

the wheels of organized religion turning and within the family they are responsible for transmitting religious values to future generations. However, they remain largely excluded from religious power hierarchies. Gender disparities are based on shared traditional and religious understandings of gender identity and roles, expressed in prejudice and discrimination.

The women's movement has been both shaped and resisted by religion. Depending on the issues at stake, religion has both provided moral and/or institutional support and served as a barrier to reform. Several factors contributed to the failure of the CEDAW domestication bill, but the research confirmed that religious opposition to certain clauses was the most significant. Nevertheless, many religious and political leaders support the principles on which CEDAW is based and much of the bill's content, and some religious organizations and leaders provided support to the campaign. The widowhood rights campaign in Anambra State shows that the women's movement can successfully build wide social support for tackling controversial issues and religious organizations and their leaders can bring significant organizational resources, as well as supporting changes in social attitudes.

### Lessons learned and implications

The case studies demonstrate that, although religion is implicated in gender inequalities and religious opposition may block legal reform designed to protect women's rights, constructive engagements between some religious actors and women's rights agendas are possible. The campaign coalitions recognize the need to take stock, re-position the CEDAW domestication campaign and ensure implementation of the widowhood rights legislation in Anambra State. Lessons that emerge from the study include:

- Secular and FBO activists believe that a more pragmatic approach to domesticating CEDAW may be necessary. This could imply abandoning the attempt to domesticate CEDAW in favour of focusing on the African Union Protocol on the Rights of Women in Africa (2004), which Nigeria ratified in 2004.
- Given the women's movement's limited resources, it may need to concentrate on priority issues supported by key groups because some of their members are harmed.
- Campaign strategies need to identify potential sources of opposition, address their concerns and solicit their support, including elected representatives, men and grassroots women's organizations, as well as religious leaders and organizations.
- Involvement by religious organizations can help to bridge the elite-grassroots divide that has weakened the Nigerian women's movement.
- Media support is essential to campaign success and needs to be actively sought.
- A women's movement is a fluid network of organizations and individuals. Within it, a coalition can form for a limited period around a shared cause and goal. Successful coalitions contain actors who are both affected by the issues and capable of addressing them.
- Legal reform is necessary but not sufficient to reduce discrimination against women: ongoing action is needed to tackle inconsistencies (for example, between statutory and customary law), to ensure implementation of new laws and to secure long term changes in the social attitudes that underlie and reproduce gender inequalities.



## Religions and Development Research Programme

# Religion, women's movements and legal reform in Nigeria

### Introduction

Social movements are crucial for achieving change in long-established social institutions, especially those that favour one group over another, such as gender relationships. They are rarely impervious to religious influence, particularly in African countries, where religious faith is pervasive in both the private and public spheres. When faith-inspired and secular social movements have incompatible visions, the resulting conflicts can be intractable. In contrast, when religious organizations support social change, more can be achieved.

The relationships between religion and women's rights are ambiguous: religion may contribute to the reproduction of gender ideologies that oppress women, but may also be a resource for women's struggles against gender inequality. Some religious beliefs conflict with women's rights, whereas others may be compatible. Local interpretations of religious beliefs and the stances of religious organizations may therefore influence progress towards gender equality.

This research examined how religion has influenced women's campaigns for their rights in Nigeria. This study was part of an international comparative study that also investigated women's movements in India and Tanzania, focusing on legal reform, which is necessary (although not sufficient) for women's rights to be realized.

### Aims of the study

In Nigeria, laws must first be enacted at the federal level. State governments have a degree of autonomy to enact their own laws and in some cases, have adopted progressive legislation regarding women's rights in advance of the federal government. The space for activism by civil society organizations (CSOs) and individuals expanded with the return to democratic rule in 1999, enabling more active campaigning for social change.

This study selected two campaigns for legal reform, one of which ended in failure and one in success, to examine the ways in which each engaged with religion and assess whether and how this engagement explained the outcomes:

- domestication of the UN Convention for the Elimination of all forms of Discrimination Against Women (CEDAW) in Federal law, which resulted in the bill being defeated in the National Assembly in 2007 (Box 1)
- a campaign for legislation to prohibit discriminatory practices related to widowhood in Anambra State, which resulted in the *Anambra State Malpractices against Widows and Widowers (Prohibition) Law No. 2005* being passed by the State Assembly (Box 2).

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### UNIVERSITY OF BIRMINGHAM Further information

This study was part of an international comparative study that also investigated women's movements in India and Tanzania.

Based on O. J. Para-Mallam, B. Lanre-Abass, F. Adamu and A. Ajala (2011) *The Role of Religion in Women's Movements for Social Change: The Campaign for the Domestication of CEDAW in Nigeria*. Birmingham: RaD WP 59 and F. Adamu, A. O. Ajala, O. J. Para-Mallam and B. Lanre-Abass (2011) *Engagements of Women's Movements with Religion in the Promotion of Women's Rights through Legal Reform in Anambra State, Nigeria*. Birmingham: RaD WP 60.

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<http://www.religionsanddevelopment.org/index.php?section=47>

Lessons from two campaigns for women's rights in Nigeria included:

- Incremental legal reform may be more feasible than wholesale adoption of conventions such as CEDAW
- Given limited resources, campaigners may need to prioritize issues supported by key groups whose members are adversely affected.
- Campaign strategies and tactics need to address the concerns of potential opponents, including elected representatives, men, and grassroots women's organizations, as well as religious leaders and organizations.
- Involvement by religious organizations can help to bridge the elite-grassroots divide that has weakened the Nigerian women's movement.
- Media support is essential to campaign success and needs to be actively sought.
- Legal reform is necessary but not sufficient: further action is needed to tackle inconsistencies between laws, ensure implementation and change social attitudes



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The objectives of the research were:

- To identify the principal actors in the campaigns and the roles they played.
- To discover what tactics/strategies campaigners adopted and what resources (political, human, social and religious) they contributed.
- To examine whether and how religion influenced the nature and outcomes of the campaigns.

Each case study was based on documentary evidence and semi-structured interviews with individuals from secular and religious NGOs, religious leaders and government representatives in 2009. Informants in Abuja, the Federal capital, Lagos, Ibadan, Jos, Kaduna and Kano were interviewed on the CEDAW domestication campaign, providing insights from three geopolitical zones: the predominantly Muslim North West, religiously mixed South West, and predominantly Christian North Central. Informants on the campaign for widows' rights were located in Awka, the capital of predominantly Christian Anambra State

### Box 1: The campaign to domesticate CEDAW

CEDAW was adopted by the UN General Assembly in 1979 and ratified by the Babangida-led government in 1985. However, it had only moral force, so after 1999 women's groups prioritized its incorporation into Federal law. In 2006, an *Abolition of all Forms of Discrimination against Women in Nigeria and Other Related Matters Bill* was presented to the National Assembly by the Federal Ministry of Women Affairs (FMWA), but was voted out in 2007. While other African nations succeeded in incorporating CEDAW provisions into their national laws, the failed attempt to do so in Nigeria was attributed to religious opposition.

The women's coalition for the domestication of CEDAW, which took the campaign lead, consists of a network of 50+ secular and faith-based organizations and networks.

It emerged that:

- The CEDAW coalition underestimated the extent to which religious actors would regard aspects of the Bill as controversial, as well as their capacity to mobilize opposition. Few attempts were made to engage with faith communities.
- Lobbying focused on members of the House of Assembly, but fewer efforts were made to garner support among religious leaders, traditional/community leaders or grassroots women. As a result, the religious leaders interviewed, including those opposed to the Bill, were often unaware of CEDAW's specific content.
- Although faith-based women's organizations were consulted by the Federal Ministry of Women Affairs, efforts to involve them were limited. Given their influence in faith communities, the coalition's failure to enlist them as allies was a tactical error.
- Muslim and Christian leaders and FBO activists interviewed support the principle of women's rights, but some (and many members of the overwhelmingly male National Assembly) expressed reservations about the concept of 'gender equality'. Their opposition was supported by conservative interpretations of sacred texts and reference to indigenous cultural norms, although it is difficult to disentangle opposition on religious grounds from men's fears that their dominant roles in society might be undermined.
- Christians and Muslims have similar views on some aspects of CEDAW, but not others. Opposition focused on Articles relating to reproductive rights (mainly Catholics but also Muslims), the minimum age of marriage (Muslims) and women's rights in marriage and its dissolution (both Christians and Muslims). The bill was regarded by its opponents as anti-family, anti-God and part of a Western feminist agenda. Many, especially Catholics, saw it as a surreptitious attempt to legalize abortion.
- Some highlighted the media's role in perpetuating misconceptions about CEDAW, as well as the coalition's ineffective use of media advocacy.
- Despite the failure of the Bill, the campaign is ongoing. For example, the CEDAW coalition submits its own reports to the UN Committee that reviews national progress towards achieving CEDAW's aims to counter what it perceives as the Nigerian government's exaggerated claims. Some religious leaders and FBOs have identified scriptural references to use in campaigning, arguing that unlike traditional culture, Christianity and Islam recognize women's rights. Activists believe that lessons have been learnt, but lament the lack of financial resources for pursuing the campaign.

### Box 2: The promotion of widows' rights through legal reform in Anambra State

Many of the rituals and practices with which widows in largely Igbo Anambra State were traditionally expected to comply are incompatible with Nigeria's 1999 Constitution and regarded as inhumane and degrading. Widows are also discriminated against by Igbo inheritance rules, which prescribe that property is inherited through the male line. Women are not entitled to inherit land from their fathers and widows are not entitled to any share in the property of their deceased husband, even if acquired during the marriage. Many of the rituals and practices are associated with traditional religious beliefs. They and the inheritance rules are enforced by the male and female relatives of the deceased man, sometimes quite brutally. They are humiliating and can reduce widows and their children to destitution.

Protests against widowhood practices started in the late 1980s but were uncoordinated. In the 2000s, the campaign for legal reform was spearheaded by CENGOS (Coalition of Eastern NGOs), an umbrella organization of over 100 NGOs in the nine states of the old Eastern Region, including Anambra. The assistance of professional associations of women lawyers and journalists and religious organizations was vital.

Growing concern over the maltreatment of widows, including their own members, by Catholic and Anglican women's organizations led them to become involved.

- The Catholic Women's Organization, with the Mothers' Union and the Women's Guild, both associated with the Anglican Communion, initiated and led on the community level campaign to obtain support from their own members, religious leaders, and traditional leaders, especially men. The campaign was justified using religious language and beliefs, for example, the incompatibility between traditional and Christian funeral rites. Community level support increased the legitimacy of the State level campaign and resulted in local pressure for change in practices.
- Although secular NGOs and professional associations led on the main campaign, the FBOs' role in lobbying Assembly members and obtaining the support of religious leaders was vital. Churches provided a platform for campaigners to spread their message, including to House of Assembly members. Church backing provided legitimacy, pastoral support, prayer and material resources. Tactical compromises, for example, including widowers as well as widows in the law, reduced opposition from men.
- The 2005 law prohibits the maltreatment of widows and widowers. Pressure for implementation has been maintained, with an emphasis on educating women about their rights and providing support to women seeking redress through mediation or the courts. Informants reported women's increased awareness of their rights and the law, and a decline in (though not elimination of) harmful traditional practices.
- However, implementation of the inheritance provisions has been difficult because of the complexity of land and property issues. In addition, the campaigning momentum on this issue has been lost as organizations have moved on to other priorities.



Women expressing voice

### Comparison and reflection

A movement forms around common issues and a desire to achieve social change: as well as constituent organizations, popular support is needed. The two campaigns studied show that the Nigerian women's movement is made up of organizations capable of collaborating with each other and orchestrating support from external actors and organizations. However, they also show that sometimes campaign aims are undermined by failure to build a wider support base.

Gender, religion and culture interact in complex ways, shaping women's lives, their desire for increased gender equality and the strategies they adopt. Women in Nigerian society are rendered simultaneously powerful and powerless by religion. Their service keeps