

Gender: A Precursor for Discriminating Against Women in Paid Employment in Nigeria

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Since the proclamation of 1975-1985 (as the UN decade for women) increasing awareness and attention has been focused on discrimination of women. Several national and international constitutions and the United Nations declaration on discrimination against women have been used to address and suppress unequal power relations between men and women. Despite all these initiatives, research evidence has still shown that these constitutions theoretical commitments and acknowledgment of women's crucial roles remained trivialized. In Nigeria, during the pre-colonial era, gender inequality and marginalisation came from the premise that women occupied a position complementary rather subordinate to men. Such complimentary position does not mean equality, but rather, that women can equally play important roles in the society successfully. Despite all the initiatives aimed at eradicating the discrimination of women in paid employment, evidence is still showing that these constitutions theoretical commitments and acknowledgment of women's crucial roles remained violated and perniciously undermined, therefore more awareness will help address the problem).

Key Words: Nigeria, Gender, Employment

Introduction

There has been an unprecedented concern over the rights of women participating in economical activities in different parts of the world. The pronged governance process in Nigeria has created a fertile ground for gender inequality. Being the Africa's largest and most populous nation, Nigeria has witnessed a lot of contradictions and inconsistencies created by the application of Nigeria's three legal systems, namely, Islamic Sharia, customary law and common law, in its six geopolitical zones. Such inconsistencies have paved way for negative affectivity of women, thereby marginalising women's participation in economic activities. Many scholars, feminist and advocates of gender balance have reported that women are greatly discriminated and marginalised in Africa. According to Idyorough (2005), gender discrimination is socially construed. That is, positive or negative disposition towards women is perpetuated and maintained in the family, peer groups and religious centres.

Discrimination on the Basis of Gender

Discrimination is a sociological term referring to the unfair treatment against a person or a group based on class categorization, classification and division. According to the United Nations, people can be treated unfairly, socially excluded and

rejected because of their membership in a particular social group which they belong. The ILO (1998) declaration on fundamental principles and rights at work identified four categories of employment principles namely: freedom of association and the effective recognition of the right to collective bargaining, the elimination of forced or compulsory labour, the abolition of child labour and the elimination of discrimination in respect of employment and occupation.

Employment discrimination generally occurs when an employee is intentionally treated differently because of his or her race, colour, religion, national origin, disability, gender, sexual orientation or age by the employer in either the phases of hiring, discipline, performance appraisal or termination of appointment. In Nigeria, the labour laws prohibit discrimination in a number of work-related areas, including recruiting, hiring, job evaluations, promotion policies, training, compensation and disciplinary action. Moreover, treating a person differently from others violates Equal Employment Opportunity (EEO) laws advocated by most countries.

Gender is a construct that is culturally defined and over time has provided a basis for distinguishing roles, behaviour, mental, economic and political characteristics of the male and the female as prescribed by the society. Discrimination on the basis of gender in the world of work is grievous and has gathered a lot of public, national and societal attention. Gender based discrimination

is an adverse action or differential treatment against a person, that would not have occurred if the person had been of another sex. It is a form of prejudice which is illegal in most countries. Trentham and Larwood (1998) categorised gender discrimination at work into four, namely:

1. **Direct Gender discrimination:** This occurs when people are obviously treated differently at work and it includes acts like difference in salary based on gender. For instance, when men and women are doing same job, but get promoted at different times.
2. **Indirect Gender discrimination:** This occurs when certain labour laws favours a sex group than the other, thereby people of certain sex cannot qualify under those laws.
3. **Harassment at Work:** This is the worst form of discrimination because it causes emotional and psychological trauma for those involved. Examples include - sexual harassment, verbal harassment, workplace bullying and incivility.
4. **Victimization:** This is an unfair or biased treatment based on the employee's gender. It involves unwarranted singling out of an individual or group for subjection to discrimination and it is an adversity resulting from being made a victim.

Contributory Factors to Women's Discrimination in Nigeria

There are different complimentary factors that have created a fertile ground for gender discrimination to proliferate in Nigeria. Although these factors are inter-related; they are different to some extent. These factors, termed antecedents to women's discrimination are discussed below:

1. **Cultural and Societal factors:** A woman is regarded as second or minor to a man and are expected to perform all domestic chores. Early marriages and women with some form of formal education are saddled with responsibilities that make it difficult for women to improve themselves. Moreover most families in Nigeria encourage male children to be more aspiring than female, coupled with the fact that women have ascribed a division of labour to themselves (for instance, women would rather take care of the home).
2. **Religious constraints:** Some religious practices limit women. For example, purdah (Moslem), early marriages and extreme submission (Christianity) with a theological root imbedded in the Holy Bible. Religious books have affirmed that the men are the head. For example, the honour of a Moslem family is represented by the purity of its women. Since education and career is liberating, it is believed that the liberating effects may contaminate the purity of women.

3. **Psychological constraints:** Psychologists are of the opinion that women are constantly competing with men. Existing career women, who are meant to be role models, are not interested in teaching other women how to develop and establish themselves. Such women according to Staines and Tarurise (1974) cited in Klasen (2002) are labeled "*Queen Bees*". Queen Bees are professional women, who on the account of their success have become "anti-feminist". For women, a job is merely a "stop-gap" between school and marriage (However, not in all cases). Women have the characteristics of compromising their abilities and interests, when faced with conflicts. For instance, fear expressed by an average Nigerian woman that a successful woman, might be too exposed and they may not find husband; thereby misconceiving that career women are unruly, dis-obedient and disrespectful.
4. **Biological constraints:** This factor is always provided as evidence to support discrimination against women. In describing women's anatomy, Freud (1933) argued that the female reproductive system is an exonerable vise that keeps women emotionally unstable, submissive, passive and devoid of creative intellectual potential. For instance, pregnancy and childbirth makes them sometimes unfit for occupations that are rigorous. Hence, the divided loyalty between a woman's anatomy, work and home will have an adverse effect on her career. This divided loyalty can lead to role conflicts and low participation in paid employment.

Research evidence have shown that women don't earn as much as men and the average salary of women is 72% to 88% of men, even with variables such as education, age, position and job tenure considered (see Waisman & Larsen, 2008). What can assert male-female equality according to Maxism is the involvement of women in the production labour outside home. Even though most countries allow equal opportunities for men and woman through federal, states and state laws, some societal culture, job specifications and requirement are sometimes unfavourable to women. For instance, a study conducted by Davran (2005) in Turkey on rural women, reported that the position of women is secondary both at home and the society due to the patriarchal structure. This is similar to the practice in most developing countries in Africa, including Nigeria. The dual demand of the house and work still leaves the main work of the household to women. As it is in the family, there is sexual division of labour in the employment market. Women are concentrated in particular jobs seen as female occupations for instance, nursing, catering, teaching and so on,

which are all close to the roles and position of women in family. This according to Oakley (1974) is major 'subordination' and "institutionalization" of mother or housewife's role as the primary role of women. All these point to the fact that there is a wider gender gap participating in the world's economy. Although when an employer prefers a particular sex (for instance men), they will not divulge this attitude when advertising such jobs but they would act favorably towards the gender they want in the selection processes.

Gender Imbalance

Gender imbalance in both formal and informal sectors of the Nigeria economy is most noticeable. Adegoroye and Adegun (2008) in their study on gender disparity reported that there is a huge gap in women's participation in informal sector of the Nigerian economy, in contrast to this view are those of Oyeyinka and Adeyinka (2008) that posited that women in Nigeria having limited access to the education and formal employment does not hold water anymore. Several positive developments in dealing with this challenge are now in place which has led to an upsurge of women participating now in both informal and formal sectors of the economy and discrimination of women at work has greatly reduced. For instance, the Government of Nigeria's establishment of National Policy on Women has provided an affirmative action to increase to 30 per cent the total women's representation in the legislative and executive branches of Government and in political party hierarchies. Similarly, Nigeria's Constitution has provided a freedom from discriminatory traditional practices in many states of the Federation which have led to an increase in women's participation in economic activities and politics (Committee on Elimination of Discrimination against Women, 2004). For instance, women in Nigeria now hold political appointments both at federal levels and state levels. Regarding political appointments at the federal level, about 14 percent of ministers are female and 27 percent of permanent secretaries are women. The emergence of a female presidential candidate in 2003 and 2011 election is another significant development.

Furthermore, progress has also been made in the area of judicial appointments. Most of Nigeria's 36 states and Federal Capital Territory (FCT) judicial institutions now have women as High Court Judges, accounting for about 30 percent of the total number of judges in the country. The report goes on to say that various socio-cultural, economic, political, legal and religious practices that have hindered the promotion and protection of women's rights in Nigeria are going into extinction

gradually (Nigeria Committee on Elimination of Discrimination against Women, 2004).

Despite all these positive changes, in the northern part of the country, the State Sharia Criminal Laws have not checked discrimination against women; coupled with the fact that other discriminatory laws and policies are still in existence in Nigeria. For instance, the taxation of women in the public sector is still based on the premise that married women have no family responsibilities and are maintained by men. In the cases that both men and women work, men are entitled to tax relief for children and dependents, whereas women are not.

Oyeyinka and Adeyinka (2008) argued that although in the past, women faced higher employment discrimination than men and the place of women in paid employment in Nigeria remained severely neglected, in recent years, women have now broken into the masculine world of profession, higher education, and even public life. For example, Okokie (2000) reported that about 30 percent of women are involved in wage employment in public sector in Nigeria, 8.1 percent in private sectors. However, worthy of note is that most of the wage employment reported here are in nursing, teaching and clerical positions, which in most cases are low-earning and insecure jobs when compared to jobs considered as masculine in Nigeria.

Such imbalances have affected the occupational position which women occupy. For instance only one in every eight women is CEO's of Fortune 500 (Catalyst, 2005). In every career setting, men outnumber women and women are few in top positions. A woman's place according to Worsley (1997) in the society is assumed to be simply dependent upon that of her husband or father. In Nigeria, the socially defined roles and duties of a woman is daughter, wife and mother, even though many women in our society today are getting more involved in paid employment, thereby performing multiple roles in the society. A sociological explanation of these classification is based on the premise that men's and women's job in complex industrial society are different (sexual division of labour). All of which can affect a woman's economic standing. Such stereotypes have identified two main issues, namely; sexual division of labour and inequality. Although the advancement of women has been curtailed by certain cultural, traditional and religious practices; modern education and a greater understanding of the women's productive and reproductive roles have led to the gradual elimination of such beliefs.

The modernization and urbanization have also helped to reduce traditional practices that discriminate against women, by providing jobs to women, especially in the informal sector, thus enhancing their economic independence. Such

positive move to eliminating discrimination have been reported in all the states of Nigeria, even though in the Northern Region, the introduction of the Sharia Law have however slowed down progress in those states.

In Nigeria, women have been reported to have formed an important part of the Nigerian workforce with most employers of labour, researchers and government agencies acknowledging their contributions to the success of the economy. Research evidence such as those given by Adeleke, Adelalu, Matanmi and Olaniyi (2008); Adegoroje and Adegun (2008); Okokie (2000) and Oyeyinka and Adeyinka (1998) have all indicated that women are now opting for financial independence by getting involved in stable formal and informal career. For instance, Adeleke *et al.*, (2008) in their research on gender and productivity reported that there is no difference in a woman's and man's productivity among maize farmers. Although Klasen (2002) reported that women are missing out in agriculture. Such report is not surprising especially since his study was conducted in Middle-East Africa, where, there is strong religious constrain on women participating in economic activities. In the case of Nigeria, Jenyo-Oni (2007) in a more recent study reported that women are active in agricultural activities. For example, in her study on fishing communities in Nigeria, she reported that women dominates in fishing, fish processing and marketing of fish and fishing products. The implication of such findings indicate that, gender specific socio-economic characteristics do not reflect any difference in the productivity levels of male and female levels of productivity. This assumption is quite informative especially when agriculture provides the bulk of employment, income and food for the Nigerian populace. According to the World Bank Report, in Sub-Saharan Africa, agriculture accounts 70 percent of the total stable food supply. Almost every profession that was earlier touted as being masculine are now been pervaded by women. However, given women's contributions to the Nigerian economy Akande (1999) argued that women are still experiencing discrimination in their workplaces in Nigeria, despite the fact that in the 1979 constitution of Federal Republic of Nigeria, Section 39(1) states

A citizen of Nigeria of a particular community, ethnic group, place of origin, sex or political opinion shall not by any reason, only he is such a person

a) be subjected either expressly or in practical application of any law in force in Nigeria or any executive or administrative action of government to disabilities or restrictions to which citizens of Nigeria, of other communities, ethnic groups, places of origin, sex, religion or political opinion are not made subject of

b) be accorded either expressly or in practical application of any law in force in Nigeria or any executive or administrative action, any privileges or advantage that is accorded to citizens of Nigeria, of other communities, ethnic groups, places of origin, sex, religion or public opinion.

Like every other African countries, the provisions are hardly sufficient thereby making such law a castle in the sky, unlike the developed countries such as America and United Kingdom, where they allow and advocated for equal opportunities for men and women through the federal laws. Although there are no overt manifest discriminatory practices against women in recruitment and employment, the facts still remain that Nigerian women are far from enjoying equal rights in the labour market due mainly to the multiple role they play, lower levels of educational attainment, biases against women's employment in certain sectors of the economy or stereotypes at the workplace and discriminatory welfare packages. Gender inequality is perceived in most parts of the world as something despicable and dysfunctional (Akinboye, 2004). The male gender dominates all the sectors in Nigeria, thereby making the social economic spheres to exert sole authority of resources to men. With diverse ethnic groups and cultures, the status of women tends to vary across cultures. Hence the participation of women in labor force is dependent on the culture.

Negative Effects of Gender Discrimination

Gender discrimination is not only harmful to the professional growth of an individual but also limits the growth of business firm. It can reflect negatively on the organisation's performance, especially when those that can contribute to development of the organization have been discriminated against and are not opportune to work for the organization. It can compromise quality of workforce by creating an unhealthy work environment that is not conducive for employees' performance. Gender discrimination can result in poor retention of women and men at work. And lastly, it leads to the negative public image of the country, government and the employers.

Preventing Gender Discrimination at work

The onus of preventing women's discrimination at work is on the lawmaker and employers are large. The national policy makers and necessary law enforcing agents should ensure that all policies from the recruitment to the hiring, compensation and benefits do not violate the employees' rights. Strict actions and sanctions should be taken by the federal and state government and management of the organisation against violators. More awareness

should be created at macro and micro levels of the society and work. Lastly, Federal, National and States laws should ensure and enforce-equal pay and equal treatment for men and women.

Conclusion

The relegation of women into certain occupations and bottom occupational levels is as a result of the primary status of women as mothers; secondary bread winners to men; less geographically mobile and large reserve of employable women means supply will exceed demand and organisational's rules and statements. Limiting women economically is a violation of their rights, coupled with the facts that women are still contributing significantly to the socio-economical development of Nigeria irrespective of the occupational restriction they are exposed to. This has now made employers of labour and government agencies both at federal and states level to derive special measures to promote gender equality. For instance, the introduction of flexi and part time working pattern for women; the establishments of day-care centres and crèches within office premises and hospitals, in order to help women cope with their families and official responsibilities are getting more popular in Nigeria. Government at all levels are combating discriminatory traditional practices against women such as early marriages and the institutionalisation of their domestic roles. Other measures aimed that empowering women economically and socially include the provision of microcredit; establishment of women's cooperative societies in rural areas; establishment of skills-acquisition centres throughout the states and the setting of targets for women's economic advancement in the National Economic Policy. These entire positive moves toward eradicating the discrimination of women are complemented by a continuous and sustained sensitisation and advocacy programmes, resulting in a modest decline of discriminating against women in paid employment in Nigeria. .

References

- Aboh, C. L. and Akpabio, J.A. (2008). Gender and analysis of common agroforestry practices in Akwa-Ibom State Nigeria. *Agricultural Journal*, (3) pp. 185-189.
- Adaramaja, S. H., Adenubi, O.S and Nnabueze, U. (2010). Gender as a determinat of individual lifestyles for sustainable development in Africa. *Research Journal of Applied Sciences*, 5 (1) pp. 27-32.
- Adegoroye, A.O. and Adegun, O. A. (2008). Gender disparity in the informal sector employment opportunities in a Nigeria state economy. *The Social Sciences*, 3(1) pp. 1-5.
- Adeleke, O. A., Adelalu, K.O., Matanmi, H.M. and Olaniyi, O.A. (2008). Gender and productivity differentials in maize production in Afijo Local Government Areas of Oyo State. *Agricultural Journal*, 3 (3) pp. 199-203.
- Catalyst (2005). Catalyst Census of Women Corporate Officers and Top Earners and Catalyst Census of Women Board Directors: <http://www.catalyst.org>.
- Equal Employment Opportunity (EEO) Laws 29 Code of Federal Regulations (C.F.R.) Part 1614. Assessed from <http://www.archives.gov/eoo/laws/>.
- Davran, M.K. (2005). Gender roles of women in small districts of Adana Province, Turkey. *Pakistan Journal of Social Sciences*, 3(1) pp. 50-61.
- Freud, S. (1933). New introductory Lectures on Psycho-Analysis. *Woolf Hogarth Press*
- Idyorough, A.E. (2005). Gender: concepts and issues in Nigeria, Makurdi: Aboki Publishers. p. 49
- ILO, (1998). ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up. Assessed from <http://www.ilo.org/declaration/thedeclaration/textdeclaration/lang-en/index.htm>.
- Jenyo-Oni, A. (2007). Gender division in the fishing communities of Lagos Coastal wetlands, Nigeria. *Journal of Fisheries International*, 2 (3) pp. 207-210.
- Klasen, S. (2002). *The impact of gender inequality in education and employment in the Middle East and North Africa*. Background paper for World Bank Report on gender in MENA region.
- Nigeria Committee on Elimination of Discrimination against Women (2004). Report
- Oakley, A. (1974). *The Sociology of Housework*. Martin Robertson, London.
- Okokie, M. (2000). A new millennium: what to take from the past, what to leave behind. *Imprimis*, 2 (3).
- Oyeyinka, G. and Adeyinka, S. (1998). Gender inequality in education and employment. www.Learningchannel.org
- Trentham, Susan; Laurie Larwood (1998). Gender Discrimination and the Workplace: An Examination of Rational Bias Theory. *Sex Roles* 38 (112): 1-28
- Waisman, G. and Larsen, B. (2008). *Who is Hurt by Discrimination?*, SULCIS Working Papers 2008:4, Stockholm University Linnaeus Center for Integration Studies
- World Bank Report (1989). The role of women in agriculture: A case study of the Sub-Saharan Africa. *World Bank Discussion*, pp. 114-115.
- 1979 constitution of Federal Republic of Nigeria, Section 39(1)