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Iban Isong: An Efik Indigenous Juridical Tool for Gender Justice in Southeastern Nigeria

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ABSTRACT

This paper examines Iban Isong (literally “Women of the Land”), a precolonial Efik indigenous institution from the Cross River region of Southeastern Nigeria, as a dynamic mechanism for redressing gendered violence, economic marginalisation, and social injustice. Drawing on oral interviews conducted with Efik elders and women leaders in Calabar, as well as secondary sources including archival materials and scholarly publications, the study argues that Iban Isong functioned as a parallel juridical assembly that exercised binding moral and social authority over both female and male community members. Unlike male-dominated Ekpe and other secret societies, Iban Isong wielded collective sanctions including public naming, ritual boycott, and the confiscation of household resources to punish wife battery, marital dispossession, and the exclusion of women from land inheritance. The paper challenges colonial and neotraditional narratives that depict precolonial Efik and Ibibio societies as uniformly patriarchal. Instead, it demonstrates how Iban Isong represents a distinctive form of negotiated gender justice that holds critical lessons for contemporary legal pluralism. The findings suggest that revitalising deliberative elements of Iban Isong, while addressing its historical limitations, could inform community-based paralegal interventions in rural Southeastern Nigeria. By recovering this Efik word-concept as a living heritage of indigenous jurisprudence, the paper contributes to global debates on decolonising gender justice, legal pluralism, and the heritage of resistance in Africa.

Keywords: Iban Isong; Efik indigenous law; gender justice; Southeastern Nigeria; Efik traditional society.

INTRODUCTION

The study of indigenous African institutions has experienced a significant renaissance in recent decades, driven largely by the failure of postcolonial legal systems to adequately address the needs of rural populations, particularly women. In Southeastern Nigeria, the Efik people have maintained a rich heritage of female-led governance through the Iban Isong institution, a traditional women's organisation that predates colonial contact and continues to exert influence in contemporary community life (Ben, 2017).

Iban Isong, which translates from the Efik language as "Women of the Land" or "Women of the Soil," represents one of the most sophisticated examples of indigenous feminist jurisprudence in West Africa. According to Anthony Okon Ben (2017) of the University of Calabar's Department of Religious and Cultural Studies, the institution emerged organically within Efik traditional society as a mechanism for protecting women's rights, ensuring gender balance, and maintaining social order through female collective action. The Efik traditional society has a rich historical heritage of the Iban Isong traditional institution which helped to fight against all forms of gender discrimination, victimisation and abuses against women while also punishing women who oppressed, abused and victimised their husbands and men in general (Ben & Umukoro, 2025).

The significance of studying Iban Isong extends beyond purely historical interest. Contemporary Nigeria faces persistent challenges of gender-based violence, economic marginalisation of women, and the erosion of community-based accountability mechanisms. The formal legal system, despite constitutional guarantees of equality, remains inaccessible to most rural women due to cost, distance, language barriers, and the intimidating nature of court proceedings (World Bank, 2026). The World Bank's Women, Business and the Law 2026 report indicates that Nigeria scores 50 out of 100 on gender equality laws but just 21.7 out of 100 on the systems required to implement them, including funding, services and institutional support (World Bank, 2026). In this context, indigenous institutions like Iban Isong offer alternative pathways to justice that are culturally grounded, community-based, and potentially more responsive to local needs.

This paper pursues three primary objectives. First, it reconstructs the historical structure and functions of Iban Isong within precolonial and colonial-era Efik society, drawing on both primary interviews and secondary sources. Second, it analyses the juridical mechanisms through which Iban Isong enforced gender justice and maintained social accountability. Third, it evaluates the contemporary relevance of Iban Isong for addressing gender injustice in Southeastern Nigeria, including both the potential and the limitations of revitalising indigenous legal institutions.

The paper adopts a decolonial feminist theoretical framework, which recognises that African women's organising predates and exists outside Western feminist paradigms. This framework allows for the appreciation of Iban Isong as a legitimate form of feminist praxis grounded in Efik cosmology and social organisation, rather than measuring it against external standards of what constitutes proper gender activism. As Ben and Umukoro (2025) argue, African philosophy, ideas, and phenomenon are generally influenced by religion and culture which were the foundations on which the societal worldviews were established. These cultural ideas and traditions formed patriarchal or matriarchal systems which guided and prescribed gender roles of some societies which in turn created both inequality and equality.

METHODOLOGY

This study employs a qualitative research design combining primary data collection through oral interviews and secondary analysis of existing scholarly literature. The

qualitative method was chosen because it allows for deep exploration of cultural practices, oral traditions, and lived experiences that cannot be captured through quantitative approaches alone (Ben & Umukoro, 2025).

Primary Data Collection

Primary data for this study were collected through semi-structured oral interviews conducted in Calabar, Cross River State, over a two-week period in January 2026. A total of eight interviews were conducted with key informants selected through purposive sampling, a technique commonly used in qualitative research to identify individuals with specific knowledge relevant to the research question.

The informants were identified through two main channels: first, through the Mbono Iban Isong Efik Association, whose leadership provided initial contacts; second, through snowball sampling, where initial informants recommended additional participants.

The informant sample included:

1. Three female elders (ages 65-82) who identified as active participants in Iban Isong activities. These women were selected because they could provide historical memory of the institution's traditional operations before significant modernisation.
2. Two male elders (ages 70 and 75) who grew up observing Iban Isong practices. These men were included to provide perspectives on how the institution was perceived by the male segment of the community.
3. Two professional women (ages 45 and 52) who are members of the Mbono Iban Isong Efik Association. These informants provided insights into contemporary manifestations of the institution.
4. One traditional title holder (an Obong in council). This informant was included to provide an authoritative perspective on the relationship between Iban Isong and formal traditional governance structures.

Interviews were conducted in a mix of English and Efik, with the assistance of a research assistant who provided real-time translation when needed. Each interview lasted between 45 and 90 minutes and covered topics including the historical functions of Iban Isong, specific cases of dispute resolution, the relationship between Iban Isong and male institutions, and perceptions of the institution's contemporary relevance. All interviews were audio-recorded with informed consent, transcribed verbatim, and then coded for thematic analysis. Participants were assured of confidentiality and were offered the option to review their interview transcripts before analysis.

The interview protocol included questions such as: "What were the main functions of Iban Isong in traditional Efik society?"; "Can you describe a specific case where Iban Isong intervened in a dispute?"; "How did Iban Isong relate to male institutions like Ekpe?"; "Is Iban Isong still active today, and if so, what does it do?"; and "Do you think Iban Isong could help address women's problems in contemporary Nigeria?"

Secondary Sources

Secondary data were drawn from scholarly publications, including journal articles, books, and conference proceedings. Key sources include the work of Anthony Okon Ben (2015, 2017, 2019, 2023, 2025) at the University of Calabar, M. Effiong Noah's (1985) historical analysis of Ibibio women's status, and archival guides from institutions including the National Archives of Nigeria and the British Library Endangered Archives Programme (Stanford University Libraries, 2023). The study also draws on a bibliography of primary sources related to colonial-era Calabar and Southeastern Nigeria (Project MUSE, 2018).

The theoretical framework engages with foundational works in decolonial feminism and legal pluralism, including Oyeronke Oyewumi's (1997) "The Invention of Women," Ifi Amadiume's (1987) "Male Daughters, Female Husbands," and Sally Engle Merry's (1988) work on legal pluralism. These works provide essential conceptual tools for understanding how Western gender categories have been imposed on African societies and how indigenous institutions like Iban Isong represent alternative models of gender relations.

Data Analysis

Data were analysed using thematic analysis, which involves identifying, analysing, and reporting patterns within qualitative data. Following the six-phase approach described by Braun and Clarke (2006), the analysis proceeded as follows: familiarisation with the data through repeated reading of interview transcripts; generation of initial codes based on recurring topics and concepts; searching for themes by grouping related codes; reviewing themes to ensure they accurately represent the data; defining and naming themes; and producing the final analysis.

Codes were developed inductively from the data and then organised into broader thematic categories including juridical mechanisms (shaming, boycotts, property confiscation), gender relations (complementarity, tension, negotiation), colonial impact (erosion, distortion, resistance), and contemporary revitalisation (adaptation, advocacy, challenges). To enhance reliability, coding was initially performed by the author and then reviewed by an independent researcher familiar with the topic. Disagreements were resolved through discussion.

Limitations of the Study

Several limitations of this study must be acknowledged. First, all interviews were conducted in Calabar city, the urban centre of Cross River State, rather than in rural villages where traditional Iban Isong may be more actively practiced. Urban informants may have different perspectives on the institution than their rural counterparts. Second, the sample includes no women under 45 who are not members of the professional association. Younger women who have rejected Iban Isong for religious or other reasons were not represented. Third, only two male elders were interviewed, and their perspectives may not represent the full range of male attitudes toward the institution. Fourth, the study relies on retrospective accounts of historical practices, which may be subject to memory distortion or idealisation. Fifth, time and resource constraints prevented archival research in the National Archives in Enugu, where colonial-era records of women's political activities in Calabar Province are held. Future research should address these limitations by conducting rural fieldwork, sampling more diverse informants, and consulting primary archival sources.

HISTORICAL AND ETHNOGRAPHIC CONTEXT OF THE EFIK PEOPLE

The Efik People and Their Traditional Governance Structures

The Efik people inhabit the southeastern corner of Nigeria, primarily in Cross River State, with significant populations also in neighbouring Akwa Ibom State and Western Cameroon. Historically, the Efik emerged as a prominent trading group along the Cross River estuary, establishing the influential city-states of Creek Town and Duke Town (now part of modern Calabar) during the seventeenth century.

Before British colonisation, Efik social organisation was structured around autonomous city-states, each governed by a chief (Obong) who ruled in consultation with councils of elders and title societies. The most powerful of these societies was Ekpe (also known as Egbo or Ngbe), a male-led institution that regulated trade, adjudicated

disputes, and maintained social order across the Cross River region (Ben & Okon, 2015). The Ekpe society operated as a form of secret society with graded levels of initiation, and its authority extended across ethnic boundaries.

However, the existence of male-dominated governance structures does not imply the complete absence of female political power. Efik society maintained a dual-gender system of social organisation in which women's institutions operated alongside and sometimes in tension with men's institutions. This duality is reflected in the kinship system, where both patrilineal and matrilineal principles coexisted, and in the inheritance practices that recognised women's claims to property.

The Position of Women in Precolonial Efik Society

Contrary to colonial narratives that depicted African women as universally oppressed and subordinate, scholarly research indicates that women in precolonial Efik and neighbouring Ibibio societies enjoyed significant autonomy and influence. The historian M. Effiong Noah (1985), writing in *Nigeria Magazine*, documented that the status of women in traditional Ibibio society compared favourably with the status of women in western societies of the same period. Noah's (1985) analysis specifically identifies Iban Isong as an Ibibio women's organisation which existed long before the colonial experience, demonstrating the deep historical roots of female collective organising in the region.

Women in Efik society participated actively in economic life as traders, farmers, and craft producers. The famous Calabar market system, which connected the coast to inland trading networks, was largely managed by women who controlled the pricing and distribution of essential goods including palm oil, fish, and vegetables. This economic independence provided women with a material base for political organising and collective action.

Marriage practices, while patriarchal in many respects, included mechanisms for protecting women's interests. The payment of bridewealth created reciprocal obligations on the part of the husband's family toward the wife and her kin. Women retained rights to their personal property and could, in certain circumstances, initiate divorce proceedings.

Perhaps most significantly, Efik women maintained the right to organise collectively through institutions like Iban Isong. This right to assembly, recognised and protected within traditional governance structures, enabled women to address grievances, enforce community norms, and resist oppression from both individual men and male-dominated institutions (Ben, 2017).

Colonial Encounters and the Transformation of Gender Relations

The arrival of British colonial administration in the late nineteenth century fundamentally altered gender relations throughout Southeastern Nigeria. Colonial administrators, operating within Victorian patriarchal assumptions, refused to recognise women's political institutions as legitimate. They sought to govern through male chiefs and councils, actively excluding women from formal political participation. This colonial gender bias had the effect of eroding women's traditional authority while simultaneously creating new forms of male dominance.

Primary sources documenting this period are held in the National Archives of Nigeria in Enugu and Calabar. The British Library Endangered Archives Programme (EAP052) has preserved selections of records from the Calabar Division Office, Calabar Province, Nigeria dating from 1949 to 1955, as well as records from the Office of the Secretary, Southern Provinces, Nigeria from the 1930s and 1940s (Stanford University Libraries, 2023). These archival collections include intelligence reports on clans,

petitions from women regarding their estates, and appeals against tax assessments in Calabar, providing valuable primary evidence of women's engagement with colonial administrative structures.

The Calabar Market Women's Revolt of 1925 stands as a significant example of Efik women's political activism during the colonial period. This revolt was sparked by the government's unilateral attempts to encroach upon women's traditional territory, the local marketplace, and to impose certain economic measures that adversely affected market women. The revolutionary women of Efik extraction were illiterate, having not acquired Western education. Despite this limitation, they knew their rights and would not be pushed around (Bassey, 2016). The revolt achieved some of its objectives, which included the modification of market policies as well as improved market conditions.

The most dramatic example of colonial disruption of gender relations in the wider region was the Aba Women's War of 1929, known in Igbo as Ogu Umunwanyi and in Ibibio and Annang as Ekong Iban. This mass uprising involved tens of thousands of women from six ethnic groups (Igbo, Ibibio, Andoni, Ogoni, Efik, and Ijaw) protesting against colonial taxation policies and the warrant chief system. Judith Van Allen's (1976) classic analysis of the Women's War demonstrated that the uprising employed traditional forms of collective action including "sitting on a man" (igba ndu nwanyi), a practice in which women would surround a man's compound, sing satirical songs, and refuse to leave until their demands were met. Van Allen (1976) argued that the Women's War revealed the existence of sophisticated political institutions among Igbo women that had been rendered invisible by colonial and patriarchal scholarship. Noah (1985) similarly identifies the Aba riot, or Women's War, against the British of 1929 as a key example of women's resistance in the region, alongside the Spirit Movement of 1927 in which women resisted chiefly authority using the cover of religion.

The Iban Isong institution, like other women's organisations, experienced significant pressure during the colonial period. Missionary education, Christianity, and Western legal norms introduced new conceptions of gender relations that both challenged and undermined indigenous practices. As Nina Mba (1982) documented in "Nigerian Women Mobilized: Women's Political Activity in Southern Nigeria, 1900-1965," colonial policies systematically marginalised women's political institutions while co-opting certain women leaders into structures that served colonial rather than community interests.

The Fattening Room (Mbopo/Nkuho) and Its Relationship to Iban Isong

Any comprehensive analysis of Efik women's institutions must address the fattening room tradition, known as Mbopo in Ibibio and Nkuho or Nkugho in Efik. This institution, while distinct from Iban Isong, is related in that both concern female identity, socialisation, and the regulation of women's bodies and behaviour. The mbopo institution, popularly known as the "fattening room," is a cultural rite of passage for young women who are being prepared for marriage among the Ibibio/Efik people of southern Nigeria. It is a complex cultural institution that marked the change of status from girlhood to nubile womanhood in Ibibio/Efik culture (Udo, 2018).

Nsima Udo's (2018) detailed study of the mbopo institution across the previous century, which received the African Studies Centre Leiden's 2019 Africa Thesis Award, provides important insights into the transformation of this practice. Through engaged and detailed visual analysis of photographs from 1914 to 2014, Udo (2018) argues that in the first decade of the 20th century, the mbopo ritual had a degree of vibrancy with an attached sense of secrecy and spiritual mystery. But between 1920 and the present, this vibrancy and spiritual undertone has been subtly but progressively compromised. A buildup of tension on the ritual by modern forces, not only of outside missionaries but also indigenous converts, set in motion a process that would eventually transform the

ritual from a framework of actual cultural practice into the realms of “cultural reinvention” and re-rendering (Udo, 2018). Feminist critiques of the 1980s and the 1990s led to popular awareness of the damaging impact of clitoridectomy, just one core aspect of the ritual. As a direct result, clitoridectomy was outlawed across the country, leaving mbopo to be seen as a morally suspect practice (Udo, 2018).

In recent years, the once vibrant, secret and spiritually grounded rite of seclusion for nubile women has been reimagined and reinvented through public display in art, painting, cultural dance troupes, music, and television shows (Udo, 2018). A study from Leiden University (2018) similarly notes that while the level of participation has dropped, the exercise is still in practice, though some parts have been dropped while others have undergone modification partly because of change in needs, preferences, and style of living.

The relationship between the fattening room and Iban Isong is complex. Both institutions are part of Efik women’s cultural heritage, but they serve different functions. The fattening room prepares individual girls for womanhood and marriage, while Iban Isong is a collective governance institution that protects women’s rights and enforces gender justice. Some aspects of the fattening room tradition, particularly clitoridectomy, violate contemporary human rights standards and have been rightly condemned. However, as one of our female informants argued, rejecting harmful practices does not require rejecting the entire cultural framework:

“The fattening room was not only about cutting. It was about teaching. Girls learned how to be good wives, yes, but they also learned their rights. They learned that they had value. They learned that they could say no to a husband who mistreated them. These are good things. The cutting was wrong. We have stopped that. But we should not throw away everything.” (Female elder, 72, Creek Town)

IBAN ISONG: STRUCTURE, FUNCTIONS, AND JURIDICAL MECHANISMS

Etymology and Conceptual Foundations

The term Iban Isong derives from two Efik words: Iban (women) and Isong (land or soil). The compound phrase thus signifies “Women of the Land” or “Women of the Soil,” indicating a deep connection between female identity, territorial belonging, and agricultural productivity. This etymological grounding is significant because it positions women not as outsiders or appendages to male-dominated social structures but as original inhabitants and stewards of the land (Ben, 2017).

The conceptual foundations of Iban Isong are rooted in Efik religious and cosmological beliefs. As Ben and Umukoro (2025) documented, religion and culture were the foundations on which the societal worldviews were established. Within this worldview, the fertility of the soil and the fertility of women are symbolically linked, and women’s collective authority over land-related matters derives from this sacred connection.

Emmanuel Orok Duke (2020) recently examined Efik cultural stereotypes regarding marriage and gender relations. Working within the framework of social psychology and attribution theory, Duke identifies how misinterpretations of traditional exhortations given to couples at Efik traditional marriage rites have shaped negative perceptions of Efik women’s commitment to marriage. For example, the exhortation “Eyen mi nyamkkenyam, nno ke ndo; ebot ebot edi unyam. Mm’ ifonke mendiyak, abang okubomo ikim okuwaha utong” translates as “I have not sold my child but given her to you in marriage; only goat is for sale. If she is no longer good for you bring her back. Let nothing malevolent happen to her” (Duke, 2020). This statement represents a profound statement about the value of women’s lives over marital institutions.

Membership, Hierarchy, and Organisational Structure

Iban Isong operated as a mass-based organisation encompassing women of all social strata within Efik communities. Membership was typically automatic for adult women, though some sources indicate that specific initiation rituals or fees were required for full participation in certain activities (Ben & Okon, 2015). The organisational structure of Iban Isong included several levels of authority. At the local level, senior women (often the oldest women in each lineage or quarter) served as leaders responsible for convening meetings, collecting dues, and representing women's interests before village councils. At the town or city-state level, a council of female elders exercised authority over matters affecting women across the entire community (Ben, 2017).

One elderly informant, a 78-year-old woman from Creek Town, described the structure in the following terms:

“The Iban Isong was not something you joined. You were simply part of it because you were a woman of the land. When there was trouble, the senior women would call a meeting under the big tree in the centre of the village. Every woman was expected to come. If you did not come, you would be fined. That is how we maintained our power. The men knew that if they wronged a woman, they would face all of us, not just her.” (Female elder, 78, Creek Town)

Another informant, a 70-year-old male elder, explained the relationship between Iban Isong and male governance structures:

“The men had Ekpe. The women had Iban Isong. Each knew its place. When a woman was beaten by her husband, she would go to the Iban Isong leaders, not to the Obong or the Ekpe. The Iban Isong would handle the matter. Sometimes they would go to the man's house and take his property. Sometimes they would refuse to cook for their husbands until the matter was resolved. The men could not stop them because the women had their own power.” (Male elder, 70, Calabar)

Contemporary manifestations of Iban Isong include organisations such as Mbono Iban Isong Efik Association, which comprises some of the leading Efik women from all walks of life, including senior lawyers, successful business women, professionals, and academicians (Okon-Ekong, 2018). This modern iteration of Iban Isong demonstrates the institution's adaptability and continued relevance in contemporary Efik society. One of our professional informants, a 52-year-old lawyer and member of the association, described her involvement:

“I joined Mbono Iban Isong Efik because I wanted to connect with my heritage. We meet regularly, we discuss issues affecting Efik women, and we advocate on their behalf. When the government tried to reject Justice Ikpeme because she is a woman, we protested. We wrote letters. We made our voices heard. That is what Iban Isong has always done.” (Female lawyer, 52, Calabar)

Juridical Mechanisms and Enforcement Powers

The juridical authority of Iban Isong rested on several mechanisms of social control and enforcement. First, the institution exercised the power of public naming and shaming. Women who had been wronged by their husbands or other men could bring their complaints before the Iban Isong assembly, which would then publicly censure the offender. This public exposure carried significant social consequences in close-knit Efik communities where reputation was paramount (Ben, 2023). One elderly female informant described this mechanism vividly:

“When a man beat his wife badly, the women would gather at his compound. They would sing songs about what he did. Everyone in the village would hear. The man would be so ashamed that he would hide inside his house. Sometimes he would beg

the women to stop and promise to change his ways. The shame was worse than any fine.” (Female elder, 72, Creek Town)

Second, Iban Isong could impose collective boycotts on individuals who violated women’s rights. These boycotts might include refusal to sell goods to the offender, refusal to participate in social or ritual events involving the offender, and social ostracism. In a society where reciprocity and social cooperation were essential for survival, such boycotts represented powerful sanctions (Ben & Okon, 2015).

Third, the institution could authorise the confiscation of household resources from men who had abused their wives or violated women’s rights. This mechanism, which involved women collectively entering the offender’s compound and seizing property, represented a direct economic sanction that could be enforced without recourse to male-dominated judicial structures (Ben, 2017). A 75-year-old male informant recalled witnessing such an event in his youth:

“I remember when I was a small boy. A man in our village beat his wife so badly that she could not walk. The next day, the Iban Isong came to his house. They took his goats. They took his yams. They took his cooking pots. They said he would get nothing back until he paid compensation to his wife and promised never to beat her again. The man had to go to the woman’s family and beg. It took many weeks before the women returned his things.” (Male elder, 75, Calabar)

Fourth, Iban Isong exercised legislative authority to make gender-sensitive laws and entrench norms in Efik society that compelled the male folk to treat the female folk with some sense of value, esteem, and gender balancing (Ben, 2023). This law-making function distinguished Iban Isong from mere protest movements and established it as a genuine governance institution.

The institution also punished women who oppressed, abused, and victimised their husbands and men in general. This balanced approach demonstrates that Iban Isong was not simply an anti-male organisation but rather a mechanism for maintaining equitable gender relations in which both men and women could be held accountable for misconduct (Ben, 2023). One female informant explained this aspect:

“Some people think Iban Isong was only against men. That is not true. If a woman was lazy and refused to feed her children, or if she was always fighting with her neighbours, the Iban Isong would deal with her too. They would shame her. They would fine her. They might even send her back to her father’s house if she was very bad. The goal was balance. Everyone, man or woman, had to behave properly.” (Female elder, 78, Creek Town)

Comparison with Other Indigenous Women’s Institutions

Iban Isong shares similarities with other indigenous women’s institutions across Africa while maintaining distinctive features. Among the Igbo, the practice of “sitting on a man” (*igba ndu nwanyi*) involved women collectively protesting a man’s behaviour by surrounding his compound, dancing, singing satirical songs, and sometimes damaging his property (Van Allen, 1976). This practice, documented extensively by Van Allen (1976), paralleled the collective action mechanisms of Iban Isong.

The Igbo institution of “*mikiri*” or women’s councils similarly provided forums for women to discuss matters of common concern and present unified positions to male authorities. However, Iban Isong appears to have exercised more formal juridical authority than many comparable institutions, including the power to make binding decisions and enforce sanctions without male approval.

Noah (1985) documents that among the Ibibio, who are culturally and linguistically related to the Efik, the Iban Isong institution performed similar functions. Additionally,

the annual Isemin fertility festival provided another arena for women's collective expression and social influence.

Ifi Amadiume's (1987) foundational work "Male Daughters, Female Husbands: Gender and Sex in an African Society" provides an important comparative perspective. Amadiume's study of the Igbo demonstrated that in precolonial society, sex and gender did not necessarily coincide, and women could assume male social roles under certain circumstances. This finding challenges Western assumptions about the universality of gender categories and supports the view that institutions like Iban Isong represent indigenous gender systems that differ fundamentally from Western models. More recently, Amadiume (2024) has continued this line of inquiry in "African Possibilities: A Matriarchitarian Perspective for Social Justice," which further develops the concept of matriarchitarianism as an alternative framework for understanding African gender relations.

Oyeronke Oyewumi's (1997) "The Invention of Women: Making an African Sense of Western Gender Discourses" provides another crucial theoretical resource. Oyewumi (1997) argues that gender is a Western construction that was imposed on African societies through colonial discourse. In Yoruba society, according to Oyewumi (1997), social relations were organised primarily around seniority rather than gender, and the category of "woman" as a distinct social group did not exist in the same way it does in Western societies. While Oyewumi's argument has been contested, it highlights the importance of avoiding the uncritical application of Western gender categories to African societies.

Sally Engle Merry's (1988) work on legal pluralism provides a framework for understanding how multiple legal orders coexist and interact. Merry (1988) distinguished between "classic legal pluralism," which focused on the intersection of European and indigenous law in colonial contexts, and "new legal pluralism," which recognises the existence of multiple legal orders within all societies. More recently, scholars have examined the relationship between legal pluralism and gender justice in African contexts. Tchoukou (2025) explores whether legal pluralism is inherently problematic for gender equality, concluding that while plural legal systems often disadvantage women, they also create opportunities for strategic engagement and the vernacularisation of human rights norms. Hern (2023) examines the conditions under which women succeed in legally plural systems, finding that outcomes depend on the interplay of institutional design, political mobilisation, and international pressure.

THEORETICAL FRAMEWORKS: IBAN ISONG AND GENDER JUSTICE

Decolonial Feminist Perspectives on Indigenous Justice

The study of Iban Isong benefits from engagement with decolonial feminist theory, which challenges the universalisation of Western feminist frameworks and recognises the legitimacy of non-Western forms of gender activism. Decolonial feminism, as articulated by scholars such as María Lugones and Oyeronke Oyewumi, argues that coloniality imposed gender systems on societies that may have organised social relations differently prior to contact.

From this perspective, Iban Isong represents not merely a "women's organisation" but an indigenous epistemology of justice that differs fundamentally from liberal individualist conceptions. Where Western legal systems emphasise individual rights and adversarial proceedings, Iban Isong emphasised collective responsibility, restorative outcomes, and the maintenance of social harmony (Ben, 2017).

The recovery of institutions like Iban Isong represents an act of epistemological decolonisation, restoring visibility to forms of political agency that have been rendered invisible by patriarchal and colonial scholarship. As Oyewumi (1997) argues, the very

category of “woman” as a universal, biologically determined identity is a Western construct that obscures the complexity of gender relations in non-Western societies.

Legal Pluralism and Indigenous Jurisprudence

Legal pluralism, the recognition that multiple legal orders coexist within a single political space, provides a second theoretical framework for understanding Iban Isong. In contemporary Nigeria, statutory law, customary law, and international human rights law operate simultaneously, often in tension with one another (Ben, 2019). Indigenous institutions like Iban Isong represent a form of customary law that has often been marginalised or distorted by colonial and postcolonial legal systems. The British colonial administration, through its policy of indirect rule, recognised certain customary authorities while delegitimising others. Male-dominated institutions like the Ekpe society were incorporated into colonial governance structures, while women’s institutions like Iban Isong were systematically excluded.

This selective recognition created a distorted customary law that was more patriarchal than precolonial practice had been. Colonial administrators consistently preferred to deal with male authorities, even where women had traditionally exercised significant power. The result was the “invention” of customary law traditions that privileged male authority in ways that did not necessarily reflect precolonial realities. As Merry (1988) noted, colonial legal pluralism was not a neutral recognition of existing legal orders but a strategic intervention that reshaped indigenous law in ways that served colonial interests.

Human Rights Discourse and Cultural Relativism

The relationship between Iban Isong and international human rights frameworks is complex and contested. On one hand, Iban Isong’s protection of women from violence and economic exploitation aligns with core human rights principles. On the other hand, some practices associated with Efik tradition, including aspects of the fattening room, violate contemporary human rights standards.

This tension requires careful navigation. A decolonial feminist approach does not demand uncritical acceptance of all traditional practices. Rather, it insists that critiques of indigenous institutions must be grounded in the lived experiences of African women rather than imposed from external frameworks that have historically been used to justify colonial domination. As Merry (2006) has argued in her work on the vernacularisation of human rights, international human rights norms are most effective when they are translated into local cultural idioms and adapted to local circumstances.

Ben and Umukoro (2025) argue that the influence of globalisation, Christianity, and secularisation has discouraged women from partaking in Iban Isong activities, terming them diabolic and archaic. This contemporary trend, which discourages women from participating in Iban Isong, has increased and encouraged abuses, discrimination, and violence against women and contributed to the underdevelopment of women and society. This suggests that the decline of indigenous women’s institutions may have negative consequences for gender justice, regardless of the problematic aspects of some traditional practices.

Engagement with Counterarguments

A critical analysis of Iban Isong must address several counterarguments and alternative perspectives.

First, some scholars argue that indigenous institutions cannot be separated from the harmful practices embedded within them and should therefore be abandoned entirely.

From this perspective, any attempt to revitalise Iban Isong risks reinforcing patriarchal authority structures that have historically oppressed women. Olomola (2023), for example, argues that customary law in Nigeria has consistently disadvantaged women in political participation, and that reliance on customary institutions cannot produce gender equality. In response, it must be acknowledged that this critique has validity where customary law has been distorted by colonial and postcolonial interventions. However, the case of Iban Isong demonstrates that not all customary institutions are equally patriarchal. The institution's documented record of protecting women from violence and enforcing male accountability suggests that abandoning it entirely would discard valuable resources for gender justice (Iromet al., 2025; Otor, et al., 2025).

Second, some scholars argue that customary law inherently disadvantages women regardless of precolonial precedents. Hern (2023) notes that Africa's plural legal systems are often doubly bad for women, reinforcing patriarchal threads in indigenous practices while layering male-dominated Anglo-European laws on top. This is a serious concern. However, the evidence from this study suggests that Iban Isong was not simply an extension of patriarchal authority but an autonomous women's institution that exercised genuine power. The key question is not whether customary law in general is good or bad for women, but which customary institutions are mobilised and how.

Third, it might be argued that revitalising Iban Isong could conflict with formal legal protections for women. If Iban Isong sanctions (such as property confiscation) violate statutory law, women who participate in such actions could face legal liability. This is a legitimate concern that requires careful attention. Any revitalisation effort would need to operate within the framework of Nigerian law while advocating for legal reforms that recognise the legitimacy of community-based dispute resolution.

Fourth, historical evidence suggests that Iban Isong may have excluded certain categories of women, including slaves, women from lower lineages, and possibly unmarried women. The interview data did not directly address this question, and the secondary sources are limited. It is plausible that Iban Isong, like other precolonial institutions, was stratified along class and lineage lines. This possibility should be investigated in future research.

Finally, some might question whether the contemporary Mbono Iban Isong Efik Association truly represents a continuation of the traditional institution or rather a reinvented tradition that serves elite interests. The association's membership includes senior lawyers, business women, and academics (Okon-Ekong, 2018), raising the question of whether it adequately represents the interests of market women, rural farmers, and other less privileged women. This is a valid concern. However, the association's advocacy on behalf of Justice Ikpeme, a professional woman, and its connections to market women through the Abang Cultural Festival suggest that it maintains some links to the broader female population. Nonetheless, class dynamics within contemporary Iban Isong deserve further study.

CONTEMPORARY RELEVANCE AND REVITALISATION EFFORTS

Iban Isong in Twenty-First Century Cross River State

Despite the pressures of colonisation, modernisation, and religious change, Iban Isong continues to exist in contemporary Cross River State, albeit in transformed forms. The Mbono Iban Isong Efik Association, founded by Senator Florence Ita-Giwa, represents a modern iteration of the traditional institution (Okon-Ekong, 2018). This organisation,

comprising professional and academic women, works to promote Efik culture, advocate for women's rights, and preserve traditional heritage.

Senator Florence Ita-Giwa, known as “Eka Iban ke Essien Efik Duopeba” (Mother of the Efik Kingdom), has spent much of her life promoting Efik culture, most times at her own expense. She founded the socio-cultural group Mbono Iban Isong Efik comprising some of the leading Efik women from all walks of life (Okon-Ekong, 2018). Through initiatives such as the Abang Cultural Festival, Ita-Giwa has worked to revive female cultural dances and traditions that were almost going into extinction.

The Abang Cultural Festival, launched in Calabar, featured 11 competing and five non-competing troupes performing female dances including Abang, Ekombi, and Ntimi. The festival provided a platform for the revival of women's cultural heritage that had been overshadowed by male-dominated masquerade traditions (Okon-Ekong, 2018). Significantly, the first position was won by a group of market women who performed the Ukwa dance, demonstrating the continued connection between Iban Isong and market women's organising that dates back to the 1925 revolt.

Political Activism and Advocacy

Contemporary Iban Isong organisations have engaged in political advocacy on issues affecting women and the broader Efik community. A notable example occurred in March 2020, when fifteen women groups in Cross River State, including the Mbono Iban Isong Efik Association, protested publicly in Calabar against the rejection of the nomination of Justice Akon Bassey Ikpeme as substantive Chief Judge of Cross River State (Daily Post Nigeria, 2020).

The groups, in their protest letter signed by Senator Florence Ita-Giwa and read by Professor Francisca Bassey, articulated a sophisticated legal and constitutional argument against the rejection. They invoked Section 42(1)(a) and (b) of the 1999 Constitution of the Federal Republic of Nigeria (as amended), which prohibits discrimination on grounds of community, ethnic group, place of origin, sex, religion, or political opinion (Daily Post Nigeria, 2020).

The protest letter articulated the core feminist principle that discrimination against one woman is discrimination against all women: “We therefore find it strange that she is being denied mainly on the ground that she is a woman and one who is married to a person from Cross River State. Our challenge is that women continue to be displaced just because they are women. In their father land, they have no place because they are married out and in their husband's land, they are strangers or refugees. Mbono Iban Isong Efik totally refuses to believe that women are now seen as Internally Displaced Persons or Refugees and calls for a total overhaul of this situation” (Daily Post Nigeria, 2020).

This contemporary political action demonstrates the continued relevance of Iban Isong as a vehicle for women's collective action and rights advocacy. The organisation's ability to articulate constitutional arguments, mobilise mass protests, and engage with state institutions shows how indigenous women's institutions have adapted to contemporary political contexts.

Challenges to Revitalisation

Despite these positive developments, significant challenges confront efforts to revitalise Iban Isong. First, the influence of Christianity and Western education has led many Efik women to view traditional institutions as incompatible with their religious faith (Irom , 2019; Ogar, et al., 2023; Onah, et al., 2023; Irom, 2023). As Ben (2023) notes, some Christian pastors have accused practitioners of traditional Efik culture of trying to bring back the worship of water deities. These religious tensions discourage participation in Iban Isong activities.

One of our professional informants, a 45-year-old university lecturer, described this tension:

“My mother was active in Iban Isong. But when I was growing up, our pastor said that such things were pagan. He said we should not participate in anything that was not Christian. So I stayed away. Now I am older, I see that I lost something valuable. But many young women still believe that Iban Isong is evil.” (Female lecturer, 45, Calabar)

Second, the perception that Iban Isong practices are archaic or backward has led younger generations of Efik women to distance themselves from the institution. The preference for Western-style gender activism, including NGOs and advocacy organisations that operate within international human rights frameworks, has drawn attention and resources away from indigenous institutions (Ben, 2023).

Third, the association of Iban Isong with practices that violate contemporary human rights standards, including aspects of the fattening room tradition, has complicated efforts to present the institution as a positive force for gender justice. Any revitalisation of Iban Isong must clearly reject harmful practices while preserving the institution’s positive functions.

Fourth, the transformation of Efik society from small-scale, close-knit communities to urban, anonymised populations has reduced the effectiveness of collective sanctions like shaming and boycotts. In contemporary Calabar, where community members may not know one another, the social pressure that underpinned Iban Isong’s authority is diminished.

Recommendations for Revitalisation

Based on the analysis presented in this paper, several recommendations emerge for revitalising Iban Isong as a tool for gender justice in Southeastern Nigeria.

First, there is need for selective revitalisation that distinguishes between core principles of gender justice and specific practices that may be harmful or obsolete. The principles of collective women’s organising, mutual accountability, and community-based dispute resolution remain relevant, even if particular enforcement mechanisms require modification.

Second, collaboration between Iban Isong organisations and formal legal institutions could create pathways for integrating indigenous and statutory justice systems. Community paralegals trained in both customary law and human rights frameworks could serve as bridges between these systems, referring cases that require formal legal intervention while resolving others through traditional mechanisms.

Third, educational initiatives aimed at younger generations of Efik women could present Iban Isong as a source of cultural pride and feminist heritage rather than an embarrassing relic of the past. The incorporation of Iban Isong history into school curricula in Cross River State could help counter negative stereotypes and foster appreciation for indigenous governance traditions.

Fourth, engagement with religious institutions could help reconcile Iban Isong participation with Christian faith. The example of Senator Florence Ita-Giwa, who describes herself as a Christian while actively promoting Efik culture, demonstrates that such reconciliation is possible. As she stated, “It is height of ignorance to try to kill your culture. Religion is a very personal thing and some of these people do what they do for personal interest, not for the love of God” (Okon-Ekong, 2018).

Fifth, research and documentation efforts should continue to record the oral traditions, practices, and histories of Iban Isong before the generation of elders who remember the institution's precolonial and early colonial forms passes away. This documentation is essential both for scholarly understanding and for community-based revitalisation efforts.

CONCLUSION

This paper has examined Iban Isong, an Efik indigenous juridical institution, as a tool for gender justice in Southeastern Nigeria. Drawing on oral interviews with Efik elders and a rich body of secondary sources including the work of Ben (2015, 2017, 2019, 2023, 2025), Noah (1985), Udo (2018), Van Allen (1976), Mba (1982), Amadiume (1987), Oyewumi (1997), Merry (1988), and others, the evidence presented demonstrates that Iban Isong represented a sophisticated system of women's collective governance that exercised real authority over both female and male community members. Through mechanisms including public shaming, collective boycotts, property confiscation, and legislative action, Iban Isong protected women from violence, economic exploitation, and social marginalisation.

The paper has challenged colonial and neotraditional narratives that depict precolonial Efik society as uniformly patriarchal. Instead, it has shown that Efik women maintained autonomous institutions of governance that operated alongside male-dominated structures. This dual-gender system of governance, in which women exercised authority over matters affecting women while also participating in broader community decision-making, represents a distinctive model of gender relations that differs from both Western liberal individualism and the more rigid patriarchal systems imposed during colonisation.

The contemporary relevance of Iban Isong is evident in organisations like the Mbono Iban Isong Efik Association, which have engaged in political advocacy on issues ranging from judicial appointments to constitutional rights. These organisations demonstrate that indigenous institutions can adapt to contemporary contexts while maintaining their core commitment to women's collective action and mutual accountability. However, significant challenges confront efforts to revitalise Iban Isong, including religious opposition, generational change, and the association of traditional practices with human rights violations. Addressing these challenges requires a nuanced approach that distinguishes between core principles of gender justice and specific practices that may be harmful or obsolete.

The recovery of Iban Isong as a living heritage of indigenous jurisprudence contributes to broader debates about decolonising gender justice, legal pluralism, and the heritage of resistance in Africa. In a context where formal legal systems remain inaccessible to most rural women, indigenous institutions like Iban Isong offer alternative pathways to justice that are culturally grounded, community-based, and potentially more responsive to local needs. The challenge for scholars, activists, and community members is to support the revitalisation of these institutions while ensuring that they evolve to meet contemporary human rights standards. This is a difficult balance, but the stakes could hardly be higher for the women of Southeastern Nigeria who continue to face violence, discrimination, and marginalisation in their daily lives.

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