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INHIBITIONS OF WOMEN IN LEADERSHIP ROLES: A LEGAL PERSPECTIVE

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INTRODUCTION

Generally, many societies differentiate between the sexes over rights, duties and functions. It is usual to encounter on the part of the individual, the attitude, that the rightful place of the women is in the home, bringing up children. Consequently, with such views, it is felt that there is no need to grant her equal or identical rights with her male peers. This attitude towards women is *not* limited to any one historical period neither is it limited to primitive societies. It is found in developed countries of the world. In 1974, the United Kingdom government remarked in a white paper that

“Many children are brought up in their earliest years in the belief that the social and economic role of men and women are radically different”
(Command 5724, 1974)

This present position, where women are restricted, and prevented from assuming leadership roles, can be traced to as early as the eighteenth century when Blackstone in his Commentaries stated that by marriage, the husband and wife are one person in law and

that the very being of legal existence of women is suspended during the marriage or it is incorporated and consolidated into that of the husband.

Although Nigerian Laws have moved away from the eighteenth and nineteenth century position, there are still many laws and practices, which directly or indirectly inhibit women in playing leadership roles. This paper examines mainly the different laws in Nigeria that affect women, and the extent to which the laws inhibit women in playing leadership roles. Moreover, this paper recommends reforms in the laws.

LEGAL PROVISIONS ON WOMEN AND THE EFFECTS

There are several laws regulating different areas of human activities. Many of such laws are gender neutral. However due to certain factors, some provisions in some laws are genderized and these are usually in relation to women and children.

The Nigerian Legal System comprises the indigenous customary laws, which presently includes Islamic laws, the Received English Common Law, Principles of Equity and Statutes of General Application in force in

Nigeria before 1900. However, locally enacted legislations form most current aspect of the Nigerian legal system. Some of the indigenous customary laws in different parts of Nigeria, the Islamic laws and locally enacted laws, which affect women in particular would be examined.

Constitutional Provisions

The supreme law in Nigeria is the Constitution of the Federal Republic of Nigeria. (1999, Cap 62.) Any provision in any other law that is in conflict with the provisions of the Constitution is null and void. In section 14(1) of the State based on the principles of democracy and social justice and in Section 17(2) (b) of the Constitution it is provided that State is enjoined to direct its policy towards ensuring that all citizens without discrimination whatsoever have opportunities. The policy of the state, should also be directed towards securing suitable employment, working conditions that are just and humane, and equal pay for equal work. This should be without discrimination on account of sex or any other ground. In addition, Section 42(1) of the Constitution provides for equality for men and women and this section in particular is against sex discrimination in all its ramifications. However, there is an exception in Section 42(3) of the Constitution on the issue of discrimination. This is that discrimination is allowed in respect of appointment of persons to any office of the State, as a member of the

armed forces of the Federation or any other government security service established by law. The type of discrimination whether on sex, ethnic group or religion is not specified. Unfortunately, inspite of all these Constitutional provisions that apparently protect all Nigerian citizens against discrimination, women are still being discriminated against and marginalized especially in issues concerning leadership posts.

Taxation Law

The income Tax Management Act (1990 Cap 173) otherwise known as I.T.M.A provides in Section 24(3) for certain relief in the personal income of workers in employment both in the private and public sectors. In some areas of the taxation law, there are discriminations against women in the deduction of tax reliefs and this reduces the total earnings of the women compared to their male counterparts. Such areas are discussed below:

- i. **Maintenance tax relief for married men:** In Section 24 (3) of this Act (I.T.M.A), married men are entitled to claim relief on their wives but married women cannot claim relief on their husbands. This is undoubtedly based on the outdated idea and cultural belief that in all cases, men solely maintain their wives. That era is gone. It is a known fact women in employment support and maintain themselves and even their husbands. There is no reason, whatsoever, why married women cannot claim

relief on their husbands.

ii. **Children's maintenance tax relief:**

In Section 24 (d)e, the law states that every individual (emphasis mine) is allowed a relief for *not* more than four children. An individual is defined in Section 2 of the Act to mean every body of individuals. However, in practice, the word individual in this section has been interpreted to mean a male. Therefore in practice, the claimant given tax relief in respect of maintenance of children is the father of the children. This practice is based on the assumption that in Nigeria, it is *the* father who owns and supports the children and the family generally. This is not always the case. In reality, with the current economic situation in Nigeria both the man and the woman support the family. This current economic climate in Nigeria beliefs this assumption. Women now contribute substantially in the monetary upkeep of the household.

Another administrative practice has been discovered where the female claimant insists on her right tax relief for the maintenance of the children. Overzealous tax officers in such cases requested that such female claimants require documentary proof, usually a letter from the husband as evidence that she is entitled to the relief. In reality, the production of such a letter does not solve the matter, because such officials often demand other unnecessary documents. In the long run, many female claimants become frustrated and

give up pursuing the relief.

The frustrating effect is more apparent when the woman is a divorcee, estranged wife or widow who is solely in charge of the upbringing of the children. The divorcee or estranged wife would have to choose between pleadings for documentary evidence from her estranged or divorced husband or forego the relief. The injustice that is caused in such a situation becomes apparent when it is considered that the man, without any extra effort or proof can claim such a relief even though he may be responsible for the children. As earlier mentioned, this is an administrative practice. A critical look at Section 24 (4) of the Act (I.T.M.A) shows that in certain cases, both husband and wife can share the relief, where the amount claimed does not exceed the amount which would be allowed if they are treated as one. It is further provided in the Act, that either the husband or the wife can claim some relief where no one of them has claimed. These provisions are there in prints but not applied in practice.

This issue of sex discriminations in the taxation law is so grave that Ola in his book (1985, p. 60) said "There is a growing need for reform, so as to promote greater equality between men and women in terms of treatment benefits and allowances". This discriminatory practice under the tax law reduces the total wages of women when compared to their male counterparts. This fact, in most cases, leads to their inability to maximize their growth

potentials in leadership.

Labour Law:

The Labour Act (1990, Cap 198) is not gender discriminatory in its provisions. The provisions which specifically relate to women are protective in nature but are self-defeating and not beneficial to the long-term prospect of employment of women. Sections 54 to 58 of the Act relate to women. These Sections relate to maternity leave provisions and the protection of women against night and underground work.

In Section 54 of the Act, a woman in any public, private or commercial undertaking is entitled to a maternity leave six weeks before and six weeks after her confinement if she produces a medical certificate signed by a registered medical practitioner. It is further provided that she is entitled to fifty percent (50%) of her basic wage and also entitled to a "break" or time off each day during the working hours to nurse the child. It is discovered that though some organisations and government parastatals pay the basic wage to women during the maternity leave, a lot of discriminatory practices still exist in many establishments. In large establishments like the Universities, some discriminatory practices are found relating to maternity leave provisions. The Staff Information Handbook, (University of Ibadan, 1985) regulates the condition of service of the senior staff of that

University. All senior members of staff are entitled to their annual leave. However in the handbook, in the case of married women, the following provisions apply:

"All married female officers who are pregnant are entitled to 12 weeks maternity leave with full pay. The annual leave for that year will however be regarded as part of the maternity leave. Where this annual leave has already been enjoyed before the grant of the maternity leave, the part of the maternity leave equivalent to the annual leave will be without pay," (p.64).

In the case of an unmarried female worker who is pregnant, she is entitled to maternity leave without pay, but the part of the maternity leave equivalent to her annual leave, will be with full pay. Where the annual leave has already been enjoyed prior to the grant of maternity leave, the entire 12 weeks will be without pay. It is clear from the above that senior female staff of this University are not entitled to both annual and maternity leave in the same year.

It is also known that in some establishments, female employees who have not worked up to a certain period are not entitled to maternity leave or they are even penalized for it. (Ajiboye Vs. Dressers Nigeria Limited, 1972).

In sections 55 and 56 of the Labour Act, women are prohibited from night work and underground work in mines respectively.

However in Section 55, nurses and women in management positions are excluded from this provision. In Section 56, women in management positions are also excluded. The two provisions, though protective in nature, limit the wide range of choice of work that a woman can be engaged in. It is however gratifying that some categories of women, especially those in top management posts are exempted. Exigencies in the economy show that women should be able to work anywhere, subject to qualification fitness and willingness.

Different establishments have different terms and conditions of employment. Though the provision in Section 17 of the Nigerian Constitution provides that conditions of service must be just and humane, there are discriminations in some terms and conditions of service governing employment of staff in some Nigerian Universities. A senior female employee in the University system is entitled to free passage for herself and her children only but not entitled to free air passage for her husband on first appointment and on her departure on retirement, termination or resignation, if she is resident outside Nigeria. The only exception is where there is evidence that her husband is incapacitated from work and financially dependant upon her. Under Nigerian culture, it is humiliating for a woman to prove to her employer that her husband is dependent on her. On the other hand, her male counterpart is automatically given air passage for his wife and up to five children (University of Ibadan, 1985

p. 73). It is submitted that this situation is unfair. This particular term of employment has the tendency of frustrating a prospective intelligent woman resident outside the country who, may be denied of an opportunity solely as a result of financial constraints because the spouse cannot afford the air passage. This fact does not constitute a problem at all for her male counterpart. These facts contribute to the limitation of women in top leadership posts in Nigerian Universities.

In the University of Ibadan, there is a clause in the terms of employment of female employees entitled to free medical services and hospital accommodation for herself and her children only, (University of Ibadan, 1985, p. 87). In the case of a male staff, he is entitled to these same benefits for his wife and children. The effect is that the total benefits and, eventually, the income of a male staff (taking into consideration all these fringe benefits) will be more than that of his female counterpart in the University system. This is not due to the fact that the female counterpart is less competent but due to sheer discrimination.

As far as laws relating to employment are concerned, not all are gender neutral. Specifically, under the Federal Government Civil Service Rules (1974), it is stated that an unmarried woman who is a member of the Foreign Service will be required to leave the service if she becomes pregnant. This means that a woman who has reached the peak of her

career in the Foreign Service must ensure that she is married if she wants to have a child. If not, her career will be cut down.

Banking Laws and Credit Facilities

The role of the bank is financial intermediation. Banks act as mobilizers of capital and sources of capital. The Banking Act (1990 Cap 28) is non-gender discriminatory in its provisions. However, in reality and practice, discriminatory practices exist in some banks and banking policies as it relates to women. One of such discrimination is in the area of securing bank loans. In some banks, where a woman applies for a loan, for whatever reason to enhance the business or to invest in a project, it is required that she furnishes the bank with the particulars of her husband and if she is not married, to furnish the bank with the particulars of a male surety (Ayeni 1990). Male applicants are however free from this additional burden and requirement.

Faced with this type of constraint, in securing loan, women may not be able to achieve much. This may inhibit their attaining leadership positions or attaining heights in this area. This practice shows the societal perception of the reasoning capability of women in decision taking. The contradiction is that, the society perceives a woman as an ideal and key decision maker in matters relating to income, expenditure and consumption pattern of the household complex. There is no justification why

a woman can take intelligent and sound decisions in a place as complex as the home cannot take equally sound decisions in social economic and political activities. This paper gives much credit to banks that have made special provisions for women in their policies to ensure easy access to credit facilities. Under such a scheme, credit facility is given without any collateral. Access to such facilities is made so easy that in some cases what is needed to qualify is a recommendation letter from the village head (Oyegbami 1990; Ayeni 1990).

Criminal Procedure Law

Different laws govern the Criminal Procedure Laws in Southern and Northern Nigeria. In the Southern States, it is the Criminal Procedure Act (C.P.A, 1990 Cap 80) and in the Northern States it is the Criminal Procedure (Northern States) Act (C.P.N.S.A, 1990 Cap 81). Under the Criminal Procedure Laws in Nigeria generally, the issues of bail and surety practices have been of concern because it has brought about inhibitions in women attaining their full leadership roles. Section 122 (C.P.A), provides that an accused admitted to bail may be required to produce surety or sureties. This provision, is gender neutral. A Bail is a delivery of a person to his appearance in a police station or court of law.

In practice, women are barred from standing as sureties of bail. There is no legal support whatever for this practice of the police.

There are certain conditions that recognized that a person must meet to qualify as a surety. These are:

- (a) Production of an affidavit of means
- (b) Evidence of ownership of land
- (c) Tax clearance certificate of surety.

Yet it is a fact that women still find it impossible to stand as sureties even after satisfying all the above prerequisites. In an empirical legal research conducted by the Institute of Advanced Legal Studies on the issue of bail and the police force (1991), the following findings were made. Though the provisions of the law on Bail is gender neutral on who can be a surety, fifteen percent (15%) of the police respondents said they rejected sureties on the ground that they are females, or of tender age or of unsound mind. It is absurd, to categorise women, amongst whom are found eminent persons, with people of generally low reasoning. This is derogatory to womanhood. In the research, it was revealed that the sex of the surety is considered as the first and most important factor in accepting a person as a surety by one third (1/3) of the police respondents. It is surprising that the sex of a proposed surety should be the most important factor when other factors such as property, age, social standing and relationship of surety to accused may be considered as more relevant factors. He said that the apparent prejudice against female sureties is merely a

reflection of the fact that women rarely own landed properties. (1991, p. 166). This justification is archaic, unconvincing and has no basis because many women own properties which amount to sufficient security. Women should therefore be allowed to stand as sureties.

A woman cannot exercise her right under the constitution of her country, cannot fully perform any leadership role she assumes.

Marriage Practices under the Act

Under the Marriage Act. (1990. Cap 218) no parental consent is required, once both parties to the marriage have attained the age of twenty-one years. It is only when a party is under age that such consent by a parent is required. It has, however, been found out that the officials in the Marriage Registry would only recognize the consent of the mother, when it is established that the father is dead or unavailable for cogent reasons (Atsenuwa; 1993). This shows the patriarchal customary law belief that the child belongs to the father. This show of superiority of the father is usually translated into the new family being where the mother is considered as irrelevant when it comes to important decisions concerning a child she has raised.

Religious Laws

In every religion, there are levels of leadership. It is found out that in some religions, a woman cannot attain certain levels of leadership like her male counterpart. Some churches do not accept women as ordained ministers or priests. In other cases, women cannot preach on the pulpit. It is submitted that some interpretations to certain portions of the bible were taken out of context because they refer to a particular situation at the time. (New International Version). Under the Islamic law, it is stated that a woman cannot even think of aspiring to be an Imam, that is, a leader in worship in the mosque. This is because the Islamic religion forbids it. The reason given is that there must not be a vacuum at any time during which an Imam would not be found leading the worship, and there are certain times and period which a woman cannot enter the mosque due to the menstrual cycle and immediately after child birth.

Customary Laws

In Nigeria, customary laws include native laws and custom. Customary Law is a system of law operating side by side with other laws in Nigeria and it varies in time and place. The different issues under customary law that affect women would be considered briefly and the laws in some ethnic groups would be looked into.

Property Rights Under Customary Law

Under the Land Use Act (1990) which regulates land ownership, ownership of land may be vested in an individual be it male or female. In different cultures, women's right to property varies. In most communities in Nigeria women cannot own land. As Oputa J.S.C put it "a woman cannot own land in her own right in many village communities. She only has custody of any piece of land the husband permits her to cultivate or else she holds any land in trust for her male children only" (1990). This statement is particularly true in the Igbo culture.

It is known that today, women contribute substantially to family maintenance inclusive of acquiring property. It is unfortunate that sometimes after the demise of the husband, a woman may not have any right to such property because of the prevalence of the customary law in the area. In other unfortunate cases of divorce, because a woman would not usually have any document to prove her contribution to the acquisition of the property, she may have nothing to urge the court in her favour. In *Nwanya Vs Nwanya* (1987), the judge required the claimant to show evidence other contribution to the property she claimed was jointly owned by herself and her husband by the presentation of a receipt acknowledging the same. The judge said his court was not "Father Christmas" and whoever avers must come prepared to prove claims.

It must be stated that where a woman jointly owns a property with her husband, on

the demise of the husband or in the case of a divorce she may forfeit all. The case becomes more pathetic where she is kicked out with her children if any. In such a case, a woman with no good shelter for herself and the children cannot be productive in her work or business. This instability will definitely inhibit her performing effectively in any leadership role.

Under the Islamic Law, a married woman can inherit and own property and a woman is accorded full freedom over her property and does not require her husband's consent to deal with it. (Mahmud, 1989). Without any doubt, a woman married under Islamic law enjoys greater freedom in respect of property.

Customary Laws on Marriages:

Surprisingly, early marriages are still encouraged in some cultures. This is prevalent in Northern Nigeria. Early marriages are sometimes with or without the consent of the girl involved. Apart from the health dangers it poses it is known that early marriages disrupt the education the young girls involved.

It must be stressed that education is needed to assume good leadership role in Nigeria. Early marriages of young girls place a ceiling to the level of education to which such girls can attain in the future. Education and training play an increasingly important role in determining the opportunities available to women in the labour market. The overall effect is that an

early marriage denies a girl the opportunity of being appointed into certain leadership and decision-making posts. It is encouraging that some States in Northern Nigeria are recognizing the enormity of this problem of early marriages and its effect especially as a factor inhibiting women in performing leadership roles. Sokoto State was the first State in Nigeria to declare free education for girls in that State (Okedirin and Olarinde 1990). In Niger State and Born State, there are laws enforcing legal obligation against parents to compel them to ensure that their children are enrolled and attend school. (Niger State, Edict 9 of 1985; Born State Edict 9 of 1985) Legal Sanctions range from fines to imprisonment for breaching the above laws. Credit must however be given to the lawmakers in these States who also made provisions for the enforcement of the laws. It is provided that traditional rulers should ensure that children of primary school age in their domain go to school.

The above laws are good, but they do not completely solve the problems. There is no doubt that primary school education provides some form of education, it is not sufficient in all cases to meet the challenges needed for some leadership roles. This is however a good starting point.

In Eastern Nigeria, early marriages are frowned at. The law provides that a marriage with a girl under the age of Sixteen years is void (1963, Laws of Eastern Nigeria).

High Bride Prices

In many cultures in Nigeria, bride price is paid on females about-to-wed. The amount paid differs from culture to culture. In Igbo land, the bride price is very high. It must however be noted that the woman on whose behalf the bride price is paid gets nothing from this bride price. Interestingly, this bride price is shared among family members. A man is normally entitled to a refund of the bride price paid when the marriage breaks up. The problem that arises is that the woman remains "married" to the man until the refund is made. A woman will have to put up with whatever suffering comes upon her if she or her family cannot pay back the bride price. A woman under such a predicament and misery cannot function well as would be expected. This is a state of bondage and this will inhibit her attaining any leadership role unless she finds a way out.

Customary Law of Purdah

Under the Islamic law, purdah is recognized. It isolates and excludes Moslem women from participating in leadership roles. In practice, women in purdah are kept in seclusion and their movement restricted and controlled. The roles of such women are limited to the domestic scenes in subjection to their husbands.

Customary Succession Law

As in other issues on customary laws, the rules on succession differ in time and place. Under the Igbo land customary law, a widow cannot inherit her husband's immovable property including landed property (Oyekanmi, 1993). It is also the practice under Igbo customary law, that a female cannot inherit a dead man's property (Nzckwu V Nzekwu 1989).

Unlike the Igbo customary law above, under the Yoruba Customary Law, both female and male children can inherit property. Moreover a woman can attain leadership role as head of the family where she is the eldest child in the family. (Folami V Cole 1986). However a married woman under the Yoruba customary land cannot inherit her husband's property (Coker, 1965).

This distinction in practice under the Yoruba customary law, where a female member can inherit property and a married woman cannot inherit cannot be justified on any ground but mere prejudice. It will be an injustice on the married woman where she has contributed to the acquisition of the property.

It appears that married women under the customary law of succession are disadvantaged in many ways. Although a wife cannot inherit her husband's property, the husband can inherit her property on her demise, in spite of a will made by her to the contrary, (Idehen V Idehen 1991). In Idehen's case, Karibi - Whyte, J.S.C said:

"There is still some recognized status which at customary law affect the capacity to make will. For instance a wife cannot by the exercise of testamentary disposition deprive her husband of his succession right in her estate".

It is worthwhile to consider the position of a female under the Islamic Customary Law. A female Muslim is entitled to inherit property from her husband and father like her male counterpart, but she may just be entitled to 50% of the portion of the male. A married female and a widowed one with or without children are entitled to a portion of her husband's estate. (Sidi V. Sha'Aban 1992).

Taking all these facts into consideration, apart from an unmarried female under the Yoruba Customary Law and the Female under the Islamic Law, there are disparities in the Customary Laws on Succession, to the disadvantage of the female. This is gross discrimination and prejudice. All these facts will debar woman from actively participating in leadership roles in the social, economic and political spheres.

Under the customary law of succession, married women undergo severe torture on the death of the husband, which may inhibit their assuming, or effectively participating in any leadership role. In some cultures, widows are made to undergo rigorous, demoralizing and

dehumanizing stages of mourning. Some widows have their heads shaved; or are made to lie on dirty floors unbathed for several days and even undergo several months of mourning for the husband. With all these absurd practices a woman already in a leadership post cannot effectively perform her role, and a widow aspiring to the leadership position is inhibited from attaining such roles. Unfortunately it is the widow that the society expects to do the mourning. A widower is not subjected to such torture. On the contrary, the customary laws are sympathetic to the widower. It is ridiculous that in certain cultures, it is the belief that the spirit of the dead wife will return. To prevent this, another woman (usually selected by the husband's mother) is chosen to keep the husband company on the very night he lost his wife (Lloyd and Meek, 19370).

RECOMMENDATIONS AND CONCLUSION

In Nigeria, more than half of the population is women, but in the economy the controlling power and key roles rests with men. In Nigeria, it is typical to find women in subordinate position. Only a handful of women compared to the large number of men, have decision-making positions in government, politics and the judiciary.

In theory, women may have been given equal opportunities to participate fully,

however in practice, they are not. There are many provisions in Constitution of the Federal Republic of Nigeria which are against discrimination practices. Furthermore, Nigeria is a signatory to several International Declarations and Conventions on rights. Specifically, it must be mentioned that in 1983, Nigeria ratified the African Charter on Human and Peoples Right by enacting the African Charter on Human and Peoples Right (Ratification and Enforcement) Act (1990). Cap 10). Pursuant to this Act, the Nigerian Government established the National Commission for Women by the National Commission for Women Act (1990 Cap 246) which has been amended. It is quite unfortunate that the commission did not fully achieve its objectives, which include total elimination of all social and cultural practices tending to discriminate against, and dehumanize womanhood. Presently a Ministry of Women's Affairs has since been created and it is hoped that the numerous activities would improve the status of Nigerian women.

The fact that women are under-represented in public life and among public appointees is buttressed by the fact that in March 1995, the government appointed thirty-six (36) new Federal Ministers. Out of this number, only three (3) were women. The portfolios given to the women ministers were: Minister for Women's Affairs, Minister for

Education and Minister for State for the Federal Capital Territory. Furthermore, in the first four (4) years of the second republic, this was also the case. Only two (2) women, Mrs. Janet Akinrinade and Mrs. Efun Oyagbola were appointed as ministers compared to forty male ministers appointed at that time. This should not be the position to which women should be relegated. The Obasanjo Civilian Administration has improved this situation by placing women in more prominent and challenging positions. The present Minister for Aviation in Nigeria is a woman and many women were appointed as ambassadors of foreign countries. The history of Nigeria is replete with stories of powerful women. Such women held leadership posts, exerted influence politically, economically, and were successful and reckoned with, in sensitive and important decision making processes. One of such women is Iyalode Efunsetan Aniwura who is described thus;

"Owner of several puny slaves in the farm Owner of many giant slaves in the market," And spends money like a conjurer" (Awe, 1992)

Another woman leader in history is Omu Owei, the Merchant princess of Onitsha. She expanded her activities on both the domestic and foreign scenes and her wealth and influence earned her enormous social recognition so much so that her husband was made a prominent Chief. (Okediran, 1994).

Another woman leader worthy of

mention is Mrs. Ransome Kuti - a woman activist in Egba land in Ogun State, Nigeria. She led campaigns against discriminatory practices against women and thereby brought about a lot of improvement to the image of Nigeria women. The list of women leaders is inexhaustible.

An historical comparative study on women leaders in other countries, show that women in ancient Babylonia and Egypt enjoyed high status and were judges, elders and scribes.

The marginalization of women in sensitive power and decision-making posts in public life, denies society, the special contributions that women may make in decision-making. Women can bring distinctive values and priorities to public life. The exclusion of women, whose life experience and priorities are often very different from those of men, may make to decision-making. Women, it is argued, can bring distinctive values and priorities and perspective to public life, since their traditional pre-occupation with the home and family make them particularly sensitive to issues and decisions that affect women, children and every aspect of family life.

Women, it is discovered, tend to be more democratic and friendly, more open to change and have greater ability to work collectively. This theme has been developed, arguing that as women value caring, being involved, helping and being responsible, as they do not hesitate to make intuitive decisions and

prefer to structure their organizations as grids rather than hierarchies, they are more likely to fulfill the collaborative ideal of leadership now thought to be most appropriate in the modern world.

The role played by women in modern times show that women should be given equal opportunities with men as they are capable and qualified. The law must ensure that it is fair to all. The administrative practices which are discriminatory to women as seen in the different aspects of law be corrected. This can be done through the addition of clear and non-ambiguous clauses in the law. There are still some provisions of the law, which are discriminatory against women that are due for reform. This has been done in the past. Under the Registration of Business Names Act (1961) now repealed; a woman was expected to furnish her husband's name as part of particulars to be submitted during the registration of her business. There is no such provision for men to furnish particulars of their wives. Happily, this law has been repealed and it has been replaced by the Companies and Allied Matters Act. (1990 Cap. 59). This discriminatory provision in the repealed law is not repeated in the new law (Cap 59). The position of women in Nigeria should be a matter of concern to any person interested in development. It is therefore necessary to make some suggestions.

Suggestions

The Government should introduce a loan guarantee fund for women with the primary aim of encouraging women to produce innovations in industry and commerce. The guarantee should be considered on the basis of an assessment of the profitability of the business concept. [Conference Report Tema Nord (1998)].

Government must show commitment to its laws by ensuring a fair balance in the appointment of public officers. There should be a re-examination and re-definition of conventional views on women's leadership role, which is central to development. The government should increase and enhance the participation of women in important decision-making processes. Government plans, programmes and projects should be formulated with the above ideas in mind.

There is need for gender sensitive and gender awareness programmes. Centres should be created at local government levels where information on government policies and legislation can be disseminated to the public.

At the family level, upbringing of male and female children should not be doctinated. Both sexes must be given the opportunity to develop their potentials. There is the need for a change in existing patriarchal thinking of the society which has laid rules and regulations which define men's dominated roles in the society.

Law is not stagnant. It is dynamic and evolving. The values in customs are not eternal. One of the positive characteristics of customary law is that its contents are norms of accepted

usage at any point in time. Therefore cultural practices which were appropriate for times of old are not necessarily appropriate in present times. Cultures that discriminate against women should be done away with.

There are many myths about women and work. These should be exploded because they obstruct progress for women.

Women should rise up to the task, and compete for posts which they are qualified for, without intimidation.

Women are responsible, value caring, democratic, more open to changes, capable of qualitative decisions and quite as worthy and noble as men. The problem is that they are not given the opportunity to take full share in the development process and in leadership positions in Nigeria can bring about an improvement, not only in women's affairs but to the country as a whole.

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