

Women Political Appointments and the National Gender Policy's Affirmative Action in Nigeria: A Case Study of Kaduna State (2015-2023)

Abdulkadir Salaudeen^{1*} & Abubakar Jika Jiddere²

¹Department of Political Science
Federal University, Gashua, Yobe State, Nigeria
salahuddeenabdulkadir@fugashua.edu.ng

²Department of Political Science
Bayero University, Kano, Kano State
ajjidare.pol@buk.edu.ng

Abstract

Affirmative action for women is a positive policy for gender mainstreaming into politics and decision-making process. There are several women friendly international treaties to which many countries — including Nigeria — are signatories. These treaties stipulate, among others, that women are to be allotted certain percentage in all appointments and elective positions in both public and private sectors. This is to ensure that women become more visible in politics and governance. Presence of women in politics is increasingly becoming a yardstick to measure levels of democratization and sustainability of democracy. Thus, Nigerian Government came up with its National Gender Policy (NGP) which allots 35% to women in all appointments. However, women are still being marginalized in Nigerian politics due to the age-long notion that the public domain is not for women. Using Kaduna State as a case study vis-a-vis women political appointment and leadership in governance, this paper assesses the National Gender Policy's affirmative action and its challenges in Nigeria with focus on Kaduna State. Its approach is both qualitative and quantitative. Though women in Kaduna State fared better within the timeframe of the study in terms of political appointments and leadership roles, findings revealed that women affirmative action was not implemented as widely thought. It concludes that unless women affirmative action is enshrined in the Constitution, its implementation would continue to be subject to governmental discretion on gender issues. This study recommends, among others, constitutionally backed affirmative action to facilitate women political appointment.

Keywords: Affirmative Action, Kaduna State, Marginalization, Patriarchy, Women Political Appointees.

Introduction

Women constitute almost half population of the world. That is to say the difference between men and women is very marginal and that difference is projected to disappear as a result of some predictable demographic trends according to the recent population projections from the United Nations (Carey and Hackett, par. 2). Yet, women, despite their population, remain marginalized in politics. Discrimination against women, as a result of marginalization, is premised on the age-long notion that they are care givers, home maintainers, and children breeders who have no business in public affairs. In some socio-cultural settings, women are not supposed to be educated in the first place. So, the need

for their participation in public affairs—of general concerns—does not arise. It is also a common place to associate women with evils; or a “necessary evil” to borrow from Bullough (174). As such, they are said to be incapable of progressive ideas. There is even a long debate on the humanness of women (Bay 156-164; Fleischer 107; Mackinnon 41-43; Salaudeen, par. 3). The vilification of women was so alarming that a book was titled “Are Women Human?” (Mackinnon iii). This is the extent to which women were/are mischaracterized. It is the reason they continue to be marginalized. This phenomenon should be of concern to researchers and policy makers worldwide. It is baffling and problematic that a population which is not a minority is being marginalized in politics and decision-making process. To address this problem, many countries are making both minor and radical changes to ensure women inclusiveness in governance. Reforms that are sensitive to women questions are gaining ascendancy and acceptance. Women’s visibility in politics is now considered one of the yardsticks to measure commitment to democracy (UNWOMEN, par. 2).

While this paper gives an overview of women affirmative action in Nigeria which implementation faces a lot of challenges, it focuses—in more details—on Kaduna State under Governor Nasiru El-Rufai Administration (2015-2023). Within this period, women are generally said to have fared better. It was also said that women affirmative action was implemented during El-Rufai’s tenure. How true is this; is it a misinformed claim or a fact? This paper answers this question. In providing its answer, it assesses women appointments in Governor El-Rufai’s cabinet, agencies and departments. It uses the provision of the National Gender Policy of 2006 which stipulates 30 percent affirmative action (and later 35%) in support of women as benchmark for its assessment. It further investigates the presence of women in other top decision-making positions in Kaduna State. It argues that while Kaduna State shows significant appointive gains for women under El-Rufai, the NGP’s 35% target was not met across the board and thus remains unenforceable without legal reform.

Methodology

This research is both qualitative and quantitative in its approach. It utilized both secondary and primary sources of data collection. For its primary source, data on all political appointees made within the period under study were obtained on the 14th of November, 2023 from the office of the Secretary to the State Government in Kaduna. Appointees included in the sourced data are Kaduna State Executive Council members, commissioners, special advisers, senior special assistants, special assistants, heads of agencies and members of agency boards. This list does not include permanent secretaries and other prominent functionaries, whose appointments were based on career progression rather than political consideration.

Research Design

From the data obtained on political appointees, this paper presents a gender taxonomy, with the aid of charts, to arrive at gender percentages of appointees in the state’s cabinet and various departments/agencies. This was complemented with semi-structured interviews which involved some stakeholders and prominent politicians in Kaduna State on the situation of women affirmative action implementation in the state. Thirteen interviewees were purposefully selected for their perspectives on gender affirmative action. Two elected office holders, a political party leader, two legal practitioners, three leaders from three different gender-based organizations, two political appointees, two clerics (a Christian and a Muslim), and a director — a career civil servant — from a ministry in the state. Interview data were analyzed using thematic analysis. Transcripts were coded to identify patterns of meaning across the dataset while four major themes were generated. Out of the thirteen participants, ten were assigned codes P1 through P10 for confidentiality. Three others were named,

with their consent, due to their unique public positions whose perspective cannot be meaningfully anonymized.

However, this study interviewed only elites and excluded grassroots participants, as the elites are better positioned to give first-hand accounts of how affirmative action policies were interpreted and applied. Although the administration lasted eight years, the analysis focused mainly on 2019 to 2023 because that was the period for which comprehensive data were available.

Theoretical Framework

Many studies that focus on women issues and particularly women in politics employ feminist theories as analytical lens. This paper, while not casting aspersions on feminism and theories that emerge from it, employs a strand of liberalism. It critiques affirmative action in Nigeria from the perspectives of Political Liberalism — a theory that views affirmative action from philosophical/ethical perspective. Political liberalism is a liberal political concept of justice founded on the thoughts of John Rawls. He coined the concept in order to address the problem of political instability in modern constitutional democracies. It recognizes that contemporary democratic states consist of religious, cultural and ethnic pluralism which are in sharp contrast to one another. It therefore attempts to accommodate these diversities to bring about the common good to be enjoyed in a political community.

The terms “political liberalism” and “democracy” are essentially equivalent and thus, interchangeable. Mannheim simply calls it “liberal-democratic” ideology (41). Since political liberalism deals with the question of political justice in a democratic society, Rawls argued that “Justice is the first virtue of social institutions” (3). The existence of laws and institutions are not enough if they are lacking in justice. This is the typical case of Nigeria’s Constitution. It does not, in anyway, stand on the way of women representation in politics, nor is it against other marginalized groups. Yet marginalized groups (like women) are marginalized in spite of the Constitution. Such laws, constitutions, and institutions, according to Rawls, must be abolished or reformed for lack of justice (3).

Therefore, political liberalism is a liberal-democratic ideology and institutional system of liberal-secular democracy. It primarily accommodates everyone without exception; it includes minorities, outcasts (e.g. ex-prisoners), foreigners, marginalized groups like women and people living with disability. Hence, it fosters the system of universal political liberty, equality, and justice for all where “everyone is entitled to an equal system of basic liberties” [i.e.] the right to *equal* subjective liberties” (Habermas 71). Though liberalism is generally criticized as a political theory that prioritizes individualism at the expense of communitarianism, how would such doctrine explain affirmative action? This paper adopts a liberal theory despite the above criticism for the following reasons.

Contemporary liberal way of thinking has shifted drastically from classical liberalism and is predisposed to accepting policies like affirmative action. Unlike classical liberalism which outright rejects affirmative action as illiberal, political liberalism embraces group rights for minorities and women. One major explanation is that liberalism, in the modern sense, is merged with other concepts like egalitarianism, communitarianism; yet without losing its liberal values. It is with this ethical, philosophical, and theoretical lens that this study views affirmative action as appropriate policy to support of women.

Affirmative Action: A Conceptual Clarification

The term “affirmative action” has different shades of meaning — it is understood differently by different people. It elicits both positive and negative feelings. These feelings arise from the different understandings of what affirmative action is all about. In some cases, it is due to its misconstruction. It, therefore, has no single definition. Lederer explains that it has been in existence since the late 1900s (19). According to Kranz, it implies the practice of acting affirmatively by taking positive and specific

steps to put an end to the history and current practice of discrimination by mandating employers, schools, and government contractors to make special provisions for people of color in predominantly white workforce or/and women in predominantly male workforces (4). Newman defines it as “any race — or sex — conscious employment practices devised with the intention of redressing past racial or gender imbalances and injustices. Affirmative action programs may include preferential treatment to members of a targeted class of people” (32). Central to Kranz’ and Newman’s definitions are race and sex.

Without making any direct reference to race and sex, Lee defines it as the “proactive policy of making special efforts in employment decisions, college entrance, and other areas of public behavior as a way of compensating for past discrimination” (394). It is based on the thought that certain groups of people, even in the absence of current discrimination against any individual member of that group, are at a disadvantage in the workplace and on campuses because of the effects of past discrimination. Affirmative action is an attempt to “level the playing field” for whole categories of citizens, and the emphasis is on “disadvantaged groups” rather than “injured individuals.” Obviously, Lee did not mention women as victims, he was general in his definition. Yet he made an important point in his explanation that the discrimination needs not to be present; the reverberating effects of the past discrimination can possibly create some forms of imbalance in the present. To address these imbalances, resorting to affirmative action becomes a necessity.

Holloway does not specifically define affirmative action but points to the confusion in people’s perception of it. Some people confuse the terms “affirmative action” with “equal opportunity” (15-16). Others think that it is unfeasible for an employer to practice affirmative action and equal opportunity simultaneously because affirmative action means discriminating against a class of people or not providing equal opportunity. Distinguishing between the two concepts, Holloway particularly makes a very clear distinction. He argues that affirmative action goes beyond equal opportunity. When the numbers of qualified members of the targeted groups constitute only a small percentage of the pool, then providing equal opportunity will not sufficiently undo the effects of years of discrimination. If for instance there are a few qualified women, disabled people, or minorities then differentiating recruiting requirements may be in order (16-17).

One important difference between affirmative action and equal opportunity is in the former’s differential recruitment of disadvantaged groups. A common misconception of the meaning of affirmative action is that a person employed as a result of affirmative action is an inferior student or employee. People with this view operate on the assumption that minority group members in their company are invariably less qualified. This is apparently not always the case. Holloway concludes that affirmative action is an obligation on employers to first discover the barriers to the employment of those not well represented in the workforce and then remove those barriers. Therefore, it is a guide for employers to use in appraising all their programs and policies to ensure that their impact on targeted groups is understood. Taking a look at it from another viewpoint, Nel describes affirmative action policies merely as extension of equality (4). This is different from Holloway who makes a distinction between it and equal opportunity. Chamber and Wedel state that affirmative action is the policy of favoring members of a disadvantaged group who currently suffer or historically have suffered from discrimination within a culture (43).

Some scholars define the concept from binary perspectives of the protagonists and antagonists. Definitions given above represent those of the protagonists. Contrarily, antagonists define it, disapprovingly, as quotas and preferences for unqualified candidates to occupy certain positions of authority in which case other qualified candidates may be described as unqualified due to affirmative action (Murray 89). It is even argued that affirmative action promotes discrimination which it sets out to fight. From the above definitions, affirmative actions are positive actions but embroiled in serious

controversies and sandwiched between unending wrangling between antagonists and protagonists. They are, in principle, essentially designed to address past discriminations.

The Legal Framework for the National Gender Policy's Affirmative Action

Affirmative action policies in support of women are deliberate policies and reactions to decades of advocacies by women groups and others who sympathize with women. Therefore, these policies did not emerge by chance. There are some legal instruments invoked to make them acceptable and implementable. Though the Nigerian Constitution of 1999 does not provide for any precise affirmative action clause, the general provision of equality before the law has always been resorted to as justification. Section 16 (1) (b) of the Constitution states that; "The State shall, within the context of the ideals and objectives for which provisions are made in this Constitution, control the national economy in such manner as to secure the maximum welfare, freedom, and happiness of every citizen on the basis of social justice and equality of status and opportunity."

In Section 17(1) and (2) (a), it states; "The State social order is founded on ideals of Freedom, Equality and Justice." In furtherance of the social order — "every citizen shall have equality of rights, obligations, and opportunities before the law." There are many other human rights, legal, and international instruments which advocate for gender equality and prohibit discriminations of any kind against women like the Universal Declaration of Human Rights (UDHR, 1948), the International Convention on Civil and Political Rights (ICCPR, 1966), Convention on Elimination of all forms of Discrimination Against Women (CEDAW, 1979), and International Consensus in the Beijing Platform for Action (BPFA, 1995), Millennium Development Goal (MDGs) 2000, the Women Right Protocol (HRP, 2003).

The good side of these women friendly treaties is that Nigeria is signatory to them. Yet, there is a downside to it. These treaties are, disappointingly, not binding on countries even after being signatories to them. In Nigeria, these treaties are not binding because the Nigerian Constitution stands to obstruct their implementation. For instance, Article 12 of the Constitution clearly states that "no treaty between the (Nigerian) Federation and any other country shall have any force of law except to the extent to which any such treaty has been enacted into law by the National Assembly." In a nutshell, affirmative actions in Nigeria have been made a policy option to support women. The fact, however, is that none of these policies have legal backing. They are therefore not legally enforceable.

It should be noted that there are policies, in Nigeria, in support of women integration into national development via affirmative action. The first visible affirmative action in support of women was introduced in Nigeria in the year 2000. This was after the transfer of political power from the military to democratic regime. The Federal Government of Nigeria, which was then led by former President Olusegun Obasanjo, formulated a National Policy on Women. It was largely informed by the resolution of 1995 Beijing Declaration and Platform for Action. Thereafter, in 2006, the National Gender Policy, still by Olusegun Obasanjo, was formulated to improve upon the previous one. The objective of National Policy on Women was clearly stated:

To fulfil the yearnings as well as (promote) the efforts of Federal, State and Local Governments, Non-governmental Organizations, International Development Partners, the private sector, concerned corporate bodies and individuals **to integrate women** fully into national development, in order to remove those gender inequalities that have evolved through structures and processes created by patriarchy, colonialism and capitalism (National Gender Policy 4).

It is significant to mention that the National Gender Policy is hinged upon some principles aimed at entrenching affirmative action by promoting gender equality as a globally accepted development factor with inclination towards women political empowerment for sustainable development (Omenka 8). Although the Beijing Declaration and Platform for Action, upon which the National Gender Policy

was formulated, popularized 35% affirmative action for women in elective and decision-making positions, women are largely underrepresented at all levels of government in most countries — especially in the executive arm — despite the widespread advocacy for gender representation.

A Brief History of Kaduna State and Women in its Politics

Kaduna State is a state in northern Nigeria which capital city is also Kaduna. Going by the geopolitical division of the country, it is located in the north-west of Nigeria. It is also the most liberal state in the conservative northern Nigeria due to the fact that it was once the political capital of northern region from 1923-1966 after Lokoja [1897-1903] and Zungeru [1903-1923] (Falola and Genova 380). It was created in 1967 as North-Central State. It maintained that status until 1976 when it was changed from North-Central State to Kaduna State. Before its motto was changed to Center of Learning which it currently bears—being a host to numerous higher institutions of learning — it was initially named “the Liberal State.” A liberal state and a center of learning should not have issue with the presence of women in decision making body. But this was not the case in Kaduna (and elsewhere in Nigeria) due to religious and cultural factors mentioned above. However, like breaking a jinx, Kaduna State suddenly became a reference point for women in governance in the North specifically and in Nigeria at large.

It started with the gender balanced ticket of the former governor, Nasiru El-Rufai in the 2019 governorship election. Though one of the interviewees, the Commissioner of Human Services and Social Development under Governor El-Rufai, claimed that women visibility in Kaduna State did not start in 2019. According to her, it started long before then in El-Rufai’s first tenure as governor right from 2015. However, the fact that a gubernatorial candidate in the north made a woman his running mate and won governorship election drew public attention and made the news headline. While Kaduna State had had an elected deputy governor, Mrs. Aisha Pamela Sadauki, in the 1990s during military regime (Salaudeen, 65), this was the first time, in a democratic regime, that the entire North-West of Nigeria had an elected deputy governor, Dr. Hadiza Sabuwa Balarabe. The list of female deputy governors in Nigeria from 1988-2017 is presented in Table 1 below. It is to be noted that prior to 1988, women had never held such position anywhere in Nigeria.

Table 1. States which Deputy Governors are Women from 1988-2017

States	Year	Names
Lagos	1988-1991	Alhaja Lateefah Okunnu
Kaduna	1990-1992	Mrs. Aisha Pamela Sadauki
Cross River	1992-1993	Cecilia Ekpenyong
Lagos	1992-1993	Alhaja Sinatu Ojikutu
Lagos	1999-2002	Mrs. Bucknor Kofoworola Akerele
Ogun	2003-2007	Alhaja Salimat Badru
Osun	2003-2007	Erelu Olusola Obada
Anambra	2006-2007	Dame Virginia Ngozi Etiaba
Lagos	2007-2010	Princess Sarah Adebisi Sosan
Ogun	2007-2011	Alhaja Salimat Badru
Osun	2007-2010	Erelu Olusola Obada
Plateau	2007-2011	Pauline Tallen
Ekiti	2010-2013	Mrs. Olufunmilayo Adunni Olayinka
Ekiti	2013-2014	Prof. (Mrs.) Modupe Adelabu
Osun	2010-2014	Grace Titilayo Laoye-Tomori
Lagos	2011-2015	Princess Adejoke Orelope Adefulire

Akwa Ibom	2012-2015	Lady Barr. Valerie Ebe
Osun	2014-2018	Grace Titilayo Laoye-Tomori
Enugu	2015-2019	Cecilia Ezeilo
Lagos	2015-2019	Dr. Idiat Oluranti Adebule
Ogun	2015-2019	Yetunde Abosede Onanuga
Rivers	2015-2019	Ipalibo Gogo Banigo

Source: Salaudeen (118)

The Scorecard of Women Political Appointments in Kaduna State

There was not a time in the History of Kaduna State that women were so visible in governance like during the administration of Nasiru El-Rufai. The administration witnessed many women being “firsts” to occupy some strategic administrative positions in the State. What is even amazing was that not all the positions that women occupied for the first time were based on political appointments. Some women actually rose to those positions through normal career progression whose appointment coincided with the regime of El-Rufai. For instance, a seasoned top civil servant Mrs. Alisabatu Dada Onazi was appointed (2015-2016) to become the first female Head of Service in the State. She was followed immediately after attaining the maximum 35 years of service by another woman Mrs Bariatu Yusuf Muhammad (2017-2023) who remained in that position till the end of El-Rufai’s regime. This was seen as significant milestone for women representation in the State.

Furthermore, many agencies had women as board members and even heads of agencies. Many of them made it to the list of special advisers and many other lists of notable political appointments. Kaduna State Executive Council has 32% women representation, female commissioners (43%), female special advisers (47%), female special Assistants (38%), female heads of agencies (28%). In fact, the Governing Board of Kashim Ibrahim Fellowship had women in the majority (53%). As impressive as the examples given are, there are other instances where women were not well represented. Female Special Assistants to Commissioners constituted (19%), female Special Assistants to Special Advisers (14%). Findings also reveal gender equality in two cases of political appointees. The Local Government Service Board has 50% female members and the Special Assistants to the Head of Service also has 50% female appointees. Below are gender charts and table of major political appointees in Kaduna State under Governor Nasiru El-Rufai.

Chart 1 **Percentage of Gender Appointees by Category (1)**

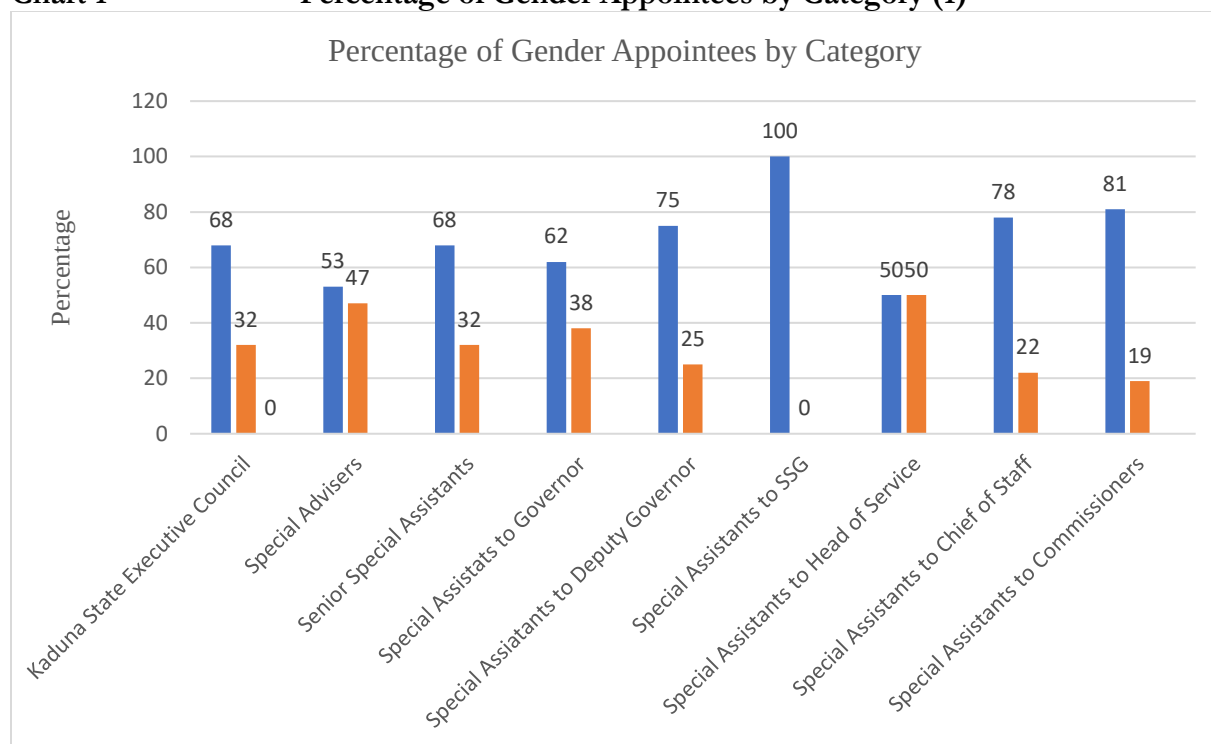


Chart 2 **Percentage of Gender Appointees by Category (2)**

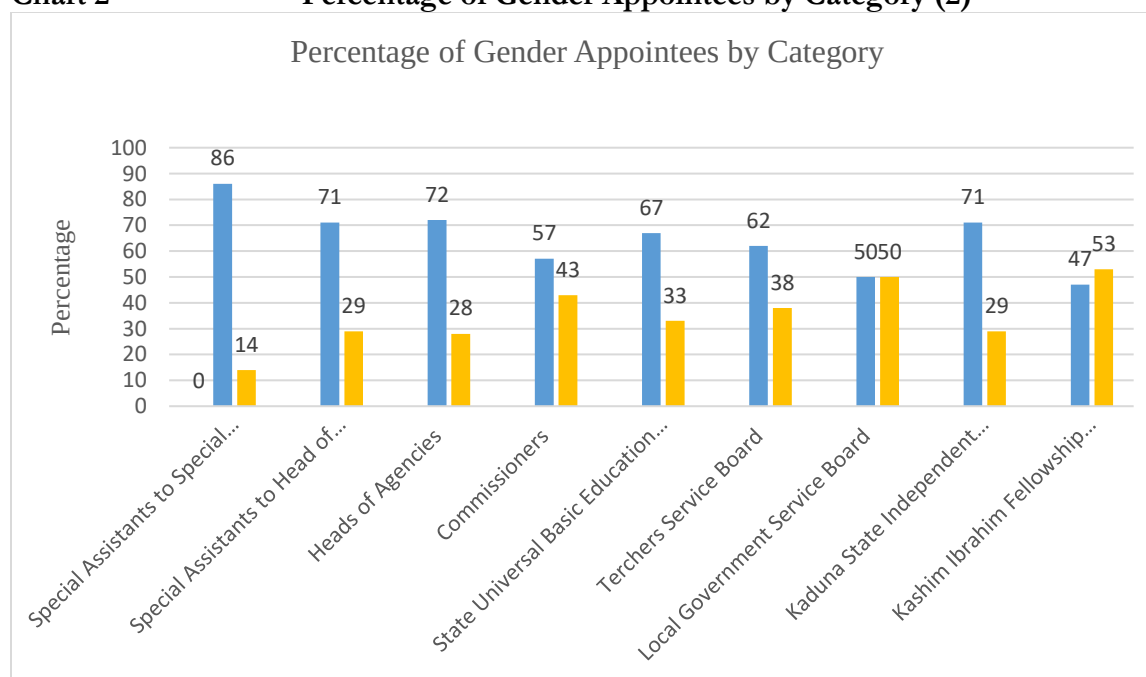


Table 2. Number/Percentage of Men and Women Political Appointees by Category

No	Category	Number of Appointees	Men	Percentage	Women	Percentage
1.	Kaduna State Executive Council	44	30	68%	14	32%
2.	Special Advisers	15	08	53%	07	47%
3.	Senior Special Assistants	19	13	68%	06	32%
4.	Special Assistants to Governor	68	42	62%	26	38%
5.	Special Assistant to Deputy Governor	04	03	75%	01	25%
6.	Special Assistants to SSG	03	03	100%	00	00%
7.	Special Assistants to Head of Service	02	01	50%	01	50%
8.	Special Assistant to Chief of Staff	09	07	78%	02	22%
9.	Special Assistants to Commissioners	32	26	81%	06	19%
10.	Special Assistants to Special Advisers	25	20	86%	05	14%
11.	Special Assistants to Head of Agencies	34	24	71%	10	29%
12.	Heads of Agencies	68	49	72%	19	28%
13.	Commissioners	14	08	57%	06	43%
14.	State Universal Basic Education Board (SUBEB)	03	02	67%	01	33%
15.	Teachers Service Board (TSB)	08	05	62%	03	38%
16.	Local Government Service Board (LGSB)	06	05	50%	05	50%
17.	Kaduna State Independent Electoral Commission (SIECOM)	07	05	71%	02	29%
18.	Kashim Ibrahim Fellowship Governing Board	15	07	47%	08	53%

Compiled by authors, sourced from Kaduna State SSG's Office

Ministerial appointments to oversee the affairs of various ministries get major attention from party loyalists, politicians, electorate, and public affairs analysts. Ministerial list is thus a much-awaited list which marks the real beginning of formation of a government. Therefore, a government — as is the practice in Nigeria — is not considered to have formed her cabinet until ministers/commissioners are appointed. It is, as a result, most sought-after and — in some cases — most politicised. At the state level, it is the commissioners' list. In Kaduna State, Governor El-Rufai appointed a quite number of women as commissioners especially in his second tenure (2019-2023). This keeps people talking and arouses researchers' interest. From Chart 13 above, six women (43%) were appointed out of 14 commissioners. This surpassed the stipulated 35% affirmative action.

Table 3 List of Commissioners and their Portfolios in 2019

No	Male Commissioners	Portfolios
1.	Ja'afaru Ibrahim Sani	Local Government Affairs
2.	Idris Samaila Nyam	Business, Innovation, and Technology
3.	Shehu Usman Makarfi	Education
4.	Ibrahim Garba Hussaini	Environment and Natural Resources
5.	Kabir Muhammad Mato	Sports Development
6.	Samuel Peter Aruwan	Internal Security and Home Affairs
7.	Mohammed Bashir Saidu	Finance
8.	Mr. Thomas Gyang	Planning and Budget
	Female Commissioners	Portfolios
9.	Aisha Dikko	Justice
10.	Dr. Amina Mohammed Baloni	Health
11.	Hafsat Mohammed Baba	Human Services and Social Development
12.	Fausat Adebola Ibikunle	Housing and Urban Development
13.	Balaraba Aliyu-Inuwa	Works and Public Infrastructure
14.	Hajiya Halima Lawal	Agriculture

Sources: SSG's Office (Kaduna State).

Having set a precedent by making a female his running mate and ultimately a deputy governor, Governor El-Rufai significantly appointed females into his cabinet as commissioners. This he did, obviously, against all cultural and religious odds. Kaduna State is one of a dozen states in the north that incorporated Sharia and proclaimed it as rule of law (Falola and Genova 174). According to some readings, the Sharia frowns against women leadership (Salaudeen 3); so also does the predominant Hausa/Fulani culture in the north. Thus, having an elected female deputy governor with significant percentage of women as cabinet members — which is the topmost decision-making body in the State — is indeed unprecedented.

Nigeria's unbroken democracy beginning from 1999 has witnessed 26 years of existence. After its experimentation for these years, it has not overcome many of its challenges one of which is fair gender political representation. Despite almost two decades of formulating the 2006 National Gender Policy which stipulates 35% for women representation in all political appointments, women are still marginalized. However, Governor El-Rufai of Kaduna State, within the period of this study, made a bold step to implement the 35% women affirmative action in his cabinet and even superseded the provision. He appointed six (6) female commissioners out of fourteen (14). That is approximately 43% of women cabinet membership which is unprecedented in Kaduna State after two decades of unbroken democracy. Table 4 below shows the number and percentage of female commissioners across the 36 states of the Federation.

Table 4: Number of Commissioners in the 36 States in Nigeria (2019-2023).

S/ N	State	Total	Commissioners				Year of Appointment
			Male	%	Female	%	
1.	Abia	23	21	90.5	2	9.5	2019
2.	Adamawa	23	19	82.6	4	17.4	2019
3.	Akwa Ibom	21	20	95.2	1	4.8	2019
4.	Anambra	20	15	75	5	25	2022
5.	Bauchi	21	17	81	4	19	2021

6.	Bayelsa	24	22	91.7	2	8.3	2021
7.	Benue	15	12	80	3	20	2019
8.	Borno	22	20	90.9	2	9.1	2019
9.	Cross River	39	32	82.1	7	17.9	2019
10.	Delta	25	23	92	2	8	2019
11.	Ebonyi	27	23	85.2	4	14.8	2019
12.	Edo	11	6	54.5	5	45.5	2021
13.	Ekiti	14	12	85.7	2	14.3	2019
14.	Enugu	19	16	84.2	3	15.8	2019
15.	Gombe	21	18	85.7	3	14.3	2019
16.	Imo	22	17	77.3	5	22.7	2019
17.	Jigawa	11	10	90.9	1	9.1	2019
18.	Kaduna	14	8	57.1	6	42.9	2019
19.	Kano	20	18	90	2	10	2019
20.	Katsina	18	17	94.4	1	5.6	2019
21.	Kebbi	16	14	87.5	2	12.5	2020
22.	Kogi	17	16	94.1	1	5.9	2019
23.	Kwara	16	7	43.7	9	56.3	2019
24.	Lagos	22	14	63.6	8	36.4	2019
25.	Nasarawa	15	13	86.7	2	13.3	2019
26.	Niger	20	16	80	4	20	2019
27.	Ogun	19	15	78.9	4	21.1	2019
28.	Ondo	14	10	71.4	4	28.6	2021
29.	Osun	23	19	82.6	4	17.4	2019
30.	Oyo	14	13	92.9	1	7.1	2019
31.	Plateau	23	19	82.6	4	17.4	2019
32.	Rivers	13	11	84.6	2	15.4	2019
33.	Sokoto	25	23	92	2	8	2019
34.	Taraba	25	23	92	2	8	2019
35.	Yobe	20	18	90	2	10	2019
36.	Zamfara	19	18	94.7	1	5.3	2019

Source: Salaudeen & Jiddere (36-37)

In the table above, four states are visibly identifiable as women friendly states in terms of cabinet membership. On top of the list is Kwara State which has nine (9) out of sixteen (16) commissioners as women. That is 53.6%. This is followed by Edo which has five (5) out of eleven (11) commissioners as women (45.5%). Kaduna State has 42.9% of women cabinet membership (six [6] out of fourteen [14]) while Lagos is the least of the women friendly states that crossed the 35% affirmative action threshold as stipulated in the National Gender Policy (2006). It has eight (8) women out of twenty-two (22) commissioner (36.4%).

It is important to note that though two states (Kwara and Edo) have more women as commissioners than Kaduna State, none of them has female deputy governor. This stands Kaduna State out. As at January 2023 at the global level, women held 22.8% of ministerial positions with only 13 countries achieving gender parity in their cabinets. Sub-Saharan Africa regional average was 23.7% (Inter-Parliament Union % UN Women, 2023). This placed El-Rufai's 42.9 female cabinet significantly above regional and global norms. In addition, the portfolios of these women

commissioners in Kaduna State are prominent ones. Women under Governor El-Rufai served as commissioners in the Ministry of Justice, Health, Human Services and Social Development, Housing and Urban Development,

Works and Public Infrastructure, and Agriculture. This really elevates status of women in the state. Table 3 shows gender of commissioners and their portfolios under Governor El-Rufai.

Women became major stakeholders in the affairs of the State under Governor El-Rufai. Their visibility is not limited to being cabinet members as commissioners, a handful of them also headed some of the agencies as director generals, executive secretaries, special advisers, chairpersons of governing boards, and administrators. In other words, women political ascendancy through appointments is not limited to heads of ministries; it cuts across other departments and agencies. It takes a progressive mind to break gender barriers in conservative region like northern Nigeria. When an interviewee (P3) was asked why Governor El-Rufai was able to achieve a lot in terms of women inclusiveness in his administration, she quipped: “It is because he is progressive.” In addition, governor El-Rufai does not care about what people say about him. Sometime during his first tenure as governor, he told his critics who criticized him on the lopsidedness of his appointments: “If you are not happy with appointments made, you can go and climb Kufena mountain, fall and die.” (Binniyat and Etim, par. 5). Even if these words are least expected from a state governor and sound undiplomatic as response to critics from a political leader, El-Rufai’s eccentric temperament prepared him for the onerous task of breaking the age-long gender barrier. Table 5 below shows leadership positions occupied by women in different capacities in Kaduna State from 2019 to 2023.

Table 5: Women in Different Leadership Capacities in Kaduna State (2019-2023)

No.	Name	Position	Agency	Year of Appointment
1.	Hadiza Hamza	Managing Director	Kaduna State Development and Property Company	2019
2.	Aisha Sa’idu Bala	Director General	Kaduna Transport Regulatory Agency	2019
3.	Tamar Nandul	General Manager	Kaduna Markets Development and Management Company	2019
4.	Aisha Ahmad Muhammad	Secretary/Legal Adviser	Kaduna State Internal Revenue	2020
5.	Hajiya Hadiza Usman Muazu	Special Adviser	Inter-Governmental Relations	2020
6.	Tamar Nandul	Managing Director & Chief Executive Officer	Kaduna Markets Development and Management Company	2021
7.	Umma K. Ahmed	Director General	Kaduna State Schools Quality Assurance Authority	2019
8.	Umma Aboki	Executive Secretary	Kaduna Investment and Promotions Agency	2019
9.	Habiba Bashiru Buhari	Managing Director	Kaduna State Roads Agency	2021
10.	Safiya Umar Balarabe	Permanent Commissioner	Kaduna State Independent Electoral Commission	2021

11.	Hauwa Yakubu Othman	Secretary	Kaduna State Independent Electoral Commission	2021
12.	Aisha Tukur Isyaku	Executive Secretary	Kaduna State Health Supplies Management Agency	2020
13.	Agnes Kalikanta Lolo	Secretary	Kaduna State Judiciary Service Commission	2021
14.	Prof. Salamatu Isah	Executive Secretary	Kaduna State Pension Bureau	2020
15.	Zulai Rabi Ja'afaru	Executive Secretary	Local Government Service Board	2020
16.	Zainab Mohammed	Administrator	Kashim Ibrahim Fellowship	2020
17.	Hafsat Grema	Director General and Policy Adviser	Kaduna State Livestock Regulatory Authority	2021
18.	Aisha Isyaku	Executive Secretary	Kaduna State Health Supplies Management Agency	2021
19.	Dr Hajara Niima Kera	Director	Public Health; Kaduna State Ministry of Health	2020
20.	Shizzer Bada	Accountant General	Kaduna State	2019
21.	Altine Jibril	Director General	Kaduna Geographic Information Service	2019
22.	Adama Abdullahi wada	Acting Director General	Kaduna State Schools Quality Assurance Authority	2022
23.	Elizabeth Joshua	Executive Secretary	Kaduna State Residents Regulatory Agency	2019
24.	Maimunatu Asabe Abubakar	Executive Secretary	Kaduna State Emergency Management Agency	2019
25.	Maimunatu Asabe Abubakar	General Manager	Kaduna Environmental Protection Agency	2021
26.	Saude Amina Atoyebi	Acting General Manager	Community and Social Development Agency	2020
27.	Amina Ladan	Acting Managing Director	Kaduna State Roads Agency	2021
28.	Mary Ambi	Chairperson	Teachers Service Board	2019
29.	Dr. Hadiza Balarebe	Chairperson	Governing Board of Kaduna State Geographic information Service	2022
30.	Balaraba Aliyu-Inuwa	Chairperson and Administrator	Zaria Metropolitan Authority	2021
31.	Phoebe Sukai Yayi	Chairperson and Administrator	Kafanchan Municipal Authority	2021

Source: Agbe et al.; SSG's Office (Kaduna State)

Nigerian Women and the Challenge of Political Participation

From the foregoing, there are apparently no legal constraints against women cabinet membership in Nigeria. However, there are other challenges to women's ascendancy to the top level of decision-making circles across states of the federation. Through cultural and religious beliefs, females and

femininity are looked down upon to the extent that their humanness was, at some point in history, a subject of debate (Mackinnon 41-43; Salaudeen, par. 3). People are indoctrinated to see “manness” as virtue and “womanness” as vile. In addition, patriarchal system, low literacy rate, religion, money politics, violence, poverty rate, societal perception of women in politics etc. are challenges that largely and negatively affect women participation in politics (Awofeso and Odeyemi 106; Salaudeen and Abdulmu’izz 153). Kelly (2) identifies five main reasons for lack of women’s representation. These are: lack of effective government action; lower levels of female employment and education; sexist attitudes — sometimes but not always deriving from religion or traditional practices —; a corrupt and patronage-based political system; and violence at elections — including against women candidates.

Having highlighted some major challenges faced by women in the sphere of politics which border on patriarchy, religion, culture, and finance, it is important to draw attention to another challenge (probably one of the most problematic) which many gender advocates often ignore in their advocacy. This is the challenge of “women versus women” or “women against women” (Salaudeen and Jiddere, p. 420). Studies have shown that women are their own worst enemies. Highlighting women’s inhumanity to women, Valen (11), a woman herself, laments: “We limit and stifle the very connections that could nourish us by turning away, perpetuating insults upon one another, and stirring up self-sabotaging currents that beat us back.”

In an interview conducted by Daily Post after the 2023 General Election, an interviewee — a female aspirant — gives a grotesque account of women travails in Nigerian politics which includes the challenge of women against women. She recounts:

No one listened to me, neither did anyone wanted to know what my manifesto entailed without me first of all presenting drinks and cash, even my fellow women. I had to buy bags of rice, wrappers etc. to consult them... she did not win the elections because she was told by the men in her community that she has married outside the area and should go to her husband’s local government to vie for political office and not her father’s house (Anthony 6-8).

Could there be any disturbing example of such challenge faced by women in politics like that of Sarah Jibril? According to Salaudeen (117), “Sarah Jibril could be called the women ‘political trailblazer’ who had been contesting for Nigeria’s president since 1992. Securing only one vote in the 2011 PDP primaries could have perhaps dashed her hope of any glimmery political future.” Hence, she did not contest thereafter.

Prior to the 2023 gubernatorial election, Nigerian Tribune (2022) reports how the former First Lady Aisha Buhari, attempted to scuttle the ambition of Aisha Binani, a woman like her, in her bid to contest for the governorship of Adamawa State. Though Binani later won the APC primary election, she (Aisha Buhari) reportedly directed all the stakeholders to vote for Nuhu Ribadu — supporting a male against female candidate. Her major contention was that Nigeria is not ripe for a female gubernatorial candidate much less female governor. This is a classic case of women against women. Valen (xv) mused this reality rather poetically:

I want to trust women but can't — been burned too many times.

I'm always cautious. Except for my closest friends, I keep women at arm's length.

Wake up, women! The enemy is within. We can't keep blaming men.

Findings and Discussion

This paper discusses affirmative action and highlights some of the contentious issues that accompany its implementation. Whether one agrees or not, the reality is that affirmative action is a universal concept which aim is to address age-long discrimination by discriminating against discrimination through discrimination. One of the major arguments against affirmative action is that it rewards mediocrity and thus discriminates against merit. Would women inclusiveness in cabinets lead to

mainstreaming unqualified women and discrimination against men as opponents argue? This is a binary question that requires two answers.

To answer the first part of the question, affirmative action vis-a-vis women representation in governance could not, in itself, lead to mainstreaming unqualified women. Nigeria, and Kaduna State specifically, has a pool of meritorious women who are well qualified for public roles to draw from. El-Rufai contends that even though he did not implement gender affirmative action while in office because he was not thinking about it, it (affirmative action) will not lead to appointing unqualified women because Kaduna State has sufficient number of educated and well qualified women to manage public offices (Personal Interview, 2024). On the question of discrimination, it must be acknowledged that there is a symbiotic relationship between affirmative action and discrimination. Yet advocates, while acknowledging that it is discriminatory, term it “positive discrimination” as it addresses negative discrimination. That is why affirmative action must have a timeframe to be justifiable. It must be timetabled as a temporary remedial measure. The recent Supreme Court judgment in the United States overturning the decades of precedent supporting affirmative action in college admission for the disadvantaged ethnic minority groups is a classic example of the temporariness of affirmative action (Mangan, par. 1).

On the challenge of religion and culture, all the interviewees in this research did not see religion and culture as challenge to women political leadership in Kaduna State. There is unanimity that people in Kaduna State have passed that stage where religion and culture are deployed and used against women in public offices, taking up leadership positions. They frankly argued that religion and culture are some of the challenges in the past; not in the present. Many of the interviewees, especially those who are prominently represented the two major religions (Christianity and Islam), hold that there is nothing in religious scriptures that inhibit women’s participation in governance. They contend that men had, for long, manipulated religion and used it against women. On how El-Rufai managed to have female deputy governor and a large number of women in his administration considering possible rejection from the ulama (the clerical class), his response was exciting: “I knew that if I got the best people working in Kaduna State Government, the result will be clear. The ulama may shout — say this and say that — but once you show the result, they would keep quiet. They would discredit themselves.” (Personal Interview, March 22, 2024). He further explained that showing results that women can do it will take some time while criticism from the ulama may even distract women appointees from showing result even if they had any result to show. But El-Rufai has already made up his mind; he said: “I was ready for the ulama in case they come up.”

El-Rufai is a quantity surveyor by profession and later became a politician and an administrator. He is not a trained mallam in the scholarly sense as it is known in the Islamic tradition even though he is popularly addressed as Mallam Nasiru El-Rufai. So, one wonders what gave him the gut to think he is ready for the ulama on an issue that borders on religion (Islam). He explained that at a point when he was considering selecting his running mate and decided on a female, he realized he had to be proactive. He asked himself: “How do we handle the ulama and how do we handle cultural assumptions?” In the course of his research, according to him: “I found a very interesting paper written by — a fatwa issued by — Sheikh Sheriff Ibrahim Saleh in 2010 on women in governance...Essentially, that fatwa clarified the hadith of the Holy Prophet SAW that says that any society led by a woman shall not prosper.” The Prophet was referring to the Persian Kingdom when the king died and he was succeeded by his daughter and the Prophet said that society will not prosper. The Hadith is comprehensively discussed and contextualized by Salaudeen and Dukawa (7-14) in their critique of Abu Bakra Hadith on women leadership.

Premising his understanding on Saleh’s explanation of the above hadith, El-Rufai further said that the queens or the kings of those days wielded judicial, executive, and legislative powers because these powers are vested in one person and that is why the prophet prophesied that the little princess-

turned-queen and her people would not prosper due to the enormity of the power vested in her and her inexperience. That prophecy actually came to pass. El-Rufai concludes, when you have a society headed by one king or queen that has judicial, legislative, and executive powers, then that Hadith comes in as deterrent. But today in Nigeria, democracy is the system of government where there is distinct separation of power at least in principle. The executive, the legislature, and the judiciary are not embodied in a single leader but separate entities. On that basis, women can head any of the three branches of the government.

Interviewees also unanimously agreed on the challenge of women against women. But worthy of note is the explanation of an interviewee¹ who downplays that challenge after acknowledging it. She opines that democracy itself is competitive. One must be against the other in an atmosphere of competition. According to her, women against women challenge is not peculiar to women. Men are also against themselves because they contest against themselves. She made reference to the political altercation that was ongoing then between the Governor of Edo State (Godwin Obaseki) and his deputy (Philip Shaibu). If the duo had been women, she contends, they would have made unabated news headlines. So, it is normal to contest against one another. In her words: “If a woman is contesting and I am also contesting, they will say that we are contesting against ourselves but men are also against themselves.” Until now that women are joining politics, politics in Nigeria (and elsewhere) has been a contest of men against men (Personal Interview, September, 22, 2023)

Finance is the major challenge women face in politics and in the struggle to be seen in governance. While all the interviewees agree on this, they seem not to be on the same page on the way out. An interviewee² suggests that it is high time women started having political “godmothers” as moneybags who could pool enough resources to campaign for women seeking elective positions or seeking relevance in politics by other means. Yet, another interviewee (P4) disagrees. She maintains that it will not work because no wealthy woman will commit her resources to support a candidate for elective position only to be paid back with treachery. She made this point to corroborate the assertion that women are against women.

Women inclusiveness in governance during the administration of Governor El-Rufai is, no doubt, a watershed for women aspiring for public roles. All interviewees agreed that space was actually created for women and they commended Governor El-Rufai for it. However, while women were truly appointed into various and even strategic political leadership positions, they were not visible in elective positions in Kaduna State. For instance, in the Kaduna State Assembly (2019-2023), Comfort Amwe was the only elected female lawmaker. Beyond Kaduna State, again, she was the only female lawmaker in the entire North-West (Ojo, par. 1). On this basis, the administration was criticized for only having women in appointive but not elective positions.

This led to debate on women in appointive positions versus women in elective positions. In which of these two positions do women play better roles and are they more effective? Some interviewees are of the opinion that appointive positions are better than elective positions while one

¹ She is Hon. Hafsah Muhammad Baba. She served under Gov. Nasiru El-Rufai as the Commissioner for Human Services & Social Development from 2017-2023. She also run an NGO that focuses on women, children, youth and people with disability. The NGO, Gender Initiative for Women and Children GIWAC, had been in existence for the past 18 years.

² She is Hon. Florence Aya. She is the President of Women Mentoring & Leadership Initiative. She served as honorable member in Kaduna State House of Assembly from 1990-1993 under the Social Democratic Party (SDP). She served as the Minority Leader from 1992 to 1993 during the governorship of Late Mohammed Dabo Lere. She later became an honorable member of the Federal House of Representatives representing Kaura Federal Constituency from 1999-2003. While at the Federal House of Representatives, she served as the Deputy Chairperson of the Women and Youth Development Committee.

other interviewee (P9) argued otherwise. The former premised their arguments on the fact that women in appointive position are decision makers who can singlehandedly come up with a policy with positive impacts on the generality of people in the state. While women in elective position may just be “bench-warmers” with no significant input in lawmaking. They may end up with some mini projects in their constituency to benefit a very few; and that is all.

The latter argued that women in appointive positions are not independent and could be dismissed from their positions for no tenable reason by the executive governor who appoints them. It is interesting to note that one of the two interviewees who prefers women in appointive position is a career civil servant while the other was a former commissioner. The interviewee (P5) who sees women more effective as lawmakers was a former lawmaker. Everyone seemed to have argued in support of the position she held. El-Rufai also strongly argued in support of women in appointive positions. Citing himself as a case study, he said that he was more powerful, effective, and impactful as the Minister of Federal Capital Territory under the former President Olusegun Obasanjo than many elected governors and lawmakers. El-Rufai who was apparently not convinced that people in appointive positions are less effective and less powerful than those in elective positions cited many instances to rebut the claim. He countered, “Look, people that say that don’t understand how the government works, actually some appointed positions are more powerful than elective positions.” He continued,

Explain to me why Femi Gbajabiamila who was speaker of the House of Representative who has been re-elected in the House would resign his position for chief of staff if what is said about elective positions being more important or more influential is true. Why would he do that? (El-Rufai, 2024, Personal Interview).

Patriarchy is still seen as a general problem by all the interviewees because, they argue, men like to dominate. Yet, some concede that some men are becoming liberal and progressive. Women who are under progressive men as fathers and/or husbands may not have to face patriarchal challenge at the home fronts. Nevertheless, patriarchy is still a challenge that women have to struggle against to make a meaningful inroad into politics.

Thematic analysis of the interviews conducted yielded four main themes, shown in Table 6.

Table 6 Thematic Analysis of Interview Responses on Affirmative Action in Kaduna State [2015-2023]

S / N	Theme	Description	Illustrative Quote
1	The Legality of Affirmative Action and Illusion of Implementation: Policy and Practice	Participants all agreed that legality of affirmative action is not in contest but its lacking of constitutional backing is the challenge. While they all acknowledged that the NGP’s 35% benchmark exists, they pointed that El-Rufai’s administration implemented Gender Equity and Social Inclusion (GESI) law, not affirmative action. 43% female commissioners created a perception of implementation, but data	“El-Rufai did not implement gender affirmative action... what he implemented was GESI which does not stipulate any specific percentage for women’s representation.” (P3). “I was not even thinking about it [affirmative action]” – El-Rufai (Personal Interview).

		across agencies shows discretionary, not systemic, inclusion.	
2	Shattering the Glass Ceiling: The Power of Political Will	Respondents credited El-Rufai's "progressive leadership" for breaking cultural/religious barriers. Appointing a female deputy and 43% female cabinet requires strong political will in patriarchal society. Participants noted that executive commitment can override cultural constraints. This theme positions political will as the decisive variable, not law or culture.	"The ulama may shout... but once you show the result, they would keep quiet." – El-Rufai (Personal Interview) "It is because he is progressive... he does not care about what people say." (Commissioner)
3	Contested Fairness: Perception of Reverse Discrimination and Merit Anxiety	A counter-narrative emerged questioning quotas as "favoritism" that undermines merit. Participants framed affirmative action as potentially discriminatory but added that it is a positive discrimination which becomes necessary because women were/are deliberately marginalized. Participants also ruled out merit anxiety, arguing that Kaduna State has a large pool of well-educated and qualified women for public offices.	"It is not discriminatory because women do not have the funds to compete with men. Affirmative action becomes unjustifiable when women and men have achieved substantive equality of opportunity." (P9). "It will not lead to appointing unqualified women because Kaduna State has sufficient number of educated and well qualified women to manage public offices" – El-Rufai (Personal Interview, 2024).
4	Internal Barriers: Finance and 'Women Against Women'	Participants identified two critical intra-group barriers: 1) Finance — women lack "godmothers" and moneybags for elections; 2) Internalized sexism — "women against women" syndrome. Respondents argued women undermine each other, citing Binani/Aisha Buhari and Sarah Jibril cases.	"Women are against women because no wealthy woman will commit her resources to support a female candidate for elective position only to be paid back with treachery." (P4). "Women are against women... democracy itself is competitive." (Commissioner).

This paper finds that women fared better and got appointed into many positions as critical stakeholders in decision-making process. For the first time in the entire North-west since the 1999 transition to democracy, a woman became deputy governor. Also, women were appointed as commissioners in core ministries to the tune of 43% (6 out of 14) which surpassed the stipulated 35% by the 2006 National Gender Policy. Despite this, findings reveal that women affirmative action was not implemented in Kaduna State as widely thought. Though, the percentage of female commissioners truly surpassed the 35% stipulated affirmative action; it cannot be the only yardstick to conclude affirmative was implemented. There are many agencies and departments in the state, surveyed in this

study, that did not reflect 35% women appointees even though they are generally appointed. Rawlsian political liberalism implies that political justice for women requires constitutionally entrenched guarantees rather than policies contingent on executive discretion. The gender policy implemented under Governor El-Rufai was Gender Equity and Social Equity Law (GESI). This law stipulates that for every appointment and recruitment, there must be female representation. Governor El-Rufai also did not claim that he implemented affirmative action. According to him, he was not even thinking about it; what he implemented was GESI which does not stipulate any specific percentage for women's representation.

Conclusion

The major challenges women face in politics are finance and the challenge of “women against women” which is as a result of internalized sexism (self-doubt). While other challenges exist, they are considered secondary. This study finds that Kaduna State — being a liberal state and centre of learning — has passed the age where women's political leadership is seen as an abomination. From the perspective of political liberalism, nothing stands in the way of women ascendancy in politics and governance. From that perspective, this paper concludes that El-Rufai appointed many women but failed Rawls' political liberalism test because gender justice cannot depend on what elected executive chooses to do or not to do. Until the 35% gender affirmative action is domesticated statutorily or constitutionally, its implementation would continue to be subject to governmental discretion on gender issues as seen under the leadership of Governor El-Rufai who would have implemented it if he had thought of it.

Recommendations

1. Nigerian Constitution, though not apparently against women in politics, should be reviewed to facilitate the implementation of gender affirmative action policy and also accommodate gender quotas for elective positions.
2. Women in both elective and appointive positions should do their best to convince others that women can do it. They should also be role models to aspiring female politicians.
3. Gender based civil society organizations should not relent in their advocacy.

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