



Ozi Ikòrò

AFRICAN HISTORY · CULTURE · INDIGENOUS KNOWLEDGE

BIOGRAPHY

How Dr Priye Iyalla Amadi Ended Husband's Consent for Married Women's Passports in Nigeria

By Kosisochukwu Nzeribe

Ozikoro.com · Biography · 5 min read

FEATURE
IMAGE

**Prof Priye and her husband.
Photo credits; Neusroom features.**

Article image · caption retained from the published Ozikoro article

Ozi Ikòrò

HOW DR PRIYE IYALLA AMADI ENDED HUSBAND'S CONSENT FOR MARRIED WOMEN'S

How Dr Priye Iyalla Amadi Ended Husband's Consent for Married Women's Passports in Nigeria

By Kosisochukwu Nzeribe · Biography · Ozikoro.com

For many years in Nigeria, a married woman seeking an international passport was required by the Nigeria Immigration Service (NIS) to produce a written letter of consent from her husband. This official practice treated adult married women as if they were legally dependent on their spouses and prevented many women from exercising their constitutional right to freedom of movement. It was only through the courage and persistence of Dr Priye Iyalla Amadi, a Nigerian woman and wife of renowned author Elechi Amadi that this discriminatory policy was legally challenged and ultimately declared unconstitutional. Her legal battle marked a watershed moment for women's rights in Nigeria, eliminating a longstanding barrier rooted in gender bias.



Photo credits; Neusroom features.

01

The Requirement for Husband's Consent

Historically, the Nigeria Immigration Service had an administrative policy whereby married women were expected to attach a letter of consent from their husbands as part of the documentation to obtain or renew an international passport. Passport issuance is a sovereign function of the Nigerian state and is meant to recognise the individual's nationality and freedom to travel. However, the practice of requiring spousal consent effectively placed married women in a position of legal subordination to their husbands treating adult women as though they were minors or legally incompetent without an accompanying male's approval.



The NIS defended this policy on sociological and marital grounds, claiming that it was intended to protect marital stability and prevent domestic issues arising from unilateral travel decisions by wives. However, this paternalistic rationale did not withstand constitutional scrutiny.

02

Dr Priye Iyalla Amadi's Legal Challenge

Dr Priye Iyalla Amadi, a well-educated professional and wife of celebrated author Elechi Amadi, personally experienced the discriminatory effects of this policy when she sought a replacement for her lost international passport. Upon formal application at the Port Harcourt Immigration office, she was informed that one of the required documents was a written consent letter from her husband allowing her to obtain a passport.

Amadi found this demand offensive and discriminatory. She argued that as a mature adult citizen of Nigeria, her right to a passport should not be contingent upon the approval of her husband. On principle, she viewed it as a violation of her human rights, fundamentally based on her sex and marital status.

Refusing to simply comply with the offence, she took legal action. Dr Amadi filed a lawsuit against the Comptroller-General of the Nigeria Immigration Service and others, claiming that the policy was unconstitutional and discriminatory against women. Her cause became a landmark in legal strategies to expand women's rights within Nigeria's legal system.



03

The Federal High Court Ruling

The matter was heard at the Federal High Court in Port Harcourt. Presiding Judge Justice G.K. Olotu ruled in favour of Dr Amadi, declaring that the policy of requiring a married woman to produce her husband's written consent before being issued or renewing a passport was unconstitutional and unlawful.

The judgement was based primarily on Section 42(1)(a) of the 1999 Constitution of Nigeria, which prohibits discrimination against any citizen on the basis of sex. Justice Olotu also cited Article 18(3) of the African Charter on Human and Peoples' Rights, to which Nigeria is a signatory, stating that any administrative action that disadvantages a person based on sex is unconstitutional.

By identifying the NIS policy as discriminatory, the court effectively ended the requirement of husband's consent for passport issuance to married women.



Photo credits; Neusroom features.

04

Legal and Social Significance

The decision in *Dr Priye Iyalla Amadi v. Comptroller-General, Nigeria Immigration Service & Anor* had far-reaching implications for women's rights and legal protections in Nigeria. It set a precedent affirming that administrative policies must comply with constitutional guarantees of equality and non-discrimination. Several key points stand out:

- **Affirmation of Equal Rights:** The ruling reinforced that Nigerian citizens, regardless of gender, have the individual right to mobility and documentation without spousal interference.
- **Constitutional Protection:** Section 42(1) of the Constitution, which prohibits discrimination based on sex, was powerfully invoked to



overturn a practice deeply rooted in gender bias.

- Recognition of Women as Autonomous Adults: The decision helped shift the perception of married women from being legally “vulnerable” or dependent on their spouses to being autonomous individuals capable of exercising civil liberties without undue restriction.

The outcome helped to dismantle a paternalistic practice that treated women as legal minors. As legal scholars have observed, the court's reasoning echoed the broader human rights principle that passport issuance is not a privilege granted by state favour, but a right inherent to citizenship.

05

Continued Relevance and Advocacy

Even though this particular discriminatory policy was struck down in 2009, debates about gender discrimination in documentation processes remain relevant in Nigeria. In 2024 and beyond, similar issues have surfaced in debates over other travel regulations, such as when the National Drug Law Enforcement Agency (NDLEA) briefly required married women to obtain husbands' written approval for visa clearance, an item that was later removed after public backlash. Although this later example was not directly about passports, it reflects the ongoing struggle against gendered restrictions that echo outdated notions of women's legal dependence on male relatives.

Dr Priye Iyalla Amadi's successful legal challenge against the Nigeria Immigration Service marked a pivotal moment in the advancement of women's rights in Nigeria. By ending the requirement that married women obtain their husband's consent before being issued a passport, her action affirmed constitutional principles of equality and non-discrimination. Beyond the immediate legal victory, her case sent a powerful message that administrative policies must respect the dignity and autonomy of all citizens, especially women who have



historically faced systemic barriers to full citizenship rights. More than a personal triumph, Dr Amadi's challenge reshaped the legal landscape in Nigeria to better uphold women's freedom of movement and fundamental rights.

SOURCES

References

The article's own bibliography, set as it appears in the record.

- 01 African Women's Rights Observatory. (2014). Nigeria, Right to documentation: Passport consent case.
- 02 ICIR Nigeria. (2024, October). Married women no longer need husband's written consent to travel abroad, NDLEA says.
- 03 Marie Claire Nigeria. (n.d.). "Married women require consent forms from their husbands to travel" — NDLEA.
- 04 Neusroom. (n.d.). Priye Iyalla-Amadi: The woman who fought the law preventing issuance of passports to married women without husband's consent.
- 05 Vanguard News. (2009, June). Court voids Immigration condition for issuing passports to married women.

ABOUT THE AUTHOR

Kosisochukwu Nzeribe

Law Graduate / Creative & Research Writer.



Ozi Ikòrò

History worth reading.

African history · culture · indigenous knowledge
