

Women's Economic Empowerment, Labour Force Participation and Prosperity Rights

Okon Effiong Enemi, PhD

Department of Public Administration, University of Calabar, Calabar, Nigeria

Email: enemiokon@gmail.com. **Mobile:** +234-8138844931, +234-8054135993.

Petter Bette

Email perterbette4@gmail.com **Mobile:** +2348067926751

Abstract

This paper seeks to examine the extent of women's involvement in economic empowerment, labour force participation and property rights, using Cross River State of Nigeria as a case study. The objective is to x-ray the ratio between women and men in socio-economic and political empowerment, their participation in labour force and property rights. The problems is anchored on women's discrimination and unequal access to economic resources and decision making. This is to justify the views that women are disproportionately placed in all strata of society. The study adopted Relative Deprivation Theory pioneered by Garry Ruciman (1966) and sustained by (Gurr 1970), Adopted qualitative research method such as in-depth interview and observation, used secondary sources of information and simple percentage for data analyzes. Information was gathered from five ministries of the State Civil/Public service. Data were also obtained from Cross River State Bureau of Statistics, Independent National Electoral Commission, Calabar. Interviews were conducted on stakeholders for in-depth studies. The results revealed that total number of women employees in the five Ministries (Tertiary Institution- CRUTECH, Ministry of Humanitarian Affairs, Ministry of Sustainable Development, Ministry of Economic Empowerment and the Judiciary) were 37.7 percent while men have 62.3 percent. In the political sphere from 1999 till date, results showed that women elected into National Assembly were 6.4 percent or less while men had 94 percent. Out of the 990 seats in the State houses of Assembly across Nigeria in 2023 election, 48 females about 4.8 percent were selected while men have 95.2 percent. In Cross River State House of Assembly with 25 members, only 2 females' 8 percent were elected while men have 92 percent. On women's property rights, a study from three ethnic groups (Igbo, Yoruba and Ibibio) revealed that, in Igbo and Ibibio societies, a woman cannot inherit immovable property like land from her community/family but can acquire her own land outside the communal/family land.. The Yoruba customary law permits female and male children to have equal right to inherit their parents' real property. The property of a father who dies intestate can be divided according to the number of wives equally, using the Idi-Igi method. Recommendation: Women economic empowerment should be holistic (socially, economically, religiously and politically) devoid of societal influence, traditional norms and customs. The adoption, ratification and signing of international and regional conventions/treaties and constitutional provision should be upheld and enforced to promote women's rights

Keywords: Economic empowerment, empowerment, labour force and property rights.

Introduction

Women's economic empowerment is now a global issue and concern, considering their roles and contributions to development from being assiduous home managers to their engagement in farm and trading activities. Women have contributed about 70 percent of labour force in agriculture, these unpaid activities are neither recognized or appreciated including child bearing etc. Unfortunately, they have suffered discrimination, unfair treatment, injustices and relegation in diverse ways due to societal norms and traditions. Hence, the recognition of women's pivotal roles in development call

for their empowerment in all strata such as cultural social, economic and political sphere if Sustainable Development Goals are to be achieved. In view of this, world leaders initiated and formulated international and regional conventions/treaties to end all forms of discrimination and violence directed at women by ensuring member countries ratify, adopt, sign and domesticate these conventions/treaties of which Maputo protocol serves as a framework by international human rights instrument such as Convention on Elimination of All forms of Discrimination against Women (CEDAW), International Convention on Civil and Political Rights (ICCPR), International Convention on Economic, Social and Cultural Rights (ICESCR) among others. Nigeria equally signed, ratified adopted these conventions/treaties and the Nigeria's 1999 constitution as amended) section 42 and 43 provide for citizen's fundamental human rights which women are the integral part. All these aid in promoting women's economic, labour force participation and property rights. However, a critical survey of women's economic empowerment shall be a focus of this work using Cross River State civil/Public service as a case study. Furthermore, the extent of women's participation in decision making would be assessed as an anchor point of empowerment. Culturally, the oppressive and discriminatory traditions and customs used as factors to deprive women access to economic resource and asset (land) in some ethnic groups shall be examined. Hence, women's economic empowerment is the act of providing and or equipping women with the skills and training require to improve or enhance their economic status, self-independence, self-confidence, self-reliance, dignity and financial freedom that enable make choices as well as participate in decision making

Conceptual framework.

To empower means to give permission, power or legal right to do something. It also means to give someone more confidence and or strength to do something by enabling him/her to increase his/her control over their lives or situations. On the other hand, empowerment refers to increasing the spiritual, political, social and economic strength of individuals and communities. It is an act or action of empowering someone or something, gaining of the power, right, or authority to perform various acts or duties. To empower means to give someone sustainable means of livelihoods through informal or formal training, skills development or provide economic assistance to enhance somebody's means of income generation with the view to reducing poverty and unemployment thereby build a person's self-reliance and confidence. Arundhati, 2005 (as cited in Mandal 2013) sees empowerment as multi-dimensional and it refers to the expansion of freedom of choice and action in social, economic and political sphere to shape one's life. It also implies control over resources and decisions. According to World Bank, empowerment is "the process of enhancing the capacity of individuals or groups to make choices and transform those choices into desired actions and outcomes. Economic empowerment therefore is the process of assisting individuals, mainly women from low-income backgrounds, in obtaining the education, training and job-related skills they require to support themselves and their families. It involves ownership of finances, investments, property, and gaining education (Dalal, 2011). Women's economic empowerment also involves being in a position to make decision (Mohyuddin et al., 2012). When women are economically empowered, they have income, time and resources to participate in decision-making. Economic empowerment is a means by which the poor, landless, deprived and oppressed people of all societies can be freed from all kinds of deprivation and oppression.

Women's empowerment in relation to economic empowerment makes women capable of achieving things, have freedom to work with others willingly, possess resources and have control over their personal, financial, social, and economic lives, thereby increasing self-esteem and self-confidence. So, women's economic empowerment is the process of providing women with the basic skills,

training and resources require for self-reliance, self-confidence, dignity and financial freedom and to enhance their involvement in decision making. Purnamawati and Utama (2019).

Therefore, opined that, women empowerment involves giving women freedom to participate holistically in decision making process, their choices to determine what they do and what they don't. Nevertheless, the process of women's economic empowerment can come through social or educational, economic and political empowerment. These processes build women's capacities and enable them to participate equitably in existing markets, increase their access to and have control over productive resources, access to work opportunities, control over their own lives and increase voice and participation in decision making at all levels as well as equitable access to own assets such as land. According to United Nation Women, investing in women's economic empowerment sets a direct path towards gender equality, poverty eradication and inclusive economic growth because women make enormous contributions to economies whether on farms, entrepreneur, employees or by doing unpaid work at home" but they also remain disproportionately affected by poverty, discrimination and exploitation. Building women's skills through educational advancement is a path way to bridging gender gaps in socio-economic and political sphere. When women are empowered, they gain greater share of control over resources, intellectual, financial and material resources and gain power/control in decision making at home, community and society. So, equipping women with the skills and resources, they need to develop their own business that may result to income generation and greater standard of living for the women involved.

Labour force

Labour force is the total number of capable men and women who are gainfully employed and or who are not employed but are willing to work. John Maher (1965) sees labour force as those people 14 years of age or over who have jobs or who are seeking jobs. Labour force is the total number of men and women who are able or capable and are gainfully employed and those who fall in the age bracket, capable and willing to work but have no job in a country with a time period. However, it is worthy of note that, the entire labour force constitutes employed and unemployed. Those who are employed are made up of individuals with full or part time employment while the unemployed are individuals with no work but are looking for work Fajana (2006) On the other hand, women's labour force participation means giving women of either working ages 15 years and above and those who are actively looking for work who are economically active equal opportunity in the labour market. Okeke (2018) noted that women's labour force especially informal sector is unrecognized, their roles in home/ family management, trade and food production remained unappreciated. In agriculture, women account for about 75 percent of labour force vis-a-vis food security yet they suffered greatly from all forms of violence, degradation, dehumanization, oppression and poverty. They are perceived as house-hold property than partners in development effort.

Property

Property is something of value that is owned by somebody such as land or real estate. Land is one of the most common forms of property and is termed "real property". Property can be movable or immovable and is capable of being owned or acquiring. The 1999 constitution of the Federal Republic of Nigeria provides for and guaranteed human rights, one of these rights is the right to own property in Nigeria. This right covers movable and immovable property and section 43 of the constitution states that, "Subject to the provision of this constitution, every citizen of Nigeria shall have the right to acquire and own immovable property anywhere in Nigeria" This implies that citizens of Nigeria are free to acquire and own immovable property which includes fixed property

like Lands and factories etc. regardless of location, locality tribes and gender. Property rights therefore, is the legal rights one has to own and or acquire movable and immovable property at any given place and he/she has right to dispose of it at will. It is a legal entitlement to use, control, and dispose of a resource, including land, building or other personal property.

Theoretical Framework

Relative Deprivation theory coined by Sam Stouffer and his associate in 1949 and formulated by W G Ruciman in 1966 and sustained by by (Gurr 1970) has led to some agitation and mass movements. This theory explains subjective dissatisfaction caused by person's relative position to the situation or position of another. It means lack of resources to support certain lifestyles, activities and amenities that an individual or group has become accustomed to. It describes the players recognition of inconsistencies between values, desires and environment's manifest values potentialities. It means one being deprived of something to which one or groups believed that they are entitled to have. It refers to the discontent people feel when they compare their positions to others and realized that they have less than them. This occurs when individuals or groups subjectively perceive themselves as unfairly disadvantaged over others perceived as having similar attribute and deserving similar rewards. (as cited in Enemi 2017).

This theory relates and explains the extent to which women are deprived, discriminated and oppressed of socio, economic and political benefits based on their gender. Freire (1921-1997) in his work " pedagogy of the Oppressed" showed that every society consist of two forces, namely, "The oppressors and the oppressed" from this context, the oppressors are those in authority using powers, influence, norms and traditions to act arbitrarily while the oppressed are te powerless and vulnerable (basically women) who suffered injustices, discrimination and all forms of violence in the social system. Hence, women empowerment is a breakthrough to accelerate their transformation towards achieving sustain socio-economic and political development and to build a stronger, stable and equitable society. Relative Deprivation Theory used by Gurr (1970) and Freire (1921-1997) work on the "Pedagogy of the Oppressed" really explain the position of women in the society as they are disproportionately placed in socio-economic and political sphere. This calls for social integration, inclusion of women in developmental programmes and policies if Sustainable Development Goals are to be achieved.

Methodology

This work adopted qualitative research method and used in-depth interview/ observations to elicit information. Secondary sources of information and simple percentage were used for data analysis while relevant data were collected from the State Bureau of Statistics, Independent National Electoral Commission (INEC) and Cross River State House of Assembly -Business Rules Department, Calabar.

Typologies of women empowerment

a. Social empowerment: Social empowerment refers to the enabling force that strengthens women's social relations and their positions in social structure. It seeks to address social discrimination that exist in the society based on disability, race, ethnicity, religion or gender (Mandal 2013). Social empowerment is all about improving the quality of life through empowering individual or groups with knowledge and skills that allow them to shape their destinies. It involves providing citizens especially women with opportunities, resources and information needed to make informed decisions about their lives and allowing them more control over their future as they often times are vulnerable and exploited by men based on gender. It is a process through which disadvantage section of society can emerge from their subordinate position and achieve self -sufficiency. It means a process of

interaction between and among groups where social relation ensue, share ideas and values for mutual benefits. From the legal perspectives, this social empowerment brings about awareness creation base on social relationship and also help to develop or discover one's innate potentials/self worth resulting to recognizing one's fundamental human rights and the need to defend such rights if violated in the competent courts of law.

b. Economic empowerment: This is a process of assisting individuals, primarily women from low-income backgrounds to obtain education, training and job-related skills they require to support themselves and their families. It also involves ownership of finances, investment, property and gaining education by women as a prerequisite to be integral part of decision making. (Dalal 2011). sees Women's economic empowerment as the act of providing or equipping women with the basic skills, training and resources require for self-reliance and to attain self-confidence, dignity and financial freedom, including their involvement in decision making through active participation in political activities. It is a direct path to alleviating women from poverty, inequality, unemployment, discrimination and oppression thereby building and advancing their course to self determination, gain self recognition, self-esteem so as to contribute to societal development. (Kapur 2001) noted that women's economic empowerment allows women gain greater share of control over resources, material, human and intellectual such as knowledge, information, ideas and financial resources and control in decision making at home, community society and nation.

c. Entrepreneurial skills development: This is an integral part of economic empowerment with focus on skills acquisition training. Enemi (2022) opines from the low-income perspectives that, women's economic empowerment is the process of providing and or building women's capacities through entrepreneurial skills acquisition training in areas of their choices and interest. Such as confectionery/ pastry, soap production, sewing, hair dressing and saloon etc. with the view to ameliorating their economic status or statuses in order to reduce poverty, unemployment, inequality and dependency among women. He cited livelihoods component of SGP/GEF-UNDP project at Akwa Esuk Iyamba community where 200 women were trained on confectionery, bakery etc and 95 percent of the trainees acquired skills and commenced their small scale business enterprises, lived a happy life supporting their families as well as curtailed dependency which often time triggers



domestic violence and assault from their husbands.



Egg rolls practical session



Fish pies practical



Fish pies produced

These offer women's income generation, self reliance and maximum contributions to economic growth and development.

d. Educational empowerment: Education (formal or informal) according to Aristotle, is the process of training man to fulfill his aim by exercising all the faculties to the fullest extent as a member of society. It is a process that brings out the best in human beings' body, mind and spirit. Educational empowerment helps in the transmission of knowledge, skills and character traits. It is the bedrock through which skills are developed to facilitate socio-economic and political development. It is pertinent to note that, in a typical African society prior to the colonial era, women were not given opportunity to be educated, rather, they were trained to be good housewives and forced to marriages against their wishes and or sent to engage as house help. However, the advent of civilization brought to light importance of women education where some educated and enlightened families began to send their female children to school. This paradigm shift marks an era by which women were enrollment in educational institutions play significant roles in the lives of women by impacting positively on their well-being, health and social statuses. Through educational empowerment, women's capacity is built to acquire needed skills and knowledge for gainful employment, have access to equal opportunities, equal organizational benefits, equal treatment and equal working environment. As the adage goes, "If you educate one woman, you educate a whole family". This is because she brings maximum benefits to the entire family and community at large. Hence, education helps build women's self confidence, self esteem, self dignity and self reliance. It brings light of hope, increase social, economic, intellectual, political, cultural and religious consciousness and broadens horizons of women to do exploit. Education aids women break the

shackle of poverty, inequality and injustices. It is the most powerful tools of women’s holistic empowerment for realization and or recognition of their fundamental human rights.

e. Political empowerment: According to David Easton (1953) politics is the authoritative allocation of values for a society. Harold Lasswell (1963) from his perspective defines politics as “who gets what, when, where, how and why. Eminue (2005) opines that politics is a social process of decision making for a whole society and this should involve men and women equitably. It is only when women are equitably involved in politics that their interest can be protected because politics involve interaction among individuals, groups, or institutions that seek to arrive at a decision about how to make a collective choice, or to solve some collective problems. Therefore, women political empowerment means women’s equal representation on elected or appointed positions. It is process of giving women chances or opportunities in decision making process.

RESULTS AND DISCUSSION

Women empowerment ought to be holistic strategy that encompasses social, educational, economic and political sphere. Real empowerment starts from an individual and extends to the family, group or groups to community(ies) with resultant positive effects in the entire society. The worst form of women enslavement and oppression is the one that starts from home or family when acquaintances exhibited oppressive tendencies towards women using societal norms to deprive them of their fundamental rights. Freire (1972-1997) in his view of “Pedagogy of the Oppressed” argued that every society consists of two classes, the oppressors and the oppressed. In this context, the oppressors are men (patriarchal norm) while the oppressed are women, (the powerless). This scenario prompted the use of deprivation theory by Gurr (1970) which explains how people express their resentment over unfair treatment and disadvantage position they find themselves in society. To this end, it becomes imperative to build women’s capacity by giving maximum attention in the empowerment of women for even development. No wonder, Longwe (1995) stated that empowerment efforts should be directed towards achieving community welfare through gender equality and by meeting the basic needs such as food, housing, clothing and health care. Women’s empowerment can also means building women’s skills or capacity through training (formal or informal) to acquire knowledge that transforms their minds and by allowing them access to economic resources to facilitate development Analysis of women’s labour force participation in Cross River State Civil/Public Service.

A study of five key Ministries: Tertiary Institution (CRUTECH), Ministry of Humanity/Social Welfare, Ministry of Sustainable Development, Judiciary, Ministry of Economic Empowerment from 2015- 2023

S/N	CATEGORY	SGL 01-06			SGL 07-17			SGL 18			UNSPECIFIED			GRAND TOTAL
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	
1	Tertiary Institution (CRUTECH)	113	54	167	279	173	452	3	0	3	0	0	0	622
2	Ministry of Humanity/Social Welfare	0	0	0	5	10	15	1	0	1	0	0	0	16
3	Ministry of Sustainable Development	1	0	1	4	6	10	0	0	0	0	0	0	11
4	Judiciary	41	17	58	214	136	350	1	0	1	0	0	0	409
5	Ministry of Economic Empowerment	0	1	1	16	14	28	0	0	0	0	0	0	31
	Total	155	72	227	518	339	855	5	0	5	0	0	0	1,089

Source: Cross River State Bureau of Statistics 2023

From the data above. Tertiary Institution, Cross River University of Technology (CRUTECH) has total number of staff of 622. Male being 395 representing (63.5 percent) while female staff are 227 (36.5 percent). In Ministry of Humanity/Social Welfare, total number of staff are 16, male 6 (37.5 percent) while female are 10 (62.5percent).Ministry of Sustainable Development total number of staff 11, male 5 (45.5percent) while female are 6. (54.5 percent) In the state Judiciary, total number of staff are 409, male are 256 (62.6 percent) while female are 153 (37.4 percent). Ministry of Economic Empowerment, total number of staff are 31, male 16 (51.6 percent) while female are 15 (48.4 percent).**Summary.** The total number of male staff in the selected five Ministries are 678 representing (62.3percent) while female staff are 411 representing (37.7 percent).

From the above analysis and result, it can be deduced that women’s economic empowerment in terms of labour force participation of 37.7 percent is not proportional to that of men with (62.3 percent). Men still dominate women in the state civil/public services.The oral interview carried out in the Ministry of women economic empowerment revealed that since the creation of the Ministry in 2018, no single woman or person has been empowered. The ministry is redundant in all facets because the aims/objectives of the Ministry are not achieved. On the other hand, its been discovered that there were serious political game play during the last administration. Recruitment and empowerment that were claimed to be done were deceptive since no single person was employed or empowered.. This showed the gravity of insensitivity of government to people’s welfare.Similar views were raised concerning by interviewees (name anonymous) in the Ministry of Sustainable Development who said “ in the whole Ministry, we have only eleven staff,” and nothing done to improve the situation” This also implies that, the past government/administration from 2015 to 2023 failed in its obligation This brought about state wide protest where people who were purportedly recruited or employed towards the end of that administration without concomitant enrollment in the state payroll were layedoff unceremoniously.

Women’s political participation vis-a-vis elections into the Cross River State House of Assembly from 1999 till 2023.

CROSS RIVER STATE HOUSE OF ASSEMBLY: HAS 25 SEATS				NUMBER OF				
MEN & WOMEN ELECTED FOR 25 SEATS								
1	ELECTIONS	1999-2003	Men	25 elected	100 %	women	Nil	0 %
2		2003-2007	Men	25	100 %	Women	Nil	0 %
3		2007-2011	Men’	22	88 %	Women	3	12 %
4		2011-2015	Men	24	96 %	Women	1	4%
5		2015-2019	Men	22	88%	Women	3	12%
6		2019-2023	Men	21-3=18	72%	Women	4+3=7	28%
7		2023	Men	23	92%	women	2	8%

Considering the results above, it shows low participation of women in decision making process because vote/decision in the State House is a game of majority. Hence, representation of 2 or 3 women against the majority of men 23 cannot influence decision making. For instance, only 2 females were elected in 2023 State House of Assembly election representing (8 percent) while 23 men were elected representing 92 percent, this is unequal. Similarly. out of 990 seats in the State Houses of Assembly across Nigeria, only 48 women were elected representing (4.8 percent) in 2023 election while 942 men were elected, representing (95.2percent). It is known globally that Nigeria is very good in policy formulation, signing of international/regional treaties but cannot effect the principles of gender equality, equal or women’s rights as she signed and ratified the A.U Maputo

protocol and CEDAW international convention on women’s equal rights. However, the state of National Assembly elections from 1999 to 2023 was not different, it’s also showed low involvement and participation of women in decision making at the national level with average of 5 percent of women being elected as shown in the table below.

ELECTIONS FOR SENATE WITH 109 SEATS							
1	ELECTI 1999-2003	Men	106	97.2 %	women	3	2.8 %
2	2003-2007	Men	105	96.3 %	Women	4	3.7%
3	2007-2011	Men’	92	92%	Women	9	8%
4	2011-2015	Men	102	93.6 %	Women	7	6.4%
5	2015-2019	Men	102	93.6%	Women	7	6.4%
6	2019-2023	Men	102	93.6%	Women	7	6.4%
7	2023	Men	106	97.2%	women	3	2.8%
ELECTIONS FOR HOUSE OF REPRESENTATIVES WITH 360 SEATS							
1	1999-2003	Men	348	96.7 %	Women	12	3.3 %
2	2003-2007	Men	339	94.2 %	Women	21	5.8 %
3	2007-2011	Men’	335	93%	Women	25	7 %
4	2011-2015	Men	341	94.7 %	Women	19	5.3%
5	2015-2019	Men	338	93.9%	Women	22	6.1%
6	2019-2023	Men	349	96.9%	Women	11	3.1%
7	2023	Men	349	96 %	women	14	4%

NATIONAL ASSEMBLY ELECTIONS FROM 1999-2023

From the analysis shown above, the average percent of women elected into the National Assembly is 5 percent while men have 95 percent. This is a clear evident that women are still marginalized, suppressed, oppressed and relegated and are not given equal opportunity in the political sphere despite their zealousness and aspirations in Nigeria’s politics. Observably, no woman has ever contested and won the Presidential or Governorship elections in Nigeria. The only woman who ventured into the Governorship seat for only 3 Months in Nigeria was Dame Virgy Etiaba of Anambra State when the Governor, Peter Obi was impeached in 2007. Since then, Nigeria is yet to have a full-fledged elected woman as Senate President, Speaker of the Federal House of Representatives and Governor. Women’s political participation in Nigeria either elected or appointed remain very low with average of 5 percent against the Global average of 22.5%, African regional figure of 23.4% and West African Sub-regional figure of 15% and against 35 percent affirmative action. Therefore, women’s political empowerment is the highest level of empowerment that should be promoted if women’s economic empowerment is to be achieved or realized. This is sequel to the concept of politics by Harold Lasswell “who gets what, when and how”? and that of David Easton who sees politics as authoritative allocation of values. By implication therefore, if women are unequally represented at decision making levels, these concepts remain favourable to men because they make decisions favourable to themselves and allocate resources to themselves alone which at this juncture is detrimental to women. However, if women are actively involved and participated in decision making, these will give them access to be part of those who decide on who gets what, when and how as well as allocate resources that will aid in their empowerment. These invariably seek to ameliorate and stimulate/facilitate women’s economic statuses that breaks the shackle of poverty, inequality and injustices with assurances of enjoying maximum economic benefits.

PROPERTY RIGHTS

The 1999 constitution of the Federal Republic of Nigeria (as amended) section 43 gives men and women equal rights to own and acquire movable and immovable property any where in Nigeria. Hence, property rights is the legal rights one has to own and or acquire movable and immovable property at any given place and he/she has right to dispose of it at will. It is a legal entitlement to use, control, and dispose of a resource, including land, building or other personal properties.

Property rights under inheritance laws; An overview of customary law in Nigeria.

Nigeria has about 250 political ethnic groups but the three major ones are Hausa, Yoruba and Igbo. These groups and other ones are categorized as follows: Hausa-Fulani 29 percent, Yoruba 21 percent, Igbo 18 percent, Ijaw 10 percent, Kanuri 4 percent, Ibibio 3.5 percent and Tiv 2.5 percent. These ethnic groups have their traditions and customs similar in most cases but the custom demands that all members of the society do things the way others do and failure to comply, attracts punitive measure either moral or legal sanctions on the erring ones. Unfortunately, majority of these tribes disregard women's fundamental human rights to own properties especially land despite the constitutional provision and recognition of such rights, rather they tilted to the wimps and caprices of customs or traditions. It is pertinent therefore, to explore or x-ray practices of few tribes regarding property and inheritance rights.

Property/Inheritance rights in Igbo, Ibibio, Efik and Yoruba: In the case of Igbo society, a woman cannot inherit immovable property like land but outside the communal/family land, a women has rights to acquire her own land. Thus, a woman can personally purchase a land or other immovable or movable property in her own right. The condition of customary law here is that, if a woman had some property before she married and brought such property into her husband's place, such property is subject to the control of her husband and the woman is forbidden from disposing of her property without the consent of her husband. The general rule under the Igbo customary law of inheritance is that a man's property passes to the eldest son, and where there is no son, the deceased brother or uncle takes charge of the property.

The right of the wife or the female child is not recognized. This is discriminatory and against the constitution in Nigeria. More so, on Constitutionality of Igbo native law and custom which dis-entitles female child from inheriting late father's estate. "The igbo native law and custom is in conflict with section 42(1) and section 43 of the 1999 constitution of the Federal Republic of Nigeria (as amended), such a practice is barbaric, the height of insensitivity, shameful, unacceptable and a custom that only belonged to the stone age. In the instant case, the clear understanding of paragraph 10,11 and 12 of the appellants amended statement of defence was that the 1st respondent was not entitled to a share in her grandfather's property because she is a friend. The 1st respondent as a grandchild and a lineal descendant of both late Chinwuba and Esther Attansey from whom the property in dispute was inherited was abinistic entitled to the share of the inheritance. (Okafor v. Isitorh (2015) LPELR-25892 (CA), Anekwe v. Nweke (2014) 9 NWLR (Pt.1412)393; Ukeje v. Ukeje (20014).11 ANWLR (Pt.1418) 348 referred to (Pp.123, paras.A/C135, para, B-C)"Ukeje,v. Ukeje (2014) 11 NWLR (Pt1418).384.

Asika v Atuanya (2008) 17 NWLR (Pt.1117) 484 on need for court to uphold the constitutional right of women to own immovable property. The provision of the Constitution is clear as regards women's rights to ownership of property, and it is the duty of the court to stand firm and assert the rights of ownership of land by women in any part of the country as enshrined in the constitution. Whatever the Constitution stipulated must be adhered to. The Constitution may be stiff or hard, but it takes

supremacy over and above any form of social engineering, equitable engineering, native law and custom and indeed other enactments. In the instant case, trial court ought to have dealt with the law as it is and not as it ought to be (global Excellence Comm. Ltd v Duke (2007) 16 NWLR 9Pt.1059) 22 referred to (P.514, paras B-H) Per DENTON-WEST, J.C.A at page 517, paras. A-H “Strangely enough the conclusion reach by the trial court in not granting the ancillary relief contained in paragraph 27 of the statement of claim is inconsistent with his property reasoned declaration in the judgment. In the course of his judgment the trial judge deviated from making the ancillary reliefs and resorted to the facts that doing so would cause more injustice as that the women who initiated the action before him should not be the first to choose in accordance with the mode of sharing contain in exhibit P7 or even exhibit P1 to which other respondent has failed to join issues with the appellants.

In *Mojekwu v. Iwuchuhwu* (2004)7 MJSC 161 (2004) 11 NWLR (Pt.883) 196, wherein the apex Court of our land in a similar case which is nearly on all fours with the instant appeal, inter alia, held that female children of a deceased tenant are entitled to inherit under the Mgbeleke Kola Tenancy and accordingly so long as the deceased tenant is survived by a child be it male or female, that, female child is entitled to inherit from the father irrespective of the existence of the deceased brother or indeed any other male relative.

Property/inheritance rights in Ibibio: In Ibibio tradition and custom, female children do not have rights to inherit her father’s property (land) likewise a married women when her husband dies. The property of the deceased is inherited by the male child and if the male child is an infant, the custodian or manager of such property is the brother until when the male child grows up, he can reclaim the property. In most cases, it’s not always easy for the male child to reclaim the property especially land when the uncles has enjoyed it for a long time except by luck or family/community supports or intervention and or decision of a competent court of law. Let alone wives or female children who suffered outright discrimination, deprivation and rejection when it comes to inheritance rights. However, the current statusquo of awareness creation and support from the competent court of law has changed the narrative only for those who seek court’s intervention in such matter. For instance, Akwa Ibom State High Court sitting in Uyo has ordered an indigene of Itiam Etoi in Uyo Local Government Area, Mr Sampson Silas Udoh to pay twenty million, one hundred thousand Naira (#20,100,000) only to two of his nieces for breaching their fundamental rights by stopping them from inheriting their late father’s property. The Court presided over by Justice Ntong Ntong gave the order on 23rd August 2023 in a judgment delivered in a suit brought by Mr Sampson Silas Udoh for the enforcement of his fundamental rights against his nieces. In the suit filed on 16th August, 2022 the respondents are, Mrs Bakabasi Victor James, Miss Ndatiabasi Isaac Silas, and Mr Williams Ubeten. According to the Court, “the main contention of the applicant is that his nieces being female children of his late brother, Mr Isaac Silas Udoh, should not inherit their father’s property” because they are women, while the respondents said their father built his own house on his own land between 1976 and 1980, which they live from birth till date without any problem, until they attempted to appropriate the inheritance and their uncle unleashed mayhem on them. Justice Ntong Ntong in his judgement, described the action of the applicant “as obnoxious and repugnant to natural justice. Equity and good conscience” stressing that the maltreatment is opprobrium, offensive and unconstitutional” He said it was high time” paramount rulers, clan heads, village heads and community leaders in Akwa Ibom State came to terms with the facts that female children have equal stake with their male counterparts to inherit their parents properties. The court said, “ the first and second respondents acquired their father’s property at Isaac Silas Udo Obot’s compound, Nung Udoetok Ibom Adia Abasi of Itiam Etoi, Uyo, a fact contained in exhibits canvassed in their counter affidavit in the minutes of the peace

meeting and property sharing agreement of Udoetok Ibom Adia Abasi Family, dated 11th January, 2019. Justice Ntong held that, “the applicant cannot be allowed to take advantage of the vulnerability of his nieces just because they were born girls and women into their family. He said from the totality of credible evidence before the court, the Police and other respondents did not and are not likely to encroach or infringe upon the rights of the applicant. Instead, it was the applicant that infringed upon the fundamental rights of his nieces, with impunity, which cannot be allowed. The Court also held that” the application for the enforcement of the applicant’s fundamental rights has failed woefully in its entirety and dismissed same with cost of the total sum of twenty million, one hundred thousand Naira payable to the 1st and 2nd respondents at ten million, fifty thousand Naira, each”.

Property/inheritance rights in Efik land

The Efik customary laws of inheritance is not strictly patrilineal or primogeniture, that is, only male children can inherit their deceased father’s property. The practice here is that female children cannot only inherit parents property, but can be appointed as successors and or heads of families. Under this indigenous law and tradition, inheritable properties that can be inherited by the deceased survivors are; status and titles, movable and immovable property. Although female children have no right of succession to their father’s and mother’s estates, some Efik customs are permissive on this discrimination so as to stop extended families members access to inherit deceased properties. So, such female children who are appointed as heads of their families are not expected to marry but can beget children outside wedlock. The caveat is that the paternity of such male children must not be acknowledged by their biological fathers. In Efik customary law, minor, that is children between 0-12 years cannot inherit directly their fathers property but it is held in trust for them by an adult member of the family. However, children from 13 -17 years and above can inherit directly. In the case of women, daughters can inherit according to rules earlier stated but widows have not right of inheritance of their husband’s property. But she can be allowed to stay in the family house and be taken care of by her children without support from the family.

Inheritance law in Yoruba land.

Yoruba customary law is more developed, here female children as well as the male children have equal right to inherit their parents real property. The property of a father who dies intestate can be divided according to the number of wives equally, using the Idi-Igi method. The shares, however, are for the children and not the mothers. The Ori-ojoro (a system by which the deceased’s estate is divided equally among the deceased’s children irrespective of how many children each of the deceased wives had) prevailed in Yoruba. This principle was stated and adopted in the case of *Dwodu and others v Danmola and others (1962) 1 WLR 1053* and also in the case of *Ramata Wuranta Salami v Salami v Saibu Ladapo Salami (1957) WRNL 10-* where it was stated by Irwin J. that “ the rules of inheritance under native law and custom in Abeokuta are not different from those which appear to be well settled by a line of case in which the parties are Yorubas, that consequently the Dawodu being the eldest son is not entitled to a greater share than other children and that all the children are entitled equally irrespective of sex. ‘This action was brought by a sister against his brother demanding her fair share of the father’s property.

Matrimonial causes act in Nigeria

Marriage Act of 1990, Chapter 218 laws of the Federation of Nigeria give married women equal rights to the family assets acquired during the marriage and to be involved in their disposal during or after the marriage or upon the death of her husband. Matrimonial Causes Act of 1970, chapter 220 states that court can rule anywhere in the country that women have a share of family property in the event of divorce on equity ground (11). The Act is applicable to custody suits arising out of

dissolution of civil, customary and Islamic marriages. However, in all custody matters, the Act directs that the interest of the child shall be paramount.

The civil law, as enshrined in the matrimonial Causes Act and Marriage Act, permit monogamous marriages and women married under these Acts shall enjoy the following rights

- a. In the event of the death of her husband intestate, a certain percent at least 1/3 of the deceased estate is left to the woman.
- b. The wife can sue the husband for her personal property, either before or after marriage.
- c. The sharia legal system, in place in certain states, gives women the rights to own and dispose of property, including land, and allows equal remedies. Koranic precepts protect women's rights to equality before the law, as in the case of KAHAULAT BIN Thaalaba. Where a woman complainant was granted full hearing and remedy by the koran (17)

Conclusion

Women's economic empowerment is a center of interest globally, regarding their immense contributions and roles in development. Their contributions in labour force cannot be over emphasized especially their unpaid labour in agriculture and home management. Hence, promotion of women's fundamental human rights in all strata and building of their skills or capacities are prerequisite to recognizing their roles as partners in development. Therefore, if Sustainable Development Goals are to be achieved, it imperative to empowerment women holistically vis-a-vis social, economic and political. The signing, ratification and adoption of international/regional conventions and treaties such as Maputo protocol and CEDAW among others by Nigeria's government is a commitment to women empowerment. To this end, all forms of discrimination and violence against women need be abrogated by allowing women access to economic resources.

Recommendations

1. Women's economic empowerment should be holistic (culturally, socially, economically, educationally and politically)
2. There should be strong legal instruments that curb or checkmate traditional and cultural norms that are discriminatory and or impede women's access to economic resource or asset (land)
3. Women's political freedom and participation should be guaranteed and promoted rather than being in principle. The 1999 Constitution of the Federal Republic of Nigeria (as amended) sections 42 and 43 provided for equal rights to all citizens, this should apply in all strata including politics. The National Gender Policy formulated in 2006 was also to promote a 35% affirmative action for women's involvement in governance. The adoption, ratification of African Charter on Human and Peoples' Rights on the Rights of women in Africa (known as Maputo protocol) including CEDAW and other international conventions/treaties are instrument that should be used to facilitate women's inclusiveness in development strategies as nexus for attaining Sustainable Development Goals (SDGs)

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