

LAW, RELIGION AND GENDER IN EQUALITY

By

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Abstract

Gender inequality has been at the top burner of many discourses and activism for many decades. The United Nations and feminist theorists have done much in proffering theories, legislations and other solutions towards eliminating this cankerworm which is a global issue. Nevertheless, gender inequality still persists with impunity in Nigeria. Many of the feminist theorists rightly saw marriage as the bane of gender inequality, but they proffered wrong solutions towards eliminating it. This article therefore, using the descriptive and analytic methods of legal research, aims to expound how the erroneous understanding and interpretations of religious laws, rules and regulations in a marriage relationship - where religion declares a husband as head over his wife- is the bane of gender inequality, which has also skewed our secular laws in favour of men. This article also shows that any sustainable success towards eliminating gender inequality will involve the correction and re-orientation of the mindsets of men and women as to the context and application of the headship of a man in marriage, as legislations alone cannot guarantee the elimination of discrimination and dismissiveness of women towards gender equality.

1.0 Introduction

This law of nature, being co-eval with mankind and dictated by God himself, is of course superior in obligation to any other. It is binding over all the globe, in all countries, and at all times: no human laws are of any validity, if contrary to this; and such of them as are valid derive all their force, and all their authority, mediately or immediately, from this original.

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Sir William Blackstone Religion has largely influenced and shaped the laws and cultures of Nigeria and the above quote is essential to understanding how religion influences the people, laws and cultures of any nation, as well as, how religion is used to promote gender inequality in Nigeria.

The tussle for superiority between divine laws and human laws has often been at the forefront of many societal discourses, including vaccination beliefs, sexual health options, gender choices and even terrorism.

In each of these conflicts, religionists have often upheld their primary allegiance to their religious beliefs and have therefore seen religious laws as laws that transcend human laws.

Unfortunately, religious laws and regulations are sometimes distorted to favour the more powerful in society. In the light of the foregoing, this article explores how religion has influenced our laws and been used to perpetuate gender inequality against women. This article, therefore, examines gender inequality through the lens of marriage, rather than trying to focus on all the diverse issues that fall under gender inequality. This helps to highlight the problems, while keeping to the word limits for this article.

This work begins with this introduction, and moves on to explore the meaning and topic of gender inequality as used within this work. It provides instances in our laws and practices and highlights religious laws, regulations and practices that perpetuate the superiority of the man over the woman, especially in marriage. Using these findings, it provides recommendations with the aim of bridging the gap in knowledge on gender inequality, through enlightening and creating awareness regarding these issues.

2.0 Gender Inequality

The term 'inequality' refers to 'an unfair situation in which some people have more rights or better opportunities than other people'.¹Gender inequality therefore refers to the unfair situation where, although the equities are equal, the male gender have more rights, better opportunities and empowerment, than the female gender. Hence, feminists clamour for gender equality – a situation where women and men have equal conditions for realising their full human rights and for contributing to, and

¹Merriam-Webster Dictionary, "Inequality", online: <<https://www.merriam-webster.com/dictionary/inequality?>>

benefitting from, economic, social, cultural and political development. It also means that women and men's rights, responsibilities and opportunities will not depend on whether they are born male or female² and that they will be full partners of their homes, communities and society.³ However, there is no consensus as to what gender inequality entails since feminists have different perspectives of what constitutes equality. This article will now consider how discrimination and dismissiveness are used to subjugate women.

2.1 Discrimination and Dismissiveness

For the purpose of this paper, the definition of 'discrimination' in the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) will be adopted with some caution. In Article 1 of CEDAW, 'discrimination against women' was defined as follows:

*Any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, cultural, civil or any other field.*⁴

Discrimination plays an important role in facilitating gender inequality by creating a distinction and a subsequent restriction or exclusion of women on the mere basis of gender.

Dismissiveness on the other hand, refers to a form of denial, characterised by either passively showing indifference or disregard or actively dismissing or rejecting ideas or evidence.⁵ A few examples of these in our laws and religions will be discussed below.

²United Nations, "Annexes to the UNDP Gender Equality Strategy 2014-2017: The Future We Want: Rights and Empowerment: Annex 1: Terminology Used in the Gender Equality Strategy" online:

<https://www.undp.org/content/dam/undp/library/gender/Annex%201%20Terminology.pdf>;

also, UNICEF Glossary of Terms and Concepts, supra, note 17; UN Women, "United Nations Entity for Gender Equality and the Empowerment of Women: Concepts and Definitions", online:

<https://www.un.org/womenwatch/osagi/conceptsanddefinitions.htm> [United Nations Entity for Gender Equality and the Empowerment of Women: Concepts and Definitions]

³ UNESCO's Baseline definitions of key concepts and terms; also, UNICEF Glossary of Terms and Concepts.

⁴ United Nations General Assembly, Convention on the Elimination of All Forms of Discrimination Against Women, 18 December 1979, United Nations Treaty Series, Vol. 1249, 13; "Convention on the Elimination of All Forms of Discrimination against Women", Article 1, <https://www.ohchr.org/Documents/ProfessionalInterest/cedaw.pdf>

⁵Dismissiveness, Online <www.yourdictionary.com/dismissiveness>

2.2. Gender Inequality in Nigerian Legislation

Section 26(2)(a) of the 1999 Constitution makes provision for non-Nigerian wives of Nigerian men to acquire citizenship through registration, unfortunately Nigerian wives married to non-Nigerian husbands do not enjoy a corollary benefit, and wives of Nigerian men who are foreigners are automatically entitled to Nigerian Citizenship, while the reverse is the case for the Nigerian woman.

There are also restrictions and reservations against women such as are found in Immigration Act and the Police Act.⁶ For instance, female police officers who wish to get married are required to apply for permission,⁷ stating in the application, the name, address and occupation of their would-be husbands. For the applications to be granted, the proposed husband must be a person of good character, and the female police officer should have been in the service of the police for at least three years.⁸ There is, however, no such reciprocal provision for male police officers who wish to get married.

In addition, a condition for recruitment of a woman is that the woman should not have been married.⁹ The recent case of Omolola Olajide, a constable of the Iye-Ekiti Police Division, Ekiti State, who was dismissed on the 20th of January 2021,¹⁰ for allegedly violating section 127 of the Police Act by getting pregnant out of wedlock, provides clear evidence that this discriminatory practice still occurs within the Nigerian Police Force. This disregards the fact that several factors could be responsible for unmarried women becoming pregnant – including the alarming rates of sexual assault, amongst several others. Meanwhile, a male Police Officer who impregnates any woman or girl he is not married to does not suffer the same fate.

⁶ Regulations 121, 122, 124, 125 and 126 of Nigeria: Police Act [Nigeria], Cap P19 LFN 2004, 1 April 1943, available at: <https://www.refworld.org/docid/54f98f244.html> [accessed 27 August 2020] [Hereinafter Nigerian Police Act]

⁷ Section 124 Nigeria: Police Act [Nigeria], Cap P19 LFN 2004, 1 April 1943, available at: <https://www.refworld.org/docid/54f98f244.html> [accessed 28 June 2021]

⁸ *BBC*, 'Nigeria Police Force News: Five laws wey di Police get against dia female officers' (28 January 2021) BBC News| Pidgin Online <https://www.bbc.com/pidgin/media-55831530> Accessed June 27th 2021

⁹ Section 118, 42 (3), 52 (3) Nigeria: Police Act [Nigeria], Cap P19 LFN 2004, 1 April 1943, available at: <https://www.refworld.org/docid/54f98f244.html> [accessed 28 June 2021]

¹⁰ Ade Adesomoju, 'Pregnant constable sues police authorities for her dismissal', [February 8, 2021] Premium Times <https://www.premiumtimesng.com/news/top-news/441397-pregnant-constable-sues-police-authorities-for-her-dismissal.html> Accessed June 27, 2021

The Department of Immigrations Services in Nigeria had also for several years discriminated against women who applied for the International Passport, as they insisted on married women first obtaining either a letter of consent in writing from their husbands if she was travelling or a death certificate showing that the husband was deceased. Men, by contrast, had no such restrictions. An aggrieved woman, Dr. (Mrs.) Preye Iyalla-Amadi sought redress against such a discriminatory practice which was in breach of section 42 of the Nigerian Constitution, from a Federal High Court by instituting a case to wit: *Dr. (Mrs.) Preye Iyalla-Amadi v Nigerian Immigration Services*.¹¹ It was held by the Federal High Court in that case, that the practice was unconstitutional and that '[T]his kind of policy has no place in 21st century Nigeria'.¹²

Dismissiveness and discrimination also shows up in rape laws, perceptions about women's sexual choices and levels of gravity attached to violence against women. For instance, section 360 of the Criminal Code provides for the offence of indecent assault and stipulates that any person who indecently assaults a woman or girl is guilty of a misdemeanor, punishable with imprisonment for two years. Whereas in section 353 of the same Act the offence of indecent assault on a man is a felony and the penalty for it is three years.

In Northern Nigeria, Section 55(1)(d) of the Penal Code provides that an assault on a woman if carried out by her husband is not an offense, if native law and custom recognises such action as correction. It further provides that the assault must not result in grievous hurt to the woman. Section 55(2) provides in addition to the foregoing that the correction must be reasonable in kind or degree having regard to the age, physical and mental conditions of the person being corrected. Thus, the law legalizes a crime against a married woman by her husband. The question to ask is, how would a woman correct a husband? Are all husbands usually in a right mental state to be given such liberty to assault their wives? A law like the above is ridiculous in the 21st century and should be repealed in tandem with the Violence against Persons (Prohibition) Act of 2015.

¹¹ Unreported, Suit no. FHC 7PH/CS/198/2008.

¹² Ibid, Per Justice G.K Olotu of the Federal High Court

2.3 Gender Inequality in Marriage as Influenced by Religion

Religion has frequently been cited as a basis for gender inequality in Nigeria.¹³ This part of this article will show how men have used their headship in marriage as provided by religion, to influence values and perceptions leading to gender inequality in marriage.

2.3.1 Religious Influences on perceptions of Male Superiority

This perception of superiority can be traced to the record of creation in the holy books, where the Bible and Quran give an insight into the origin of gender inequality from the story of the creation of man and woman.

The Bible records that man and woman were created in the image of God.¹⁴ Man was lonely with no suitable companion, therefore, God created the woman as a helpmeet for the man.¹⁵ In chapter 2 verse 21 of Genesis, the Bible records that God caused Adam to fall into a deep sleep and he took one of his ribs to create the woman. God did not declare either of the raw materials used for creation of man or woman to be superior to the other. When God presented the woman to Adam, in approval Adam stated: 'This is now bone of my bone, and flesh of my flesh'.¹⁶ Adam's statement carries no innuendo of superiority of any of the genders over the other, nor did Adam show any discriminatory tendencies towards her. In verse 24 of Genesis Chapter 2, the Bible says a man will cleave unto his wife and they shall be one flesh!¹⁷ 'One flesh' signifies no disparity whatsoever.

Quran 4:1, gives the following account of the creation of man:

'People, be mindful of your Lord, who created you from a single soul, and from it created its mate and from the pair of them spread countless men and women' [...]

The quotations from the two holy books on creation are similar to wit:

- a) Woman and man were created in God's own image ("single soul") – there was no discrimination in their creation and nothing to suggest the superiority of one gender over the other.

¹³ See, For Instance, Anthonia M Essien And Donatus P Ukpong, "Patriarchy And Gender Inequality: The Persistence Of Religious And Cultural Prejudice In Contemporary Akwa Ibom State, Nigeria" (2012) 2 (4) International Journal Of Social Science And Humanity 286 – 290, Online: <[Http://Www.Ijssh.Org/Papers/111-Ch309.Pdf](http://Www.Ijssh.Org/Papers/111-Ch309.Pdf)> accessed May 20, 2019.

¹⁴ The Holy Bible: The Book Of Genesis Chapter 1:26-28

¹⁵ *Ibid.*, chapter 1:26-28

¹⁶ *Ibid.*, chapter 2:22-23

¹⁷ *Ibid.*, chapter 2: 24.

- b) God blessed them and gave them dominion over all other creatures¹⁸ – there was no discrimination or suggestion as to who has greater dominion between the genders.

From the foregoing, the inference is that equality and non-discrimination was God's purpose for the creation of the man and the woman. The major Bible story used to declare superiority¹⁹ of the man over the woman is Genesis Chapter 3 verse 16 where God was recorded to have said to the woman: 'I will greatly multiply thy sorrow and thy conception; in sorrow thou shalt bring forth children; and thy desire shall be to thy husband, and he shall rule over thee.'²⁰ The new testament confirmed this regulation in Ephesians 5:22 that wives should submit to their own husbands as heads over them. These passages have been used by husbands to subjugate or to denigrate wives in Nigeria. The wives have on the other hand ignorantly accepted subjugation and denigration as their lot appointed by God. However, this article will show that the authority conferred on a husband is manipulated based on the perception of the adherents of the religion, to create a superiority complex for the men over every woman and consequent discriminations against wives in the following areas:

i) Reproductive Health Rights

A wife is expected to serve the sexual and other pleasures of her husband without any regards to her own sexual needs. The practice of Female Genital Mutilation (now outlawed) which is medically considered very harmful to women, is carried out on the belief that it helps to preserve the woman from being promiscuous by reducing her desire for sexual pleasure.²¹ That is to keep her chaste for her husband, with no demands for chastity on the husband. Contrary to our Reproductive Health Laws, the husband many times also determines the numbers and timing of children to be born, the family planning if any to be undertaken by a wife, and sometimes whether or not a baby will be born naturally or through a caesarian section, because he is considered to be in charge.

¹⁸ *Ibid.*, chapter 1:26

¹⁹ Ademiluka, S.O., 2021, 'For The Husband Is The Head Of The Wife': A Contextual Re-Reading Of Ephesians 5:22–33 Among Nigerian Yoruba Christians", In *Die Skriflig* 55(1), A2613 <<https://doi.org/10.4102/ids.v55i1.2613>> accessed May 20, 2019.

²⁰ (n 14), Chapter 3:16.

²¹ Okeke, T., Anyaehie, U., & Ezenyeaku, C. (2012). An overview of female genital mutilation in Nigeria. *Annals of medical and health sciences research*, 2(1), 70–73. <https://doi.org/10.4103/2141-9248.96942>

ii) Adultery/Polygamy

Discrimination can be seen in the laws or practice of adultery and polygamy. Adultery by a man or the having of multiple partners is often seen as a normal, while it is seen as an abomination when done by a woman. Whereas, culturally, women are subjected to ceremonies of virginity,²² it is a different story for the men. The insinuation from this is that the woman must be chaste to be acceptable and is not entitled to enjoy sex, whereas the males are the ones to enjoy sex and are not required to be chaste. So, a female who loses her virginity before marriage is stigmatised, while the male who probably raped her does not suffer the same fate.

iii) Empowerment of Women

Until recently, husbands in Nigeria love what is commonly called 'full time housewives'. That is, wives who do not work outside the home. It is a way of keeping a wife fully dependent on her husband who is supposedly the breadwinner, thus enhancing his authority over her. Such women in most marriages hardly have a say in the financial affairs of their home. Fortunately, the Violence against Persons (Prohibition) Act, 2015 has now made it criminal for a spouse to prevent the economic empowerment of the other. R. Aduche Wokocha²³ posits that the present order of inequality is occasioned by two principles, namely, he who pays the piper dictates the tune and the second, like the first, is that if a woman will not contribute to the cost of raising the family and funds for the execution of family projects, then she should not demand for the right of deciding what the project should be. While this article agrees with the fact that gender inequality persists in Nigeria because of the above stated principles, it is respectfully submitted that the reasoning behind the two principles enunciated by Wokocha are erroneous as it measures gender equality using equal contribution by both husbands and wives as a standard. If that be the case, the question this article will pose is, how do we measure fairly and equally the contributions of a husband and wife having regard to the following roles played by a woman?

²² See "UN Agencies Call For Ban On Virginity Testing" The Guardian [25th October 2018] <<https://guardian.ng/features/un-agencies-call-for-ban-on-virginity-testing/>> accessed 29th November 2020

²³ R.A. Aduche Wokocha, 'Rethinking the Jurisprudential Strategy of the Quest for Gender Equality in Nigeria' [2016/2017] 4[1] *Fida Rivers Journal*.

- Carrying of pregnancy for nine whole months with all its discomfort and limitations on the woman within the period;
- Labour pains, loss of blood and other virtues lost during the delivery process and
- Nursing the baby – breastfeeding day and night for such a long period with the attendant sleepless nights mostly on the part of the woman and several other demands that come with childbirth.

There should be mutual respect by husbands and wives for their individual peculiarities, rather than developing a superiority or inferiority complex over what neither of them has absolute control over. What effort did any man put into making himself a male human? Or what offence has a woman committed by being born a female? They are to complement each other for great progress.

Furthermore, in the Nigerian traditional setting, women do not often have inheritance rights.²⁴ The simple reason for this being that when she gets married, the property will go to her husband.²⁵ However, this is just a lame excuse to enthrone patriarchy, as unmarried women are also not usually eligible to inherit land. Furthermore, with respect to politics and leadership roles, women in Nigeria have been unfairly and inconsiderately treated, not because they are actually incapable, but because of their gender.²⁶ This has affected their inclusion in various political activities and deliberations across the country.²⁷ In most cases, the election and appointment of the female gender would have to be based on concessions

²⁴ Ine Nnadi, ‘Women and Discriminatory Laws and Practices in Nigeria- A Critical Assessment’ [2016/2017] 4[1] *Fida Rivers Journal*, 8.

²⁵ *Chituru Ukeje & Anor v. Gladys Ada Ukeje* [2014] 11 NWLR (Pt. 1418) 384 where the supreme court held that this practice was discriminatory and contrary to the provisions of the Constitution of the Federal Republic of Nigeria.

²⁶ (n 18); Obamiro J Kolade and Obasan Kehinde, “Glass Ceiling And Women Career Advancement: Evidence From Nigerian Construction Industry” (2013) 6 (1) *Iranian Journal Of Management Studies* 77-97, Online: <[https://ijms.Ut.Ac.Ir/Article_30125_6.Html](https://ijms.ut.ac.ir/article_30125_6.html)> accessed May 20, 2019; Emeka E Okafor And Monica E Akokuwebe, “Women And Leadership In Nigeria: Challenges And Prospects” (2015) 2 (4) *Developing Country Studies*, <[https://www.Academia.Edu/11422925/Women_And_Leadership_In_Nigeria_Challenges_And_Prospects](https://www.academia.edu/11422925/Women_And_Leadership_In_Nigeria_Challenges_And_Prospects)> accessed May 20, 2019.

²⁷ See, Generally, Osimen’s Article, *Ibid.*; See, Also, Irene A Pogson, “Gender, Political Parties And The Reproduction Of Patriarchy In Nigeria: A Reflection On The Democratisation Process, 1999-2011” 11 (1) *Journal Of African Elections* 100 – 122, <[https://Eisa.Org.Za/Pdf/Jae11.1pogson.Pdf](https://eisa.org.za/pdf/jae11.1pogson.pdf)> accessed May 20, 2019.

of some male power brokers and her husband, in the absence of which the female would not be elected or appointed.

iv) Widowhood

The issue of gender inequality is so visible in the way widows and widowers are treated after the death of their spouses. Whereas the widower hardly has issues to contend with after the death of his wife, the widow suffers so much from different perspectives. The deceased husband being seen as head over the wife, his family steps in to bear rule over his widow and life becomes very miserable for her after the death of her husband.²⁸ Despite several laws which prohibit harmful widowhood practices, these ills still persist and most of the practices have only been successfully eliminated upon the outlawing of such practices by religious organisations.

2.3.2 Religious Influences on Perceptions of the Female Gender as Inferior

The three major religions in Nigeria present a wife as inferior to her husband. Hence, in some African traditions, she kneels to greet or serve him as a mark of submission in line with the Bible's instruction in Ephesians 5 often quoted at women, asking them to submit. Verse 22-23 says: 'Wives, submit yourselves unto your own husbands, as unto the Lord. For the husband is the head of the wife...'

The above directions have been used to subjugate, denigrate and make women invisible even in places of worship and it was not until recently that the Orthodox Churches started allowing women to speak in Church.

2.3.3 Religious Misconceptions about Marriage Which Perpetuate Gender Inequality

Although God made man head over the woman,²⁹ religion does not necessarily support gender inequality. However, what has happened is that man because of the hardness of his heart³⁰ has corrupted the plan of God for men and women. Fear, ego, pride, complex and the desire to dominate a wife beyond bounds, has made men to enact vicious and

²⁸ Vanguard, 'Plight of Nigerian Widows' <<https://www.vanguardngr.com/2019/05/plight-of-nigerian-widows/>> accessed May 20, 2019.

²⁹ *Ibid.*

³⁰ The Holy Bible: The Book of Mathew Chapter 19:1-8

discriminatory religious and secular laws against women, while changing the rules to favour men. This article will now examine particular cases and stories in the Bible that will show that God did not intend the evil oppression and subjugation of women as it is practiced in Nigeria today. It will further provide evidence of how it is the manipulation of humans that has brought about the detestable order of gender inequality as practiced today. This analysis will begin with the Bible story of Queen Vashti.³¹

a) Men's Fiat against Queen Vashti

Queen Vashti refused to entertain the men with her body and was dethroned, and a law enacted against her to soothe the pleasure and ego of men as clearly revealed in Esther 1:17-20. The men feared that the supposedly wrong deed of the Queen shall become known by all women, whereupon they shall despise their husbands when they learn that Queen Vashti refused to obey the King's request to be brought in before him. The men, therefore, requested that Vashti should be deposed as Queen as a warning to all wives to honour their husbands regardless of their status in life. Thus, fear, pride and ego of men led to the denigration of a queen.

b) The Gender Friendly King Barak

In the Bible book of Judges,³² Deborah, a woman, was both a prophetess and a judge in Israel. She was found worthy to be the judge over both men and women, as verse 5 stated that the Israelites came to her to settle their disputes. She was such a valiant woman that the king Barak insisted he could only go to war if she consented to go with him. Deborah consented but reminded him of the discriminatory tendency and mindset of the people that the victory will be attributed to a woman. However, the king was not perturbed. He understood the importance of having an effective and powerful war companion, regardless of her sex. He was not a man full of ego or afraid of the success of a woman! The result of this alliance was a great victory for Israel.

c) The Unequal Treatment of the Genders in Cases of Adultery³³

The 7th of the ten commandments of God in Exodus 20:12 simply says: 'Thou shalt not commit adultery'. The commandment was not directed towards any particular gender. The penalty for adultery in the Bible book of Leviticus is

³¹ The Book of Esther Chapter 1 of The Holy Bible

³² Judges Chapter 4:4

³³ The Holy Bible: John 8:3-11

stated as follows: 'And the man that committed adultery with his neighbour's wife, the adulterer and the adulteress shall surely be put to death'³⁴. The law is unequivocal that both the man and the woman caught in adultery are to be stoned to death. Why then did the accusers of the adulteress bring only the woman caught in adultery when she was caught in the very act of adultery? Why was the man not also brought before Jesus to be condemned to death?

In his teachings and actions, Jesus never discriminated against any woman. Rather, unlike the traditional Jew, Jesus related with all manner of women including gentiles who were an abomination to the Jews. In Mathew 15:21-28, although Jesus reminded the woman of the discrimination against her as a gentile, he went ahead to break that social norm of his time by talking with her in public at the risk of being disgraced. Although Paul the Apostle appeared to have emphasized the headship of a husband and prohibited women from usurping authority over men as seen above, he was an advocate of gender equality and equal rights in marital relations. It was he who, inspired by God, wrote in Galatians 3:28 that in Christ there is neither male nor female. Women and men are one in Christ! Also, contrary to the way wives were subjugated culturally in matters of sexual pleasure, Paul was categorical in stating the equal rights of husbands and wives as clearly outlined in 1 Corinthians 7:1-16. More than any other, he acknowledged the great roles played by women in the Bible days and he was intentional in mentioning their names among those who assisted him in the work of the ministry. For the married couples like Aquilla and Priscilla, Paul mentioned the names of both the husband and the wife.

d) A Wife's Right to Freedom of Thought, Conscience and Religion

Ananias and Sapphira³⁵ were a husband and wife who conspired to lie to Apostle Peter. The husband came in before the wife and lied as agreed and fell down dead. Sapphira his wife not knowing what had transpired, came later, and as a 'good wife' lied in support of her husband and suffered the same fate. This story is important because it shows that God expects a wife to exercise her freedom to do right by being guided by her conscience. The idea of a good wife being the one that is subjugated to her husband no matter the circumstance as believed by the culture of some people of Nigeria is certainly a manipulation of the woman.

³⁴ The Holy Bible: The Book of Leviticus 20:10

³⁵ The Holy Bible: Acts Chapter 5

e) The popular Bible Passage on the Virtuous Woman³⁶

Christian women in Nigeria are often admonished to be like the virtuous woman modelled in the book of Proverbs. Therefore, it is a stigma against Nigerian wives to be told by a husband that they are not to be virtuous. Meanwhile, not many know the full provision of that passage with respect to a virtuous wife. Suffice it to say that the orientation and perception of most Nigerian men are very often in contradistinction to the model of a virtuous woman in the Bible passage under reference. This article will now compare the biblical standard of a virtuous to the man-made standards which have subjugated the Nigerian woman. Proverbs 31 verses 10-15 presents the qualities of a virtuous woman as follows: a woman who does no evil to her husband but does him good at all times; a woman whose husband can have trust and confidence in her; a woman who does a handwork, and wakes up long before dawn to prepare the meals for her household going afar to get foodstuffs at a more economical cost. The foregoing is wholly acceptable in Nigerian men. However, the men would rather take out Proverbs 31:16 which provides that the virtuous woman considers a field and purchases it with the fruit of her hand. A husband sees such liberty as an emancipation of a wife from subjugation. The above verse shows that God's plan was never that the woman should be subjugated economically. She is expected to be so hardworking as to earn not just a living but to acquire properties and establish businesses through her labour. For all these, the passage in verse 28 says that her children call her blessed and her husband also and he praises her.

In Nigeria, husbands may feel threatened when a woman becomes so enterprising. The mentality of controlling a wife instead of seeing her as a partner in progress and the self-centered nature of being seen and known as the breadwinner has caused Nigerian men to create a new model of a virtuous woman in tandem with almost every provision of the virtuous woman in Proverbs 31, but taking away her right to work and to acquire property and to be commended for her hard work. Therefore, it is man and not religion that is responsible for subjugating women economically.

f) Abraham³⁷ an Example of a Submissive Husband

Abraham married Sarah and for over twenty years they had no children. In the process of time as was the practice in those days, Sarah on her own

³⁶ The Bible Book of Proverbs 31

³⁷ The Story in Genesis Chapter 16

volition decided to give her handmaid Hagar to Abraham as a surrogate for her.³⁸ Abraham obliged her, whereupon Hagar conceived. This unfortunately brought a sour relationship between Sarah and Hagar because having become pregnant, Hagar began to despise Sarah, the real wife of Abraham who was barren. Abraham's reaction to Sarah's pain if compared to what the position would have been if Abraham were a typical Nigerian man showed that God never ordained the subjugation and violations Nigerian women suffer. An examination of Abraham's attitude and response vis-à-vis what the Nigerian man's attitude would have been will reveal the biblical standard of how a husband is expected to love and honour his wife. It is important to take note that Abraham was about eighty-six years old with no child from Sarah, his wife of over twenty years at that material time when these issues arose with Hagar who was now pregnant for him. A Nigerian man and his family under the same circumstances might taunt the lawful wife and send her packing for daring to trouble Hagar who was fertile and pregnant with child for her husband and family. Hagar the concubine, would be given full rights in that home over Sarah the legal but barren wife whom they would consider not a wife for having no children.

Procreation is seen by some husbands and their families as the paramount obligation of a wife, but Abraham did not see Sarah's inability to give him a child as her own problem. In Nigeria, Abraham's family would have labelled Sarah a witch who wants their son to die childless since Sarah herself at that time, was already past childbearing age. Despite their childlessness, Abraham still honoured Sarah in allowing her to do as she pleased with Hagar. This is God's standard of love by a husband for his wife.

In Genesis Chapter 18 when his family had a divine visitation by three men, he asked Sarah to make cakes for them. In verse 7, the Bible says it was Abraham that dressed the calf slaughtered by his young men and was also the one who served and waited on his guests while they ate. This teaching is very important to invalidate the erroneous belief in stereotypical activities of men and women. Also, it should be noted that according to Genesis 29:9, it was Rachel who kept her father's sheep. She probably was found to display a great ability in tending to the sheep and therefore they were handed over to her though it was not customary to have female shepherds among the Jews. This should serve as an example

³⁸ Genesis 16:2.

to all who deny males and females from engaging in vocations or careers that they have a natural ability and love for, thus sometimes denying humanity from getting what would have been the best because of gender discrimination.

Finally, God said of Abraham in Genesis Chapter 18:10 that he knew Abraham will command his children and household to be like him in keeping God's way and in doing justice and judgement.

There are two lessons here. Firstly, that a man must take responsibility over his home not only to provide for their social needs but also to be responsible for their general well-being. That is, a husband should not abandon the upbringing of the children to the wife. Some Nigerian men feel they have carried out their responsibility once they make good money for the family. They fail in their roles as fathers to build the character of their children especially their sons who need the father figure as an example.

g) The Command for husbands to - 'Love Your Wives'³⁹

In the Bible book of Ephesians Chapter 5: 25-29, husbands are enjoined to love their wives. The love a husband should have for his wife is compared to the love Christ has for the Church that made him give up his life for the Church. He is to nourish and cherish his wife as he would his flesh and as Jesus Christ does for the Church. Examining the context of the love of Christ for the Church, this duty on men to love their wives as Christ loves the Church is very huge and gives no room for discrimination and dismissiveness. Christ loved the Church despite her sins against him. The Bible says Christ died for us while we were yet sinners⁴⁰. Therefore, contrary to the teaching that when a wife submits then the husband will love, he is expected to love her selflessly the way Abraham as discussed above, differed to Sarah in a matter that ordinarily must have hurt him. Christian men are always quick to quote 1 Peter 3:6 pointing out that Sarah obeyed Abraham, calling him lord. However, they fail to understand the amazing sacrificial love that Abraham displayed in his marriage towards Sarah which exalted him in her eyes. In 1 Peter 3:7, husbands are further counselled to live with their wives according to knowledge, giving honour to her as the weaker vessel. In Nigeria, the reverse is the case because a woman is expected to accept the husband with his shortcomings but not

³⁹ The Bible Book of Ephesians 5:25

⁴⁰ The Bible Book of Romans Chapter 5:8

vice versa. The weaker vessel in whatever sense a husband perceives it to be, should not therefore be a reason or cause for discrimination, violation and such other negative tendencies that are very common today against the female gender. It is also very important to note that a husband and wife in the passage above are described as 'heirs together' without putting down the woman.

Under Islamic laws, women's rights are not uniform, as there are different schools of Sharia. The four main Sunni schools which exist today came into being through the personal allegiance of legal scholars or jurists from the founders after whom the schools are named⁴¹. The schools are namely-Hanafi, Maliki, Shafi and Hanbali. Each of the schools has variations according to the cultural, political and socio-economic contexts in which they were developed and the philosophy of reasoning acceptable to them. These diversities are visible when it concerns women rights. For instance, in Hanafi law, neither men nor women require marriage guardians, unlike the Maliki school which gives fathers the right to determine the husbands of their daughters who have never been married. In the same vein, the schools differ on various other issues pertaining to women's rights such as capacity to act as witness, judge or a leader. Also, under the Maliki school, women are given the right to divorce on demand, whether or not the husband consents. Other schools are not favourably disposed to this.

From the foregoing, it is also clear that human beings determine the practices suitable in their marriages. The more powerful ones - the males, establish their dominant views or perceptions as rules, regulations or the laws to govern their affairs. Their views and perceptions are based on how just, equitable or otherwise they may be and not necessarily because God so ordained it. In further confirmation of the foregoing, Professor Khaled Abou El Fadl's in his statement drew attention to the influence of money on Islamic laws in Northern Nigeria from wealthy Islamic nations.⁴² Therefore, although in marriage, God made man head over his wife as clearly revealed in Ephesians 5:22. "wives, submit to your own husbands", a husband was also required to love his wife as Christ loved the Church and died for her -Ephesians 5:25. In effect, if the two obligations are considered, and both husbands and wives abide by this command, men and women would have lived as partners in progress without the evils of gender inequality

⁴¹*Times of India Crest* /Jan 2, 2010, 10:36 IST

⁴² (n 31).

3.0 Summary of Findings

From the foregoing, the summary drawn are as follows:

First, the term “gender equality” is often rejected due to the age long subjugation of women, especially in marriages. When gender equality is talked about, most people first think of all women as wives. However, not every woman is a wife. Most men resist the idea of gender equality because they question why a wife should be equal with her husband since ‘two captains cannot be in the same boat’. This, coupled with the position of the various religions practiced in Nigeria which subjugate the married woman under her husband in manners not contemplated by religion, has erroneously led to the generalisation of women as being inferior to men. Whereas, in the Bible it is very clear that a married woman is to be ‘submissive to her own husband’ (Ephesians 5:24), not to all men. There is therefore an urgent need to review and redefine the concept of gender equality.

Secondly, there is a lack of understanding that equality in marriage cannot be absolute, as a woman ‘chooses’ to submit to a man as captain of their marriage ship. Thirdly, while there are good and adequate laws and policies, there is still a lack of effective institutions, monitoring and implementation systems to eliminate discrimination and dismissiveness. Fourthly, males and females in Nigeria empower gender inequality through their cultures and mindsets which accept gender inequality as desirable for various egocentric reasons. The males relish their imposed position as inheritors of ancestral properties and leaders in society and out of fear, resist any attempt to ‘unbalance’ that position. Whereas, for most women, they have come to enjoy playing second fiddle to the men especially in marriage so the financial and other burdens of sustaining a home rests on the shoulders of the man and not on them. Lastly, there is no consensus globally or even in Nigeria as to what gender equality really is or entails.

4.0 Conclusion

Gender inequality has its root in religion, which has influenced the culture and laws of Nigeria and made them discriminatory against the female gender. This is due to the pronouncement of a husband as head over his wife, with the wife required to submit to her husband. Thus, talking about gender equality is seen as an affront to divine regulation. However, headship and submission in marriage have been taken out of context and wrongly exercised leading to a discontent as to the treatment of women.

Also, the headship of man in marriage is now wrongly applied over every woman, instead of a wife, because of the skewed mindsets of men as to their superiority and power over a woman, resulting in many limitations and restrictions against the advancement of the female gender. Legislations and strategies put in place have had little success in eliminating this problem. The way forward, therefore, is to understand the mindset of the people as influenced by religion and culture and to find ways of reorienting the mindsets of people especially as to discrimination and dismissiveness.

Recommendations

This article proposes and recommends the following towards the elimination of gender inequality based on the findings:

1. Rephrasing of the term 'gender equality': The notion of equality of the genders should be discarded and substituted with the complementary nature of all humans.
2. The making of laws that affect cultural and religious beliefs of a people require the support of stakeholders who will buy into it and also help in the implementation especially at the grassroots. Stakeholders for this purpose include religious leaders, cultural leaders and such other persons of influence.
3. The laws against gender inequality should also have in view the mindset and other peculiarities of the people for whom it is made. For example, certain penalties of imprisonment of a defaulting spouse under the VAPP Act are not realistic in Nigeria. Very few Nigerian wives will want a husband to be imprisoned except for grievous offences and that by wives who have made up their minds to quit the marriage. If the penalty for domestic violence against a husband is flogging or hard labour, more women or their neighbours will report violators.
4. A special commission with offices in all major towns should be set up to handle family matters to avoid the bureaucracy attendant upon formal regimes like courts. This will make for easy accessibility and action. Proper records must be kept of matters reported for data and evaluation purposes. It is further recommended that family courts be created in judiciaries across the nation to help in facilitating gender equality. The handling of these courts by judges and magistrates specially trained to resolve such issues, who understand the importance of making the disputes less

adversarial and reducing tension between the parties by making the sittings less formal is a great advantage as it reduces emotional damage to the parties involved.

5. Regarding the Marriage Institution:

a.) Husbands and wives should be exceptions to the rule of gender equality. When a woman willingly agrees to marry a man whether under the Marriage Act or otherwise, then, she willingly submits to him as captain of their partnership. That does not mean that she is inferior to him in any material respect in the same way that citizens are not inferior to an elected or appointed President or Governor who leads or rules over them. Submission to such a leader is only because of the authority conferred on him by the Constitution of a country.

c) Marital vows be reviewed to include vows on the part of the couple not to use any form of violence against each other, to value their contributions to the home especially the unpaid labour of any partner, that convenience rather than stereotypes will govern their contributions in their homes and such other vows that will create a sense of responsibility and commitment in the couples. Vows should be introduced to all forms of marriage with the seriousness it deserves.

6. Role of Parents:

a.) The responsibility of parents teaching and training of children on gender equality should be emphasized at antenatal clinics, places of worship, communal meetings of women, men and youths. Parents should be encouraged not to discriminate on the basis of gender among their children. All forms of stereotypes which hitherto existed in families should be discouraged by parents in their homes and all work done should be acknowledged and valued. Children should be trained to see any act of physical violence especially against their sisters or any girl child as a great weakness in any male and to extol respect for all persons. This will decrease incidents of gender-based violence and respect for the females.

b.) Parents should abhor any form of sexual misbehaviour as a heinous crime with dire consequences for the perpetrators

and should also highlight the painful experiences of victims. Accordingly, they should prohibit children from watching television or video programmes involving sexual violence and intimidation of the opposite sex.

- c.) Parents are in the best position to help ameliorate the injustice and discrimination done to a large number of women in Nigeria through the denial of inheritance rights, by granting inheritance to their daughters just as well as their sons without any discrimination on the basis of sex. All children are entitled to be empowered by their parents where they are capable. Parents could include any caveat they wish to such as no child disposing of the property.
7. Orientation/Reorientation should be carried out and should focus on mind sets, stereotype roles, erroneous discriminatory and dismissive attitudes against women at all levels of the society, the potentials of women and the girl child, valuing of unpaid work of women and such other areas relevant towards achieving gender equality. This could be done by the government in conjunction with stakeholders through the media, training, places of worship, town hall meetings and so on.
8. Finally, Religion and Education are very important instruments in bringing about change. One of the best ways to eliminate discrimination and dismissiveness on the basis of gender for the upcoming generation is through our educational institutions beginning with nursery schools. Where the government could be intentional about giving children a right orientation about gender equality, then Nigeria will be on a right footing towards gender equality.

In the same vein, the Federal and State governments and civil societies should encourage various groups of religious leaders that while not deviating from the laid down teachings of their religions, should ensure that practices of patriarchal cultures and lifestyles do not inform their interpretations of scriptural injunctions. Rather, they should study the lifestyles of righteous patriarchs, some of whom have been discussed in this article, and how they related with their wives or the female gender generally.