancement because of patriarchy, Religion, Illitracy, socialization patterns, socioeconomic status internal displacement due to environmental disasters, banditry, war and various forms of violence. The high level of banditry, and insecurity in many parts of the country is a major factor in this regard.

### **a. Patriarchal Stereotype**

The patriarchal setting which obtains in Africa whereby men dominate on most matters of relevance makes it difficult if not impossible for women to gain access to their rights. They usually depend on the men to achieve same. This state of mind-set has prevailed at all levels of society from time immemorial. Patriarchy sustains gender discrimination in any society.

#### **b. Lack of awareness on legal provisions**

Although most countries in Africa have constitutions which ascribe equality of rights to both male and female, as well as laws which are either gender-neutral or affirmative on women's rights; generally the general public is not aware or conversant with such provisions. This is because once the policies are adopted and laws passed, there is no deliberate effort made by the State to sensitize the general public on what these documents say about peoples' rights in general and women's rights in particular and how to implement same.

#### **c. Religion**

Religion refers to an organized collection of beliefs, cultural systems, and world views that relate humanity to the supernatural, and to spirituality.<sup>13</sup> From the beliefs peculiar to a particular religion, believers acquire their moral, ethics & lifestyle choices. Religion plays a very fundamental role in the lives of human beings and its directives on issues of life are believed very strongly. In Nigeria, the popular religions are Islam, Christianity and Ancestral Worship and they all have similar opinions about the rights of women as compared with men. Religious doctrines and beliefs have negatively impacted on the proposals of women's inclusion and participation in governance.

#### **d. Poverty**

Poverty has been defined as a condition in which a person or community is deprived of and or lacks the essentials for a minimum standard of wellbeing in life. More than one billion people in the world today, the great majority of whom are women live in unacceptable conditions of poverty.<sup>14</sup> One requires a measure of financial independence to aspire to participate in governance. In fact, to enforce one's right in the event of violation requires some financial measure which poverty cannot guarantee.

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<sup>13</sup>R Mordi, op cit.

<sup>14</sup>F Anyogu and BN Okpalobi, 'Human Right Issues and Women's Experiences on Demanding their Rights in their Communities: The Way Forward For Nigeria' (2016) *Global Journal of Politics and Law Research* Vol.4, No.1, pp.9-17

**e. Illiteracy**

Illiteracy is one of the major factors militating against the achievement of gender equality and social inclusion. The importance of education can never be over emphasized. Access to basic education is not only a basic human right but is also fundamental to its enforcement. A person who cannot access information may not even know that he or she has an existing right to participate in governance.

**f. Lack of Political Will**

Generally, there is a lack of political will on the part of the authorities to address the issues of women human rights and inclusion in governance. This may in turn be as a result of deep rooted corruption in Nigeria since the constant injustice that women suffer are to the benefit of men who constitute the holders of political positions.

**g. The Gap between High-level Commitments and Implementation Practice**

Most African Governments have ratified various international instruments protecting female land right like the international Conventions on Elimination of All forms of Discrimination against Women (CEDAW). In addition, national Constitutions ascribe equal rights between men and women. Implementation of these high level commitments remains a challenge because the principle is not prioritized as a policy objective, nor serious attention paid to how to carry through these commitments in practice, outside of a small number of dedicated projects. High level commitments are not popularized or domesticated in national laws.<sup>15</sup> A ready example is the rejection of the gender bills and the manner in which governments at all level have glossed over the provisions on the National Gender Policy.

Without going deep into the exploration of the above issues, it is crystal clear that the rights of women in Nigeria cannot be adequately protected without comprehensively addressing the above.

**6.0. Conclusion and Recommendations**

It must be observed in the first instance that achieving the enforcement of the rights of women and eliminating all forms of discrimination against women are fundamental human rights with international and world-wide recognition. Recognizing that we cannot have an enduring change

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<sup>15</sup>See for instance, Section 12 on the Nigerian Constitution.

without gender parity and social inclusivity, the promotion and protection of the wellbeing of everyone, especially women and children who are at the periphery of economic development, is key to sustainable development. Unfortunately, infringements on women rights are still perpetuated in different spheres of our polity.

This paper recognises that Nigerian women face barriers to full equality, empowerment, and advancement because of patriarchy, socialization patterns, illiteracy, poverty socioeconomic deficiencies; refugee/internal displacement due to environmental disasters and various forms of violence (insurgency, kidnapping, and banditry), and epidemics. However it is also the position of this paper that the slow pace of advancing the rights of women in Nigeria is indicative of a lack of political and economic will on the part of the government to implement numerous international treaties it has ratified that establish the principle of equality and non-discrimination. For instance, while Nigeria has ratified a lot of treaties and conventions for the protection of the rights of women, those treaties and conventions do not translate into any benefits for the Nigerian woman for a plethora of reasons. The predominant reason for this can be traced to the provision of section 12 of the Constitution which provides that no treaty between the Federation and any other country shall have force of law except to the extent to which any such treaty has been enacted into law by the National Assembly. Other factors include institutional and cultural factors, poverty, illiteracy, fear of reactions from relatives as well as religion

In view of the provisions of the Constitution examined in this paper, it is safe to state that the Constitution makes general provision for the protection the fundamental rights of every citizen and does not provide for any discrepancies or discrimination in relation to the rights of men and women. At least, this is settled by the provision of Section 42 of the Constitution.

However, it is also posited that the socio-cultural inclinations of Nigeria makes the above provision of the constitution not properly posited to achieve gender equality and inclusion in Governance. It is therefore the position of the writer that gender equality, empowerment of women, and social inclusion agenda requires a conscious and improved effort. In this wise, while it is accepted that, with adequate implementation regime, the constitution can further the fundamental rights of women, more needs to be done.

In the first instance, there is need for the amendment of the constitution with a conscious effort to promote the participation of women in governance. This can be achieved by passing the five

gender bills that have been specially considered by experts as a means of encouraging women and giving them a platform to contribute to national development.

Secondly, there is an urgent need to amend Section 12 of the Constitution especially as it relates to the application of international instruments which Nigeria has signed and ratified. Having discussed the constitutional framework for the protection of women rights in Nigeria, it is clear that a plethora of human rights instruments exist at international and regional levels to protect and promote women's rights. It is believed that a constitutional regime which allows for the direct application of human rights instruments which Nigeria has signed and ratified to be directly applicable in Nigeria will improve the protection of the rights of women and make them take benefit of the inestimable benefits offered by these instruments.

In view of the findings made in this paper, it is recommended that the National Assembly should take steps to incorporate international treaties and conventions that Nigeria has ratified into our domestic legal system in order for them to be enforceable. In the alternative to the forgoing, the Constitution should be amended to provide for the applicability of international treaties and conventions relating to human rights of women which Nigeria has signed and ratified.

It is also recommended that Government should also develop and promote strategic plans for the implementation of the National Gender Policy 2021-2026. Continuing advocacy and judicial activism should be encouraged in this area. Enlightenment and sensitization of the public by the media, civil society and human rights advocacy groups should also be encouraged. Employers of labour must jettison discriminatory practices against women in the workplaces. Without sacrificing competence, women should be given more opportunities in the political sphere. The courts must be more proactive in taking judicial measures to advance the protection of women's rights. The National Gender Policy of Nigeria must be scrupulously implemented. In this wise, it is recommend that the National Assembly take steps to pass the gender bills into law - especially the Special Seats for Women Bill

While recognising that Government has the primary responsibility to develop and implement policies to promote gender equality, women empowerment, and social inclusivity, partnerships between government and the different social players in the civil society are increasingly recognised as an important mechanism to achieving gender equality/social inclusivity. As we continue to push the boundaries of inclusive governance and open up spaces for women and the

vulnerable groups, it is firm belief of the writer that Government at all levels can start with appointive positions to set the pace.