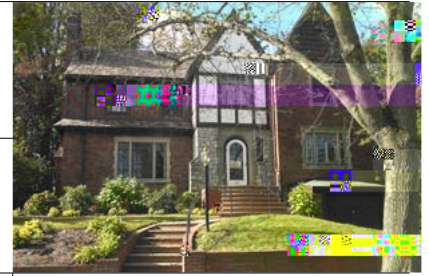




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hauwa ibrahim is a visiting lecturer on women's studies and Islamic law at Harvard Divinity School and a lawyer known for defending women under sentence by Shariah law courts in northern Nigeria. She spoke with Boisi Center associate director **Erik Owens** after her presentation on the legal and religious status of women in Nigerian society at the Boisi Center.

owens: What do you see as the broad challenges that women in Nigeria face today?

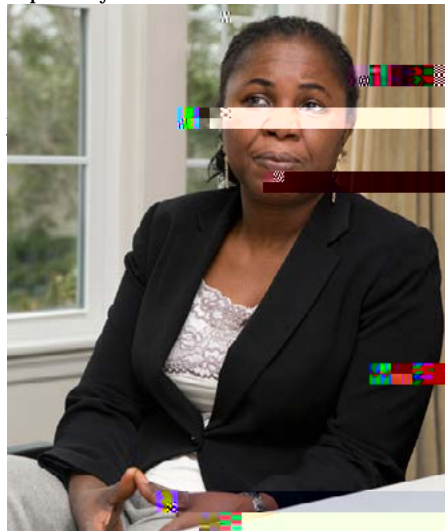
ibrahim: Electricity. In the north, anyway. To say women may be too broad; you have to put them in categories. In the cities, they will tell you, "Forget it. We have electricity already, so that's not our problem." But the bulk of the women are in the villages. About 80 percent of the population of northern Nigeria lives in villages, and that is my focus; not the 20 percent that is cosmopolitan, living in towns and cities.

And I think they need education. Education itself is freedom. They want to have the basic necessities of life. They want to have a roof over their head, they want to be able to feed their family. This is what I see, and I'm talking to you from a grass-roots perspective— when I was growing up, and even now, this is what I see. They would just want the basic things in life: a roof, food, shelter. They don't want to go anywhere on vacation. That is not what they care about. They don't want cars; there is no road for them to use a car. They are contented with just the basics.

the United Nations Development Project. Most of these women have been sentenced by Shariah law courts in northern Nigeria. She spoke with Boisi Center associate director **Erik Owens** after her presentation on the legal and religious status of women in Nigerian society at the Boisi Center.

them had a blood pressure issue. So the greed of a family puts the woman's health on the line. Whereas under Shariah, you must leave some of the husband's property for her, and this is one of the advantages.

But otherwise, generally speaking, my sense of it is that religious challenges have affected women in a negative way, especially when it comes to children. If



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more than it used to be. And I think they are not only covering their body, they are also covering their heart, which is for me the most dangerous thing. Because then, whatever we have, whatever we are trying to fight for, we are just going one step forward, two steps backward, which is a shame. And this is what I noticed since the introduction of Shariah, about 11 years ago now.

owens: I read that President Jonathan promised to give over a third of positions in government ministries, as well as cabinet positions, to women, if he were re-elected. How do you view that statement, and will this only affect the educated urban women that you spoke of, that other 20 percent? Or will this promise have any impact on the bulk of the women that you're dealing with in northern Nigeria?

ibrahim: The People's Democratic Party (PDP), the party of Jonathan, had it in its own manifesto a 30 percent affirmative action provision for women, meaning that every position—whether elected, whether it's in the local grassroots or in the presidency, should allocate 30 percent

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court. People say, “ah, if we do something wrong, people are taking note.” So there’s a legitimacy that they give us, and I think it’s helpful that they are there as professionals. They also brought us international legal instruments. Before that I never knew, for example, that Nigeria has signed human rights documentation.

I think on a bigger, broader picture, they brought to us resources from the international community to support local people in the field. Lawyers Without Borders brought to us a new way of thinking. It is a perfect example of thinking global and acting local. So, for example, we take the issue of fair trial. OK, how did they argue a fair trial in the International Court of Justice? We discuss how they argued it, how they supported their arguments, and then we apply it. We have here a certain legal challenge and your constitution. OK, maybe the Nigerian constitution is too big for this court, they cannot read or write in English, so they don’t understand what we are saying about the constitution. So maybe we look to the Qu’ran. Or maybe what we look to is a Hadith. Is there any issue of fair trial in any of the Hadith? We found it. So it’s a process of thinking big and then coming back to the language they understand.

But let me sound a note of caution with respect to finance. I think a lot of this

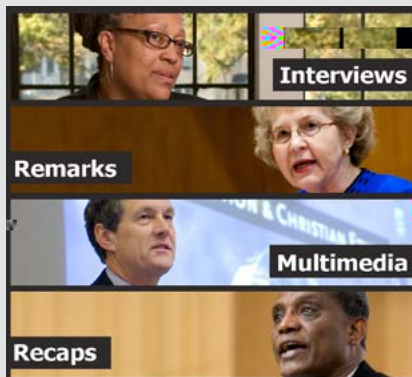
cannot be done without resources, especially financial resources, but this could also be our downfall. A huge downfall, and I can give you an example. In cases across the north, especially in one prison, we had over 200 cases that were awaiting trial on Shariah grounds. An NGO came and got a lawyer. In the meantime, because we don’t have the resources, but we wanted to get the women out of prison—maybe 100 or 150 of them—we get them out of prison with less than a hundred dollars. Usually when we get them, we appeal, we file the papers, we pay for the papers, maybe a dollar or so, we sign the papers and appeal the case. Not more than a dollar. We go argue the case, we don’t need time to prepare it, and the moment the judges set bail, that is the end of the case. But these foreign donors that gave funds for this NGO wanted to use all the money that they gave them. The NGO will also have to prove that they spent the money. So they went and they got a lawyer, and they paid him, for one case, 250,000 naira, equivalent to \$1,000 or thereabout.

Now, the lawyer that we got that was helping us with these other cases, who wasn’t paid a single dime, he’s experienced, he’s from the same region as the prison, he was a former magistrate. And the NGO hired a man that is much his junior, and this younger lawyer went around saying

how he was well paid by the NGO to do that one case. So our lawyer came to us and said, “Hauwa, you came to me and said we have no money. I started this case, I took about 11 or how many cases now? Then you went behind me and got a younger lawyer to come and insult me in court!” And we lost him.

Now the point I’m saying is that international people may not know this, and there may be good will going in. And I do agree with this policy of pumping money into the system because we have so many people who want to get their freedom. But we can’t afford to have just one case! It’s not possible. But they wanted just to use up that resource. Another thing I have discovered is that the overhead of a lot of these NGOs is much more than the real money that’s useful to cases. If you look at a budget, you have an overhead of 80 percent of a budget. It doesn’t make sense that only 20 percent is spent in useful ways. So my sense is the corruption that we speak about, it’s not only in government, it’s all over us, even around us in what we do. I think foreign money could cause us some challenges. We should identify how it can effectively help.

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