



Women in Law & Leadership

Nigerian Judiciary



PATTERNS | PROGRESS | PROSPECTS

WOMEN IN LAW AND LEADERSHIP: NIGERIAN BENCH

Patterns, Progress, and Prospects



Institute for African Women in Law
African Women in Law and Leadership Initiative



The Institute for African Women in Law (IAWL) is a nonprofit, non-governmental organization established in 2015. It is committed to supporting the formidable works of women in law across the continent of Africa and the Diaspora. Our mission is to be a focal point for addressing issues across the legal and judicial professions. The institute is headquartered in Washington, DC, USA.

This report is a part of IAWL's African Women in Law and Leadership Initiative.

This report is based on research funded by the Bill & Melinda Gates Foundation. The findings and conclusions contained within are those of the authors and do not necessarily reflect the positions or policies of the Bill & Melinda Gates Foundation.

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ACKNOWLEDGMENTS

This research output is part of a four-nation study made possible by the generous support from the Bill & Melinda Gates Foundation (BMGF) initiative on women in law and leadership. We are grateful for the support received from the BMGF team throughout the grantmaking and writing stages. The research was designed by the lead investigator, J. Jarpa Dawuni, Ph.D. We would like to acknowledge the tireless contributions of the Institute for African Women in Law (IAWL) research team consisting of Maame Efua Addadzi-Koom, Esq., Stephen Muthoka Mutie, Ph.D., and Nonhlanhla Hlazo, Ph.D.

This report would not have been possible without the contributions of dedicated in-country consultants. IAWL is grateful for the contributions of Rebecca Badejogbin, Ph.D., Adejoke Oyewunmi, Ph.D., Folake Tafita, Ph.D., and Jane Ezirigwe, Ph.D. We acknowledge the work done by the anonymous peer reviewers who provided input throughout the multiple rounds of editing and peer review.

We extend our special thanks to the female legal professionals who gave us their time and talent for our survey questionnaires and in-depth interviews. Your willingness to share your time and insights from your lived experience made this report possible.

We are thankful for the support from all the government officials, institutional heads, and statisticians who helped us with our data sourcing.

We are forever indebted to the women in law who keep pushing forward, against all odds, to be heard, seen and acknowledged for their contributions to their institutions, even if they are not rewarded with the leadership roles they deserve.

FOREWORD

A host of intersectional identities influences female judges' promotion in Nigeria. Among these, the most systemic barriers are indigeneity, the Federal Character Principle, and geographic location. A woman qualified for promotion in the federal judiciary may stagnate because she is not an indigenous citizen of the region or state she serves. This systemic barrier means that before a woman pursues a judicial career, she must first figure out which location will best advance her progression – a barrier exacerbated by the Nigerian culture where a woman, when married, is more likely to relocate to her husband's region or state. This report delves into the nuances of this barrier and other barriers women face in leadership within Nigeria's judiciary. It paints a realistic and representative picture of how female judges experience each identified barrier by centering the women's voices. It further portrays the factors that hinder women's entry into the judiciary and those that create leakages along the leadership pipeline leading to attrition.

The report also offers solutions to the named barriers. I find it striking that the recommendations intended to facilitate female judges' promotion are classified for each stakeholder group – institutional gatekeepers, policymakers, funding agencies and female lawyers. In this form, there is no confusion about who is to do what. Each reader will be sure of the role to play in supporting women's ascent to judicial leadership.

The Institute for African Women in Law (IAWL) has done a remarkable job commissioning this research and compiling this report. It is up to date with the times by noting the changing needs of female judges in Nigeria. I recommend that all judges – female and male – read this insightful report because there is a lot to learn and unlearn. I also call on all the relevant stakeholders to get a copy of the report to digest the information and proposals therein. IAWL has taken an important first step: documenting the problems and recommending promotion facilitators. What remains is to implement the recommendations made. I look forward to seeing a transformed Nigerian judiciary with gender parity in its leadership.

Hon. Justice Aloma Mariam Mukhtar, GCON
First Female Chief Justice of Nigeria.

FOREWORD

When I started researching African women in law in 2015, I was frustrated by what I have consistently characterized as the arid desert of information on the topic. As my research continued, I likened seeking literature to the proverbial search for a needle in a haystack. The challenge was enormous, but rather than give up, I decided to make it my mission to build this field of knowledge. This mission led to my co-edited book, *Gender and the Judiciary in Africa: From Obscurity to Parity?* (Routledge, 2016), the first book to cover the topic of gender and judging in the African context. Its success spurred me on and inspired the second book, *International Courts and the African Woman Judge: Unveiled Narratives* (Routledge, 2018), which used the power of oral narratives to center the experiences, achievements, and challenges of African women who had served on international courts and tribunals. Other books followed, which included the World Bank project *Gender and Judging in Africa: Selected Studies* (Routledge, 2021) and *Intersectionality and Women's Access to Justice in Africa* (Rowman and Littlefield, 2022).

The first two books brought two major findings to my attention –the paucity of research on African women in law, and the challenges they face in accessing training and leadership skills, contributing to their underrepresentation in leadership. These two findings led me to merge scholarship with activism to address these challenges. The Institute for African Women in Law (IAWL) was born from my passion for women's empowerment and research. By concentrating on its four main goals, IAWL has positioned itself as a leader in promoting women's development through research, training, mentoring, and advocacy. Today, IAWL is a leading hub for research on African women in law through an exhaustive digital archive that includes research reports, women's narratives, and a Legacy Project on the subject.

This report forms part of the four-nation priority countries of Nigeria, Kenya, Senegal, and South Africa; a series of reports under the IAWL-commissioned Women's Excellence in Law and Leadership (WELL) Initiative. The overarching goals of these reports are to examine women's access to positions of leadership in the legal professions; review their retention and intersectional challenges and barriers that lead to attrition from the profession; and provide recommendations on interventions that can promote and facilitate their representation in leadership roles, with the goal of meeting UN SDG #5 on gender equality. The initiative provides a blueprint and recommendations for interventions by policymakers, gatekeepers within the profession, civil society organizations, bar associations, judicial authorities, funding agencies, and other bodies interested in promoting women's leadership in law.

This report highlights the need for more research on several questions about women in law in Africa. I am hopeful that more investments will be directed toward providing empirically rich and theoretically grounded research, as seen in this report. Beyond research, what is needed is a comprehensive portal of current data on women in the legal professions across Africa—a project that IAWL is already spearheading. I hope this report provides glimpses of hope that the problems women in law face can be addressed by adopting the multipronged approaches.

FOREWORD

To borrow from popular parlance—*you cannot fix a problem if you cannot measure it*. I invite you to support our continued efforts in amplifying women's voices in law and enhancing their capacity for positive societal change and development. Thank you.

J. Jarpa Dawuni, Esq., Ph.D.
Executive Director
Institute for African Women in Law

LIST OF ACRONYMS

CJN	Chief Justice of Nigeria
FCC	Federal Capital commission
FCT	Federal Capital Territory
FGD	Focus Group Discussions
IAWL	Institute for African Women in Law
IDI	In-depth Interviews
JSC	Judicial Service Commission
NBAWF	Nigeria Bar Association Women Forum
NGP	National Gender Policy
NJC	National Judicial Commission
SC	Supreme Court

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Executive Summary

The legal system plays a unique role in addressing gender-based discrimination. Therefore, women must be well-represented in the legal sector. Based on their unique perspectives, women's participation and leadership in the justice system can play a valuable role in achieving the United Nations Sustainable Development Goals (SDGs), specifically #5 on gender equality. This goal can be achieved by ensuring that women's specific interests and priorities are represented in decision-making processes. The mere presence of women in a legal decision-making role can counteract actual bias and perceptions of gender bias. For this reason, it is critical to document the existing quantitative and qualitative data that identifies women's representation in the legal profession in general and analyze it to assess the points of attrition in the pipeline, barriers to retention, facilitators of promotion, and progress and trends over time.

Women's representation in the legal sector is crucial because of the legal system's unique role in addressing gender-based discrimination. Based on their unique perspectives, women's participation and leadership in the justice system can play a valuable role in achieving the United Nations Sustainable Development Goals (SDG), specifically goal number 5 on gender equality, by ensuring the specific interests and priorities of women are represented in decision-making processes. The mere presence of women in a legal decision-making role can counteract both actual bias and perceptions of gender bias. For this reason, it is critical to document the existing quantitative and qualitative data that identifies women's representation in the legal profession in general, with a synthesis of data to assess the points of attrition in the pipeline, barriers to retention, facilitators of promotion, and progress and trends over time.

This report adds to the thin literature on women's leadership in the legal sector across Africa. It serves as a foundation for a better understanding of the dynamics of gender inequality and obstacles that impact the retention and advancement of women to leadership in the legal profession – the bar, bench, and the academy – in four countries, including Nigeria. The report adopts intersectionality as the theoretical framework. This theory explains the nature of the multiple social categories, identities, and contexts that influence women's ascent to leadership in Nigeria's judiciary.

Data for this report were collected through a mixed-methods approach. The researchers used qualitative and quantitative methods, including online surveys, in-depth interviews, and focus group discussions (FGDs). The in-depth interviews focused on eliciting responses related to personal and lived experiences, and the FGDs focused on the dynamics of appointment, retention, and promotion. Participants and respondents were drawn from different parts of Nigeria, which consists of 36 states and the Federal Capital Territory (FCT). The 36 states are subdivided into six geopolitical zones to reflect the sociocultural groups in the country.

Using the purposive sampling method, one state from each zone was chosen to reflect the sociocultural composition of the country and provide the needed representation in the sample for easy generalization. Oyo state was selected from the South-West, Enugu State from the South-East, and Edo State from the South. Sokoto State was selected from the North-West, Kwara State from the North-Central, and Bornu State from the North-East.

By combining the rich qualitative responses from interviews with the quantitative data, the report provides a broad overview of women's underrepresentation in leadership. The findings from this study highlight the impact of intersectional challenges and key barriers to women's rise to leadership. These challenges affect the entire pipeline, leading to low retention in the judiciary and high attrition from the leadership pipeline.

	The major challenges and barriers identified include:
	Women's challenges with balancing work and family life
	Gender discrimination and bias against women
	Lack of mentorship and support systems for female judges
	The limiting effect intersecting federal character and indigeneity requirements for promotion
	The quest for perfection from women and caseloads leading to burnout
	The limited number of women in the highest leadership positions at the various judiciary levels and in certain geographic parts of Nigeria
	The negative implications of COVID-19 on female judges



Using action-oriented and solution-driven approaches, the study draws on suggestions from the study participants, and the research analyses, to provide robust suggestions and recommendations on interventions that can lead to positive outcomes for women.

	These facilitators of women's promotion to leadership and recommendations for supporting women in leadership include:
	Consider court performance and quality of judgments as criteria for appointments
	Judicial postings should consider the judges' locations and not post female judges too far away from their families
	Provide better incentives and conditions of service, such as flexible working conditions
	Encourage all judges (including male judges) to mentor female judges
	Give allowances to women, especially those of childbearing age, and a crèche and/or reasonable maternity
	The National Assembly should remove all reference to indigeneity from the Constitution or consider amending the constitutional requirement to ensure that spouses of indigenes automatically assume residency status and become indigenes too if they live, work, and pay taxes in the area for a minimum of 15 years.
	Philanthropic agencies, foundations, and democratic development agencies should provide funding to support female judges through mentoring, capacity-building programs, and leadership training.
	Female judges should build wide and strong networks of their colleagues, both women and men, that will support their leadership ambitions

Despite the challenges and barriers, women in the Nigerian judiciary are forging ahead. The findings from this study indicate the need to use multi-pronged approaches to address the intersectional challenges women face in the judiciary. These solutions will require key actors and actions from the government, legal professional organizations, civil society actors, women's groups, and male allies in the profession. The role of philanthropic organizations and governmental funding agencies is vital in pushing the UN SDG goal # 5 forward to provide women equal and complete access to decision-making.

The report's findings indicate the need for more research and data collection on women in the judiciary and investment in relevant leadership-boosting initiatives because of the significant role of the judiciary in upending discriminatory practices.

1 | INTRODUCTION



In most parts of the world, women's life and status are conditioned by culture and are usually regarded as inferior to men. This cultural disposition is the foundation from which women have suffered a range of discriminatory practices in the cultural, social, and religious spheres. Nigeria is no exception. However, in most traditional Nigerian societies, women were not necessarily confined to the domestic space, although some forms of discrimination existed. Colonialism brought and amplified discriminatory practices by imposing Victorian ideas of the proper role of women. As a result, women were largely confined to domestic activities and the private sphere. Women also had to contend with the marked disparity in access to education. For example, most women who tried to get better found themselves in typically female jobs, such as nursing, primary school teaching and secretarial work. They were alienated from centers of power and leadership positions.

Given the peculiar manner in which the legal profession was introduced and developed in Nigeria, women did not face resistance in entrance as women in most parts of the Global North. The first women faced discrimination from clients, and the public rather than colleagues, and their advancement was not hampered by their gender. Progression and advancement were, and continue to be based on seniority at the bar. Every lawyer is bound to acknowledge their seniors, regardless of gender. In postcolonial Nigeria, as society became increasingly polarized across ethnic and religious lines, discriminatory practices eventually arose against women's advancement to leadership in the judicial establishment.

This report is a study of women in the Nigerian judiciary. It explores women's strides, focusing on identifying and assessing how intersectional factors, such as gender, social status, ethnicity, religion, and experience, have impacted their progression and representation in leadership positions.

The findings reveal that women have attained leadership roles across Nigeria's judiciary since the 1990s, catalyzed by the appointment of Mariam Aloma Mukhtar as the first woman chief justice in 2012. Despite this appointment, the advancement of women in the judiciary was not consolidated; they are still underrepresented in leadership. Female judges are vehemently against quotas and affirmative action to increase their representation in the superior courts. They firmly believe that the system of promotion has been fair to women.

Beyond gender, dynamics such as ethnicity and geopolitical representation serve as barriers to women's advancement.

The report is divided into the following sections. Section two contains a literature review. Section three presents the theoretical framework and findings of the study. Section four outlines the methodology. Section five discusses the findings on women's entry, retention and promotion; barriers, attrition, and challenges; the impact of COVID-19 on women; and the facilitators of promotion and recommendations. Section six concludes the report.



2

WOMEN IN THE NIGERIAN JUDICIARY: A REVIEW



Nigeria operates a pluralistic legal system characterized by the fusion of customary law, religious (Sharia) law, and the common-law system inherited from the British. Before the colonial administration imposed its legal system, adjudication of disputes and delivery of justice still occurred in the geographical space that became Nigeria. Disputes were resolved by traditional heads and rulers, who were charged with maintaining peaceful coexistence in their communities (Uzebu-Imarhiagbe, 2018, p. 121). Unlike the present system, where power is managed and shared by the three arms of government—executive, legislature, and judiciary—governance was fused and had a level of fluidity in all three functions. Rulers were assisted by councils, which were the same for administrative and judicial purposes. In many pre-colonial Nigerian societies, women were members of these councils, sometimes even the heads. Evidence from these societies suggests that women were actively involved as adjudicators (Uzebu-Imarhiagbe, 2018).

However, as the interactions between Europeans and indigenous societies increased in the 19th century, the indigenous judicial structures became inadequate to resolve disputes that naturally arose with Europeans, leading to the imposition of the English legal system. The legal profession developed slowly, largely because of the dearth of qualified lawyers (Uzebu-Imarhiagbe, 2020a, p. 515). The qualification to practice in the newly established English courts was admission to the English, Irish, or Scottish bar or having served five years continuously in the office of a practicing barrister or solicitor residing within the jurisdiction of the Supreme Court (SC). When this failed to solve the shortage, it empowered the chief justice of the SC to admit “fit and proper persons” with basic education and some knowledge of English law for a renewable six-month term. This provision allowed non-lawyers, who became popularly known as “self-taught attorneys,” to practice law (Uzebu-Imarhiagbe, 2020b). Given the peculiar environment in which the legal profession developed, it was fused, making no distinction between barristers and solicitors. All the lawyers admitted to practice in this early period were men (Uzebu, 2018, p. 23).

Qualified legal practitioners started making inroads as early as the 1880s, and by 1913, the self-taught attorneys had been phased out. However, it was not until 1935 that the first woman—Stella Jane Thomas Marke—was enrolled as a lawyer (Uzebu, 2018, p. 24).

Law was one of many professions open to educated elites in colonial Nigeria; it offered brighter career prospects than most. However, it was expensive to attain, as one requirement was a qualification in the United Kingdom as a barrister or solicitor in one of the Inns of Court. This requirement created a class and a gendered impact, as only those with the financial capability could afford to travel for higher education. Women were primarily excluded in the few instances where the colonial administration provided educational opportunities (Dawuni, 2020, p. 5). Nevertheless, the law remained an attractive profession to Nigerians who could afford the cost. A lawyer could earn a living independent of the colonial government and enjoy a measure of freedom denied to other professionals. The conspicuous role of lawyers in challenging the colonial status quo also enhanced the appeal. During the colonial period, it was the only profession where educated Africans could act as equals to the colonialists (Uzebu-Imarhiagbe, 2020a, p. 515–518).

As a result, the practice of law was severely circumscribed. Colonial administrators regarded lawyers as a threat to the stability and peaceful operation of the state. With the phenomenal increase in the number of enrolled legal practitioners after the Second World War, greater interest was expressed in law as national consciousness intensified during the decolonization struggle. The judiciary, dominated and controlled by the colonialists, was seen as a stronghold of oppression. The agitations of educated Nigerians, with legal practitioners at the forefront, elicited changes in the official attitude, leading to legal and judicial appointments of indigenous lawyers. The judiciary was one of the first government departments to be “indigenized” or “Nigerianized.” After independence, as most foreign barristers gradually left, the profession became more and more representative of the population (Uzebu-Imarhiagbe, 2020a, p. 518–520).

For a country with a presidential system of government, the judiciary is one of three branches (Uzebu, 2018). As an arbiter of justice, it allows each citizen to have their grievances heard and adjudicated. This process of settling disputes and controversies through access to court and dispensing justice to all without fear or favor places judges in leadership roles in society (Uzebu, 2018, p. 23). Having more women on the bench can mean creating pathways for more women to leadership positions in the judiciary. In Nigeria, judicial powers are vested in state and federal courts (Ibrahim, 2016). Judges in all courts are highly regarded. Rising from a lower to a high court or being appointed a high court judge is very prestigious and seen as the apex of one's career (Uzebu-Imarhiagbe, 2020a; 2020b). This sense of prestige may also lead to the exclusion of women from leadership positions, given the sociocultural norms that privilege men as societal leaders.

In the first and second decades of the 21st century, the list of female chief justices across Africa began increasing steadily (Dawuni & Kang, 2015). As early as 1995, Nigeria made history by appointing a woman, Rosaline Ajoke Omotosho, as the chief judge of the Lagos State judiciary. By the time Nigeria appointed its first female chief justice, the number of female judges in most state judiciaries was inching toward parity. Most had women as chief judges, even in the conservative states in the North (Ibrahim, 2016, p. 69).

In Lagos State, for example, women have been chief judges since 1995. It was only in 2019 that a male judge broke the dominance of female judges in Lagos, and he has a number of female judges behind him, so he will most likely be succeeded by another woman (Nwannekanma & Daniel, 2019). Monica Dongban-Mensem was appointed the president of the penultimate appellate court (the Court of Appeal) in 2020. She was preceded by another female judge—Zainabu Adamu (2014–2020).

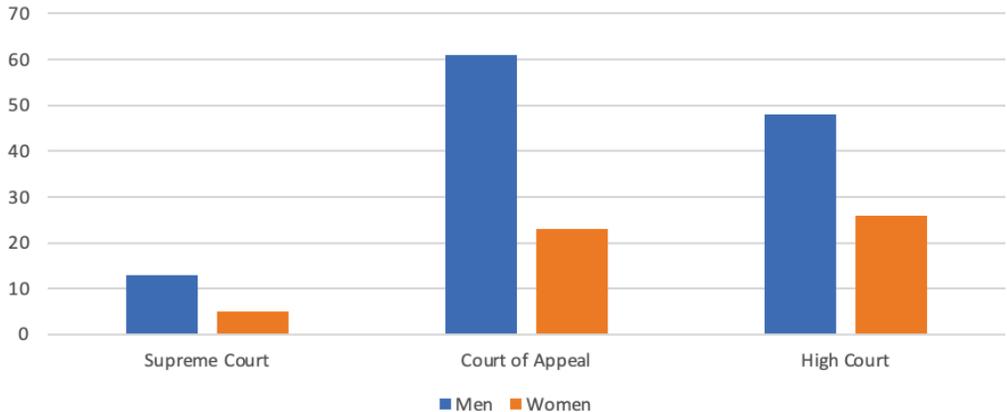
Uzebu-Imarhiagbe (2020a; 2020c) revealed that women did not attain their symbolic representation in the Nigerian judiciary through any deliberate policy by the government but as a result of women choosing to pursue a career on the bench or in government service rather than in active private legal practice. Women sacrificed the fame and wealth of private practice and accepted the stigma of being viewed as unsuccessful to achieve work-life balance. This sacrifice eventually paid off when the lower benches and the government's Ministry of Justice became a fairly established pipeline for judges from the 1980s onward (Uzebu-Imarhiagbe, 2020, p. 178, 180–181). Women appointed as judges were equally qualified, and some even had more experience than their predecessors (Dawuni & Kang, 2015).

Although seniority merit is a primary consideration that guides the selection of candidates for appointment to the SC from among serving judges, a complementary equity criterion to ensure diversity is also applied (Ukhuegbe, 2012). For most of the history of the SC, this criterion was limited to ensuring a broad national representation so that the court would not be seen as simply an organ representing the interests of the central government or some section of the country (Ukhuegbe, 2012). This position is supported by Ibrahim (2016, p. 68), who posited that appointment to federal courts takes into consideration the candidate's region. Ukhuegbe also postulated that gender diversity might be an emerging norm. Dawuni and Kang (2015, p. 59) asserted that rather than gender diversity, Mukhtar seems to have benefited from the seniority principle.

These gains notwithstanding, women's numerical growth in state judiciaries is yet to be seen in the federal judiciary. In 2018, the federal judiciary had 705 men to 286 women (29%). In the high courts, male judges were 581 (72%) and women 230 (28%) (Statista 2022). In 2020, the statistics for judicial officers in the SC, Court of Appeal, and National Industrial Court were 66 women (32%) and 138 men (68%) (National Bureau of Statistics, 2022). By the first quarter of 2022, women were five (28%) out of 13 SC justices, 23 (27%) out of 61 Court of Appeal judges, and 26 (35%) out of 74 Federal High Court judges, which mostly falls below the 35% representation formulated in the National Gender Policy (NGP) in Nigeria since 2006.



Figure 1: | The number of male and female judicial officers in federal courts, 2022



Source: Data compiled from the Office of the Chief Registrar of each federal court, 2022

Nigeria, as a member of the United Nations, signed and ratified various international instruments, treaties, and conventions that emphasized that member nations put in place all necessary mechanisms needed to eliminate gender-based discriminations and attain gender parity in leadership positions. This international obligation led to the NGP, which promotes affirmative action to help eliminate all barriers to the full participation of women in national development (National Gender Policy Situation Analysis, 2006). Since the first female chief justice retired in 2014, Nigeria has yet to appoint another, making this report a valid contribution to the issue of women in leadership in the Nigerian judiciary. This report evaluates the points of attrition in the pipeline, barriers to retention, facilitators of promotion, and progress and trends. It also identifies gaps in studies and provides current empirical evidence that will serve as a foundation for a better understanding of the dynamics of gender inequality and obstacles that impact the retention and advancement of women.



3

THEORETICAL FRAMEWORK



To understand the nuanced experiences of Nigerian women in the legal academy; this research draws on the intersectionality theory. This theory was initially conceptualized by black feminist scholars in the United States to explain the multiple ways black women experience racism and other forms of discrimination. Black feminist and socio-legal scholar, Kimberlé Crenshaw (1991), popularized the theory. Its aim is to explain how the discrimination and exclusion Black women experience do not capture the varied ways in which their gender intersects with other factors, such as race, class and sexual identity, to produce multiple disadvantages (Carbado, Crenshaw, Mays, & Tomlinson, 2013).

To understand the nuanced experiences of Nigerian women in the judiciary, this study adopts the intersectionality theory. This theory was originally conceptualized by black feminist scholars in the United States as a tool to understand the complexities of multiple oppressions from a race and gender perspective within the American context (Crenshaw, 1991). It has been embraced and utilized in numerous disciplines, making it a conceptual and methodological instrument well-disposed to interdisciplinary research. Although intersectionality is demonstrably interdisciplinary, “it is important to conceptualize it within the context it is used to theorize rather than cutting and pasting its conceptualizations from other frameworks in other contexts that do not share the same social, political, economic and religious structures” (Mohammed, 2022, p. 6). Intersectionality provides a legitimate theoretical tool to analyze the historical, political, economic, educational, religious, social, and cultural distinctions that affect women's ascension to judicial offices in Nigeria.

The North and South have broad differences that have become a historical, political, and religious reality. Several factors account for these differences, the most prominent being economy, education, and religion. The North has the least education and development and is also highly impoverished. The Christian and Muslim populations are roughly equal, with the North being predominantly Muslim and the South, Christian. The South is far richer and has better socioeconomic indicators (Dapel, 2018). It is home to the country's commercial and media capital and extensive oil reserves. In the North, conversely, de-industrialization and lack of investment in agriculture and infrastructure have led to the decline of its economy, and a tiny percentage of its population has access to education (Campbell, 2011).

Given this economic and social imbalance between the South and the North, the theory of intersectionality helps us to understand how interconnected identities, interests, and opportunities impact the advancement of female judges who embody these different identities and locales. Having a woman on the bench is intersectional, given that she has to navigate several identity markers that characterize women, including gender, ethnicity, state of origin, access to education, socioeconomic status, and religion. Within the judiciary, therefore, the lived experiences and expectations of female judges in the North will be different from those from the South. Thus, in this report the intersectionality theory explores the implications of the peculiar nature of the multiethnic and multicultural environment for women's judicial career progression.



4 | METHODOLOGY



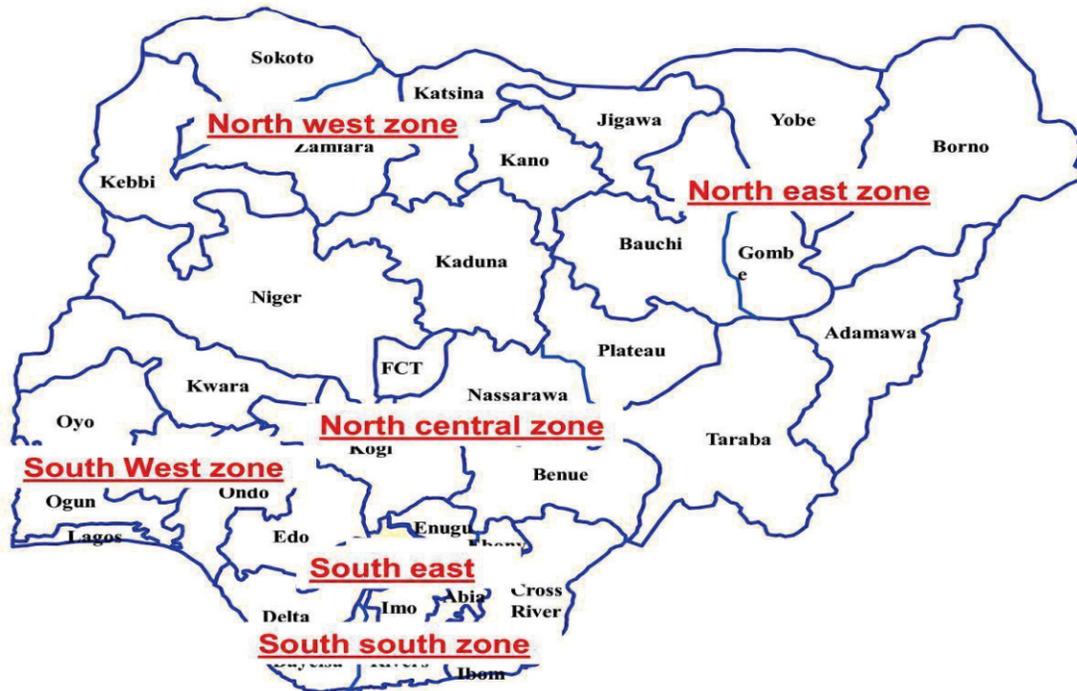
This exploratory and descriptive report utilized mixed methods, including an online survey design, and in-depth interviews (IDIs). Attempts to use focus group discussions (FGDs) for the judges, similar to the reports on the bar and the academy, were not successful because of the private nature of the judicial work. The IDIs focused on eliciting responses related to personal and lived experiences, and the dynamics of appointment, retention, and promotion. The responses and data gathered are described and evaluated, focusing on points of attrition, barriers, promoters, progress, and trends about female judges, career progression, and leadership pursuits.

A comprehensive desktop review of African scholars' work on female judges in Nigeria was also undertaken. It established the gaps in the research and provided a contextual background for the report. The findings from the literature, the survey, and the data generated were analyzed and evaluated in light of the literature on gender and the judiciary in Nigeria.

Participants and respondents were drawn from different parts of Nigeria, which consists of 36 states and the Federal Capital Territory (FCT). The 36 states are subdivided into six geopolitical zones to reflect the sociocultural groups in the country. One state from each zone was selected to reflect the sociocultural composition of the country and provide the needed representation in the sample for easy generalization. These states were chosen to gather both qualitative and quantitative data. The six states were purposively sampled based on several criteria. One, they have a federal university; two, they have functional and vibrant Nigerian Bar Association branches; and three, the statutory agencies/organizations needed for the study are located in these states. Oyo state was selected from the South-West, Enugu State from the South-East, and Edo State from the South. Sokoto State was selected from the North-West, Kwara State from the North-Central, and Bornu State from the North-East.

This study drew respondents from six focus areas in each state, bearing in mind the intersectional diversity of age, experience, and ethnicity. Lagos State and the FCT were included because the FCT houses the headquarters of the appellate courts, the Federal High Court, the SC, and other relevant federal government agencies. Moreover, Lagos State has the headquarters of most financial institutions that are the focus of corporate practice. Therefore, these two locations were a rich data source from individual interviews and FGDs.

Figure 2 | Map of Nigeria showing the six geopolitical zones



Source: <https://maps-nigeria.com/map-of-nigeria-showing-the-six-geopolitical-zones>

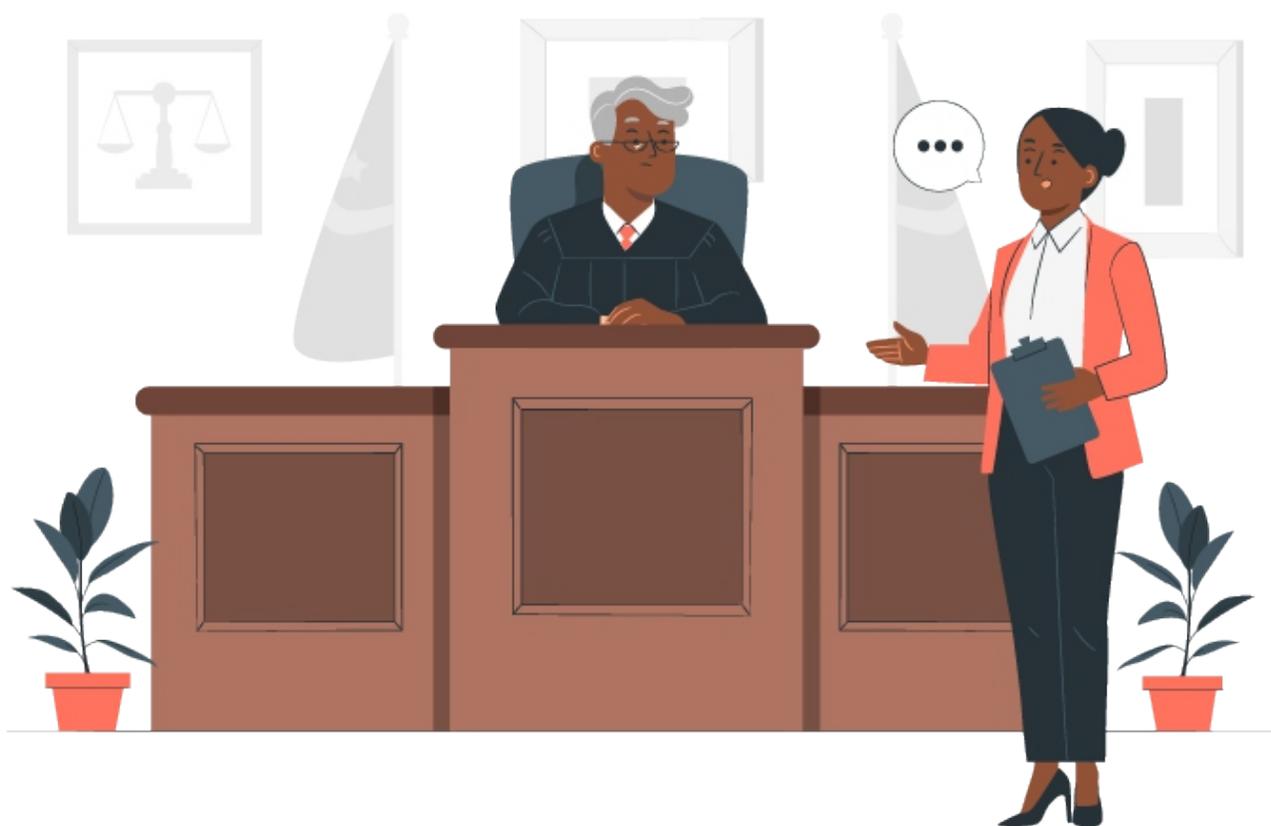
An online survey questionnaire was developed and administered to generate the quantitative data. The survey link was widely shared among professional online platforms in different areas of the legal profession.

Respondents were recruited by sending letters to the heads of the respective institutions, who recommended women we could interview. In some instances, the research team leveraged existing contacts and reached out directly to women at the senior levels. The surveys, interviews, and data collection were conducted between January 15, 2022, and March 8, 2022. An interview guide, comprising different questions for different participant subgroups, was developed as the data collection tool. The same topics and questions were used for the individual interviews and the FGDs for each group to allow data triangulation and check for validity.

Quantitative and qualitative data were sourced for this report. As a result, different analytical tools were used. The built-in descriptive statistical tool in Google Forms was used for the quantitative survey data. The qualitative data gathered through interviews were analyzed using a thematic approach, suggesting several themes systematically used to present the data in the findings section.

Respondents voluntarily participated in the survey. Their anonymity was maintained by not identifying their names, email, phone numbers, or contact addresses. The respondents were assured anonymity at the beginning of the survey and interview. This assurance was written in the introductory information for the survey. The respondents were also informed about the aim and objectives of the study and that their responses would be used strictly for research purposes.

The study sample had some limitations. First, 33 judges were interviewed from the six geopolitical zones. Out of the 449 respondents on the general survey for the research on women lawyers, judges and academics, judges represented 9.2% of the sample size. The difficulties encountered in reaching a sample larger than 33 include the prevailing Covid-19 stay-at-home rules that limited human contact and the challenges of finding judges willing to discuss their working conditions. To address the Covid-19 challenges, the research team used technology—zoom and google meet to conduct some of the interviews, but the high level of privacy that judges exercise made it impossible to get some informants to agree to use Zoom. For others who agreed to be interviewed over Zoom, the challenge of accessibility to stable wifi and electricity proved problematic for some research team members. To supplement the small sample size, the report draws heavily from existing research on women judges in Nigeria and Africa broadly to support the findings from the current study.





FINDINGS



5

ENTRY, RETENTION AND PROMOTION OF WOMEN IN THE JUDICIARY



Ibrahim's (2016, p. 76) pioneer work on female judges in Nigeria argues that we must consider the role of female judges in Nigeria's pre- and postcolonial history. With this in mind, this section begins by examining the entry and position of women in pre-colonial Nigerian judiciaries. It focuses on women with their lives, character, values, behavior, dress, and attitude guided by laws and taboos meant to check their excesses and render them subordinate to men (Ebuka-Onuoha, 2018, p. 145).

Women were not excluded from the judicial process in pre-colonial Nigeria. Although the political scene was male-dominated, women sometimes played major roles. Certain specific duties assigned to women required them to participate fully in the judicial administration of their communities (Uzebu-Imarhiagbe, 2018, p. 124–125). In Yoruba land, the *lyalode* (literally meaning the mother or senior woman in the public sphere) was at the top of the female chiefs and the representative of all women in the official sphere. She held a court to which disputes concerning traders and commodity groups in the market were referred. She sat as judge and arbitrated disputes between women and between husbands and wives. Her judgments were upheld in the markets, and her court had jurisdiction over women imprisoned for theft, malfeasance in trade, and marital offenses (Uzebu-Imarhiagbe, 2018, p. 129–130).

In the Benin kingdom, in present-day Midwestern Nigeria, Queen Idia, the mother of King Esigie (16th century), is credited with successfully leading her army to war against the invading army of the Attah of Idah. As the first *lyoba* (queen mother) of Benin, she had her own palace at Uselu, conferred titles, and adjudicated in certain cases at Uselu. Benin also has a tradition where a woman is chosen to represent the interests of traders in a particular market, and the title “*lya gb*” is bestowed on her. She also organizes women in the market, sets down the rules of engagement, resolves minor disputes between market women, and can sanction or fine anyone who violates the rules of engagement in the marketplace. In most riverine Igbo communities and among the Anioma people of Nigeria, the title of “Omu” is conferred on women who have made remarkable contributions to their society's social, economic, and political well-being. The Omu is the chairman of the Council of Mothers and the official queen; she is not the king's wife but reigns alongside him. Her duty is to advise and assist him in settling disputes in town, especially among women. The Omu also looks after the market and is responsible for adjudicating disputes and maintaining order there (Uzebu-Imarhiagbe, 2018, p. 130–137).

In many societies, women's precolonial participation in the judicatory process may have contributed to the positive perception of their legitimacy as judicial officers in colonial and postcolonial Nigeria. In Africa, many countries were impacted by the colonial policy of supplanting existing social, economic, and educational structures with European expectations of a proper middle-class woman's role and place. This colonial policy contributed to the late entrance of women into the legal profession across Africa. Nigeria is the first Black African country to admit a woman to its bar and the first in Africa to appoint women to judicial positions. Stella Marke became the first Black African female lawyer; barely eight years into her call to the bar, she became a magistrate in the colonial judiciary, making Nigeria the first country in sub-Saharan Africa to appoint a woman (Dawuni, 2020, p. 5; Uzebu-Imarhiagbe, 2020, p. 177–178).

5.1. Entry requirements: The role of gatekeepers

The legal profession has always been cautious about protecting its reputation and monopoly on its services by limiting the number of those admitted to practice based on class and gender. Until recently, studies on women in the Nigerian legal profession often took for granted that, in the United Kingdom, the profession grew and was nurtured as one for learned gentlemen. Women were expressly denied admission into the bar (Uzebu, 2018, p. 23). It was only after the removal of the Sex Disqualification Act of 1919 in the United Kingdom that women were officially allowed to practice law. Parliament forced the Inns of Court to admit women (Malleon, 2003, p. 175; Dawuni, 2020, p. 5). This situation may have contributed to the late entrance of women into the Nigerian bar (Uzebu, 2018, p. 27), despite the peculiar historical trajectory of the legal profession in Nigeria (Uzebu-Imarhiagbe, 2020a), meaning that women were not prevented from entering the legal profession (Uzebu-Imarhiagbe, 2020b). The story of the Nigerian female judge is quite different from that of female judges in the West and female judges in countries across Africa, where gender segregation in access to education and gendered customary beliefs and practices invariably delayed the feminization of the legal profession and judiciary (Dawuni, 2020, p. 5).

Before Dawuni and Kang's (2015) exploratory study on the rise of female chief justices in Africa, there was no scholarship on female judges and leadership in Nigeria. In their study, Dawuni and Kang (2015) examined the factors explaining the advancement of women to top positions across Africa. They argued that female judges in leadership positions in common-law countries appear to be as qualified as their male counterparts. Nigeria's first female chief justice had over 40 years of experience when she was appointed. She was called to the bar in 1967; her predecessor was called in 1968 (Dawuni & Kang, 2015, p. 55). Another pioneering study by Bauer and Dawuni (2016) records the strides, approaches, challenges, and gaps in attaining gender balance in the judiciary in Africa, focusing on nine countries, including Nigeria, as case studies. Ibrahim (2016), in that volume, examined the participation of Nigerian female judges and their contribution to the bench locally and internationally.

Ibrahim (2016, p. 68) revealed that female judges have increased, and these achievements “are especially meaningful given the lack of written laws or formal policies prescribing preferential treatment toward women.”

Dawuni and Masengu (2020) conducted a comparative evaluation of the Nigerian and Zambian judicial appointment processes, focusing on the federal superior courts, which have a uniform appointment process set out in the federal Constitution and other applicable rules. They observed that, despite the absence of a quota or affirmative action policy in Nigeria, women continue to prove themselves capable and qualified.

Although the criteria for appointing Nigerian judges are constitutionally set uniformly for men and women, other subjective considerations are at play. These include the effect of different court systems, educational achievements, connections to gatekeepers, and the federal character (North/South balance) principle, which sacrifices merit on the altar of national inclusion (the unqualified are promoted or awarded a slot in sensitive national projects). The intersection of culture and gender affected women differently, with the greatest amount of gender diversity attained in southern Nigeria (Ibrahim, 2016, p. 68). As great as these achievements may be in the South, they are not realized across all regions. A study on the judiciary in Bayelsa State found that, although more women were on the lower bench as magistrates, the higher bench (the High Court and Customary Court of Appeal) was mostly men (Ateboh-Briggs & Wosowei, 2017). This gender distribution raises issues of gender bias and stagnancy in the judiciary.

Considering the heterogeneity and complex historical and geographical differences in Nigeria, further research is needed to analyze the historical and structural contexts for female judges' successes and setbacks (Ibrahim, 2016, p. 76). An inquiry must be made into not only the statistics but also the court structures and hierarchy, and judicial appointment in the context of sociocultural changes and experiences. Uzebu-Imarhiagbe (2020b) and Uzebu (2018) studied female judges, historicizing the entrance of women into the legal profession and the judiciary; the results support the findings of Ibrahim (2016) on the increase in Nigeria. These works shed light on how female legal practitioners in the South fared differently from their counterparts in the North. They explain the factors responsible for the reception of female lawyers and how their chosen career trajectories eventually placed them in the pipeline for judicial appointments.

5.2. Entry requirements: The role of personal agency

The court appointment process also depends on the type of court and the position. Considering that this report focuses on women, a detailed discussion of the entry and appointment requirements is beyond its scope. The process of women entering the judiciary is not different from that of men. It often starts with an advertisement to employ magistrates or judges. In some states, such as Edo, it involves a written examination and interviews for those who pass. It may require security checks, reference checks, and even appearing before the JSC for the higher courts (Dawuni & Masengu, 2019). Most successful women in private practice applied for employment on the lower bench to achieve a work-life balance.

A judge responded:

“

I was in my own firm practicing...we had a lot of briefs...within that year our hands were full... I drove myself to almost all the local government in the state, attending magistrate and high courts and the Court of Appeal...within the first year. ... I had so much work. The work was so overwhelming, and I had a young family then, ... I couldn't handle it, my mind was on my kids ...by the close of that first year in practice, there was this advertisement to employ magistrates in Borno State... in the beginning, I didn't have any interest, but I think one or two people spoke to me and encouraged me to consider taking up an appointment as a magistrate ... the main reason for me applying for this job and leaving my practice is because I want to have time for my parents, my kids, juggle my home affairs and my work.

”

It is not enough to examine how women enter the judiciary; the factors impacting their retention and promotion must also be evaluated. As mentioned, some women choose the judiciary hoping to achieve a work-life balance. In other words, the factors that aid in retention are often tied to the reason for moving to the bench in the first place. Although most judges are past childbearing age, and their children are already grown before they are appointed to the higher benches, the same cannot be said of magistrates. Some magistrates enter the judiciary straight from law school or have a few years of practice. They are still young and have to juggle work, childcare, and marriage. The independence and flexibility the bench offers retains women despite the poor salary and remuneration.

A magistrate has this to say of a female colleague in the judiciary:

“

My colleague at some point did not have a house help and she had to hear a case. She had to carry her baby to the court, with nobody to look after the baby. So, she would leave the baby to the chambers, while sitting in the court. If she heard him [baby crying], she would adjourn the court briefly, go into the chambers and attend to her baby then go back and resume her sitting.

”

5.3. Promotion processes

The promotion process also depends on the type of court and the position. This report limits its analysis to overall trends in the promotion processes and does not examine specific courts. Generally, the judiciary follows a strictly hierarchical structure and a tradition of seniority in promoting judges regardless of gender. All the interviewees from the states investigated agreed that women are promoted based on merit, and the tradition of seniority is strictly adhered to. In other words, women have generally been treated fairly. Respondents from different regions provided their observations on the promotion process.

A judge from a state court noted the focus on seniority:

Promotion is purely by seniority here. They don't even consider who is who here, if it is a man or woman, it is not considered here, or when it comes to the training of judges.

A judge from the federal National Industrial Court in Abuja highlighted the role of seniority and other intersectional factors that could have consequences for women:

Promotion from the High Court to the Appellate Court is open to everybody to apply. There are vacancies in the Court of Appeal and Supreme Court. It all depends on seniority and whether there is a vacancy in your zone. As a woman, you can move if there is a geographical vacancy, if you have the experience, and the number of judgments you have written. There may be other things but what I do know is that in the judiciary, whether you are elevated depends on your experience, merit, and zonal vacancy.

A respondent from a state judiciary noted:

The movement to the management level and promotion is based on hierarchy, and the promotion is smooth without any bias or gender inequalities. The hierarchical structure of the profession ... has really helped to ensure that females in the Kwara State judiciary are not cut off from their entitlement when they are due for promotion.

This fairness in promotion was corroborated by a judge from a northern state (considered a religiously conservative city):

Ascension to leadership roles in the judiciary has been fair to women over the years. I'm not aware of any case where a qualified woman in the judiciary was denied a certain position because of her gender.

Women are attracted to the bench by the opportunities offered by the bench. These include regular working hours (which can aid in work-life balance), independence, flexibility to manage their court as they wish, and regular promotion to the next level without discrimination, bias, or prejudice due to gender.

5.4. Women in leadership

Dawuni and Kang's study (2015) on the rise of women to leadership in judiciaries across Africa found that despite the absence of constitutionally mandated gender quotas in Nigeria, women occupied top judicial positions. The selection method, the type of legal system, and the commitment of gatekeepers were influencing factors. According to limited data on the composition of key positions in the judiciary in Nigeria, National Judicial Officers comprised 705 men and 286 women in 2018 (Statista, 2022).

This report supports the findings of the literature on women in the Nigerian judiciary. Data gathered from interviews and available quantitative data reveals that women are symbolically represented. The majority of respondents commented that the number of women is increasing.

A respondent asserted that the judiciary is mostly female-dominated:

... for instance, when we were appointed in 2014, we had about 14 female judges and six males, even if you look at the list of the judges, on the bench in Enugu state, you will see that it is female-dominated.

Another respondent commented that:

...as far as I know in Kwara State judiciary, women [judges] are more than men. We are mostly given the opportunity to serve at the bench than the men, our men counterparts.

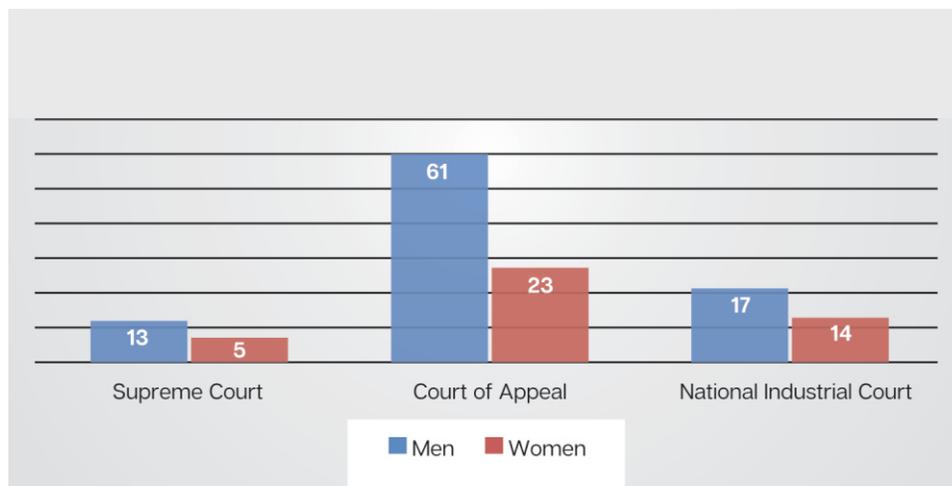
A judge in the Federal High Court, commented that:

There is a high number of women in most judiciaries, perhaps this is because of low salary and allowances received by judges in the country. Men prefer to become Senior Advocates of Nigeria and are in full control of their income this way.

In all the zones investigated, all the respondents believed that women exceeded men in the judiciary, especially on the lower benches. The remark by the high court judge confirms Dawuni's (2020, p. 3) caution that although a cursory observation indicates that women are joining judiciaries in large numbers, the question of location and positionality requires further review.

The exit of men due to poor wages and salaries could leave women to do the hard labor for less pay. Figure 3 below presents data on the ratio of male to female judges in Nigeria's superior courts. In the Court of Appeal and Supreme Court, women make up barely 30%, but they are inching toward parity at 46.2% in the National Industrial Court. Women are fewer than men in all the courts. Still, if the promotion and appointment of women follow Dawuni and Masengu's (2019) recommendations, the number of women in the Supreme Court could increase, with some targeted advocacy and training of women in leadership.

Figure 3 | Ratio of male to female judges in the higher courts in the first quarter of 2022

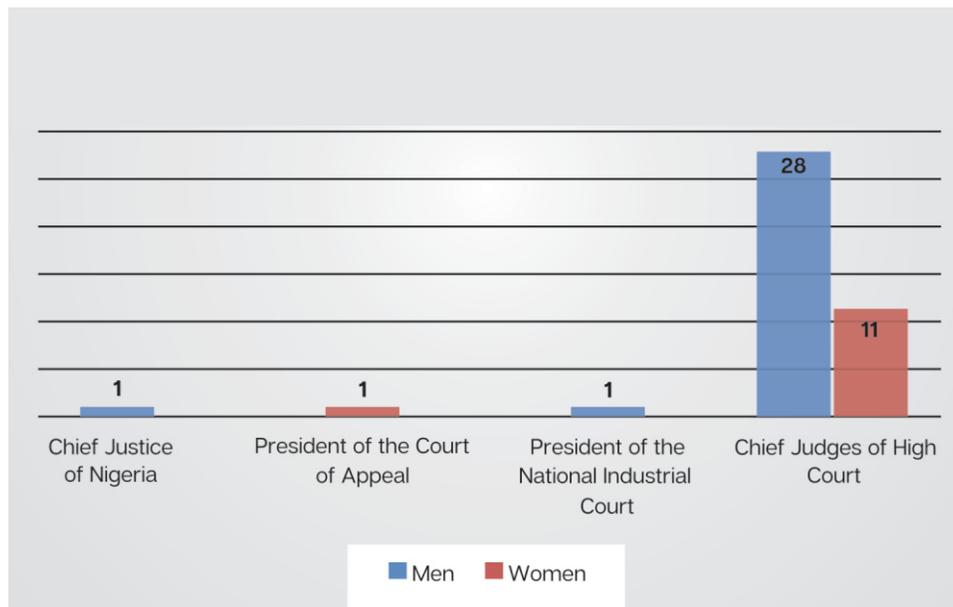


Source: Data compiled from the court registries, 2022

The Supreme Court, Court of Appeal, and National Industrial Court can have only one head at a time. Longitudinal and historical mapping of the leadership of these courts may be needed to fully understand the historical exclusion of women from their leadership, given that only one woman has ever served on the Supreme Court as chief justice and only two have been on the Court of Appeal (Figure 4).



Figure 4 | Ratio of male to female judges in the leadership in courts in Nigeria in the first quarter of 2022



Source: Data compiled from the court registries, 2022

Once again, the high court leadership has more women than the superior courts, showing that women are stagnated at the lower courts. However, this situation offers hope for more women to rise to the higher courts if appointment processes remain open and fair.



6

BARRIERS, ATTRITION AND CHALLENGES WOMEN FACE



Women face several challenges on the bench. Given the numerical increase of female judges, examining the challenges, barriers, and points of attrition is imperative. Although some female judges build up their mental and psychological capacity and find ways to turn their challenges into opportunities, for most, these challenges have become burdens beyond their control (Ibrahim, 2016, p. 73–74).

6.1. Work-life balance

Similar to global trends, one of the greatest challenges women in the legal profession in Nigeria face is achieving a work-life balance. Although most are past childbearing age, they still struggle because of how society perceives women and their caregiving roles. Ibrahim (2016, p. 75), quoting a judge, writes, “I want to stay late in the office to study and to write my judgments because at home, with the children, I am unable to do much,” reflecting the intersectional challenges of being a woman, married, and with children. But these challenges are not limited to women who have children or are actively raising them.

A senior judge, emphasized the challenges of attempting to achieve a balance and the importance of family support:

You have to realize that you are taking on something [being appointed as a judge] that is not going to go well if you don't have an understanding husband. If you don't have family support or a home where at some point in time you can't be seen, and they will distract you with everything else, then you don't venture to go in there. Because I have been working night and day. Now I have a judgment I need to finish, so I haven't slept. So, to see me at home at a time like this is impossible. So, a lot of female judges, if they tell you the emotional trauma they go through if they are married... being a woman, being a judge, if you see all of us that have risen here [on the higher court], we have to surmount so many challenges you can't imagine. You have to lose a lot, where is the time for friends, where is the time for social life, ... it's a service to God that takes everything from you. When you are writing a judgment, and writing it well, it takes your soul.

Some women considered this challenge a cross they must carry. For those with childcare duties, negotiating out of a transfer to remote cities is not always desirable and presents a difficult choice.

One respondent noted:

We were raised not to make excuses with our family. But then, taking myself for instance ... I am in the childbearing stage, I am a magistrate, now I have to go outside the jurisdiction, but I don't really know if there is anything the system can do to help me because it still boils down to me. ...I believe it's really a personal thing, when you set your priorities right, you will get to achieve what you set out to achieve... I can't even think of anything the system can do to assist us because this is ... well I say it's a cross we have found ourselves with, and we have to bear it.

Many female judges have to undergo serious psychological and mental trauma in the home to achieve a work-life balance. Since this matter is not within the public sphere, there are limited options to address the situation. They must excel as wives, mothers, daughters-in-law, sisters-in-law, and model citizens to be considered successful.

A senior judge recounted:

When you are married and doing this job...husbands can use emotional blackmail and abuse ...to bring you down, because that power you have, that confidence that you must have in court, you really can't take it home. You can't! I was in Sokoto for 14 years, you won't believe that I will come home from Court with my orderly and everybody and I will go into the kitchen, because up there you feed communally ... you are feeding 40 to 50 people, and I will cook with firewood and begin to dish out food to serve drivers and security that use to follow me around. ... I have had some judges here, the week they are sworn in, their husbands are marrying another wife. There are millions of ways in which you can put a woman in her place because of that confidence, because of those powers she has. She may not exercise it, but she can exercise it in court. She can't take it home. But they [husbands] still have that idea of, before she [wife] thinks she can come and order me around, let me put her in her place, she is a woman after all, they are very good at it! Every husband knows where the emotional buttons of their wife are.

She alluded to societal perceptions of a woman's place being in the kitchen. She cited the example of a chief magistrate who was sitting in court when her sister-in-law walked in and said they should call her out. When she walked into her chambers, the woman said that she had just bought fish, and the chief magistrate should just go home and prepare the food for her brother. This is the reality of the Nigerian female judge. Many struggle to cope with these issues, and some have to devise coping strategies to remain in the profession. These strategies include putting strong support systems in place. According to a high court judge from Borno State, *“my mother, God bless her! She started to help me with school runs...even my old father who was retired at that time, they were people doing school runs for me.”*

The intersectional challenges of women living with a disability are compounded by the lack of adequate infrastructural arrangements to accommodate their needs, such as ramps, wheelchair-friendly buildings, and Braille facilities. These challenges require an in-depth study to find specific interventions for women living with disabilities who serve as judges.

6.2. Gender discrimination/bias

Generally, discrimination is evident in the legal texts prescribing qualifications for leadership positions, crafted in ways that imply or expect that only men would be candidates. As Dawuni and Kang (2015) observed, Nigerian law provides that “a person shall not be qualified to hold the office of chief justice. . . unless he is qualified to practice as a legal practitioner in Nigeria and has been so qualified for a period of not less than fifteen years” (Constitution of the Federal Republic of Nigeria (1999) (2011) as amended). There is a subtle expectation via the masculine pronoun.

Similarly, the Legal Practitioners Act provides that:

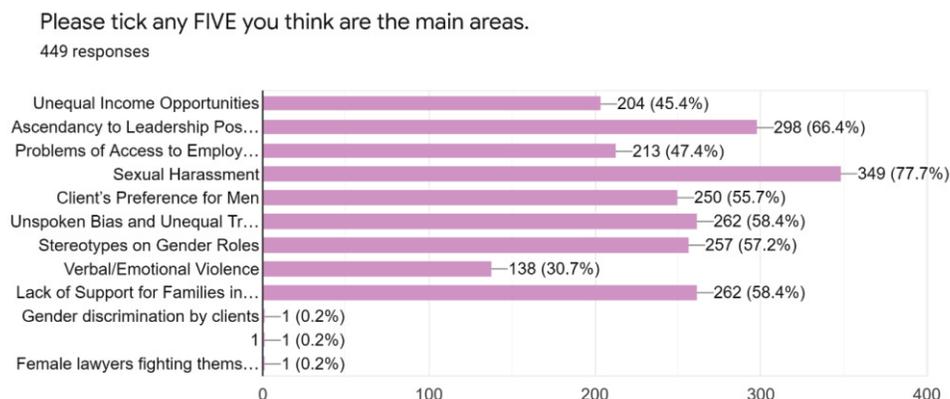
A person shall not be conferred with the rank of Senior Advocate of Nigeria unless he has been qualified to practice as a legal practitioner in Nigeria for not less than ten years and has achieved distinction in the legal profession in such manner as the Committee may, from time to time, determine (Section 5(2) Legal Practitioners Act).

A number of conventions have also continued to reinforce discrimination in some core leadership positions. These include addressing female judges, magistrates, and heads of the customary courts as “his lordship,” “his worship,” or “his honor” or female judges or justices as learned brothers (Ine-Ebi, 2020). Other forms of discrimination that still linger include clichés such as “there are no women at the bar,” “gentleman in skirts,” and “esquire,” all used to describe female lawyers. Demeaning female lawyers with male attributes suggests that a woman cannot be a lawyer unless she becomes a man (Ugwu, 2018). As Connell (2005) argued, such phrasing goes a long way in asserting superiority and compounds the multiplicative effect of discrimination women face that encompasses not just gender but class.

Women experience both overt and covert biased treatment. These come in different forms—from employers, colleagues, clients, institutional biases, and societal stereotypes, similar to findings from other jurisdictions (Reuters & Acritas, 2020).

The survey asked about experiences with workplace discrimination and biases (Figure 5). Respondents recounted injustice regarding access (at the employment entry points), conditions of service (income disparity), and work environment and circumstances (clients' preference for men, sexual harassment, and systematic biases). Figure 5 below presents the general survey conducted by the research team for all women legal professionals in Nigeria at the bar, bench, and legal academy. The responses presented here represent women across the three professions and show the prevalence of discrimination and gender bias, some of which women judges also confirm they encountered.

Figure 5 | Women's experiences with discrimination and bias in the profession



Source: IAWL survey, 2022

Sexual harassment scored the highest challenge, at 349 respondents (77.7%). Unspoken bias and unequal treatment each had 262 respondents (58.4%), and stereotypes and gender roles had 257 (57.2%).

With regards to the judiciary, a respondent commented:

Well, I think the most part, most bias comes from the public, not from the system, because the judiciary follows the well-known structure of the legal profession, which is hierarchical, and there are one or two places where the hierarchical structure is tampered with but to a large extent, that custom or tradition is still upheld. In the judiciary, as long as you rise through the ranks it will get to your turn, and you will get what you deserve. ...of course, there is bias from the public that might impact your professional records, something where some people might cast aspersion on you because of your female gender. The hierarchical structure of the profession, that is, the legal profession, has really helped to ensure that females in the Kwara State judiciary are not cut off from their entitlement as and when due.

The in-depth reflection of this judge indicates the externalities of gender-based bias judges may face. That the judiciary is hierarchical may not always be good for women, considering that most are at the lower ranks. The implication is that women, who entered later, will be disadvantaged in opportunities for promotion, case assignment, and court assignment to courts. The general perception among the respondents is that female judges face less discrimination from within the institution itself. A judge, regardless of gender, is in charge of their court and reigns supreme there, and judges enjoy the same salaries and opportunities to be selected for workshops and conferences.

Another respondent stated:

Rising to leadership and governance roles for the most part in the Kwara State judiciary is by rising through the ranks, by climbing the ladder from one level of seniority to the other. You get to a certain level of seniority, and it is your entitlement and generally speaking, you hardly find a situation where a person is denied that position simply because of their gender. Maybe gross misconduct, political considerations, some kind of politics, but hardly is it because “Oh she's a woman, we don't want her” she can't do it, it's a man we want” hardly!

A respondent said:

There are some special courts we are being assigned to from time to time... I know that when they assign magistrates to all these special courts, you don't notice any kind of gender-based discrimination at all. You don't notice it. A male magistrate can be sitting at the Ministry of transport revenue court, a female can be sitting at the environmental court, or those handling the adoption courts and all that. No, I have not seen any discrimination.

Although these responses deny overt gender-based discriminatory practices, one respondent qualified her observations beyond the experiences on the bench and focused on the issue of discrimination in equal representation on all courts:

“First, being in the judiciary means you have risen above some social barriers. We have had a female CJN, and the second female President of the Court of Appeal. However, maybe in the Sharia courts, it is only male Khadis, I am not aware of female Khadis. That can be a kind of bias that I can think of. The problem is not from the judiciary. It gives a level playing ground.”

The North has a religious and cultural dimension to discrimination and bias. Women are not appointed as Khadis in Sharia Courts.

Another respondent from the North commenting on open leadership roles for women in the judiciary had this to say:

I think ascension to leadership roles in the judiciary has been fair to women over the years. I'm not aware of any case where a qualified woman in the judiciary was denied a certain position because of her gender with the exception of the Sharia Court, which is guided by Islamic Law, and women Khadis are alien to Islamic Law.

These challenges notwithstanding, Nigeria is peculiar in that female judges do not believe they face bias or discrimination because of gender. However, other factors, such as the indigeneity principle, the Federal Character Principle, culture, and religion, all intersect to impact their occupation of leadership positions. These experiences are not monolithic, driving home the point that intersectional experiences are distributed along a wide spectrum; individual experiences, as highlighted by interviewees' direct quotes and narratives, provide a clearer picture of the diversity of experiences.

6.3. Lack of mentorship and support systems for female judges

Lack of mentoring opportunities was identified as a significant challenge for women's ascent, consistent with findings from some other jurisdictions (Bauer & Dawuni, 2016; Wallace, 2001). Very few mentoring networks exist for female judges, although informal mentorship through interactions with senior colleagues and others in leadership positions was reported as helpful.

Respondents' responses were mixed. Although most lamented the little or no mentoring between the experienced and newer female judicial officers, one commented,

“ actually the male judges are more approachable than the female judicial officers. [P]ersonally, I got most of my mentoring from senior male colleagues. ”

When asked about mentoring opportunities for judges, a chief magistrate replied, “None. I am not aware of any kind of network or any kind [o]f support system or anything channeled toward empowering women in the judiciary. I don't think there is anything in existence here.”

Another judge noted:

As far as I know, there isn't any official or structured support network for women in the judiciary for the purpose of mentoring and career development. However, in this part of the country, in this particular judiciary we have an association of magistrates that supports each other, it's not strictly for women, it's multi-gender, and so that's what everyone relies on.

A respondent from a state judiciary observed:

Generally speaking, each magistrate looks for people who can mentor or speak for the females. Particularly, the female magistrates look for people who can mentor them in their careers on an unofficial or personal basis. There is no structure as an official setup or framework available for mentoring female judicial officers.

Another respondent commented that she benefited from mentoring, suggesting that it should not necessarily be formal, nor must it come from women alone.

A high court judge said:

“

Yes, from my experience...I had friends, female lawyers who were in active private practice, we were looking up to four female judges in this jurisdiction...indigenes of Borno State from my senatorial district. Borno South... we looked up to them ... we were practicing before them...they tutored us... at any gathering whether it is an event in the judiciary, when we go up to greet them, they acknowledge us...And if we had any problem at that time we go to their chambers in private to see them. We had a lot of tutoring from those judges at the lower and higher bench...We had this click and support for each other... I must say...that in Borno State, we also had mentoring from the men.

”

Generally, despite no official support network or channel for mentorship, some senior judges (including some men) have provided mentorship for female judges, indicating that it is not necessarily from female judges alone and can be official and unofficial.

6.4. Intersection of gender and geography (federal character and indigeneity requirements)

In Nigeria, the intersection of geography and gender also hinders women's appointment or promotion to leadership in the federal judiciary. The indigeneity principle (being an indigenous citizen of a region or state) and the federal character policy may be a barrier. The Federal Character Principle was adopted in the 1979 Constitution. Its tenets appear in Section 14 Subsection 3 of the 1979 Constitution:

The composition of the Government of the federation or any of its agencies and the conduct of its affairs shall be carried out in such a manner as to reflect the federal character of Nigeria and the need to promote national unity, and also to command national loyalty, thereby ensuring that there shall be no predominance of persons from a few states or from a few ethnics or other sectional group in that government or any of its agencies.

These provisions were repeated verbatim in sections 15(3) and 15(4) of the 1999 Constitution. To ensure the policy is properly administered, the federal government enacted Act No. 34 of 1996, establishing the Federal Character Commission (FCC) (Edigin, 2011; Kayode, 2015; Majekodunmi, 2013; Mbuba, 2021). To strengthen the legal capacity of the Commission, it is included as one of the 14 independent executive bodies established by Section 153, subsection 1 of the 1999 Constitution (Constitution of the Federal Republic of Nigeria, 1999).

The inability of women to claim their husband's state of origin, where they have lived and served, to attain leadership positions, such as the chief judge of the state, and be promoted to the higher courts, such as the Court of Appeal or the Supreme Court, is an act of discrimination. However, it is not only gender-based, as it relates to wider issues of citizenship versus an indigene-ship question that is at the heart of the "residency" question in Nigeria and yet to be adequately addressed. Being an "indigene" confers access to political, economic, and cultural benefits. It also has implications on whether a person is qualified to run for public office or occupy a leadership position. Therefore, some female judges are denied the position of chief judge even when they are the most senior judge in their husband's state. The concept of "indigene-ship" has been considered as introducing a two-tier citizenship in Nigeria that confers benefits to some and robs others of any public benefits despite having residency and paying taxes to the local authority in the state (Nigeria Research Network, 2014).

A respondent captures the implications of the indigene rule:

In the judiciary, the greatest barrier is where women are being barred from using their husband's state of origin in attaining higher appointments, such as to the Court of Appeal or the Supreme Court. It is not evident that there is a stereotype or bias that women are weaker than men in the judiciary because women have been able to assert themselves and hold their own in the judiciary attaining many milestones.

Although the rule can also affect male judges, they seldom move to their wife's state after marriage. Furthermore, the FCC administrative regulations regard women as belonging to their natal local government and not that of their husbands. This federal character principle adds a gender dimension to the impact of the indigeneity principle, as it disadvantages millions of women who marry outside their original home areas; they are officially regarded as members of communities they no longer live in (Nigeria Research Network, 2014).

The Federal Character Principle was adopted to guide the distribution of public positions so that it would always reflect the linguistic, ethnic, religious, and geographical diversity of the country. It is meant to regulate the distribution of public or government posts, admission into learning institutions, and distribution of amenities. In the judiciary, it has resulted in sacrificing competent and qualified female judges on the altar of national integration and geographical representation. This practice has adversely affected the judiciary, as most federal courts have yet to achieve gender parity. Furthermore, hardworking judges stagnated because of the federal character consideration.

A judge described the situation:

Promotion, for example, in the High Court to the Appellate Court, is open to everybody to apply. There are vacancies in the Court of Appeal and Supreme Court. It all depends on seniority, whether there is a vacancy from your zone. As a woman, you can move, but if there is a geographical vacancy, your experience, and the number of judgments you have written... will not help you.

Citing her experience, another respondent said:

I remained a magistrate for 19 years. It was not because I was denied any opportunity, but because of the administrative issues we had then in the High Court. There is the geographic quota system where you have the central, the south and the North and you have to balance the appointment of judges. And at that time, I came from an area in Borno south and they had 70% of the judges in Borno State and because of that, I stagnated as a magistrate for 19 years until some of the judges in my senatorial district retired, and some of them were elevated to higher courts. And that was how Justice Clara Ogunbiyi, an indigene of Borno State rose from this jurisdiction to the Supreme Court. Thereafter, Justice Yagana Mishelia was elevated to the Court of Appeal where she has recently retired.

Geography and the federal character policy are real challenges that intersect to impact women's career trajectories. However, these challenges do not only affect women and are not always related to gender. Ibrahim (2016, p. 68) asserted that the appointment of judges also depends on other factors. In federal courts, for example, consideration is given to the region (North/South), where you come from and who you know can be the most important criteria.

6.5. Quest for perfection/burnout/caseload

Research has shown that in all professions, women must work to prove themselves equal to their male counterparts, yet it is never enough. Female judges from African countries are not exempt. Dawuni (2020, p. 17) terms this phenomenon “the double jeopardy of negotiating the boundaries between the private and the public divides”. This double jeopardy is not limited to the challenges women face from their male colleagues but also includes skepticism from litigants in their courts. Respondents' support for this phenomenon is mixed.

A senior judge said:

To earn that respect that society bestows on you...you are going to rise beyond all normal human frailties, weaknesses, and any which way you want to look at it. At that point in time, you are a judge being a woman doesn't come in.

Another respondent looks at it this way:

I have seen that, where a man excels, a woman would need three potions of that ability, she will excel three times before she is recognized and applauded. That is the way I see it. But for a woman, you have to prove yourself more.

Others claim that:

...I can't say that we work extra hard, it's just this additional burden of having to cater for the family and then make sure you are up and doing your office work and everything that is required of you.

Ibrahim (2016, p. 74) supported this phenomenon when she wrote that one of the judges she interviewed alluded to an “approval syndrome”; they felt Mukhtar had to sacrifice too much to prove herself as a pioneer. She claims that although none of her respondents doubted that Mukhtar had the best interest of the judiciary at heart, she had a reputation for being too harsh. This is where intersectionality theory comes in: societal expectations and the woman's location impact her experience. Those whose comments support double jeopardy are from the North, and those who dispute it are from the South. Thus, the intersection of gender (conscious or unconscious) with ethnicity and geographic origin could lead to different experiences.

6.6. Women's representation in leadership positions in the Nigerian judiciary

When asked if leadership in the legal profession reflects gender diversity, 45.6% of respondents agreed, 19.8% were neutral, and 34.6% disagreed, indicating that both men and women are represented in leadership. However, findings from the interviews revealed that there are more men, which cuts across different hierarchies of courts.

Most responses from participants in the qualitative study revealed that both men and women enjoy the same opportunities for advancement. However, these perceptions of equality are not confirmed by the data representing the federal courts and state high courts in the six geopolitical zones. Although a few magistrates and registrars were interviewed to obtain the views of younger judicial officers, the emphasis was on the superior courts of record and the appellate courts (the SC, Court of Appeal, Federal High Court, National Industrial Court, and state high courts).

Table 1 | Women's representation in leadership in the federal judiciary as of March 2022

Type of court	Male	Female (%)	Current leadership	Past or current female leaders
Supreme Court	13	5 (28%)	Male chief justice	One chief justice
Court of Appeal	61	23 (27%)	Female president	Two presidents
Federal High Court	48	26 (35%)	Male chief judge	One chief judge
National Industrial Court	17	14 (45%)	Male president	None

Source: Data compiled from the court registries, 2022

Table 1 shows that on the SC of Nigeria, women make up only 28% of the judges, and only one woman has ever been chief justice. On the Court of Appeal, women make up 27%, and only two women have been presidents of the court. The federal high courts are slightly higher at 35%; nevertheless, only one woman has been a chief judge and not in the last five years. In the National Industrial Court, despite the 45% of women, no woman has yet been president. These data, therefore, show a substantial gender difference in women's numeric representation and their leadership. The data confirm the factors accounting for the barriers, challenges to retention, and points of attrition of women in the leadership pipeline.

Table 2 | Women's representation in leadership in the six high courts as of March 2022

Type of court	Male	Female (%)	Current leadership	Past or current female leaders
Borno State	10	2 (17%)	Male chief judge	None
Edo state	10	17 (59%)	Male chief judge	Four chief judges
Enugu state	13	13 (50%)	Male chief judge	One chief judge
Kwara State	10	8 (44%)	Male chief judge	One chief judge
Oyo state	16	11 (41%)	Male chief judge	One chief judge
Sokoto	10	2 (17%)	Male chief judge	None

Source: Data compiled from the court registries, 2022

Table 2 shows no sitting female chief judge in any of the states. Although states in the South have had women as heads of state high courts (chief judges) in the last five years, the same cannot be said for the northern states of Borno and Sokoto. The data also confirm the critical mass thesis—as more women join the judiciary, the likelihood of women leading these courts may increase. The four courts in Edo, Enugu, Kwara, and Oyo have more than 40% female representation and have had at least one female chief judge. On the other hand, Borno and Sokoto have less than 20% women on the bench and have never had a female chief judge. The correlation between the number of female judges on the court and the probability of one being appointed chief justice also appears to intersect with geographic region.

Women are more likely to be magistrates or occupy administrative positions in the court registries than the mainstream position of judges, especially in the North. There are no women among the 38 area court judges in Kwara State or the Sharia courts in the North. Thus, in line with the intersectionality theoretical model, the findings reveal that female judges are diverse rather than homogenous. Although women in all the sampled states are not at par with men in terms of accession to leadership, the disparities are clearer in the North, where the dimensions of sociocultural practices and religion intersect with gender to produce limited opportunities for women. Promotion is by seniority, but other factors determine the entry point and stagnation. Findings from the qualitative study revealed some points of attrition that tend to occur or intensify during a move to a higher level.



A judge from a state judiciary said:

For members of the bench, at the higher bench, well, generally speaking for judicial officers, I think it covers all of them. It's usually at the stage when you want to move to the higher bench that challenges come, except, of course, you have gotten to the Supreme Court. But usually, the challenge is that when you want to move either from a Magistrate to a High Court Judge, from a High Court Judge to the Court of Appeal from the Court of Appeal to the Supreme Court; that is where you might find stagnation or frustration that warrants leaving as far as the career is concerned.

A number of female judges have faced challenges when taking up leadership positions in the Nigerian judiciary. Although some of these challenges are political (under the guise of implementing the indigeneity principle), others are within the judiciary. They include being passed over after rising through the ranks to become the most senior judge of the state. Rather than following the seniority principle, the position is given to a junior male colleague is given the position. The North and South have been guilty of this, although the preponderance has been northern states. Perhaps this is because so much is at stake for the chief judge position, who is the head of all the courts and the third arm of government in a state—and the state is not ready to hand over such a position to a woman.

When female judges face this kind of discrimination, some take it well and accept it without fighting, as Udom Azogu and Ijeoma Agugua of Imo State (Ughalaa, 2020), Patricia Mahmoud of Kano State, and Elizabeth Karatu of Kebbi State. Others move to the Court of Appeal, as with Mukhtar of Kano State and Clara Bata Ogunbiyi of Borno State. Still, others remain and fight for their rightful position until they are promoted, as with Raliat Elelu-Habeeb of Kwara State, T. U. Uzokwe of Abia State, Akon Ikpeme of Cross River State, and Beatrice Iliya of Gombe State.

Mukhtar also experienced this discrimination; she was passed over twice and forced to leave the state judiciary and continue her career in the federal judiciary:

...I rose to be number two in the hierarchy of the Kano State Judiciary, and was to remain number two for years to come until I was elevated to the Court of Appeal. In 1982, the then Chief Judge (an expatriate) retired, and a Judge that came on board a few years after my appointment as a Judge was made the Chief Judge. When an exercise for appointment to the Court of Appeal commenced, the new Chief Judge asked if I was interested, I answered in the negative, because, despite the situation on the ground, I had no desire to be moving from State to State as the office demands. In 1985, the incumbent Chief Judge left for the Court of Appeal, again history repeated itself, for again I was superseded by the then number four or five in the hierarchy of the court, after acting as the Chief Judge for some time, becoming the first woman in the country to discharge the function albeit temporarily. I took it in my stride and continued to work as though I was meant to be number (2) forever! (Quoted from Unini, 2020).

Retired Supreme Court Justice Clara Bata Ogunbiyi in Borno State had a similar experience. When it was her turn to be promoted to chief judge, she was passed over for a less senior colleague. These challenges notwithstanding, most respondents rejected the suggestion that the judiciary commits to making at least 30% of open leadership and governance roles go to women. They felt that women should instead be encouraged to participate in professional activities, conferences, and meetings to build their leadership capacity. A respondent advised that it may be better to be more conscious of reflecting gender at the entry point and from among the qualified candidates “...so that by the time they start climbing through the ranks, by the time they rise to the point where they need to take a position of leadership, there would automatically be that 30% of women available for those positions.” On the need for quota or affirmative action, a respondent said that women should be given a level playing field with men; she was confident that women have what it takes to compete favorably.

A respondent stated:

I don't want a situation whereby we advocate to have slots and then at the end of the day we cannot meet up in whichever field. In the judiciary, for instance, we say 30% of the judges should be females, what if there are no competent women for that slot? What do you do? You will just carry anybody so that that quota will be filled?

That is what I am afraid of, but thank God, as I said, I am a judge in the North, where the general perception is that maybe women have not been that exposed to education. I will tell you that my own mother went to Queens College Ilorin, in the 1960s, so even in the Northeast, when there is a level playing ground, I assure you, women, just give women that level playing ground, that platform, unbiased platform, and women are strong people, especially educated women who will be able to get what is due to them. That is my opinion with regard to that.

Respondents did not believe that certain leadership slots should be reserved for women, citing examples of the strides women have made. They noted that from 2014 to date, women are holding sensitive key positions, from chief justice of Nigeria to president of the Court of Appeal, head of courts in other jurisdictions, chief registrars in the Supreme Court, and state-level chief magistrates and heads of other departments. Female judges have performed commendably in the face of these challenges. Rather than relying on affirmative action to move upward, respondents are more inclined toward investing in developing themselves and garnering enough experience to make them competitive. Most respondents do not support a situation where a woman is given a role simply because she is a woman and not because of her qualifications.

6.7. Impact of COVID-19 on women in the Nigerian judiciary

The impact of COVID-19 has been enormous—in positive and negative ways. It has led to technological interventions and increased case backlogs in a system that has already grappled with protracted trials. Although both women and men felt these impacts, the intersectional identities of women as primary caregivers meant some female judges faced these challenges differently.

The pandemic represented a great challenge for the judiciary in carrying out its statutory mandate of adjudication and resolution of disputes between parties and protecting the rights of individuals. In March 2020, the chief justice ordered all courts to suspend hearing cases for at least two weeks, with the minimal opening of courts for urgent and essential cases (Mohammed, 2020; PwC Nigeria, 2020). In May 2020, the judiciary suspended court sitting until further notice in line with the federal government COVID-19 regulations released on March 30, 2020. This directive created a backlog of cases, adding to the already overwhelming backlog (NJC, 2020a). In a normal scenario, female judges are already overworked, juggling work and home obligations.

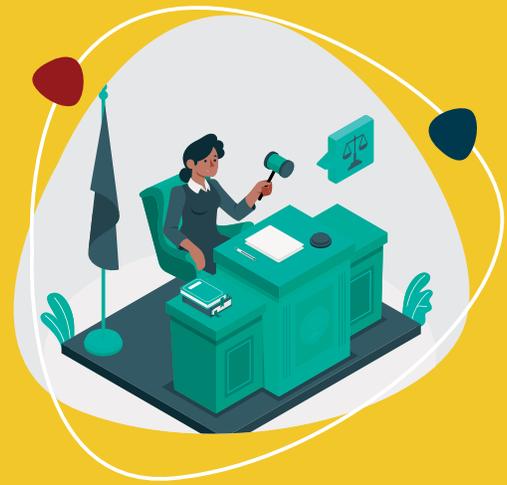
This backlog tested the limits of judges and courts, given that the system was already coping with undue delays. The closure of the courts exacerbated the backlog and had a corresponding negative impact on trial detainees, especially those whose hearings might have led to their release from custody. The suspension of court sittings because of the lockdown without detailed arrangements for virtual hearings and mitigating measures negatively impacted the judiciary's effectiveness and efficiency.

These court shutdowns have wider implications for the lack of technology to handle court cases remotely, which was felt more in the rural areas that lack basic electricity and internet service. The lack of access to technological innovation had an intersectional impact—for older judges, learning to use technological tools proved difficult. Although the learning curve may have been less steep for younger judges, some faced other challenges, such as balancing their domestic responsibilities with working from home. These unintended and unplanned consequences of the pandemic could have positive outcomes for women to update their technological skills and be able to work remotely, thereby reducing the challenges of juggling work and domestic matters. However, for women with young children, working from home did prove to be difficult. The long-term effects of the COVID-19 workplace adjustments will require a deeper and longitudinal exploration to understand the gendered impact on judges.



7

FACILITATORS OF PROMOTION AND RECOMMENDATIONS



The foregoing analyses of the entry, barriers to retention, and attrition suggest that various interventions are required. This section provides recommendations to different actors and stakeholders on strategies and interventions that would facilitate the promotion of women in law and leadership.

7.1. Institutional gatekeepers: The JSC and the judiciary

- The judiciary requires federal quotas and zoning for promotion to the federal superior benches. Criteria for appointment should consider court performance, merits, quality of judgments, and lower court judicial experience, as some of these will work to the advantage of female judges on the lower benches.
- Judicial postings should consider not posting female judges and magistrates too far away from their families, as this may cause them not to take up appointments or destroy the work-life balance that made them choose the bench in the first place.
- The judiciary should provide better incentives and conditions of service, such as flexible working conditions that will help women judges with children and other elderly caregiving roles. Childcare allowances should be given to women, especially those of childbearing age, and a crèche and/or reasonable maternity leave should be provided. Provide more opportunities for women to show what they can do and improve the judicial sector by giving key and sensitive positions to them. Provide continuous legal education for female judges so that they will have the leverage of being at par with their global counterparts.
- Closely monitor each judicial officer's return of cases to know how many are doing their work diligently. Senior judges should provide formal and informal structures for mentoring young and upcoming female judges. Women's associations in the legal professions should make a conscious effort to establish formal and informal channels to provide mentorship and a support system for female magistrates and judges.
- The criteria for promotion should be more transparent and based on merit; such considerations as zoning and federal character should be abolished, as these have been shown to contribute to women's stagnation.

7.2. Policymakers

- Efforts should be made to ensure that women are a part of the lawmaking process to ensure that policies that affect the recruitment and promotion of women in public life, such as the judiciary, are considered.
- The National Assembly should remove all references to indigeneity from the Constitution. The indigeneity principle discriminates against millions of Nigerians (especially women). It should be abolished, and the diverse peoples of Nigeria and their delegates should discuss ways to amend the laws to favor all Nigerians.
- The National Assembly should also amend the requirement in the Constitution to ensure that spouses of indigenes automatically assume residency status and become indigenes too, if they live, work, and pay taxes in the area for a minimum of 15 years.
- Judicial appointments should be made from the best candidates available in any part of the country rather than using the federal character principle or indigene-ship principle.

7.3. Researchers and funding agencies

- The judiciary is charged with the constitutional responsibility of providing justice and protecting the rights of individuals. It is, therefore, imperative for comprehensive longitudinal research on the multiplicity of issues affecting women in the Nigerian judiciary to be undertaken by researchers and funded by funding agencies.
- The findings of such research and its recommendations should be communicated to all relevant stakeholders to achieve and implement concrete changes in the judiciary.
- Philanthropic agencies, foundations, and democratic development agencies should provide funding to support female judges through mentoring, capacity-building programs, and leadership training.

7.4. Female judges

- Female judges should build broad and strong networks of their colleagues, both women and men. These networks will support their ambitions to either move to higher courts or support them when they are unjustly treated or denied appointments into leadership positions due to them.
- Female judges should build support systems for each other to foster bonding and tackle the challenges peculiar to them in their marriages and home lives.
- Female judges should work on themselves to build their mental strength and confidence so that such marital issues will not affect their professional capabilities, leadership intentions, and ability to mentor younger judges.

8

CONCLUSION



The history and status of women in the judiciary in Nigeria provide a basis to assess their advancement in leadership. Although the judiciary provides some training and intervention to close the gender gap, women still experience gender disparity and discrimination in moving up the leadership ladder. The discrimination is largely from: (a) the expectations and perception of women's cultural and religious roles by the larger society, (b) a few patriarchal judges (bosses) who are not comfortable having women as colleagues, (c) some constitutional provisions, such as the federal character and indigeneity principles, and (d) politics from the executive and legislative arms of government combine to affect women's ascension to leadership.

This report has highlighted how the role of women in the adjudicatory processes in precolonial Nigeria may have impacted the positive perception of the female judge in colonial and postcolonial Nigeria. It found that women faced no hurdles in their entrance into the judiciary. Additionally, their promotion, advancement, and rise to leadership positions were not facilitated by the government or any quota but a result of each judge's personal agency and the deeply entrenched seniority principle for promotion.

The report delivers a wealth of data and insights on the rise of women in judicial leadership. It highlights the intersectional challenges experienced by different women based on age, ethnicity, religion, socioeconomic factors, and practice areas. Women from the North have less access to leadership positions than their southern counterparts. Additionally, younger women experience the burdens of work-family demands and sexual harassment more than their older counterparts. Women with higher educational qualifications are less likely to exit or stagnate in their careers.

Furthermore, although older women may not suffer the burdens of childrearing, they could face other family-related challenges, including emotional stress associated with polygamy or marital and family neglect. Although only a few all-female networking and mentoring opportunities exist, these are not structured in ways that target the different judicial ranks and locations. Very limited female-targeted capacity-building workshops exist, and these are usually not sector specific. Opportunities and networks to build the capacity of women and advance mentoring prospects cannot be overemphasized.

This report provides the needed data to help plan interventions to address gender inequality in the judiciary. The findings show that women are making progress but that it is insufficient to close the gender gap rapidly. With limited visible representation at the highest levels of leadership, women on the bench still have years to achieve parity in leadership. Intentional and active resolutions to close the gender gap must be exhibited at the individual and group levels. Conscious efforts must be made to institutionalize the need to do so for all female judges while appreciating the intersectional needs and peculiarities of the women from the different regions in Nigeria.



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APPENDICES

Questionnaire

Dear Respondent,

REQUEST FOR YOUR ASSISTANCE

Thank you for agreeing to take part in this study. The survey requests feedback on your knowledge and experience with regard to the dynamics of the advancement of women to leadership in the legal profession in Nigeria.

The Purpose of the research

The goal of this research project is to map women's representation in the leadership of the different categories of legal practice in Nigeria and where applicable, characterize the underlying causes of inequality in women's representation.

Kindly assist by completing this questionnaire to enable us to achieve appropriate outcomes. Your cooperation is highly appreciated.

Consent Request

We would like to confirm your willingness to participate in this survey. It should take about 15 minutes.

Your participation is entirely voluntary. There are no anticipated risks and you are free to drop out of the study if you feel uncomfortable.

You must be 18 years and above to participate. Your answers will not be traceable to you, as it is for research purposes only.

There is no direct benefit of this research to you except that the results will be geared toward policy reforms to safeguard the interest of women. There are no anticipated financial costs to you.

Your response to the questions will constitute the required consent to participate.

Sincerely,

.....
Consultants.

.....
Respondent

SECTION ONE - BIO-DATA

Please circle the correct option

1. How many years post-call do you have?
 - a. 0-5 years
 - b. 6-10years
 - c. 11-15years
 - d. 16-20years
 - e. 21 years and above

2. What is your highest level of academic qualification?
 - a. Ph.D.
 - b. LLM
 - c. LLB
 - d. BL

3. Please indicate your marital status?
 - a. Married
 - b. Single
 - c. Widowed
 - d. Separated
 - e. Divorced

4. Please indicate your religious affiliation.
 - a. Christian
 - b. Muslim
 - c. Traditional Religion
 - d. Others

5. Please indicate your ethnic group:

6. What is your employment status?
 - a. Self-employed
 - b. Employed
 - c. Housewife
 - d. No employment
 - e. Student

7. Please indicate your age bracket.
 - a. 18 – 27
 - b. 28 - 37
 - c. 38- 47
 - d. 48 – 57
 - e. 58 and above

8. Do you have any form of physical disability?
 - a. Yes
 - b. No

SECTION TWO – General perceptions on women in the legal profession

9. Below are some statements on the representation and opportunities offered to women in legal workplaces in Nigeria. Kindly indicate whether you agree or disagree with them on the scale of 5 – 1 respectively:

5 = **Strongly agree**, 4 = **Agree**, 3 = **Neutral**, 2 = **Disagree**, 1 = **Strongly disagree**

Statement	5	4	3	2	1
a. The current leadership in the Nigerian Judiciary reflects sexual diversity in men and women.					
b. There is an income disparity between male and female employees in the Nigerian Judiciary.					
c. Female judicial officers are given the same employment and advancement opportunities as their male counterparts.					
d. Female judicial officers have more favorable terms and conditions of employment than their male counterparts.					
e. Female judicial officers have to work harder than male judicial officers to achieve the same results.					
f. Female judicial officers are compensated the same as male judicial officers for comparable work.					

SECTION THREE – AREAS WHERE WOMEN EXPERIENCE DISCRIMINATION

10. Below is a list of possible areas where women in the legal profession in Nigeria experience discrimination.

Please CIRCLE ANY 5 you think are the main areas.

- Unequal Income Opportunities
- Ascendancy to leadership positions
- Problems of Access to Employment
- Sexual harassment
- Client's preference for men
- Unspoken bias and unequal treatment
- Stereotypes on gender roles
- Verbal/emotional violence
- Lack of support for families in the legal workplace (Poor Work/Family Balance)
- Others: Please specify.....

**SECTION FOUR – PERSONAL EXPERIENCES WITH GENDER BIAS OR PREJUDICE
WITHIN YOUR WORKPLACE**

- 11.** Have you ever been or seen someone sexually harassed (inappropriate sexual jokes, questions, gestures or looks) in your workplace or within a law-related setting, e.g court?
- a.** Yes
 - b.** No
- 12.** Is there a sexual harassment policy in your workplace?
- a.** Yes
 - b.** No
- 13.** Does your workplace have a maternity policy that supports exclusive breastfeeding till 6 months?
- a.** Yes
 - b.** No.
- 14.** What are the challenges women encounter in advancing their careers in your workplace? Please circle all that apply.
- a.** Stereotypes on gender roles
 - b.** Limited relevant skills
 - c.** Workplace policies
 - d.** Poverty
 - e.** Lack of support for families in the legal workplace
 - f.** Poor remuneration
 - g.** Intimidation
 - h.** Unspoken bias and unequal treatment
 - i.** Lack of mentoring opportunities
 - j.** Any other

SECTION FIVE – RECOMMENDATIONS

- 15.** What do you think the Nigerian judiciary can do to improve gender equality and diversity within the legal profession?
- a.** Nothing/Not Much Can Be Done
 - b.** Awareness/ Education/Training
 - c.** Set up a disciplinary committee to penalize offenders
 - d.** Others (specify please)
- 16.** Do you think that the COVID-19 pandemic has introduced flexibility in the working arrangement in the Nigerian judiciary that allows women to advance their careers?
- a.** Yes
 - b.** No

THANK YOU FOR YOUR KIND COOPERATION!

In-Depth Interview Schedule

1. What kind of women support network exists for women in the judiciary for mentoring and career development?
2. What access or other barriers and implicit bias do women in the judiciary face in Nigeria?
3. Which stage in the pipeline is the leak/exit most obvious for women judicial officers leaving/stagnating in their professional/judicial career? What factors influence this?
4. How can we get the judiciary to commit to consider at least 30 percent of open leadership and governance roles in the judiciary for women?
5. How can the legal profession help women stay full time within the profession, as most women lawyers continue to be the primary caregivers for children? Give examples please



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Women in Law & Leadership

Nigerian Judiciary