

Strengthening the Gender Balance: Women and Decision-Making in Oil Producing Communities in the Niger Delta

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Abstract

In most Nigerian communities, participation in decision making is gendered, reflecting the structure of the dominant patriarchal ideology. The advent of the petroleum industry in the country has further entrenched the problem by undermining the voices of women regarding the distribution of the benefits of the industry in host communities. This development is a stark contradiction of the efforts of the government as captured in the various international and Nigerian legislations, including the National Gender Policy (NGP 2007), to empower women and mainstream their voices in the polity. This paper examines how such marginalization manifests itself in Nigeria's Niger Delta, particularly in modalities for compensating owners of acquired properties. Using Ugborodo community as a case study, the paper looks into how decisions in Oil and Gas related matters are taken. It focuses on how through the reiteration of existing gender bias, women are excluded from decision making regarding compensation for acquired landed properties even when the said property belong to them. With data obtained from interviews, focused group discussion and literature, the paper finds that when a property is acquired personally by a woman, she is included in negotiation meetings with the oil company. However, when it is a gift from her father or relation, she is summarily excluded except she "forces" herself to such meetings. It was also discovered that although women know there are laws protecting their rights, including the right to participate in oil and gas decision-making in their communities, they have not heard of the NGP. The paper's conclusion is that poor implementation of the gender policy as well as the plethora of laws meant to protect the rights of women has not enhanced the participation of women in oil and gas decision making in oil producing communities.

Keywords: participation, decision making, gender balance, women, Niger delta.

Introduction

For oil producing communities and the women in particular, when petroleum was first found in 1956 and in large commercial quantity in 1958 in Oloibiri community in present Bayelsa State, the Niger Delta people and the rest of the country were led to believe that the just-discovered oil and gas treasure in the delta area guaranteed a bright future. Annkio Briggs, a female indigene of Oloibiri, recounted how Shell managers were visiting her village from about 1952 with a movie projector (Simon, 2010). The villagers, most of whom had never seen a movie, gathered to watch a company film about the prosperity oil would bring. “They showed pictures of how white people lived in suburbs,” Briggs recalled. “Water came out of the taps. Children were getting into cars. Like them, we would live the good life.” (Ikelegbe, 2010). According to Akpan “when in June 1956, they [Shell] splashed the whole place with crude oil and mud water, the entire community joined them in jubilation!” (as cited in Nwapi, 2008,.27)

Many years of operation of the oil industry in Nigeria, the impacts of the industry on host communities have been both sunny and grim: sunny for the reason that the location of the industry in that region has shot the region into the international limelight. The grim, is occasioned by the negative externalities of the industry on the people and their environment (Aworawo, 2000,156; Dibua, 2006, 34, Ikuli, 2012, 305). The grime effect of the oil industry in the communities is most felt in the agricultural sector where women are key players as farmers and petty- traders (Ochieng et al, 2014). Since they constitute the majority of the subsistence farmers and fishermen and petty- traders, they, by implication suffer most from the disruptive effects of the oil extractive activities in the communities International Labour Organisation, ILO, 2009).

Added to this is the fact that women are also in the forefront of the agitations and open protests against the oil industry for better “deal” from the benefits of the industry to the communities (.Turner & Leigh, 2004,64). According to Ikelegbe (2005,264), protests by community women’s organisations have been more effective in achieving results from multinational oil companies in the Niger Delta. Also, despite the near equal population with the men, (National Census, 2006; Technical Committee Report, 2008, Okafor, 2009,56), “tokenism is applied in allocating participation spaces to women” (Ebohon, 2012, 410). This means that few women are involved in oil and gas decision-making in oil producing communities even though their empowerment and enhanced participation is essential for the adaption of gender-responsive and participatory peace-building and sustainable development policies for the Niger Delta region (Adindu, 2002). The direct consequence of this is that development projects focusing on their productive roles and needs in the communities are not recognised and accorded the deserved respect in local and national economic matters. (Sawh, 2010).

Strategies directed at mitigating the identified gender gaps in decision making have occurred at both international and local levels. At the international level, some of the protocols, legislations and declarations include for example, the Declaration of Human Rights in its Article 1 states that “all human beings are born free and equal.” The Convention on the Elimination of all forms of Discrimination against Women (CEDAW) (UN, 1979) under Article 5 (a), requires State parties to take all appropriate measures to change the social and cultural outlook of the roles of women in society. Article 5 therefore seeks to take appropriate measures such as coming up with appropriate legislation, policy and other proactive measures outside the domain of law. There has been also the declaration of some decades as international decades for women. These were followed up with world conferences on women the most profound being the fourth held in Beijing, China in 1995. The international decades for women and the various world women conferences called for governments worldwide to “create a gender sensitive system in order to ensure full and equal participation of women in policy and decision-making.” In particular, the Beijing Platform for Action’s (BPA) mission statement asserts that equality between women and men is not only a matter of human rights and a condition for social justice, but that it is also a condition for people – centred sustainable development” (BPA, 1995, Section 1). The conference thus encouraged the adoption of affirmative action as a state policy.

Regional bodies such as African Union (AU) and Economic Community for West African States (ECOWAS) also have legal and policy documents aimed at gender balancing. From AU, is the Solemn Declaration on Gender Equality in Africa which reaffirms the principle of gender equality as enshrined in Article 4(1) of the Constitutive Act of the African Union. Accordingly, under chapter 7, member states declare “to actively promote the implementation of legislation to guarantee women’s land, property and inheritance rights including the right to housing.” There is also from the AU, The African Charter on Human and People’s Rights (ACHPR), which under Article 18 states that “the State shall ensure the elimination of every discrimination against women and also ensure the protection of the rights of women....” Article 21(2) of the Protocol to the Charter on Human and People’s Rights on the Rights of Women in Africa states that “women and girls shall have same rights as men and boys to inherit in equal shares their parent’s properties.” The New Partnership for African Development (NEPAD (African Union; available at www.au.Org) recognises the need for the achievement of gender equality in the implementation of its programmes. Both AU and ECOWAS have gender policies aimed at catering for the gendered needs of all.

Nigeria has bought into and domesticated some of these international and regional legal and policy instruments. For instance, ACHPR was domesticated in Nigeria in form of the African Charter on Human and People’s Rights (Enforcement

and Domestication) Act Cap 10, 1990. This Act makes the provisions of the Charter enforceable in any Court of Law in Nigeria. Article 21 was also ratified in 2004. In addition to ratifying these international laws, Nigeria has its local enactments to address gender disparities. The Constitution of Nigeria 1999 as amended guarantees to all persons, regardless of ethnic background, race, sex, creed, place of origin or political opinion the enjoyment of their fundamental rights and freedom (Constitution of Nigeria, 1999). Laws like the Niger Delta Development Commission Act, 2000 is directed at tackling the infrastructure and other development needs of the Niger Delta Region.

In 2007, Nigeria drew and adopted a National gender policy to bring a gender perspective into all aspects of planning policy, developing legislation and transformation activities in Nigeria (National Gender Policy, 2006). Concerns with gender relations have strengthened the affirmation that equality in the status of men and women is fundamental to the sustainable development of every society. Thus, the gender policy addresses the systematic inequalities between women and men in our society without ignoring the fundamental differences between them. More importantly, the gender policy prioritises the empowerment of women as an entry point to achieving gender equality, and seeks balance of power relations between men and women for the optimum benefit of both parties (National Gender Policy, 2006).

Many years after the enactments of these laws and policies, the position of women especially the rural women in oil producing communities have not improved as they still suffer discrimination in oil and gas decision making processes in their communities. Why is this so?

This paper seeks to answer this question with specific focus on women's participation in decision making regarding compensation (benefits) from the oil industry. The specific objectives of this paper are:

- To ascertain the structure and composition participants in decision-making in oil communities in Nigeria.
- To explore the meaning of and procedure for decision-making in oil communities
- To identify factors that influence participation in decision-making in oil communities.
- To identify constraints to women's participation in decision-making in oil communities
- To ascertain the effects of current Nigerian laws and policies on women's participation in decision-making in oil communities.

The paper has two main sections, the introduction and the analyses and discussion of findings.

Method of Study

Study Area: The study took place in the Niger Delta Area (UNDP, 2006). Section 2 of the Niger Delta Development Act, (NDDC) described the area as consisting of nine states- Abia, Akwa- Ibom, Bayelsa, Cross-Rivers, Delta, Edo, Imo, Ondo and Rivers. Delta was purposively selected because all the protests by women against the oil industry were organized by women from various communities around the state (Turner, 2004). Also, purposively selected is Ugborodo community in Warri South West Local Government of Nigeria. Ugborodo women's 11 day siege on Chevron is a water shade as it has remained the most successful in the series of protests against the oil industry by various women groups in the Niger Delta (Ukeje, 2005,608). Its described as successful because the oil company did not dislodge the Ugborodo women protesters with brutal force as they did during similar protests. In addition, the company signed an MOU with the women and their community leaders before the 11 day siege was terminated by the women.

Ugborodo is an Itsekiri homestead located on the Escravos River southwest of the oil city of Warri. The community is the oldest community in Itsekiriland and consists of seven villages as follows: Arunton, Ogidigben, Madangho, Ajudaigho, Imaghagho and Iyala and Ode-Ugborodo Akiyode-Afolabi and Iyare, (2005,8). It has a population of 15000 people and is host to Chevron Tank Farm which daily production of oil is very high. Ugborodo was founded in the 13th century by a Yoruba emigrant fisherman from Ijebu axis who waded strenuously through a big river (Odo), before settling on a mangrove forest (ugbo), a derivative which gave birth to Ugborodo, the name of the community till date. According to the local folklore, two brothers and their five sons fanned out to form the various communities of Ugborodo—the "Ikpere ale meje" (town with seven sections).

Data was from both primary and secondary sources. The primary sources were oral interviews and focus group discussion (FGD). Three men and four women leaders from the seven villages of the community were interviewed ("Interview with key informer"). They were purposively selected because of their office, educational level and understanding of the subject matter of the research. The FGD had 8 participants- 3 executive members of Ikpere Ale Meje, the vice chairman of the Warri South West LGA, the Gender Relations Officer of the Warri South West LGA, the male and female youth leaders and an official in the office of community relations office of Chevron, also an indigene of Ugborodo. The secondary data sources were text books, journals, newspapers and internet sources.

Conceptual Analyses and Literature Review

The concept of participation.

To the World Bank, (1994) “Participation is a process through which stakeholders influence and share control over development initiatives, and the decisions and resources which affect them.” To Cohen & Uphoff, (2008,213-214) participation is possible under many conditions and is desirable to achieve development goals. The authors next came up with types and dimensions of participation by asking and answering the following questions: (1) what kind of participation is under consideration (is it participation in decision-making, participation in implementation, participation in benefits (or harmful consequences), or participation in evaluation?); (2) who is participating in it (local residents (-men, women, youths) , local leaders, government personnel, and foreign personnel); and (3) how is participation occurring (basis of participation, form of participation, extent of participation, and effect of participation).

However, the aspect of participation that is of interest to this paper is participation of women in decision-making processes regarding compensation or benefits of the oil and gas industry in an oil producing community in the Niger Delta region of Nigeria. To this end therefore, wherever participation (or any of the alternative terms) is used in this paper, unless otherwise clarified, it is to be understood as participation of women in decision-making in oil and gas community.

Decision and Decision-making:

To James Anderson, “a decision is the choice of an alternative from among a series of competing alternatives” (as cited in Ikelegbe, 2014, 4-5). It is a choice made in response to certain needs, problems or desired objectives (Ikelegbe, 2014,4). For oil communities, decision is specifically, actions taken in the course of day to-day management and administration of communal affairs and in the context of this study, those dealing with oil and gas compensation packages. The paper argues that certain segment of these communities are excluded from being part of those who make the choice (size, share, type of benefits of the oil industry) in response to certain needs (Reasonable compensation or benefits), caused by certain problems (pollution, destruction of means of livelihood etc.) or desired objectives (for example, development of the community through infrastructural provision.)

Decision making on the other hand is the act of selecting from an array of possible actions that are proposed or have been proposed in response to given challenges. In this paper, decision making means taking part in, being invited to take part in, being present at meetings or other fora where decisions regarding how much compensation an oil company should pay for acquired or polluted communal or private land, job, contract, scholarship and other benefits from oil companies to a community.

Patriarchy

Rich (as cited in Olomojobi, 2013, 3) defined patriarchy as:

A familial-social, ideological and political system in which men by force, direct pressure or through ritual, tradition, law and language, customs, etiquette, education and division of labour determine what part women shall or shall play in which the woman is everywhere subsumed under the male.

In this paper, patriarchy is seen as an age-long entrenched traditional practice that confers unfettered privileges and freedom to male members while neglecting and justifying denial of similar privileges to the female members of same community. In oil communities, patriarchy constructs women as beings whose main role is to service men's needs (Fulfer, 2008, 2). This construction of women permeates all facets of life and is principally behind the shutting out of women from decision making processes including oil and gas in Nigerian communities.

Gender

This study used gender in its traditional sense to mean social and cultural differences rather than biological ones between men and women. Food and Agricultural Organisation (FAO) gave an all encompassing explanation of gender thus:

Gender is the relations between men and women, both perceptual and material. Gender is not determined biologically, as a result of sexual characteristics of either women or men, but is constructed socially. It is a central organizing principle of societies, and often governs the processes of production and reproduction, consumption and distribution' (FAO, 1997, online at www.fao.org).

Gender is often misunderstood as being the promotion of women only, the all-encompassing definition of the concept by FAO notwithstanding. However, as we see from the FAO definition, gender issues focus on women and on the relationship between men and women, their roles, access to and control over resources, division of labour, interests and needs. Gender relations affect household security, family well-being, planning, production and many other aspects of life (Bravo-Baumann, 2000, as cited in FAO, 1997).

Discrimination

In ordinary language, to "discriminate" means to distinguish, single out, or make a distinction. ... But in the context of civil rights law, unlawful discrimination refers to unfair or unequal treatment of an individual (or group) based on certain

characteristics, such as age, disability, ethnicity, race.

Under the English Equality Act 2010, discrimination means not treating everyone fairly, with dignity and respect. Under the International Covenant on Civil and Political Rights, 1966 (ICCPR) the concept, “Discrimination” is defined as any distinction, exclusion, restriction or preference which is based on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth, or other status and which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise by all persons, on an equal footing, of all rights and freedoms.

Gender discrimination on the other hand means discrimination that occurs when a person is subjected to different or unequal treatment in any number of situations especially when that discrimination is based on the person’s gender. Gender discrimination occurs in many sectors such as education, employment, housing etc. As Frye states, “There is a woman’s place, a sector, which is inhabited by women of all classes and races, and is not defined by geographical boundaries but by function. The function is the service of men and men’s interests as men define them. (as cited in Fulfer, (2008,33)

The gender discrimination that this study is concerned with is that which is associated with participation in decision-making. In oil producing communities, this form of discrimination is stoked by patriarchy and manifests in the denial of women from participating in decision making regarding the allocation of oil and gas benefits in the communities.

Marginalization

Marginalization is the treatment of a person, group, or concept as insignificant or peripheral. In oil communities, women are restricted from participating at all levels of the political and economic structures for decision-making. This is clear marginalization of a section of the community from taking part in the making of decisions whose outcomes will also affect them. Poor implementation of the surfeits of laws and policies enacted to check gender discrimination constitutes marginalization of the women. Implementation is trivialized due to prevalent values in the society that treats everything that has to do women as “insignificant” and “peripheral.”

Literature Review

The private-public space divisions also caught the attention of scholars. Boyd (2002) contends that women are socialized into the 'private' sphere and Boyd's 'private' sphere consists of what she considers 'domestic' responsibilities: the home, the family and sexuality. Men are responsible for the public sphere, such as working outside the home, public affairs and economic decision-making. Smee & Woodroffe, (2013) in their study, argued that poverty can be mitigated or even eradicated through enhancement of the empowerment of the marginalized girls and women in the society. In their landmark study of gender and development, Boserup & Kanji (2007) argued that development practices entrenched and deepened unequal gender relations, further marginalizing women by excluding them from industrialization and technological "advances."

George identified the various levels through which oil revenue is shared in Nigeria. According to her, the sharing of oil revenue is both at a macro and micro levels. Macro level occurs between oil companies and the governments and micro levels occur between the federal, state and local governments on the one hand and between governments of oil producing states and the oil producing communities on another hand and lastly between oil producing communities and their people (George, 2008,67).

Irrespective of the levels, Kuku (2012) opines, the sharing has often sidelined some stakeholders. Continuing, George argued that the issue is not about the quantum of revenue that comes to the Niger Delta or the equity of the revenue allocation formula but rather the equity in the distribution of the oil benefits within the Niger Delta, between the men and women of the oil producing communities. Concluding, she considers it important and in line with the objectives of the NGP that all indigenes of the region, whether male or female, should benefit equally from such revenues and other accruing benefits (George, 2008).

To this end, some writers like Ikelegbe (2011), Moss & Young (2009), Gelb (1988) and Hanlon et al (2010) not only blamed the government for poor management of oil revenue but also suggested direct distribution of the rents from oil industry to each citizen. This they further opined has to be done so as to prevent the elites in the area from corruptly enriching themselves with these rents and leaving the communities and its people poor and undeveloped.

Quoting Nigeria's National Bureau of Statistics (NBS), Ezegwu and Udalla (2011) in their study, argued that with the exception of the negative effects of the oil explorations in the region, states in the Niger Delta region have more Federal government- supplied development facilities than many states in other regions of Nigeria, including states in the Southern parts of the country that are considered to

be ‘comparatively privileged’ in many respects vis-à-vis the UNDP development indicators. Moss and Gelb on their part called for a direct cash distribution of oil benefits to all stakeholders in the industry in oil host communities.

The operations of the oil industry in Ugborodo community also caught the interest of some scholars. Faleti (2008) examined the problems Chevron encountered in its bid to implement its General Memorandum of Understanding (GMOU), a stakeholder engagement cum development framework Chevron came up with for Ugborodo and other Itsekiriland communities’ aftermath of the Ugborodo women’s siege of Chevron facility in July 2002. According to Faleti, the implantation of this document was marred by unbridled selective patronage, a development that weakened the efficacy of the programme as a model of development that claims to put the community in the driving seat in matters relating to its infrastructural and human capital development (ibid).

Akiyode-Afolabi & Iyare’s study appraised the 11-day siege of Chevron oil facility at Escravos in July, 2002 by Ugborodo women. According to the authors, “the women’s invasion of Chevron Escravos tank farm was historic in different ramifications in that it stood the spates of violent protests in the oil rich Niger Delta region on its head.” (2005,7).

In his extensive analysis of the impact of women’s organizations on women’s empowerment in the Niger Delta, Ikelegbe classifies organizations according to their ethnic grouping, the kinds of demands made, and the geographic level at which they operate. His findings shows that “the most consistent and active” of the groups are the locally-based community women’s organizations (CWOs) (Ikelegbe, ibid). Sawh (ibid) considers the protests by women from oil communities against the oil industry as exemplifying the long history of advocacy for economic, social and cultural rights. According to her, these protests predates the involvement of western-based human rights organizations and also demonstrates that local articulations of ESCRs are not limited to states alone as the women’s demands were directed at the corporations involved.

All the literatures examined dwelt on subjects of importance to the past and current efforts at finding permanent solution to the petroleum- induced challenges in the Niger Delta and oil producing communities in particular. However, none of the studies appraised the gender dynamics of decision making regarding compensation (benefits) of the oil industry in oil communities. The closest study to this current one was the one by Ochieng et al (2014) which examined the degree to which women in Rwanda, Burundi and Democratic Republic of Congo (DRC) participate in farm management and decision making for crop production activities .Our study’s focus is on women’s participation in decision making in oil and gas benefits

Theoretical Framework

A branch of the Liberal feminism theory by Longwe (1997) referred to as Women's Empowerment Framework is the theoretical basis of this study. To Longwe, women's marginalised condition in the society is seen as emanating from unequal opportunity situations. According to the framework, gender inequality emanates from the sexual division of labour and the prevalence of separate private and public spheres of social activity. To this end, women's primary location is perceived as being in the private sphere whereas that of the men is in the public spheres. It is this context that the socialisation of children aims at preparing the younger ones for their adult roles and work in the spheres appropriate for their sex. (Dorsey, 1990)

The theory further posits that gender inequality is created by a system that restricts women's access to the public sphere by burdening and isolating them with private sphere responsibilities such as home chores. Sexism is equated to racism because it is characterized by prejudice and discriminatory practices against women. Not only does the ideology of sexism sustain beliefs about the biological differences between men and women that account for their different social fortunes, it is responsible for the social restrictions and confining of females from childhood so that they mature into helpless, mindless, and dependent beings.

This study specifically examined how women's rights to take part in oil and gas decision making is appropriated in oil producing communities and by extension, the larger Nigerian society, despite the efforts through legislations and innovative policies on gender equality. For this study therefore, an understanding of the different intersection of identities aims at evolving measures that will open up opportunities for women in the oil producing communities to participate in oil and gas decision making thus, promoting human rights in general.

The liberal feminism theory is appropriate for this study because it helps in the understanding of oppression against women, gender and power relations over time in an oil producing community like Ugborodo community. Therefore, it argued that most women in oil producing communities are put in vulnerable position as a result of the intersection of identities which creates differences in gender terms (Walby et al, 2012).

Analyses of Findings

This section presents and appraises the responses of the respondents from the oral interviews, focused group discussion and secondary sources. The discussion was done under the following headings:-

- Structure and participants of decision making in oil producing communities
- Meaning and procedure for participation
- Criteria for participation i.e. factors influencing participation
- Constraints to women's participation
- Appraisal of Nigerian laws and policies on gender equality in decision-making against international legal and policy standards.

Structure for Decision-Making in Oil Communities

The researcher tried to ascertain the structure and those who make up the structure for decision making in oil producing communities of Nigeria. Our findings as shown from the responses of respondents are that the structures for decision making are in layers: the topmost known as council of elders, next is the trustees group and lastly the youth group. This structure makes both political and economic decisions for the community. For the constituents, only men aged seventy years and above constitute the elders' council. Both men and women are members of the trustee and youth groups. Thus, women participate in the second and third levels (trustees group and youth group respectively) of the elite decision-making bodies. This is contrary to the prevalent positions we found in literature that the topmost levels of decision-making is "completely locked-up" against women in these communities. The issue is that the women in these groups are very few and this impacts on their decision making output.

On structure for political and economic decision-making, a key informer said:

Ugborodo community, like most oil producing communities (Faleti, 2008) is governed by three layers of authority- the council of Elders, the trustees and the youth group. The Council of Elders consists of only men aged 70 years and above. Next to the Council of elders is the trustees consisting of 22 members 7 of whom are women. The council of elders is the highest decision making body. It has three executive members- the "eghareja", the "olajori" and a secretary. The three are nominated by the council of elders from among themselves (interview with key informer).

In order to ascertain those who constitute members of the top decision making bodies in the communities, the question "who are those that participate in decision-making in your community?" was asked.

According to a FGD,

The composition of participants include men and women but mostly men. The Trustees always have some woman; the women leader is also one of the seven women members of the trustee to represent the women's interest." It consists of sons and husbands, never wives. The 22 member Trustees have only 7 women, one from each of the seven villages of Ugborodo. The youth group consists of mostly boys. Positions in the youth group are open to both male and female youths, but the girls hardly come forward. So the boys take up everything.

An interview respondent said: "One of the women members of the trustees must be the president of the community women's organisation." "They don't bring in just any woman into that group." She is there to report things that are of interest to the women and nothing more"

The woman leader had this to say:

All meetings about the oil industry are only attended by the men. We agree with them to at least have 2 women during such meetings. But they often hide to hold these meetings with the oil company. But if I hear of a meeting going on about any matter concerning oil and this community, I don't wait; I often, force myself on such meetings. Decisions about oil industry have nothing to do with culture or tradition of this town. It's about business, about money, about jobs and how to improve our community which has been devastated by the oil company (Interview 8th August, 2015).

An unmarried female youth leader on her part said concerning meetings where decisions are taken in the communities:

My answer is yes and no. Yes, women attend on matters concerning women. Rarely on matters of general nature involving the entire community. The men do this aspect alone. Women are not involved, the exception is where the said acquired land is her personal land bought with her money, or 'dashed' her by her father, uncle, brother, husband etc. With regards to communal lands, no; women are not actively involved. But vibrant women leaders often force their way into these meetings if it's about oil not some fetish cultural things. Women do not participate at the general level because the men and even fellow women look down on those women who force themselves on such meetings as wayward and unfeminine (Interview, 9th August, 2015).

The trustees are also sent to negotiate with the company on other compensation matters such as jobs, scholarship, and compensation for pollution (Interview, Vice-chairman Warri North LGA, 15th February, 2016).

The assertions of these respondents are given credence to by Ikelegbe when he wrote "that women have traditional organisations concerned with governance through which they relate their welfare to the community....Their leaders receive grievances which are channeled to the community council of which they are representative members." (Ikelegbe, 2005, 266).

The elders council are the highest decision making body of the community. To this end, they preside over all oil and gas related decisions affecting the community. Since this Council of Elders is composed of only men, they protect the status quo by making decisions favourable to themselves. So, at this level oil and gas related decisions may not recon with the interests of the women.

Meaning of Participation and Procedure for Participation

Participation in oil and gas benefits can be at either micro or macro levels. To most rural people in oil producing communities, participation in oil benefits is at

the micro level. This comes by way of oil companies meeting pressing needs of the community and those of the people for example, provision of employment, funding for their education, contracts, adequate compensation for their property whenever it is acquired and protection of their environment from devastation by oil industry. The communities are not so much keen with control of macro level benefits of the oil and gas industry in Nigeria. For example, the quest for resource control by governments of oil producing states. This quest is driven mainly by the ruling political and economic elites of these oil producing zones.

To test the veracity of the positions above, the researcher asked the question: “What does participation in decision entail in your relationship with the oil company operating in your community, or how do you know you are participating?”

To the woman leader, participation means “contracts from Chevron, compensation for communal land taken by Chevron, scholarship for the youths to go to school, employment opportunities after school, setting aside some funds to be given as revolving loans for our women.” “Invitation to meetings where decisions are taken is also one important one. “It’s not about resource control. I support federal government’s ownership and control of all the oil in Nigeria. The government and oil companies should just try and meet those requests I enumerated earlier.”

A Male FGD Participant response went thus:

For the women, what constitutes participation could be hidden or open, latent or manifest. Either way, they are beneficial to the women. Let me explain. The hidden (latent) form of compensation is when the girls or even women dump their local boyfriends or even husbands for Chevron workers. In fact the ultimate big catch is hooking up with a white man especially Americans. Some women have travelled to America and other countries through these means. I know of families here whose fortunes got better because their daughter was picked up and later married off by one of these white American Chevron workers. These to me are also benefits. That’s a form of compensation to the community which is enjoyed only by our women. White ladies in Chevron are few. Our men local men hardly have access to these Chevron lady workers. So question of marrying or befriending them do not arise. Our local home based men lack what it takes to date let alone marry these lady oil workers. But their men and our local girls are enjoying the best of the times. The open or manifest form of participation is like our woman leader explained. But I will also add land ownership to her list (FGD, worker with Chevron Oil Company).

The existing impression in literature and elsewhere is that the sexual liaisons between oil workers and local women and girls of the host communities was a form of violence against the women and therefore negative. This FGD respondent has certainly

expanded the scope of “benefits” to the communities. As argued by Gandu (2011), this aspect of the social dimension of the oil industry has not received adequate scholarly attention a gender-specific discourse has tended to focus more on women protests. Gandu argues further that the enclavity of oil economy in the Niger Delta provides a social and economic platform for the phenomenon of sexual liaisons to flourish between local women and expatriate workers. Sexual liaison between local girls and white male oil workers is a coping strategy by these girls and their families in the face of their displacement in the new oil money regulated local economy. The dynamics of the oil enclave economy has indeed altered pre-existing institutional survival structures in the rural agricultural communities of the Niger Delta region of Nigeria.

Procedure for Participation

According to some of the respondents:

The procedure entails convening a meeting between the oil company and us, that is, the community. After the company concludes its discussions with the federal state and local governments, it comes to us. It meets first Eghare Aja who is the head of the council of elders and thus, the traditional head of Ugborodo. The Eghare Aja next summons a meeting of all the council of elders to inform them of the oil company’s visit and mission. During this meeting the money given by the company to the community leader as a public relations (PR) gift to the community is shared to the head of each village for him to in turn distribute to heads of each family in his village (Male FGD, interview with key informer, LGA Vice chairman, 9th August, 20150).

Women are not members of the council of elders and are therefore not part of this first contact with the oil industry. Youths are not also part of this first meeting. But in practice, the youths who are mostly men do approach the company to ask for their own PR money claiming that the elders did not include them in the sharing of the PR money given to the head of elders’ council for share to other heads cum family heads (George, 2008). The women are also not part of this subterfuge approach of the male youths.

Subsequent meetings for negotiation for land desired by the oil company involve the Trustees who report the outcome of such negotiations to the council of elders. If the land in question belongs to an individual or families, the oil company through its community relations officers also pays homage visit to them and as usual gives a PR money gift. The real negotiation will later be handled by the Trustees (Interview with Youth Leader, August 10, 2015).

So all claims – individual or community must be through community leadership and liaison officers of Oil Companies. This is to prevent the oil company

from “underpaying” the individuals or even family.

A female FGD participant said “where the individual or family involved is poor or uneducated, it becomes more compelling for community leadership to negotiate for them.” (FGD, 9th August, 2015)

According to a youth leader interviewed: “In many communities, most compensation claims are with officers of this oil companies. This is because companies here hardly deal with individuals. So all claims – individual or community must be negotiated through community leadership and liaison officers of the oil company.” (Interview, key informer, 8th August, 2015)

When community leadership negotiates on behalf of the individuals or families, the company pays more, while the community leaders give only a fraction to the individual or family. UNDP report on the Niger Delta called this arrangement benefit capture syndrome. (UNDP Report, 2006)

According to an FGD participant:

If an individual fish farmer’s farm is acquired or destroyed, she or he can on his or her own approach the company for compensation. Where the company refuses, and the aggrieved reports to the community the leadership can then approach the oil company and ask for a much higher compensation package. For example, if the individual made personal claim of say N50,000 and the oil company refused, if the community goes there, they can ask for a much higher figure say N500,000 and may be through negotiation the company finally pays N400,000, the community will pay off the N50,000 to the victim and keep the rest. (Shell v Joel Amaro & others, 2000). If the victim complains that she or he has been cheated that will be too bad. But most often this hardly happens, that is the victim hardly complains that he or she has been cheated by the community.

A woman respondent hinted that women suffer more from these benefit captures (field interview, 9th August, 2015). An FGD participant from Chevron provided reason why women more than men are victims of this benefit capture syndrome. According to the FGD from the community Relations office:

...for women, we know they most times don’t own the land on which the fish pond is located so we pay her for the fish and if it’s a crop farm, we pay for the crop not land. However, where it’s established that she owns the land also, we pay for both.” As for negotiation, from experience, it’s usually their husband or grown up son or community leaders who negotiate for them. I don’t know why, may be they think it’s for the men to do it or they don’t know or can’t stand the rigour associated with negotiation meetings. Or maybe they are not interested (FGD, 9th August, 2015).

Factors influencing Participation in Decision Making in Oil Communities.

This pertains to the circumstances enhancing admittance to decision making process especially on compensation matters. From the responses these are ownership of land, age, wealth, education, marital status, connections, membership of a recognised association, sex (gender) and family background.

According to LGA vice chairman:

“Yes, when a woman owns the land in question, of course that will influence her participation.”

Female Youth leader:

Where the land bought by the woman with her money is acquired by government or oil companies, then she will be involved in the compensation negotiation. But if it's a communal land, only the woman leader would be involved. If the land is religious one that is it has a lot of taboo associated with it, then only the men will be involved, they will not invite the woman leader at all. This is because some of the fetish things association with this land is only performed by men. Such customary secretes are often in the domain of the men. If she is an active member of a known association in the community, this can also count. (Interview, Key informer, 8th August, 2015)

Membership of association is good for a marginalized group or individuals. It is also found to enhance development of both rural and urban areas (Ochieng et al, 2014). According to Ochieng et al, “women who are members of farmer associations are more likely to participate in crop management decision making.” (2014,358). Thus membership of association is a big factor influencing participation in decision-making in oil communities.

Woman leader:

For example, members of the Ikpere Ale Meje Women multipurpose Thrift society was formed and registered after the 2002 women's eleven day siege so as to be able to do business with Chevron by supplying all the local food stuff for the company's staff canteen. So any meeting to discuss matters concerning the community and Chevron I must attend if the men invite me or not. I led the women on that historic siege and I consider this association very important stakeholder that cannot and must not be ignored in meetings where oil matter is the agenda (Interview, 8th August, 2015).

Constraining Dynamics to Gender Balance in Decision Making in Oil Communities

By constraining elements is meant those factors hindering women from participating in oil and gas decision making. They are the pressures on women that call for the attention of the authorities for alleviation. According to the lady youth leader” many of our women are not too educated. They can't talk in public. They are ashamed

because they are not current and have no idea of oil politics in the community. Their husbands or parents will not like them to be running all over the place holding meetings for oil compensation payment.” (Interview, key informer, 8th August, 2015)

A female FGD participant listed the constraints to women’s participation in decisions-making as: “low education, culture, poverty, lack of quality role models, lack of exposure.”(FGD, 9TH August, 2015). Elaborating further, she said:

There are many cultural hindrances. Women are taught to be seen and not heard. This hinders her exposure. Women who are taught to be seen and not heard become timid. They don’t mix up with other people – men, other tribes and religion. Another thing is poverty. Some one that is brought up to be seen and not heard is limited economically. So women are poor because the kind of economic ventures they engage in are low income –generating commensurate with their ‘women are to be seen and not to be heard’ status or up-bringing. Another constraint is lack of education. Even when they access education, you ask what subjects do they study? At the secondary school, more girls than boys study Arts or Social Science subjects. While the boys study sciences. At the University level, the arts or social science subject lead women to read courses like English, Religion, History, education, social studies etc.(ibid).

Furthermore, the Key informer said:

While the boys most often go for professional courses like Engineering, Physic Medicine etc – which are fall out of their science subjects from secondary schools. While science based professional courses are job – which are highly sought after by oil companies fetches ready scholarships from oil companies and yields good salaries, the arts/social science based nonprofessional courses are not too highly sought for by the oil companies- and what that means is low salaries (Interview, 8th August, 2015 with key informer and a female engineer working in an oil company).

Continuing, the respondent said:

Women also lack quality supportive role models. Women should ordinarily be the preferred role models for fellow women. But in reality, women role models are often not as connected and wealthy as the male role models. So while a rich and connected male role model can “connect” his male counterpart who look up to him, the female role model is constrained and thus cannot do much to raise the status of a female who looks up to her to use here influence and wealth to facilitate some benefits to her.

So, the constraints to women’s participation in decisions-making are: culture, poverty, lack of quality role models lack of exposure. Ignorance, customary practices, family attachment, landlessness, temporary residents in their parent’s houses and permanent strangers in their husband’s homes, poor educational level, lack of money.

An Ugborodo male respondent reacting to the constraints the women respondents said they face opined that:

Women in this community [Ugborode] don't go to school. Girls marry very early. Many get pregnant and drop out of school. All these girls want is to date Chevron worker, especially the whites from America and make money from the relationship. So nobody takes the girls serious. So how can the same girls become women tomorrow and we take them serious and allow them participate in community decision making meetings? Many of them know this and any way, they don't have the 'liver' (that's how locals here describe lack of confidence) to sit with the men, what do they know about Oil Company in this community? May be in the women's meeting, yes they may attend." (FGD, Chevron oil worker from another ethnic group but lives in Ugborodo)

To Longwe (ibid) the constraints to women's participation in decision making can be found in the "patriarchal pot" of development where policies for women's advancement do not produce the requisite output. Continuing she argued that the principles and values of feminism contradict typical development agency norms and traditions and interfere with comfortable relationships with patriarchal governments in developing countries. (Longwe, 1998).

Nigerian Government's Commitment to Gender Balance as Seen through its Laws and Policies

The first step towards dismantling a social structure that systematically discriminates against women is legal and policy reforms. It's against this backdrop that Nigeria through its laws domesticated several international, continental and regional instruments and conventions for the promotion of gender equality such as the Convention on the Elimination of all forms of Discrimination against Women (CEDAW), the CEDAW Optional Protocol, the UN Convention against Transnational Crime and Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (the Palermo Protocol); , the Beijing Platform for Action, the protocol to the African Charter on Human and people's Rights on the rights of women in Africa (Maputo protocol, 2003), the Protocol to the ECOWAS Declaration on Gender and Development and the African Regional Platform for Action.

The National Gender Policy

The 1995 Beijing platform for Action, the UN Convention on the Elimination of all forms of Discrimination Against women (CEDAW) and the African Protocol on the Right of Women in Africa form the basis for the current gender policies and programmes in Nigeria (Ntinwuka, 2013). The National Gender Policy and its Plan of Action was compiled and adopted by the National Assembly in 2007 as a guiding document to enable line ministries to mainstream gender into their programmes and

policies. It was aimed at closing the gaps of inequality between women and men, which were created by socio-economic, political and cultural inequalities which exist in the Nigerian society. In line with this policy, the Ministry established Gender Desk Offices in all Ministries at federal, State and Local government councils. This is to ensure that equal treatment is given to men and women on matters pertaining to employment, benefits and development generally.

In order to ascertain respondents' awareness of government's legal and policy efforts to balance the gender gaps existing in their community, reeled out the following questions:

Are you aware of the National Gender Policy (NGP)? Do you have a copy of the NGP? Have you read the NGP? Have you heard of the affirmative action? Is affirmative action applied in appointing or electing women to leadership positions in your community? Is affirmative action applied in inviting women to meetings where decisions are taken?

President of Ikpere Ale Meje Women Coop Thrift society responded to the questions thus:

Yes, I have heard about the NGP, but I have not seen or read a copy. I know it is about ensuring that every woman is empowered and encouraged in their communities and work places. I have also heard about the affirmative action. But it's not being implemented in decision making. The existence or implementations of NGP or affirmative Action policy have not helped more women to be invited to meetings for discussion of community matters. (Interview, key informer, 8th, August, 2015)

Female youth leader:

"I know of the NGP, I don't have a copy. The much I know about its content, I read from the internet. I don't know of the existence of gender desk officer in the LGA."

Continuing she said:

About affirmative action helping women to leadership positions here, my answer is no it does not. Most of the female heads are there by merit and not by affirmative action. I for example, I was duly elected on merit. We all submitted our CVS and manifestos. I beat the other contestants who were all males; three of them, by wide margins. So women in oil producing communities get to the top purely on merit. The various units that women head in these communities include all women meeting groups, children groups. The seven women members of the community's Trustees were nominated by their respective villages on merit, and not because of affirmative action. If their people had nominated men that would have meant that all the 22 members' trustees would have been me. (Interview, key informer, 8th August, 2015).

There is indeed a general lack of awareness about the NGP and even the gender specific laws by those who should. The gender desk officer is the government

official closest to the grassroots for dissemination of information on gender to men and women. The mainstreaming of gender in all areas in the LGA falls directly on this office. According to the Warri South West LGA gender desk officer:

“Our office supports all the women and men groups. We are gender office, not women’s office.” Even the gender desk officer in the Warri South west LGA didn’t have a copy of the NGP. On this issue, the gender desk officer said further:

About the NGP, I have seen it, but I have not read it. I must confess not much about it is known here. I don’t have a personal copy and none in the office either. But some copies brought to my office some time ago were given out to two associations. One is an all men’s association and the second one, an all women- association. I gave the enlightened groups. We felt they will be better at understanding the contents of the NGP.(interview, key informer, 8th August, 2015)

The ignorance of the gender desk office about the NGP and other laws on gender points to the trivialization of most issues and policies on women generally. Ntinwuka, (2013) identified the forms the trivialization manifests to include poor perception of gender issues by policy makers and the general public, inadequate funding, low awareness of the public on the contents of the National Gender Policy among others..

The persistence of the trivialization of issues affecting women only shows the lack of seriousness of the authorities with the implementation of the surfeits of laws and policies they made to check gender inequality. At the 2005 National Conference under former President Obasanjo’s regime, it was recommended that:

- all discriminatory laws and practices against the female gender shall be abolished from our statute books and communities respectively,
- women shall have constitutional right to property inheritance and full employment rights without discrimination;
- women shall have the right to equal treatment with men and this right shall include opportunities in social, economic and political activities,
- Women shall have the right to affirmative action for the purpose of redressing age-long imbalance created by history, customs and traditions
- the constitution shall make specific provisions outlawing all cultures, customs, traditions and practices that undermines the status of women, or that derogate from their welfare, dignity, interests and aspirations (Presidency, National Conference Working Document, 2005).

There was another National conference in 2014 during the regime of immediate past president of Nigeria, Dr Goodluck Jonathan. The 2014 Conference repeated same recommendations of the 2005 edition. Nothing has changed between 2005 and 2014 as far as the status of women is concerned due to lack of political will to implement these recommendations.

Persistence of discrimination against women in decision making clearly shows they were and are still considered ignoramuses. There is persisting failure in the society to realise that women do possess knowledge, especially knowledge of themselves and their oil environment (Chambers, 1993). For example, the woman leader of Ugborodo complained that Chevron authorities and the men groups in the community have conspired and reneged on the agreement appointing the women through their registered Ikpere Ale Meje Cooperative Thrift Association's contractors to supply local food stuffs to Chevron canteen. This was one of the agreements in the MOU the community and Chevron signed in 2002 to end the eleven-day siege on the oil company's premises by the local women. According to her:

But where we are now, the men have also infiltrated this business of supplying foodstuffs to Chevron food canteen. They are even displacing us, the women from this food supply contract. The men go for night meetings, we cannot go. We stay home with our kids. We don't want to be seen fighting with our men over oil benefits. But their actions are making many women poorer. Why did this happen? Well, I feel it's because of biting unemployment and hardship in the community.

The poor implementation of Nigerian laws and policies aimed at gender balancing goes contrary to the stands of numerous international legal instruments which speak of the participation of women in decision-making processes that potentially affect them (Article 1&2 of the Declaration of Human Rights, Art. 5 of CEDAW). Principle 20 of the Rio Declaration states that women play vital role in environmental management and development, therefore their full participation is essential to achieve sustainable development. The Biodiversity Convention recognizes, in its preamble, "the vital role that women play in the conservation and sustainable use of biological diversity" and call for "the full participation of women at all levels of policy-making and implementation for biological diversity conservation." Agenda 21 calls for the active involvement of women in economic and political decision-making, and in the management of the environment, particularly as it pertains to their access to resources (The preamble to Chapter 23 of Agenda 21).

The World Bank has also addressed the need for the participation of women in development-related decision-making. Thus the Bank opined thus:

Among the poor, women are overrepresented; therefore, in our efforts to reach and engage the poor, we must recognize that some issues and constraints related to participation are gender-specific and stem from the fact that men and women play different roles, have different needs, and face different constraints on a number of different levels. Because of such differences, we cannot assume that women will automatically benefit from efforts to involve poor people in project design and implementation. On the contrary, experience has made clear that, unless specific steps are taken to ensure that women participate and benefit, they usually do not.

Conclusion

Participation in decision making is still restricted against women in oil producing communities as it is in other communities in Nigeria. The constraints to participation still persist despite the numerous laws and policies of the government endorsing international and regional instruments and conventions to end gender based discriminations. In Ugborodo like other oil producing communities, the window of opportunity given to women to participate in decision making meetings is tolerated in oil and gas related matters and even at that, it is “grudgingly” granted. For example, if the land acquired for oil reasons is hers, or if she “forces” herself on such decision making sessions should she get wind of the venue for such a meeting. It could also be on the bases of tokenism and out of paternalistic considerations that women ‘are soft and peace makers.’ They are thus, “officially invited” into the decision making arena after the male-dominated sessions fail to yield the desired outcomes. This explains the participation of local women in the protests against international oil companies operating in the communities.

Recommendations

- Nigeria should domesticate the 1979 Convention on the Elimination of all forms of discrimination (CEDAW) endorsed in the country since 1985.
- Domestication of the protocol on the Rights of Women in Africa.
- Repeal sections of Nigerian laws that discriminate against women
- Enactment of equal opportunities laws at all levels and tiers of government.
- Inclusion of the phrase “35 % affirmative action” into the constitution.
- Translate the National Gender Policy into local languages and copies given to all grassroots associations. Understanding and assimilation of the content of the NGP should be made condition precedent to registration as an association or cooperative at federal, state and local government levels.
- Gender desk units in the local government offices should be properly equipped to mainstream gender in the communities, through constant meetings with the traditional authorities. Women experience most severe discriminations in the rural areas with the tacit approval of the traditional institutions.
- Government should show purposeful political will in the implementation of gender laws and policies.

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