

## **WOMEN'S RIGHTS' PROTECTION: GLOBALIZATION OR LOCALIZATION?**

**Mojisola Eseyin**

*Faculty of Law, University of Uyo, Uyo, Akwa Ibom State, Nigeria*

### **ABSTRACT**

*Contextually, the issue of globalization is a socio-political phenomenon. The issue of women's rights is also a socio-political issue. Howbeit, legal implications predicated on them remove them from mere social concerns to the issues of law. Law has its root in culture. This work advocated therefore, caution in the application of globalization euphoria to the issue of women's rights, as their protection is far beyond legal and globalization cosmetics, but entrenched in the application of a more holistic approach. It encouraged an enhancement of women's civil, political and social rights of citizenship, and engagement in transnational solidarity to promote women's human rights across the globe.*

**Keywords:** *Globalization, Localization, Women's Right Protection, Citizenship*

### **INTRODUCTION**

It appears the world unfolds itself gradually from a base to a zenith. The transition, which is the present age, started from the Stone Age to the Iron Age and moved systematically towards the industrial age which preceded the information age. The information age came with a revolution, which gave birth to the era of globalisation. Information age and globalisation are bedfellows. During the regime of an era, world actors shift base from a defunct age and make alignment with that reigning regime. During the era of jurisprudence, every discipline identified. We had forensic jurisprudence, medical jurisprudence, psychological jurisprudence etc. During this age of globalisation, every human department is identifying. We have globalisation of research, globalisation of health care, globalisation of this, globalisation of that! Many identify without understanding what globalisation is.

This paper attempts to describe globalisation and its impact on women's rights' issues. UNESCO states that Globalization is a multi-dimensional process of economic, political, cultural, and ideological change. It has had a mixed impact on women's rights. On the one hand, it has led to increasing violations of women's economic, political, and cultural rights in large measure due to the withering away of the welfarist/developmentalist state, the feminization of poverty, the expansion of religious fundamentalisms, and new forms of militarism and conflict. It has been noted by many international women's organizations, for example, that the new trade agreements contravene the spirit and often the letter of international conventions on human rights, labour rights, and women's rights. On the other hand, aspects of globalization have provided women with increasing opportunities to work in solidarity at national, regional, and international levels to demand their rights.

## GLOBALISATION

The most astonishing circumstance one could be faced with is being confronted with the fact that no word like globalisation exists in the lexicon, except for some recent ones, yet it has befallen the whole world with its weight and influence. Resulting from the facts mentioned above one may be tempted to define globalisation as a "'Ghost of many colours" which though non-existing, ornaments the existence of all global departments'. In the vein of this ubiquitous character of globalisation, various writers and opinion leaders have given various meanings to it. On a broad grade of classification, there appears to be two schools of thought. One paints globalisation as a monster, the other paints it a saint. The monster brush paints thus:

*Globalisation ... a process of creating a global market in which increasingly all nations are forced to participate...<sup>1</sup>*

*Globalisation is a very uneven process with unequal distribution of benefit and losses. This imbalance leads to polarization between few countries and groups that gain, and the many countries and groups in society that lose out are marginalized.....the uneven and unequal nature of the present globalisation process is manifested in the fast growing gap between the world's rich and poor people and between developed and developing countries, and in the large difference among nations in the distribution of gains and losses<sup>2</sup>.*

To the 'monster' school, globalisation is considered as a sister to colonial imperialism. It is considered to harbour and emit neo-colonialist agenda which is akin to capitalism and economic domination. Perhaps that explains why its ignition is linked to the old colonialism. Its offshoot is traced to the period after the second world war and particularly the establishment of the United Nations in 1948, and the subsequent establishment of other international organizations like the International Monetary Fund (IMF) the World Bank and General Agreements on Tariffs and Trade (GATT)<sup>3</sup>. The Universal Declarations of Human Rights (UDHR) was a step further in globalism. The full swing manifestation of globalization is said to have been ushered in by the collapse of the former communist block, which heralded the demise of the Soviet Union, and the emergence of the uni-polar world.

In its birth, globalisation has been misunderstood than any other global concept. A writer opined that it is neither an acute nor profound opinion<sup>4</sup>. To Prof. I. A. Ayua<sup>5</sup>, globalisation is positive or negative... The saint's school which ruminates like the 'positive' school opines thus:

*Globalisation is about an increasingly interconnected and interdependent world and this has many important dimensions such as economic and social, political and environment, cultural and religious<sup>6</sup>.*

*Globalisation is the process of shifting autonomous economies into the global market - the systemic integration of autonomous economy into a global trading environment<sup>7</sup>*

*Indeed, globalisation when rationally pursued with respect for cultural rights will make the understanding and respect for various cultures and religions easier...<sup>8</sup>*

To the opponents, globalisation is a bane to the economic self determination of the

participant nations. To them, it is essentially an economic process, fashioned and pursued by the West, and aimed at dominating the world economy. While general discussions on globalisation has tilted heavily towards economic process or concept, it will be too tapered to chew over globalisation as an economic process only.

Globalisation is a transnational and transideological world phenomenon. It is a table where values converge. It may depict the "unit in diversity" slogan. It may be synonymous with universalism. It is a process, which the world employs to evolve a common global political, cultural, religious, educational, social and legal norms and values. We must point out at this stage, that globalisation is not a design, neither is it a fabric tailored to a specific pattern which its actors adorn, it is a mere reflection of the actors' flow of thought and activities. It is a process oblivious of its own existence yet weighing heavily on multifarious issues.

Globalisation has occurred in an old form before this celebrated contemporary concept. The advent of Christianity and Islam with their wide range spread across alien nations, which had practiced their own traditional religions, evidences that globalism is not an absolutely new event. Colonialism and the Berlin conference also evidence globalism. In its old form globalisation was uni conceptual at every point in time. The new form emerged as a multifaceted event cutting across all norms and values of the world. Globalisation achieved its aim by breaking natural barriers through the information revolution via the internet. Through information and communication technology the world became a global village.

The discourse on globalisation has been over flogged with definition concepts resulting in more complications. What then is globalisation? It is not a word for which a meaning is sought but an event characterizing the gravitation of the world and its actors towards interdependence and interconnection occurring increasingly with a crosscutting implication on civil, political, social, cultural, economic, environmental & legal issues, to mention a few. It is more of an attitude than a concept. An attempt to define it rather than describe it will result in complexities typical of definitions. Globalisation delivers an obituary of national autonomy and national barricades. It creates an interflow of ideas and forms a standard to which all actors, nations, seek compulsorily to conform, mostly designed by peer cohesion as opposed to particular compulsion.

### **Globalisation of Women's Right**

Our attraction to understanding the nature of globalisation is with a view to discussing gender issues as it relates to women's rights protection and challenges emerging from attempting to globalize women's rights concept and its protection. The question arises, whether globalization is a friend or foe to women's rights? The questions whether women have rights, whether women's rights are equivalent to or identifiable with human rights and whether women need separate tenure of rights will lead us to discuss the human rights issue.

## **Human Rights' Concept**

Human rights' is a generic term and is closely associated with title<sup>9</sup>. It is a comprehensive term, frequently used to denote faculty, prerogative or privilege. It also denotes possession and ownership of property to which one is entitled<sup>10</sup>. The word connotes a more restricted value in the legal parlance. We do not intend to delve into the analysis of rights, we are mainly preoccupied with understanding rights, human rights. Human rights have been defined as those claims made by men for themselves or on behalf of other men<sup>11</sup> Eugene Kamenka<sup>12</sup>, also describes human rights as:

*Claims made, conceded or granted by people who are themselves historically and socially shaped. They are asserted by people on their own behalf or as perceived and endorsed implications of specific historical traditions, instituting an arrangement or of a historically conditioned theory or human needs and human aspirations, or of a human conception of a divine plan and purpose.*

The slot of human rights has been divided into 3 major sections. First, second and third generation rights. The first generation rights are those rights which attract the protection of government. They could be referred to as civil and political rights. The second rights are those which may be promoted by the government dependent on mere benevolence. They are economic, social and cultural rights. The third generation rights are collective or group rights which recognize that people have rights to decent environment, development and self determination. In the global jurisprudence, only the first set of rights are justiciable, other sets are to be fought for and achieved through concerted efforts of non governmental organizations. The need for this concerted effort is the basis for the global drive for women's rights' protection.

## **Women's Rights' Concept**

We are not concerned with the globalisation of human rights concepts which found its root in the Universal Declaration of Human Rights (UDHR) in 1948, but we are occupied with discussing the globalisation of women's rights' concept. The UDHR affirms the equal rights of men and women.

*In the last decade, the situation of women has moved to the fore front of national and international policy debates. Several major United nations conferences have called for greater equality and opportunities for women, and governments around the world increasingly recognize that the advancement of women is the key to progress in attaining health.....Gender inequality, or disparities between men and women is still pronounced in the poorest regions and countries of the world.....Being born female affects one's life chances in all societies but the particular situation facing women vary from one society to another<sup>13</sup>.*

It is the variation expressed in the text above that is the particular bias of this paper. The struggle for women's rights dates back to the 16th century. Mary Wollstonecraft's book<sup>14</sup>. Vindication Of The Right Of Women in 1792 was one of the earliest works on women's rights. Her work demanded civil & political equality for women. This and other works paved way for the agitations by women which later gave birth to a feminist congress in Paris in 1890.

Contemporary globalization of women's rights was ignited by the struggle for the human rights of women which predates the International human rights system themselves. In 1933, the Inter-American Women's Commission of the Organization of American States (OAS) adopted a convention on the nationality of women, which was one of the early international Legislations on women's Human Rights. As a result of the agitations by women after the Universal Declarations of Human Rights, in December 1979, the UN General Assembly adopted the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW). It entered into force in 1981. One may then date the contemporary women's rights' globalisation to 1981. The CEDAW framework is tremendously instrumental to working out legal and political changes at local, national and international levels. Nigeria signed the convention in 1984 and ratified it in 1985.

The ratification of CEDAW has affected states parties in different ways. In some countries, new constitution that reflect the convention goal have been put in place. In others, CEDAW formed part of national plans and policy. Nigeria belongs to the latter group. In summary, CEDAW seeks to do away with discrimination against women world over. In its Article 1, discrimination is defined as:

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

The convention also prohibits any practice that perpetuates women's inequality<sup>15</sup>. Under the women convention (as CEDAW is popularly called) states assume obligations of both means and results. The convention prescribes a state reporting and monitoring procedure as an enforcement process since it could not consider individual complaints until recently when the optional protocol came into existence. Under reporting procedure, states submit periodic compliance reports. The advantage of the duty to report under the convention keeps states parties conscious of their legal accountability. There is also provision for a shadow report or alternative country report prepared by non governmental organizations on the actual and true situation of human rights perspective in their respective countries. The shadow report enables CEDAW Committee to have a constructive appreciation of the level of state compliance to CEDAW principles. Various NGOs have been making shadow reports to CEDAW.

Following CEDAW, a major breakthrough in the globalisation of women's rights protection is the Beijing Conference at China in 1995. The Conference gave birth to a Declaration and a platform for Action. On the regional plane, preparatory to the Beijing conference, Africa held a lead-up conference to the fourth world conference on women. African governments and non-governmental organizations came together in Dakar, Senegal in November 1994 for the Fifth African Regional Conference on women at a preparatory meeting to Beijing. The meeting adopted the African Platform For Action (PFA). The Africa PFA was instrumental in influencing the



final Beijing Platform For Action.

While the recognition of women's rights as a special category of rights within the mainstream of human rights is traceable to the United Nations Charter formulated by the nations of the world after the world war II<sup>16</sup>. The Beijing Declaration and platform For Action gave flesh and sinew to the new jurisprudence of women's rights making waves at the International circle. By its Article 14, Beijing Declaration declared that 'Women Rights are Human Rights'. This means that women's rights deserve due protection which is what the international movement seeks to do via Beijing Declaration and other instruments. By its paragraph 9, the Beijing Declaration projects the aim of the Fourth World Conference on women which includes 'to ensure the full implementation of the human rights of women and of the girl child as an alienable, integral and indivisible part of all human rights and fundamental freedom'.

The Beijing platform for Action (PFA) recognizes that human rights and fundamental freedoms are birthrights of all human beings and that the protection and promotion of human rights is the first responsibility of governments. The PFA prescribes methods, which states parties most adopt to achieve the implementation of the conference declaration. The analysis of the PFA is not the primary concern of this paper. After Beijing, various international & regional conferences have held, all for the projection and promotion of women's rights' protection. UNIFEM has been involved with publications that generate a number of global recommendations for bringing women to the table.

At the local level, Nigeria has been a player in the women's rights' protection eventuality. She has ratified CEDAW and was also a state party to the Beijing conference. The pertinent question is, "After Beijing, wither Nigeria"? In 2002, President Obasanjo signed the National policy on women (NPW) which presents general gender policy issues ranging from policy thrust to education, science and technology, health, employment, agriculture, industry, environment, legal reform etc. The NPW includes implementation strategies on each policy issue. For instance paragraph 15.3 adopts the Beijing 30% representation of women in political participation. The NPW states in paragraph 1.4 that "the policy is therefore another expression of the government's commitment to the development of all sectors of the population and to the institutionalization of processes which will pilot the Nigerian society towards social equity, justice and a more improved quality of life".

We may begin to express our bias in this paper by asking the question whether mere 'expression of commitment' without the requisite activity is enough to protect the rights of Nigerian women. Especially when this 'expression' is made under the influence of globalisation waves in women's rights' protection. America has a policy, Europe has a policy, other countries and regions have policies, therefore Nigeria most at least express one, even if it is a toothless bulldog!

Globalism has played a major role in the wake up call beckoned on gender issues especially women's rights' protection in Nigeria. The major weapon of globalisation in forging women's rights protection norms is NGO networking and cooperation

for cohesive enforcement of violated rights. A good example occurred in the role played by both national and international NGOs in the recent Safiya Hussani and Amina Lawal cases.

Safiya was condemned to death penalty on 9th October 2001 in a Sharia court in Gwadabawa, Sokoto State. Amina was sentenced to death by a tribunal of Katsina State. BAOBAB and Amnesty International were instrumental to the rescue of Amina & Safiya. Safiya has been spared and Amina's sentence has been suspended. Amnesty international made strong recommendations to the Nigerian government. This is globalisation at work!

### **WOMEN'S HUMAN RIGHTS' VIOLATIONS IN NIGERIA**

Women's rights may be described as rights, which accrue to women by virtue of their being born female. Women face additional barriers to the enjoyment of their human rights because of feminine factors trailing them. For instance, a female refugee is subjected to more hardship than her male counterpart. Imagine her hygiene level under such demanding conditions. Despite the realization that women deserve an extra mile in the area of human right's protection, and notwithstanding the global attempt at the protection of the same; women's rights still suffer violations of different kinds in Nigeria.

Violations may be passive or active. The passive or non performed violation, according to Eseyin & Ohaeri occurs when there is no direct attempt to avoid a seeming negative creation which adversely affects the rights of women by not conferring upon them, their rights which usually should accrue to them. They also posit that passive violation occurs when there is an inactive attack on women's right. They cited gender discriminatory laws as the major culprits in this category. They further cited various laws, which discriminate against women. They include labour and employment laws under which the Police regulation law is categorized.

Police Regulations 124<sup>17a</sup> & 127<sup>17b</sup> compels a Policewoman who desires to marry to submit her finance's particulars for scrutiny. Permission will only be granted for such a marriage where the woman has served for at least 3 years in the force. Such demand is not place on her male counterpart. Regulation 127 can be summarized as 'get pregnant get fired' other laws discriminating against women in Nigeria include, taxation laws, the criminal law, marriage laws etc. an example can be found in the Kano Sate Civil Service Rule 03303 which states:

*Any woman Civil Servant who is about to undertake a course of training...shall be called upon to enter into an agreement to refund the whole or part of the cost of the course in the event of her course being interrupted on grounds of pregnancy.*

Eseyin & Ohaeri<sup>17c</sup> posited thus:

*...all these rules... are undoubtedly incompatible with the provisions of sections 53-55 of the labour act.....which is unquestionably the apex labour/employment regulation in the country.....wherein special protection is offered to women during pregnancy, and also maternity leave with pay and job security during and after child birth are guaranteed. These discriminatory rules cum laws not only violate the constitutional provision in S. 42 which prohibits discrimination on the basis*

*of sex and other grounds, but also negates the principles of natural justice, equity and good conscience. They also flagrantly erode the God bestowed reproductive rights of women!*

Active violation occurs on a wide range of practices. They include:

**Female Genital Mutilation (FGM):** This was described by the World Health Organization Technical work group as 'All procedure which involve partial or total removal of the external female genitalia and or injury to the female genital organs whether for cultural or any other non therapeutic reasons'<sup>18</sup>.

There are three types:

- (i) Clitoridectomy, which involves the removal of the prepuce or the hood or the clitoris leaving the clitoris itself and the posterior larger part of the minora.
- (ii) Excision involves the removal of the clitoris along with part of the labia minora or all of it.
- (iii) Infibulation or Pharomic is the most severe. It involves the removal of the clitoris, the labia minora and the adjacent medial part of the labia majora in their anterior and the two-thirds.

Especially with the belief that it prevents promiscuity these various types of FGM are prevalent in Nigeria. Hear the story of a victim:

*Mrs. 'O' is from Benue State. She got married at age 16 years and became pregnant immediately after. When the pregnancy was five months old, some four women under cloak of custom took her into the bathroom, spread her legs apart and embarked on cutting her genital organs with some crude and blunt object, causing her to bleed a whole day and leading to her being hospitalized for six days. The bleeding put both herself and the baby in the womb in jeopardy. When it was time to deliver the baby, it was a horrible experience. Since after the circumcision, she has hated the idea of sex because it has become a most painful, uninteresting and unenjoyable act to her'<sup>19</sup>.*

**Widowhood Practices:** These include the emotional and physical torture, which a widow is subjected to ranging from inordinate confinement to violent hair-scraping, ritual cleansing, naked walk, sleeping on the floor, prolonged skeletal dressing (which covers only the genitals), no bathing, routinised weeping, and malnutrition due to certain beliefs, stigmatization and disinheritance. These cruel practices still go on with vigour in Nigeria. Widows are made to drink the water used to bathe the corpses of their deceased husbands!

**Domestic Violence:** This may be appreciated with the story of a victim below:

*Mrs. 'V' is from Eastern Nigeria. She and her sister 'G' testified on behalf of their late sister Mrs. 'O', the wife of a prominent community leader. This man picked a quarrel with his wife over her condolence visit to a certain family, for which he beat her up. He went a dangerous step further by hurling her down from a story building in their home. When their employee security guards ran to the scene, the man arrogantly ordered them to dump her into the boot of the car, which they shockingly refused to do. He then asked them to put her in the back seat of the car, before he sped off with her apparently to the hospital. At the National Orthopaedic Hospital, Igbobi Lagos, he misinformed the doctors that he did not know whom the woman (his wife) he brought was, but rather he was merely acting the good*



*Nigerian who saw a road accident victim, picked her up and brought her to the hospital. Already, his wife was in a pool of blood at the moment and what he said sounded plausible. He dumped her there and left.*

*When his wife regained slight consciousness, she requested the nurse to telephone her brother who arrived later and deposited N60,000 for her treatment. She was then able to relate the things that had happened. She was certified paralysed from a broken neck and spinal cord. Perhaps, conscious that she might soon die, she requested to grant an interview to NTA to expose to the world the ordeals she had suffered at the hands of her husband. When the disgruntled husband got wind of these developments, he sought ways to silence both the testifiers and his almost dead wife for good. Unfortunately, on one of the few odd days he visited her in the hospital, his wife requested to eat her favorite Chinese rice. He returned with four packs of the Chinese rice later, but all three of her sisters who were staying with her in the hospital rejected the offer of the rice, except their sick sister who ate hers and soon developed serious complications and died 2 days later.*

*They said that they were very distressed over the untimely death of their sister in the hands of her husband. They demanded that he be brought to book speedily. They asked for justice. He has been charged with murder but his rich friends are trying to get him out on bail so that he would flee the country<sup>20</sup>.*

**Reproductive Subordination:** Motherhood and its antecedents should be a free, informed choice. Most women are being coerced into contraception, sterilization, or abortion to serve demographic objectives. Coerced contraception and coerced motherhood have been said to be two sides of a bad coin. Reproductive rights' violation include the assault on the clitoris (FGM), early childhood marriage which often result in Vesico Vaginal Fistulate (VVF), rape (including marital rape) which often results in infection with HIV/AIDS and other STIs.

**Women Trafficking & Forced Prostitution:** This consists of the recruitment, transportation, transfer, harbouring or receipt of persons, by any means, for forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs<sup>21</sup>. It occurs at national and international levels. Girl children trafficking for the purpose of 'house helping' is an example of national trafficking. The International aspect is better understood with this story:

*My name is Ms. 'K' I am from Benin, Edo State. I was 20 years old when I had the experience I am about to narrate. After my Secondary School education, a certain Nigerian woman who had a business center in my mother's building said she would like to take me to Italy to start a hair saloon there. Our trip commenced from Lagos to Germany, to France, we were asked to get into the trunk/boot of the car to be concealed from the immigration officials en-route Italy. In that way, we crossed into Italy undetected, "While in Italy, I was taken to a hair salon where my hair was weaved with some artificial hair so long that it extended almost to my knees. A pair of bra and pants was brought for me. I was told that those items were for my new job.*

*One day, in the house, some white men came in and started having sexual intercourse right in my presence with the women who kept our custody. I became disturbed by such immoral act and tried to walk away, but was stopped by the woman who expressed anger and told me that prostitution was exactly what I*

*will be practising and that doing it in my presence was for me to appreciate how to go about it. She later asked me whether I knew how to use the condom and how to smoke. She even got angrier when I told her I didn't. She called me names and went on to illustrate how to use them. She warned me that I must brace up for business or be killed like some other five unlucky girls who refused to comply. One night, I was sent out on the street to prostitute under the aegis of a certain head girl along with other girls. The weather was pretty cold and we were expected to pull off our clothes leaving ourselves scantily dressed to attract men. I could not pull off because it was very cold and I was not yet acclimatized. When the head girl could not convince me to pull off and prostitute, she called the woman in the house to report my intransigence. Meanwhile, the other girls were busy having sex in turns with men around the corners. I decided to go into a phone booth to shield myself from cold. When we got back to the house early the next day, I was given a severe beating for refusing to prostitute. (sobs). They threatened to kill me. I begged them to leave me alone as I will do exactly as they wished the next night. On that score, they ceased beating me and I made my escape the next night. I was starved for two days before my escape. I walked the streets without food and slept in refuse disposal vehicles. One day, I became so weak from deprivations and fainted. I was picked up and hospitalized but later handed over to a group of Reverend Sister who later bought my flight ticket and arranged for my repatriation to Nigeria.*

*Upon arrival, I was detained by the police at Alagbon for three weeks for traveling without proper papers, during which the Police demanded N80,000.00 for my release. My mother sold a number of things including the deep freezer she was using for her business (sobs) to raise N50,000.00 which the police rejected, until a lawyer intervened in the matter and they eventually collected the N50,000.00 from my mother and released me. But my former captors vowed to deal with my family unless we repaid their expenses of sending me to Italy one month later, we received a phone call from Italy that unknown persons - very likely my former captors - had killed my elder sister who had earlier traveled to Italy. (sob). I am now married to the lawyer who intervened during my detention<sup>22</sup>.*

### ***Other Forms of Violence Against Women***

This includes acid pouring, wife battering, other physical violence, psychological violence, economic violence etc. It also includes violence practiced by state engendered practices like rape in armed conflict situations, violence by the community some of which we have discussed earlier. The pertinent question is, why do we still experience these grave violations of women's rights in Nigeria despite the hullabaloo at the International level and its corresponding national implementation. There is a misplaced priority, misdirected energy, confused ideology - this is the object of our discussion in the next part of this paper.

## **GLOBALISATION AND LOCALISATION**

The new feminism flourishing in the mainstream of women's rights' activism and protection is more of a revival of a serious political and social movement. Most actors are drawn into it because of the financial dividends as against the love for women liberation and empowerment. Lip service is paid to true patriotism. Meanwhile,

the achievement of women's rights protection depends upon the employment of a more holistic approach. The bane of women's rights' protection is the attempt to globalise. Women's rights' protection is not a global issue but may require global direction in its achievement. We may substitute universalism for globalisation and we would still be meaning to same thing in our discourse on women's rights. Women's rights' issues should not be treated with universal ideologies, which are merely players in western cultural marketing. There exists a diametric opposition between universalism and cultural relativism. While we agree that human rights possesses universal nature, their protection should be domesticated having in mind cultural demands and prejudices.

While we pay no accolades to the inhuman practices at the cultural levels in Nigeria, we suggest that restructuring the cultural technology should be the first attempt at the protection of women's right in Nigeria. Globalisation of women's rights, if not purposefully handled, may become a drive way to cultural imperialism or cultural homogenization of the modern world. Perhaps, it is necessary to redefine globalisation in women's rights' discourse as 'seeking protection for women's rights through the declaration of international convention and enforcement or redress for violations through concerted international efforts (as in the Safiya/Amina cases), or when leavings protection at the mercy of latent national policy papers and cosmetic 'NGOism'. If this is globalisation then it is the bane of the developing world as most violations occur in the developing countries. Non-protection is more of a third world issue. Globalisation of our attraction should be a realistic one, not the offensive. This suggests that globalisation can be practiced either realistically or offensively.

This offensive globalisation strives to attain the height of the international standard without a local content. Actors in globalised protection strive to be like global others without putting in place the rudiments. The problems with this attitude are that the gap between international standard and the national attempt at protection widens. The non protection becomes unusually emphasized. The unrealistic globalisation attempts to do what obtains at the global level. For instance, the Beijing romance makes the whole world seek 30% of women participation in politics, Nigeria also does. Meanwhile, hardly can we present qualified, productive and wiling 10%. Unrealistic globalisation, is trying to produce the remaining 20% anyhow! Realistic globalisation would mean that we revisit the reason why only 10% are available and find solution for making over 50% ever ready. Thus, productive or realistic globalisation is just a standard influence creating a direction at the international level where nations draw their score cards. A platform from which norms can be borrowed, and standard set for achievement. This may be referred to as localized Globalism. Realistic Globalism is locally focused.

It is not enough to propound theories of human rights of women of quote laws and conventions which certain customary practices violate. Beijing and CEDAW have no force of law. They merely express a standard to which protection of women's rights should achieve. They are not legislations to be adhered to. They merely appeal. They are different from the African Charter on Human & Peoples' Rights, which Nigeria has incorporated into her laws. Where there exist legislations, on most of these violations,

they may be curbed, but we submit that legislation is not the panacea for women's right violation in Nigeria. What is it?

Localisation, is coming out of globalisation stereotypes and legalism, recognizing that law cannot change culture (from where most violations emanate) and landing on the plane of activism designed upon indigenous needs and aspirations of the people. The solution to the problem of non-protection of women's rights is Localisation; especially when it means action, repairs, and a fresh start, through education, implementation and indigenous solutions to global placed challenges.

### CONCLUSION AND RECOMMENDATIONS

Localization may be a long-term result-yielding programme, it pays. The quickest way to leveling up in the global race is 'slowing down' to 'equip up' and 'snapping back' with great energy to face the race squarely. The second coming into the race with all the kits provides the opportunity of winning medals. Without 'slowing down' the gap becomes too wide to be bridged. Remove poverty and conquer trafficking. Remove illiteracy and do away with a host of women's rights' violations. We must stop the glamour associated with globalisation and solve our first problems. We need a more holistic approach.

There is the need to slow down on the global race and move at our pace to protect women's rights in the third world. In the developed world, elementary issues, which we still battle with, have long been overcome or have never even existed in their circumstance. To them, the cry for women's rights' protection is either for extended frontiers or as solidarity for the rest of the world in their non-protected status.

**Attitudinal Reorientation:** What we need at first is attitudinal reorientation, cultural engineering and belief purging. FGM, Widowhood practices for instance, occur from the age long belief of the practitioners. Most of these practices occur from embedded myths and folklores of the people. It is often believed that if these rites are not performed more tragedies may occur. The primary aim of government, NGOs and other stakeholders should be to eradicate the belief, and not the practice. From a natural flow when the belief is dealt with, the practice extinguishes. The method for cultural engineering is the next issue to be discussed.

**Education:** To achieve cultural engineering, the people involved, must be educated through formal and informal education. The later involves public enlightenment of different styles, which include jingles, campaigns, media participation, movie etc. The former should erupt like a revolution! It must leave the realm of policies and dogmatic strategies if it must make a meaningful impact. The role of formal education in eradicating these cultural beliefs cannot be over emphasized. Education is a sine qua non to the achievement of women's rights' protection. Education will liberate the practitioners of these violations and also empower the violated. Education for all should form part of good governance agenda. If it means being made free at all cost, it must be

pursued. Where 80% of the population acquires formal education, we foresee a women's rights' violation free environment, which though critics call an utopian estate. Education and mass literacy is our prescription for the protection of women's rights. Legislation without cultural engineering via education is a toothless bulldog. As part of education we suggested that the protection of women's rights should be part of the syllabus at all educational levels. Special attention should be paid to the girl child.

**Poverty Reduction:** A rhetorical question was once asked, 'does poverty have a feminine face'? Low level of women education has been traced to poverty. Non-participation in active politics has also been so traced. Poverty accounts for the success that trails violations of women's rights. One wonders why women continually fall victim of trafficking. In their poor estates, the affluence displayed by these traffickers is bait to cajoling them. Government must act, and not strategise. Poverty and starvation must be dealt with. Women must be empowered economically by giving them equal access to economic resources.

**Action, Not Strategy:** Cutting across the suggestions above is the need to employ a holistic approach in implementation. Stakeholders in the protection of women's rights including governmental structures and NGOs should strive to 'deliver' and not 'strategise'. Women are languishing in want. Faces of many women in Nigeria are forlorn. Deprivation is the hall mark of many Nigerian women. We must make haste to save the women, the mother of creation. Save the women, save the world.

Finally, since the status of women itself has tended to be conditioned by tradition and cultural philosophy in Nigeria, there is need for exploration and application of a more sagacious indigenous solutions to the problems of women marginalization in the country and Africa as a whole.

## NOTES

<sup>1</sup> <http://www.unesco.org/new/en/social-and-human-sciences/themes/human-rights/gender-equality/globalization-and-womens-rights/>

<sup>2</sup> Emmanuel E. Okon 'Foreign Investment and Natural Security in Developing Countries under globalised Environment: The Nigerian Perspective'. A paper presented at the Round Table on International Trade & Globalization: Challenges for Nigeria (2002).

<sup>3</sup> Martin Khor: Globalisation and the South: Some Critical Issues 1. ed (2000)9-10

<sup>4</sup> A. Y. Seita, 'Globalization and the Convergence of Values', (1997) 30 Cornell Int'l. L. J. 429 (1997) pp. 435-439.

<sup>5</sup> Esiemokhai, Adeleke & Kuteyi 'Globalization and the Right to Democracy and Good Governance: Best Practices'. A paper presented at the conference of Association of Nigerian Law Teachers, held at NIALS (2004) 2.

<sup>6</sup> 'International Trade and Globalisation: An Overview of its implications for Nigeria' NIALS round Table on International Trade and Globalisation: Challenges for Nigeria (2002).

<sup>7</sup> Mike I Obadan 'International Trade and Globalisation: A social-political and Economic Realities for Nigeria'. A paper presented at NIALS Round Table (2002) 1.

<sup>8</sup> Mike Kwanashie 'The Concept and Process of Globalisation' CBN Economic and Financial Review, Vol. 36, No. 4 (1980)341.

<sup>9</sup> Nasirdeen Usman 'Protection and Preservation of Cultural and religious diversities in a globalised



world: Problems and Prospects'. A paper delivered at the 40th Annual Conference of NALT, held at the Institute of Advanced Legal Studies, Lagos (2004).

<sup>10</sup> Association for Women in Development (AWID), "Re-inventing Globalization," at the Human Rights Internet (HRI) website, [www.hri.ca/women/news/index/awid.shtml](http://www.hri.ca/women/news/index/awid.shtml), (accessed January 2008)

<sup>11</sup> *Weekly v Weekly* 150. A. L. R. 689.

<sup>12</sup> 'Words and Phrases', Permanent edition Vol. 37A, West Publishing Co. 1658.

<sup>13</sup> F. E. Dowrick (ed) *Human Rights, Problems, Perspective and Text* p.8.

<sup>14</sup> Human Rights Peoples Rights cited in James Cranford (ed) *The rights of People* (1980)127 in *International Human Rights context*, Steiner and Alston (1996) 73.

<sup>15</sup> Population reference Bureau 'Women of our World' Measure Communication (2002).

<sup>16</sup> See PEARS encyclopedia 103rd ed. 1994-1995. Chris Cook (ed) P v 33.

<sup>17</sup> Article 3.

<sup>17a</sup> "A woman police officer who is desirous of marrying must first apply in writing to the Commissioner of Police for the State Police Command in which she is serving, requesting permission to marry and giving the name, address, and occupation of the person she intends to marry. Permission will be granted for the marriage if the intended husband is of good character and the woman Police Officer has served in the force for a period of not less than 3 years."

<sup>17b</sup> "An unmarried woman Police Officer who becomes pregnant shall be discharged from the Force, and shall not be re-enlisted except with the approval of the Inspector General"

<sup>17c</sup> (fn. 17 above) at 46.

<sup>18</sup> Art 3. See also Art 2 of the UDHR.

<sup>19</sup> *Women's Rights in Nigeria: How protected*. Uyo:Chewora,s2004) 43.

<sup>20</sup> World Health Organization (WHO) 1997 *Female Genital Mutilation a joint WHO/UNICEF/UNFA/Statement Geneva* (1994 an 1998).

<sup>21</sup> National Tribunal on Violence against Women in Nigeria. CIRDDOC public Education series No. 15 P.14.

<sup>22</sup> National Tribunal on Violence Against Women in Nigeria. CIRDDOC public Education series No. 15 p.10

<sup>23</sup> National Tribunal on Violence Against Women in Nigeria. CIRDDOC public Education series No. 15. p.23.

<sup>24</sup> National Tribunal on Violence Against Women in Nigeria. CIRDDOC public Education series No. 15. p.25-27.