Legal and Policy Framework for Gender Equality and Women’s Empowerment:

A Critical Analysis of the Third Millennium Development Goal in Liberia

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March 4, 2014

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Abstract

This paper critically analyse the extent to which legal and policy frameworks have contributed in achieving the *third Millennium Development Goal (3rd MDG)* in Liberia. It explores the feminist theory of Intersectionality by examining the intersection of historical, social and political context which all contribute to social division in Liberia. The paper goes further to examine how these social divisions affects gender equality and women’s empowerment through the indicators associated with the 3rd MDG on education, employment and political participation. It concludes by noting that though 2015 is a year away, much still has to be done to achieve the 3rd MDG, other MDGs as well as promotion of human rights in Liberia.
# Table of Content

Topic .......................................................................................................................... i

Abstract ..................................................................................................................... ii

Table of content ......................................................................................................... iii

List of Abbreviations ................................................................................................... v

Chapter 1 ...................................................................................................................... 1

1. **General Introduction** ......................................................................................... 1
   1.1 Introduction ........................................................................................................ 1

1.2 Aim and Research problem .................................................................................. 2

1.3 Research questions ............................................................................................... 4

1.4 Theory, method and material ............................................................................... 4
   1.4.1 Theory ............................................................................................................ 4
   1.4.2 Method .......................................................................................................... 6
   1.4.3 Material ......................................................................................................... 7

1.5 Delimitation .......................................................................................................... 8

1.6 Literature review .................................................................................................. 8

1.7 Location and background history of Liberia ......................................................... 10
   1.7.1 Location of Study Area ................................................................................... 10

1.8 Background History of Liberia and Gender Equality and Women’s Empowerment ...... 11

Chapter 2 ................................................................................................................... 15

2 **Institutional, Legal and Policy Frameworks and the Promotion of Gender Equality and Women’s Empowerment in Liberia** ................................................................. 15

2.1 International and regional framework .................................................................... 15

2.2 Institutional framework ......................................................................................... 16
2.3 Legal and Policy framework .................................................................17

Chapter 3 ........................................................................................................20

2. Promoting Gender Equality and Women’s Empowerment through Institutional, Legal and Policy Frameworks in Liberia ..........................................................20

3.1 Ratios of girls to boys in primary, secondary and tertiary education ...............20

3.2 Share of women in wage employment in the non-agricultural sector ................21

3.3 Proportion of seats held by women in national parliament ..............................21

Chapter 4 ........................................................................................................24

4. Challenges Faced in the Promotion of Gender Equality and Women’s Empowerment in Liberia ............................................................................................................24

4.1 Education and training for women ...............................................................24

4.2 Economic empower of women ....................................................................25

4.3 Elimination of violence against women .........................................................26

4.4 Political participation of women and discrimination .....................................27

4.5 Case Study: The Association of Female Lawyers of Liberia (AFELL) ..............28

Chapter 5 ........................................................................................................32

5 Discussion and Conclusion ............................................................................32

5.1 Discussion ................................................................................................32

5.2 Conclusion ..................................................................................................38

Bibliography ....................................................................................................40
List of Abbreviations

- ACHPR: African Charter on Human and Peoples’ Rights
- AFELL: Association of Female Lawyers of Liberia
- CEDAW: Convention on the Elimination of All forms of Discrimination against Women
- CEDAW-OP: Optional Protocol to CEDAW
- CRC: Convention on the Rights of the Child
- ECOWAS: Economic Commission of the West African States
- ICCPR: International Covenant on Civil and Political Rights
- ICESCR: International covenant on Economic, Social and Cultural rights
- ILO: International Labour Organization
- LWI: Liberian Women Initiative
- MDGs: Millennium Development Goals
- NAP: National Action Plan
- NEC: National Election Commission
- NGO: Non-Governmental Organization
- OUNCHR: Office of the United Nations Commissioner of Human Rights
- PRWA: Protocol of the Rights of Women in Africa
- SGBV: Sexual and Gender-Based Violence
- UDHR: Universal Declaration of Human Rights
- UN: United Nations
- UNDP: United Nations Development Programme
- UNIFEM: United Nations Development Fund for WOMEN
- UNJP: United Nations Joint Programme
- WCPS: Women and Children Protection Section
- WIPNET: Women in Peace building Network
Chapter 1

1. General Introduction

1.1 Introduction

The Millennium Development Goals (MDGs) are a set of eight time-bound goals adopted in September 2000 to improve on human development (United Nation Millennium Summit, 2000). During the Millennium Summit of the United Nation in September 2000, 189 heads of state and government came together to see how wider human concerns and issues could be used to measure human progress (United Nations Millennium Summit, 2000). The main aim of these goals was to enhance national initiatives and strategies in alleviating poverty and improving living standards especially in the poorest countries around the world. The target was programmed over a time frame of 25 years from 1990 – 2015. The Goals in chronological order are; 1st to Eradicate extreme poverty and hunger, 2nd to achieve universal primary education, 3rd to promote gender equality and empower women, 4th to reduce child mortality, 5th to improve maternal health, 6th to combat HIV/AIDS, malaria and other diseases, 7th to ensure environmental sustainability and 8th to develop a global partnership for development. This was to be done through country programs and policies, international aid and the intervention of civil society. To meet this target, the key human rights principles of non-discrimination, participation and accountability are directly involved. According to a report from Office of the United Nations Commissioner on Human Rights (OHCHR) in 2013, “Governments that pursue development hand-in-hand with human rights stand a better chance of reaching the Millennium Development Goals (MDGs)”. This research will particularly focus on the 3rd MDG; gender equality and women’s empowerment with Liberia as case study.

In brief, the goal of the 3rd MDG is to promote gender equality and empower women. The target is to eliminate gender disparity in primary and secondary education by 2005, and at all levels by 2015 with the following indicators put in place;

- Ratios of girls to boys in primary, secondary and tertiary education
- Share of women in wage employment in the non-agricultural sector
- Proportion of seats held by women in national parliament (Kabeer, 2005).
The 3rd MDG is important because it deals directly with the rights of women. This paper argues that unless the target of 3rd MDG is completely met, Liberia cannot fully achieve the other MDGs. This is because, research has shown that meeting this particular target will enhance the rest of the 7 other goals (Grown et al., 2005; Morgan, 2010; National Democratic Institute, 2010; MDG report, 2013). In this research more emphasis will be placed on the proportion of seats held by women in national parliament. The other two will not be rolled out because power is inversely related to level of education and wealth. The choice of this country is motivated by the fact that Liberia has recorded unique experiences during the pre and post-civil wars whereby peace was initiated by women and the subsequent leadership by the first Liberian and African female president (Hayner, 2007).

In this light, this thesis will first of all investigate the background history of Liberia as regards gender equality and women’s empowerment. This is because the history affects the present situation of women’s empowerment and equality in Liberia today. Chapter two will illustrate the different frameworks and their objectives to ensure gender equality and women’s empowerment. Then it moves to chapter three which analysis the thesis using relevant method and theory, in this case the case study method and the feminist theory of Intersectionality. It investigates the extent to which each of the three indicators has been met by the different frameworks put in place. Chapter four will show that though there are several success stories of gender equality and women’s empowerment in Liberia, yet a majority of Liberian women still face huge challenges as regards their rights. And unless serious measures are taken to eradicate these challenges a majority of women in Liberia will still face gender inequality and victimization. The 3rd MDG and all the other MDGs cannot be met even after 2015 if something is not done. Chapter five concludes by analysing the trends and proposing some measures that could be taken.

1.2 Aim and Research problem

1.2.1 Aim

This paper will critically investigate the invisible interactions in institutions, policies and laws that affect the 3rd MDG. Using the key human rights principles of non-discrimination, participation and accountability, the paper also aims at illustrating how meeting the three indicators could also result to promoting and protecting women’s rights. Using the case of Liberia, it will try to critically analyse the extent to which this third MDG has been achieved. Especially when looking at aspects of human rights which are considered as the basis for
achieving this particular goal and other MDGs in general. A critical analysis of this subject will show how different human rights-approach strategies and governmental frameworks are used to achieve the MDGs. The results of this analysis will be used to come up with recommendations that can enhance the MDGs and at the same time promote human rights. The end results of this research will not only be to complete this study programme but will also be to contribute to the knowledge of promoting human rights.

1.2.2 Research problem

A joint report of the Liberian Government and the United Nations on women empowerment in Liberia shows that discriminatory and inequality practices against women are still very much embodied in the legal systems and administrative structures of the state. This has been the case of Liberia during the civil war periods as well as after the civil wars. In Liberia as in many other countries in the sub-Saharan region, customs and traditions have been a contributing factor to gender inequality and the less empowerment of women from time immemorial. Customs and traditions which are predominant in rural areas continue to place women and girls under an inferior position as opposed to men. This is reflected in the low ratio of girls to boys in primary, secondary and tertiary education, the limited number of women employed in paid jobs and to sum it all, the low proportion of women represented in the national parliament of Liberia. Consequently, using a human rights lens to analyse the problems encountered in this research creates images of some kind of violation of the rights of all involved.

Also, gender violence continue to be a major concern even after the civil war, as women and girls are still restricted from enjoying their rights and freedoms on an equal basis as men (United Nation Women, 2013). They continue to face physical and sexual violence which affects them physically and psychological and therefore violates their human rights. Women in Liberia are sexually violated before they are offered a decent job. Girls on the other hand are repeatedly harassed in school by male teachers and male students. Furthermore, women’s rights to resources and opportunities are not being adequately guaranteed by legal and customary norms. Their inability to gain access to decent jobs, reduction in the time burden of economic and household activities, insufficient access and control of natural resources still remain a great problem which affects the rights of women to be represented in national parliament (Duncan-Cassell, 2012). In order to gain an in-depth analysis and understanding of these problems, the following questions will serve as guide;
1.3 Research questions

- How can we understand the invisible interactions in institutions, policies and laws that are related to the 3rd MDG in Liberia?
- What is the link between the key human rights principles of non-discrimination, participation and accountability and the indicators of the 3rd MDG?

1.4 Theory, Method and Material

1.4.1 Theory

Theories are very important in answering research questions. In this research the feminist theory of intersectionality will be used. Some of the feminist theories will be used to come out with a clear analytical framework of the subject.

Theory that will be used in this research is intersectionality. The feminist intersectionality theory was first highlighted by Kimberlé Crenshaw in 1989 and has been developed by many other feminist scholars. According to Walby et al., (2012) Crenshaw used this theory in the case of Black American women to see beyond most feminist analysis on gender discourse. Through intersectionality, Crenshaw brings in the invisibility of the intersections that led to discrimination, domestic violence and marginalisation of Black American women caused by analysis on feminism (Walby et al., 2012: 226). Key issues under this theory are the interaction between sex/gender, age, violence, class, race and ethnicity which are applicable in this research and make it the most suitable theory for this research. Intersectionality can be referred to as “the interaction between gender, race, and other categories of difference in individual lives, social practices, institutional arrangements, and cultural ideologies and the outcomes of these interactions in terms of power” (Davis, 2008:68). These interactions could lead to oppressions especially against the vulnerable as a result of different social divisions…. Nash also adds that the notion of intersectionality “has emerged as the primary theoretical tool designed to combat feminist hierarchy, hegemony and exclusivity” (2008:2). This explains why many scholars on feminist issues are using intersectionality as their primary analytical tool for theorizing identity and oppression as is the case with this study. McCall, one of the advocates of the feminist theory of intersectionality corroborates Crenshaw though with different specifications when she “examines groups, often small ones which had not been analysed previously” Walby et al (2012:4). This implies that the previous analyses perhaps by
most feminists overlooked these small disadvantageous groups. Even though the feminist theory of intersectionality is coined from the main feminism, the theory is seemingly different in that it seeks not only to kick against the general views of male domination and oppression against women but goes a long way to investigate the various invisible violations created by different institutions in a given context. As such McCall recommends “the inter-categorical, for its power in engaging with the larger structures that generate inequalities” (Walby et al: 2012:4) In as much as theory identifies the intersections of class, politics and social relations, it also explains the view that intersectionality can also best be judged by interpreting the plurality of histories at each given moment. This is because “identifying the historically changing relations between social institutions is important in providing the appropriate context of current inequalities” (236). Intersectionality therefore evaluates not only dominance against women but employs the notion that space and time plays a lot in the interpretation of different experiences.

The theory thus is most appropriate to this study because it would help in the understanding of oppression against women, gender politics and power relations over time in a society like Liberia where hierarchy in terms of ethnicity, class and gender coexists. Using the case of Liberia, this research is thus meant to examine the position of women as a target group of the MDGs in terms of the intersection of gender, class and ethnicity.

The intersection of historical, social and political context as well as individual experiences are influenced by the different set of identities which have an impact on rights and opportunities. Liberia has multiple structures of different identities which come as a result of social relation, history and the operation of different structures of power in the country. This multiple structures affect the different intersections through gender, ethnicity and class which all have an impact on gender equality and women’s empowerment in Liberia. Most women in Liberia are put in vulnerable position as a result of the intersection of identities which creates differences in terms of gender, ethnicity and class. This is what Crenshaw refers to as structural intersectionality where there is the intersection of unequal social groups (Walby et al., 2012).

Also, it is the intersection of policies, laws and programs that support and maintain such vulnerability of women in many societies. Crenshaw distinguishes this from structural intersectionality and refers to it as political intersectionality where there is the intersection of political agendas and projects (Walby et al., 2012). This study specifically shows how
women’s rights to education, employment and political participation, are practiced and appropriated in a legal plurality society full of many social divisions that lead to discrimination, oppression, patriarchy, stereotyping and objectification against women in Liberia. In addition, intersectional analysis is not only to show how a group is being marginalised over another as a result of intersections but as will be seen in the analysis below, gender disparities can be understood and responded to; through the different ways that gender intersects with other identities. The understanding of all these makes it easier to come out with similarities and distinctions in the intersection that creates discrimination and opportunities so as to put in place appropriate conditions that will create a balance in the enjoyment of human rights by all. In the case of this research, an understanding of this different intersection of identities is meant to come out with measures that will enhance the 3rd MDG, other MDGs and promote human rights in general.

1.4.2 Method

This study employs the case study method and will also use the qualitative approach for data in order to provide an in-depth and critical analysis of the 3rd MDG in Liberia. The case study method is important because it facilitates the investigation and understanding of a complex analysis of a social situation over a period of time (Kohlbacher, 2006). This method is most appropriate because it blends perfectly with the feminist theory of intersectionality. The case study method and intersectionality theory can be used to understand the evolution of the invisible interaction of gender equality and women’s empowerment in Liberia. Through the case study method a particular case can be easily studied, understood and responded to as will be seen in this research work. Becker notes that the case study method provides detailed analysis of an individual case from intensive exploration of a single case (1970:75). In this research with the use of intersectionality as the analytical tool, the case study method will be used to investigate and understand the extent to which institutions, policies and laws have enhanced the achievement of the 3rd MDG. This will be done through the review of the necessary materials as mentioned bellow. The historical perspective will be analysed from the independence of Liberia in 1847 to understand the present state of affairs of the MDGs. This method will also illustrate how this goal is intended to be fully achieved through the frameworks by the year 2015 with the specific case of Liberia. To collect data and information, both primary and secondary sources will be used.
1.4.3 Material

Within this research paper, various materials will be used including primary and secondary sources. To collect primary data, first-hand information or direct evidence sources that offer an inside view of the 3rd MDG in Liberia such as the MDGs’ reports, UNDP reports, Human Rights documents like CEDAW, ICCPR, GEI and others will be fully analysed using the case study method. These sources will be used to unveil the invisible interactions in institutions, policies and laws using the specific case of Liberia. The MDGs serve as the bases of understanding what the 3rd MDG is all about. The UNDP reports are used to verify the extent to which the 3rd MDG has been achieved as first hand documents with Liberia as the specific case. The Human rights documents are used as a tool of assessing gender equality and women’s empowerment as a human right. Analysing the case of Liberia will also employ the feminist theory of intersectionality to answer the research questions and also confirm the point that much still has to be done to meet the target of the 3rd MDG in Liberia. The analysis of this case study could also provide an insight of some new information that could serve as a contribution to achieve the target of the 3rd MDG and other MDGs which could also be used in related cases.

Secondary sources of documents and reports from academic and scientific articles are used to provide an understanding of the institutional, policy and legal frameworks put in place to enhance gender equality and women empowerment in Liberia. While reviewing such literatures from reports and scientific articles, emphasis will be to investigate how these frameworks are trying to meet the target of this goal. This will allow us to acquire a broader understanding of the challenges hindering the achievement of this goal in Liberia.

More so, the case study method through textual analysis will be used. This will be used to analyse information from both primary and secondary sources of data seen above. The textual analysis method is very vital because, it helps to understand the particular time from the pre-war periods till present (Kohlbacher, 2006). And it is also used to illustrate the power organization, opportunity and outcomes of both women and men through the different periods relating to gender equality and women’s empowerment in Liberia. Through textual analysis, educated guess can also be used to interpret some phenomena that are in the text. The text serves as window to human experience especially past experiences (Ryan and Bernard, 2000:769). These written texts therefore are used in the paper to further expand on the researcher’s point of view.
1.5 Delimitation

To carry out a scientific research based on literature analysis can be interesting but not easy. This research could have been more profound if there were opportunities to carry out a field work in the study area. This is because most of the documented materials available were sometimes too biased as one report favoured the police and another report on the same case told a different story. This needed a more critical look on sources. Most of the materials were focused more on the level of achievements with limited weaknesses indicated. Also there was limited material on rural areas as compared to urban areas. Religion and especially Islam affects gender equality and women’s empowerment in many counties in Liberia. But no document was found in the case of Liberia to illustrate the intersection of religion and gender relations. Also, the lack of published court cases, considering that we are dealing with a human rights issue was a limitation. These legal cases could have been used to illustrate clear evidence on the extent to which the 3rd MDG has been met in Liberia. The 3rd MDG has multiple variables could not be dealt with on a bachelor research paper therefore, limiting this paper to just a few most important parts.

1.6 Literature review

There is a large body of available literature on the critical analysis of the Legal and Policy Framework for Gender Equality and Women’s Empowerment across the globe. These literatures critically analyse the extent to which different countries are meeting the third MDG in particular and other MDGs in general. Reviewing this literature is aim at seeing how applicable they are to the topic under study. Also to see what makes the present study different from the available literatures which are being reviewed.

According to the UN 2013 report on the MDG, it could be said that progress has been made in some areas in meeting these goals. The report states that, with the increase collaboration of governments, civil societies, private sector and the international community, some of the targets have been fully met while they predict that others will certainly be met by 2015. But this report goes further to add that much still has to be done, as progress in many areas is still far from being enough. Looking at the case of Liberia, this research is meant to look at what exactly has been done to meet the third MDG.
Another 2013 report on assessing progress in Africa towards the MDG also reviews the successes/failures, improvements/challenges, innovations/obstacles of meeting the MDG. Looking at the third MDG in Africa in general, the report notes that the improvement of the status of women and girls will not only promote human development, but will help in achieving the other aspects of the MDGs. According to the data collected from different African countries, the report concludes that progress made is encouraging though there are still challenges faced. This research will also look at some of these aspects especially assessing how the third MDG is affecting the other MDGs in Liberia.

In the same light, Smee and Woodroffe, 2013 also argues that to eradicate poverty and enhance the empowerment of the most marginalized and excluded people in the society, the improvement of gender equality is important. According to them, priority should be given to the poorest and marginalized girls and women in the society. This is part of the investigation as to why the Liberian girl and woman is prioritized in the studies to ensure gender equality in the advancement of the 2015 target date of meeting the MDGs.

Grown et al., 2005 goes further to illustrate the interdependence of the different MDG as regards gender equality and women’s empowerment. These authors prioritises the 3rd MDG and points out that human development can be improved; if priorities suggested to achieve the 3rd MDG are carried out effectively and also if actions taken to achieve the other Goals include the promotion of gender equality and empowerment. The MDGs without any doubt are interrelated with gender equality and women’s empowerment considered as the central point as will be seen in the case of Liberia.

Kabeer, 2005 also discusses key issues on 3rd MDG. She uses the three indicators on education, employment and participation to show how each can contribute in achieving the goal. In looking at these three indicators in detail, she notes that gender inequality should not be considered as some sort of priorities which is singled and universally agreed. Gender relations are multi-dimensional and should be considered as such. The article therefore argues that for the potential of women to be realised, measures should be put in place through policies to make sure that women are fully allowed to participate, monitor and hold all other stakeholders accountable for their actions. The case of Liberia is used in this research to show the multi-dimensional aspect of gender relations through the different indicators.
Morgan, 2010 further illustrated that the interpretation of gender equality in the 3rd MDG is very low and limited. He added that nevertheless, a good number of the other 7 targets could be directly related to the 3rd if properly executed. He concludes by pointing out that though progress made to achieve the MDGs is still low, there are good examples of success stories and recommendations which if emulated might speed up the process in some areas.

Lee, 2013 looking at the case of Senegal confirms that the country has done much in meeting the 3rd MDG. According to his findings, Senegal enacted the gender parity law in 2012 where women’s representation in local and national elections through political parties had to be at least half of the candidates. This law increased the proportion of women in the government as it increased from 22% to 43%. Also Senegal has a balance between the number of girls and boys enrolling into primary schools. But there is still disparity between the number of boys and girls who actually complete primary schools. Furthermore, at the level of secondary and tertiary education, that gap still exists. What then is the ratio of Liberia?

The above review is based on selected literatures related to the topic. As such, the review shows that the topic has been approached by different scholars with diverse theoretical backings. Whereas most of the above reviews highlight the view that women are underrepresented due to the existing unjust social structure, this research addresses a similar view but with a particular case study; Liberia. The study is thus unique in that it approaches gender inequality from a human right stance with reference to the Millennium Development Goals. The research also employs the feminist theory of intersectionality as a guide for analyses. Based on the knowledge of related previous works, it can be said that this study, the method and theory used makes it different from other research. Thus, it is a contribution to research especially as it breaks new grounds in addressing gender inequality and women’s empowerment.
1.7 Location and Background History of Liberia

1.7.1 Location of study area

Since this research is using the case study method based primarily on the case of Liberia it will be good to know the location of the country. Liberia is a democratic country located on the Atlantic coast in West Africa which covers a surface area of 43,000 square miles. The country’s bordering countries includes; Sierra Leone to the northwest, Guinea to the north, and Côte d’Ivoire to the east (figure 1). Liberia is endowed by many natural resources including iron ore, timber, diamonds, and gold, and provides a favourable environment for growing rubber trees. The country has a population of about 3.5million people according to 2008 estimates. Women make up most of the working population of Liberia.

Figure 1: location of Study Area

![Location of Study Area](www.theodora.com/maps)

1.7.2 Background History of Gender Equality and Women’s Empowerment in Liberia

This part will deal with the historical background of issues concerning gender equality and women’s empower in Liberia. Inequality between the sexes have existed and widened since time immemorial which makes the concept of gender inequality not new in Liberia. The
emergence of feminist movement in the 20th century, focusing on women’s suffrage and cultural inequality came after a long period of gender inequality and victimization of women. The actions of women have for a long time been constrained by different social structures and the way power is being organized. The ideas of intersectionality feminism is applied in this part as it illustrates the interactions between gender, ethnicity and class in the lives of women influenced by social practises, institutional arrangement and also cultural ideologies which are patriarchal in nature.

Though the concept of gender equality and women’s empowerment only became a public issue during the pre and post war periods (1989-2003), discrimination against women exist before then (Government of Liberia/UN Joint program, 2011). Before the foundation of Liberia in 1821 and the independence of the country in 1847, women suffered from discriminatory practises enforced by the cultures and traditions of the people which influenced the governing of the country. These specific cultural elements linked to different historical conditions seem to have maintained the oppression of women in Liberia as illustrated by the feminist theory of intersectionality.

The Liberia society is a patriarchy society that attributes much respect and rights to the man considering women as the weaker sex (United Nation Women, 2010). Patriarchal societies have been noted for victimizing women instead of empowering them. In the case of Liberia during the pre-war period, the elderly males took leadership positions as head of the group and made all decisions including decisions which were for the benefit of women. This means that there might not have been women agencies which could improve the capacity of women in making political decisions. This gap was further broadened by the existence of different ethnic groups in the country.

When freed coloured men from the United States of America were repatriated to Liberia, they moved to form the independent Republic of Liberia where there were already 16 indigenous ethnic groups who had inhabited the country (Randall and Paasewe, 2012). These authors also add that the few Americo-Liberians group dominated the indigenous group from 1847 to 1980 with Joseph Jenkins Roberts an American merchant from Virginia USA as the first Liberian president. The Americo-Liberian group though a minority group considered themselves superior to the indigenous group. The outcome of the interaction of the two groups in terms of
power was that of subordination of the indigenous group until 1980 when a military coup brought in the first indigenous leader in the person of Samuel K. Doe (Local government, 1998).

During the reign of the Americo-Liberians, foreign trade, such as the export of iron ore, rubber and timber, were in the hands of the Americo-Liberia group, especially the men (Randall and Paasewe, 2012). More so, the report from Government of Liberia/UN Joint program, 2011 adds that the founding 1897 Constitution of Liberia was designed in such a way that social, economic and political power were solely handled by the Americo-Liberia group. This therefore created a class distinction as the Americo-Liberians were wealthier than the Indigenous groups. The indigenous group were excluded in the economic gains and this contributed in creating a long standing pattern of unequal relations in terms of ethnicity, class and gender. Therefore, though most of the indigenous people suffered, educated guess in analysing this text can be used to add that the case of women was more alarming since they were further subjugated by stringent traditions and customs. This is because tradition and custom made women to have limited access to and control over land and other resources. Women got engaged in subsistence agricultural practises that yielded less income.

In addition, the Americo-Liberia group migrated from the USA where they had experienced more development and political power which placed them in a more superior position. They therefore considered themselves as a more civilized group as opposed to the Indigenous group seen as native. This discrimination of the Americo-Liberia group considered civilized and the Indigenous Liberia groups considered native also extended to women of the two ethnic groups. There was a clear distinction between the upper class (Americo-Liberia group) and the lower class (Indigenous group). Discrimination therefore is not just in the form of gender differences but also exist as a result of “social class and ethnic identities” (Mohanty, 1988:344). In the case of Liberia, the construction of women was different as a result of ethnic differences. Moran, 1990 points out that the Americo-Liberian civilized women found in the upper class were more educated unlike their lower class Indigenous native counterparts. These so called civilized women were therefore involved in formal wage economies and worked as nurses, teachers, clerks, secretaries, midwives and other civil service jobs. Those of them who were not educated rallied on their husbands or did petty trading (Moran, 1990). The majority Indigenous native groups on the other hand were not educated. They instead
considered themselves as keepers of the Liberian cultural heritage. It was a pride for them to abide to these cultures and traditions even when they were detrimental to them (Moran, 1990). They therefore lived according to their cultures and traditions.

These customs and traditions placed men as superior beings who were; brave, intelligent, wise, physically strong, more decisive etc. compared to women (Nash, 2008). As a result of their social location in a society that promotes patriarchal control, the Indigenous men could exercise their superior power even more. Bogard (1999), notes that the interaction with other systems of power and oppression also matter. This is because as seen above educated Americo-Liberians considered as the civilized class were better treated and more empowered than their indigenous native Liberians. Therefore, the intersections of systems of power in terms of ethnicity, class, gender and sexual orientation and also the oppression in terms of class stratification, gender inequality as seen in the theory of intersectionality is applicable to the situation of the Americo-Liberian women and the Indigenous Liberian women. This disparity was also visible in the creation of traditional institutions through secret societies.

During the pre-war periods before the 1950s, there existed traditional secret societies that had leadership roles in most parts of Liberia. These societies enforced gender inequality and women subjugation. The most prominent of them amongst the Liberian indigenous group were the Sande and the Poro. The Sande is a secret society group for women while the Poro, is for men. These secret societies amongst other things carried out rituals and initiations rites that initiated girls to womanhood and boys to manhood (Government of Liberia/UN Joint programme, 2011).

The ‘Sande bush school’ for example which was culturally and politically motivated provided informal education for the girl child. The 2011 Government of Liberia/UN Joint program on Sexual and Gender Based Violence also adds that in the Sande bush schools, the girls were taught mainly female values which made them suited for marriage. They had to know; how to farm, cultivate traditional medicine and take care of the family. Upon graduation from this bush school, they were proposed to by many men for marriage depending on their performance in the school. Not only that, they also had to wait for the choice and decision of their families through their fathers. Women became part of the assets and properties of men. They were forced in and out of marriages with huge dowries and refunds in the case of
divorce. The Sande also carries out female genital mutilation (as a rite of passage) which has devastating impacts on the wellbeing of women (Government of Liberia/UN Joint program, 2011). This form of violence against women inflicted pain, trauma, and health complications which led to death in some cases.

Furthermore, until 1946, Liberian women were not given the right to vote, which was a violation of their fundamental human rights (Government of Liberia state Report for CEDAW, 2008). Women therefore could not participate in any decision making process. Worst still, the first constitution did not specifically addressed issues of women who were most vulnerable. The culture of the people therefore took precedence as women of the lower class were completely victimized. There were no institutional, legal or policies that safeguarded the rights of women (Government of Liberia State Report for CEDAW, 2008). Inequality amongst women has therefore been deeply rooted in the country for a very long time. It was therefore the intersection of the limitations of these laws, policies and programmes that supported and is maintaining the vulnerability of women.

At the end of the war periods and with a female Madam Ellen Johnson as the president of a more democratic Liberia, gender equality and women’s empowerment still remains a great issue. This is because reports have shown that the election of a female president does not necessarily mean a strong advancement in gender equality and women’s empowerment (Inter-Parliamentary Union, 2010). In addition, the fact that President Ellen Johnson is an Americo-Liberian with a German decent could have contributed greatly to her rise to power. Therefore, it can be said that belonging to the privileged ethnic group and higher class certainly gave her more opportunities as compared to other women especially the lower class women of the Indigenous groups. Also, it should be noted that contemporary cultures and nation-states as a whole still have their role to play in ensuring gender equality and women’s empowerment. This therefore leads to the insight of this paper which is to see the extent to which the 3rd MDG has been met in Liberia through different institutional, legal and policy frameworks and with relevant analysis using the case study method and the feminist theory of intersectionality.
Chapter 2

2. Institutional, Legal and Policy Frameworks in Gender Equality and Women’s Empowerment in Liberia

To further understand the invisible interactions in institutions, policies and laws that are related to the 3rd MDG, it will be good to know the different institutional, legal and policy frameworks available in Liberia which focuses on gender equality and women’s empowerment. These frameworks are being set up to enhance gender equality and women’s empowerment amongst other things which are all considered as women’s human rights.

2.1 International and regional framework

The Republic of Liberia is a signatory to and has also ratified a number of international treaties, conventions and protocols linked to gender equality and women’s empowerment. These treaties, conventions and protocols include the following; The Universal Declaration of Human Rights (UDHR) was adopted by the United Nations General Assembly in 1948. The Declaration is the core human rights treaty of the international system. It proclaims a basic set of requirements to ensure the protection of human rights by all members. All member states of the United Nations – including Liberia – are party to the declaration as it was made by General Assembly resolution. Among other rights, the Declaration provides that there shall be no discrimination on the basis of sex, race and religion, there shall be equality for all under the law (Art 2 UDHR). It also goes further to provide for the right to life, access to education, the right to marry, freedom of movement and expression. More so, member states are supposed to prohibit illegal detention, ensure access to justice, and enhance the right to a fair trial for all.

Amongst others, Liberia has also ratified and accede some main conventions dealing directly with gender equality and non-discrimination. The International Covenant on Economic, Social and Cultural Rights (ICESCR) which its art 2 (2) prohibits discrimination and art 3 give states the responsibility to protect and ensure equality. Art 2 and 26 of the International Covenant on Civil and Political Rights (ICCPR), Art 2 of Convention on the Rights of the Child (CRC) for non-discrimination and (Article 28) for the right to education. Art 2 and 3 of African Charter on Human and Peoples Rights (ACHPR), Art 2, 3, 4 and 5 of Convention on
the Elimination of all Forms of Discrimination Against Women (CEDAW) all having elaborate rules on education, equality and non-discrimination etc, and ILO Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour just to name a few. Liberia as a member of the Economic Commission of West African States (ECOWAS) also joined to establish the Gender Development Centre in 2003. This centre adopted a gender policy document which is used to mainstream gender and women’s empowerment issues in the West Africa sub region. Liberia is also part of the Beijing Platform for Action and the Dakar Goals on Education for All which are all meant to promote gender equality and women’s empowerment.

Liberia has also signed, but not ratified a number of conventions and protocols that are meant to eliminate discrimination and enhance equality. These include; the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, which gives the room for individuals or group of women to send complaints to the committee in its Art.1 in reference to Art 2 of CEDAW. There is also the Protocol to the African Charter on Human and Peoples Rights on the Rights of Women in Africa and the African Charter on the Rights and Welfare of the Child. All these are very important protocols which are directly linked to gender equality and women’s empowerment which Liberia has not ratified. Liberia has also acceded to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) but is still to ratify it.

2.2 Institutional Framework

There are several institutional frameworks that have been put in place to deal with gender related issues in Liberia. These are national-based institutions which are directly involved with gender issues. There is the Ministry of Women and Development a government institution. This ministry directly involved with women related issues is specifically there to promote gender equality, women’s empowerment and development. There is also the Liberia Watch for Human Rights. They serve as a watch dog for all crime against women in Liberia. Through press conferences, they condemn the violence against women in the Liberia society. There are also many women groups in Liberia who are advocating for gender equality and women empowerment. There is the Association of Female Lawyer of Liberia (AFELL) which is there to fight for the rights of women especially in cases of violence and discrimination.
More of the efforts of AFELL will be discussed in chapter four below as a case study. Another very important institution that led to the end of the civil war in Liberia is the Women of Liberian Mass Action for Peace Campaign founded in 2003. This was an association of Liberian Muslims and Christian women movement headed by Leymah Gbowee, demanding for peace and not war through prayers, dancing, singing and chanting (Disney, 2008). The efforts of Leymah Gbowee were recognised internationally as she was awarded alongside President Ellen Johnson Sirleaf the Nobel Peace Prize. This award was in recognition of their efforts in enhancing security and rights of women, and also for their contributions in Liberia’s post-civil war peace-building process.

There is also the Liberian Women Initiative (LWI). This is a women’s self-organising forum in the political arena of a post conflict country. It advocated for peace and for the end of the civil war. The Women in Peace building Network (WIPNET) is an NGO whose objective is to create the necessary environment for grass root women affected by war to be able to politicize their demands. The UN Children’s Fund (UNICEF) in Liberia has already established the Women and Children Protection Section (WCPS) of the national police dealing with sexual and other abuses against women. All these and more are important institutions advocating for women’s rights and development.

2.3 Legal and Policy Frameworks

The Constitution of Liberia is an important legal framework which 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. There is also the Nation Gender Policy and legislation which has been adopted, aimed at enhancing the protection of women against sexual violence. This programme coordinated by the Ministry of Gender and Development is used to show the government’s commitment in enhancing gender equality. Also the legislature has extended the rights to inheritance of women married under customary law. Women are being encouraged to join the military. Another gender related policy includes the National Action Plan (NAP). Liberia happens to be the first country to develop this NAP on 1325. This plan, in conjunction with the key gender-related policies including the Gender-Based Violence National Action Plan, and the above mentioned NAP, puts forward key
guidelines for work on gender equality related issues. The 1325 NAP deals with ten strategic issues, broken down among the four Pillars (Randall and Paasewe, 2012).

Furthermore, the Liberian government in collaboration with some UN agencies have implemented four joint programmes (UNJP). These UNJP includes; the UNJP to prevent and Respond to Sexual and Gender Based Violence, UNJP on Food Security and Nutrition, the UNJP on Gender Equality and Women’s Economic Empowerment and the UNJP for Employment and the Empowerment of Young Women. Also, since the creation of the NAP in 2009, the Ministry of Gender and Development has also established a 1325 Secretariat, whose major task is to implement and monitor the SCR 1325 (Luppino and Webbe, 2011:107).

Also, according to the GEI Factsheet, 2009 Liberia has also revised old laws and enacted new laws that were detrimental to the rights of women. This includes the Rape Law in 2006, the Inheritance Law of 2003, the new Penal Code Law and also the fairness Bill/Bill for the Equal Participation and Representation of women into Political Process. In partnership with non-governmental organisations and other community based women’s organisations, the Liberia government is trying to eliminate all forms of discrimination against the rights of women.

The above points illustrate the frameworks put in place to serve as engines in promoting gender equality and women’s empowerment in Liberia. These frameworks have acknowledged the disparity in gender equality and women’s empowerment in Liberia. An important aspect of intersectionality feminism is to identify the types of oppression and the processes involved in the intersection which results to gender inequality (Nash, 2008). These frameworks have been put in place to enhance measures of identifying and dealing with different issues relating to gender equality and women’s empowerment. The frameworks therefore are supposed to deal with the diverse systems of oppression which usually constructs one another and produces injustice. It should be noted that women experience oppression in varying configurations and degrees of intensity (Ritzer, 2007:204). This therefore means that, though women experience oppression as a result of gender differences, the oppression in most cases are as a result of varying intersection of other arrangements. Liberia as well as other countries needs these different frameworks to deal with the varied intersections in order to meet the 3rd MDG. These different frameworks decentralize the implementation of gender equality and women’s empowerment. The next part will further
analyse the extent to which these frameworks have succeeded or failed in accomplishing their objectives of meeting the 3rd MDG.

Chapter 3

3. Promoting Gender Equality and Women’s Empowerment through Institutional, Legal and Policy Frameworks in Liberia

The Liberian civil war finally ended in 2003 when an agreement between the warring parties and political stakeholders was signed to end the 14 years civil war. A transitory government was put in place to rebuild the country in all aspects. This led to the first democratic free, fair and transparent elections held in the country in 2005. This part will examine the extent to which this democratic government and other stakeholders have enhanced the proportion of seats held by women in national parliament. As indicated above, there is an inverse relationship between the level of education, type of job and women’s representation in the national parliament. Therefore, this part will also analyse these first two indicators of the 3rd MDG. Also considering the fact that “when women are empowered, all of society benefits” (National Democratic Institute, 2010). This therefore makes the achievement of the 3rd MDG very important.

3.1 Ratios of girls to boys in primary, secondary and tertiary education

The right to education is very crucial in empowering people, because it enables them to enjoy their other rights (Clapham, 2007). The ratio of girls to boys in primary, secondary and tertiary education known as the gender parity index is the percentage of girls to boys that are enrolled in primary, secondary and tertiary school levels in both private and public schools (MDGs Report, 2012). In the case of Liberia, according to the World Bank 2008 report, the ratio of girls to boys in primary and secondary education was 86 to 95 and that of girls increased to 91 in 2011 (Luppino, and Webbe, 2011).

The Liberian government through the Ministry of Education is making efforts to bridge this gap by increasing the number of girls enrolled and retained in schools. They are trying to make education affordable to all so as to bridge the gap between the poor and the rich
According to the Social Watch’s Gender Equity Index factsheet on Liberia, 2009 (GEI Factsheet, 2009), the Ministry of Education developed the National Policy on Girls Education in the framework of their Master Plan and it was adopted in 2006. This has helped in increasing the ratio as seen above. Also, efforts are being made to create skill training centres and adult literacy schools in different parts of the country. Much attention is also placed in rural areas where the ratios of girls to boys in education at all levels are relatively high compared to urban areas.

3.2 Share of women in wage employment in the non-agricultural sector

The government of Liberia and other actors are trying to increase the access of women to paid employments. According to the GEI Factsheet 2009, the Ministry of Gender and Development and the Ministry of Labour together with international organisations such as the United Nations Development Fund and the International Labour Organisation have initiated a process where they are including issues on gender equality and women’s empowerment as core themes. This is being done in areas of poverty reduction strategies, employment policies and programmes.

These strategies are working for some women though a majority of them are still left in poverty. But it should be noted that women in Liberia are not just “a homogenous powerless group located as implicit victims of particular socio-economic systems” as this third world feminist (Mohanty, 1988:338) puts it. These are ideas that most Western Feminist have used to portray Third World countries which limits the understanding of gender discourse. There are rather different intersecting systems that affect women differently in different parts of Liberia. Therefore should warrant the government of Liberia and other actors in this sector to consider the intersections of class and ethnicity, in dealing with the share of women in wage employment in non-agricultural sector so as to ensure decent jobs and fare wages for women.

3.3 Proportion of seats held by women in national parliament

After the war a transitory government was created which had to organize free, fair and transparent elections in 2 years. In November 2005, the first democratic election was held in Liberia. According to the National Election Commission of Liberia (NEC), equal
opportunities were given for women and men to register and vote and more women actually voted. This is probably because of the role women played in ending the war as seen above. This led to the election of President Ellen Johnson Sirleaf, the first female African women to become the head of states of an African country.

President Ellen Johnson has taken several measures as a fellow woman to increase women’s participation in the legislature and government in general. According to a report from Randall and Paasewe, a recent survey carried out by the Ministry of Gender and development shows that the president has appointed more women than ever before (2011:5). The report concludes by adding that much progress has been made since the re-elections of President Ellen Johnson Sirleaf. The participation of women in key senior-level positions in the current government has increased significantly. The Ministry of Gender and Development continue to take significant steps to address sexual gender-based violence through the creation of the Gender-Based Violence Unit, and the SGBV Taskforce (Government of Liberia/UN Joint program, 2011).

Furthermore, efforts have been made by the NEC and some political parties in Liberia to integrate women to participate in politics. NEC encouraged political parties to meet the United Nation and Beijing Platform for Action target of 30% through an Electoral Reform Law that was initiated in 2008 (GEI Factsheet, 2009). Some of the political parties accepted to take certain measures to increase women’s participation by setting aside a 30% quota for the women within the internal structure of the party. The parties also accepted to promote women’s leadership and campaign management through their support for specific training programs for women. They also accepted that they will pay registration fees for female candidates and also help in fundraising.

To be more precise in terms of numbers, the table below illustrates the level at which the different indicators of the 3rd MDG have been met in Liberia.
Table 1: Evolution of the 3rd MDG in Liberia.

<table>
<thead>
<tr>
<th>Indicators</th>
<th>2001</th>
<th>2003</th>
<th>2007</th>
<th>2008</th>
<th>2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ratio of girls to boys in primary education</td>
<td>.69</td>
<td>-</td>
<td>0.93</td>
<td>0.88</td>
<td>1</td>
</tr>
<tr>
<td>Ratio of girls to boys in secondary education</td>
<td>.59</td>
<td>-</td>
<td>0.84</td>
<td>0.69</td>
<td>1</td>
</tr>
<tr>
<td>Ratio of girls to boys in tertiary education</td>
<td>.38</td>
<td>-</td>
<td>0.96</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Ratio of literate women to men (15–24 year olds)</td>
<td>.74</td>
<td>-</td>
<td>0.96</td>
<td>-</td>
<td>1</td>
</tr>
<tr>
<td>Share of women in wage employment in the non-Agricultural sector (%)</td>
<td>11.4</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>50</td>
</tr>
<tr>
<td>Proportion of seats held by women in national legislature (%)</td>
<td>11.1</td>
<td>-</td>
<td>12.5</td>
<td>12.5</td>
<td>25</td>
</tr>
</tbody>
</table>


The desire of feminist theorists is to ensure equality, justice, empowerment, dignity and wellbeing of all women and girls. All of which are embedded in the UN declaration of human rights and a number of UN treaties. The above points have illustrated the extent to which the different frameworks have tried to achieve all these targeted by the 3rd MDG. But the figures on the report above shows that Liberia is still to meet these targets despite all the effort put in place by the different frameworks and institutions as seen on chapter 2. It is for this reason that the next chapter will analyse the reasons why gender equality and women’s empowerment in Liberia is still a major problem.
Chapter 4

4. Challenges Faced in the Promotion of Gender Equality and Women’s Empowerment in Liberia

In many parts of the world especially in the poorest countries, the MDG is still far from being met despite the fact that 2015 is already around the corner. According to the United Nation Human Development report for 2011 (HDR, 2011), the Human Development Index score of Liberia is 0.329, this puts Liberia to be ranked as the 182 country out of 187 countries in total. Also, the Gender Inequality Index Score of Liberia according to the same report is 0.671 places Liberia at the 139th positions out of 146 countries in total. Several factors have contributed in placing Liberia at this very low position and these factors are the reasons why Liberia is still struggling to meet the target of the 3rd and other MDGs. Some of the ideas advanced by the feminist theories used in this paper will be applied in analysing the challenges.

4.1 Education and training for women.

According to the global statistics, the ratio of girls to boys at the primary school level is near to meeting the targets in many countries, but the gap still remains. According to the HDR, 2011, 3 of every 10 children of primary school age in the low HDI countries with Liberia being one of them are not enrolled in primary schools. Most of which are girls, since preference is given to boys while girls are more involved in resource collection. The impact of the war is also an issue as about 70% of schools were destroyed and education came to a standstill. Before the war in 1987 there were 2,400 schools operating in Liberia. Today, there are only 30% of those schools still operating under very poor conditions (GEI Factsheet, 2009). This had a long term effects on education since most children dropped out or had to suspend studies.

Furthermore, according to the GEI Factsheet 2009, statistics shows that 38% of boys are enrolled in primary schools as to 37% for girls. In secondary schools 16% of boys are enrolled and a lower percentage of 14% for girls. The average national literacy rate for adults also shows wide disparities with 69% for men and 41% for women. This gap is wider in rural
areas with 61% for men and 31% for women (GEI, 2009). All these is because of the inadequate availability of necessary amenities especially in the rural areas where there are no electricity, primary schools, trained and qualified teachers and sanitation services necessary for education. More so, the persistence of gender based stereotypes in text-books, the continuous sexual abuse and harassment of girls in schools, early and forced marriages and also increase in teenage pregnancy which is not allowed in school is a huge problem. All these are contributing factors for the low enrolment rates especially in primary education. This explains why only 2 countries so far, have met the target of education at all levels and Liberia of course is not one of them.

4.2 Economic empowerment of women.

The right to work implies that there should be equal access to employment, equal opportunities for promotion, and equality in terms and conditions of work (Rhona, 2012:318). But in many countries, access to paid jobs is not particularly based on merits. There is still a lot of discrimination against women. In the case of Liberia, the number of women involved in paid jobs is still less than those of men. About 25.5% of men are involved in jobs paid on wages while only 0.8% of women are employed on paid wages (GEI Factsheet, 2009). This is because of lack of education, training and discriminatory acts against women which hinders them from having access to paid jobs. In addition the limited numbers of women engaged in paid jobs are hardly promoted as their men colleagues. More so, most women in Liberia are engaged in the informal sector like the subsistence agricultural sector. Women make up about 90% of the agricultural sector especially working as family unpaid workers, just to sustain their homes (GEI Factsheet, 2009). They therefore have no access to social labour benefits like maternity protection and others.

Also the household division of labour puts women and girls at the position of maintaining the home. This heavy task places a huge time burden on women and girls. They spend much time in fetching fuel wood and water which limits their participation in economic and political activities. Studies done in other Sub-Saharan African countries show that women spend up to 800 hours a year in collecting fuel wood in addition to long hours of collecting water (Blackden and Wooden, 2006). In rural areas especially, calculating the time spent in collecting water and fuel wood together with the time spent in performing other household
duties leave the woman with no time to embark in other activities. The social structures of the rural environment have placed rural poor girls and women of Liberia in this disadvantageous position.

4.3 Elimination of violence against women.

Most of the works of Crenshaw (1989 and 1994) on the feminist theory of intersectionality see the violence against women to be one of the major forms of oppression and social control of women in societies with diverse social dimensions. The elimination of violence in all its forms against women in Liberia is far from being achieved. Therefore, the interaction of power systems in the Liberian society continues to place women at a disadvantageous position. According to the GEI Factsheet 2009, most women especially those in the rural areas still suffer from traditional practices which force them into early and unwanted marriages. Female genital mutilation is still a serious violent act against the rights of women. Sexual violence especially through rape and other forms of violence against women and girls are still persistence in Liberia. This has led to high rates of maternity mortality, teenage pregnancy and HIV/AIDS.

According to most feminist theorists, the cause of violence against women is because they are found in societies where aggressive behaviours as a result of gender and power inequality perpetrated by men are condoned (Bogard and Mass, 1999). This is the case of the Liberian society where gender bias customary law and gender indifference of the civil law have enhanced the continuous aggression of women. According to September 2008 CEDAW report on gender-based violence the case of Liberia, it is estimated that 44% of women aged 15-49 have experienced violence since the age of 15. Also, up to 29% of women have experienced violence in the past 12 months, 17.6% have experienced sexual violence in their lifetime, and 10% of the women acknowledge that their first sexual experience was forced against their will. This report therefore shows the continuous gender-based violence against women in Liberia.
4.4 Political participation of women and discrimination.

According to the Inter-Parliamentary Union 2010, research has indicated that the election of a female head of state in a country does not necessarily mean that the country has a strong representation of women in the legislature. This is true because other factors contribute to the level at which women are represented in the national legislature. These factors can be used to explain the case of Liberia. According to Cole, 2011 in Liberia today, out of the 30 senators, just 5 of them are women that are just about 16.7%. Also, in the low house there are just 8 women of the 64 representatives. This makes the number of women in the Liberian National Legislature to be 13 out of a total of 94 representatives (GEI Factsheet, 2009; Cole, 2011:4). This shows a huge gender gap and makes Liberia to be short of the United Nation target by at least 16.5% of women parliamentary seats (Inter-Parliamentary Union, 2010). The target given by the UN is at least 30% parliamentary seats for women and it is yet to be met by Liberia. And also, especially as the law on the internationally accepted 30% Gender Equity Bill is yet to be passed by the Liberian government. Randall and Paasewe add that President Ellen Johnson has been criticized because of the failure of her administration to press for the legislation of the Gender Equity Quota Bill (2011:5). This is a serious setback because the absence of this Bill is the major reason why the 30% target of women represented in the legislature cannot be met.

In addition, out of the 20 political parties and coalition who contested for the 2005 elections, just a few brought the idea of gender equality in their agenda which was never executed in reality (Cole, 2011). The reason for less focus on women issues in the legislatures is because Liberia has no single law that guarantees the equitable political participation of women. Instead, the Constitution of Liberia stipulates the majoritarian system in its article 84(b). This leaves the minorities or better still vulnerable groups like women on their own. The Inter-Parliamentary Union, 2010 also notes that the number of women in politics can increase more with electoral quotas, but Liberia has no electoral quotas allocated for women.

Apart from lack of laws ensuring the representation of women in the legislature, there are other reasons. Women in Liberia are still seen as being responsible only for household issues. Also, poverty as a result of the war and the influence of tradition and cultures are strong bases of stereotypes against women in terms of political leadership and democratic empowerment.
(Cole, 2011:5). In addition, there is no Civic educational Commission in Liberia which can educate the people on the issues relating to the Constitution. Also, Civics as a school subject was taught only after the war and has not been reintroduced since then.

The use of feminist theories is also important in explaining the challenges faced in promoting gender equality and women empowerment. The above challenges show that the women of Liberia live in a society characterised by many systems of inequality. Erturk (2005) using the case of women in Guatemala adds that these systems intersect with gender hierarchies which tends to construct the diverse categories of women and therefore intensifies the subjugation of women in Guatemalan society in different ways. She goes further to add that the intersecting forms of discrimination exacerbate women’s vulnerability and also place women at risk of violence from their oppressors (2005:8). This is the case of most women in Liberia as illustrated above. Also, it should be noted that women in Liberia are not a singular group who are bound by the sociological notion of “sameness” of their oppression as analysed by (Mohanty, 1988:337). Instead there is the interaction of different categories which should be treated differently. This is because as seen above, women in urban and rural areas have different intersecting systems. Also, aspects of different interaction in terms of ethnicity, class etc. also vary in different systems. Therefore, all women do not face the same kind of gender inequality and victimization. The case of the Association of Female Lawyers of Liberia (AFELL) will be used to understand how the association have differentiated the different intersecting systems and are helping the most vulnerable.

4.5 Case Study: The Association of Female Lawyers of Liberia (AFELL)

AFELL is one of the most active women’s movement in Liberia which was founded during the first Liberia war, and has remained active even after the end of the two wars. This association founded in 1994, advocates for the rights of and the promotion and advancement of women, children and indigent persons. The impact of the Liberia civil wars on women and children was evidently severe since they were the most vulnerable. The vulnerability of women for example made it easier for them to become victims of slavery, rape and other forms of sexual violence. Though the Liberian war ended in 2003, rape, sexual violence, discrimination and other injustices against women continue to prevail in the Liberian society. Culprits went unpunished because there were no laws protecting women against rape, until
recently. As a result of the problems of violation of women rights in many aspects and other vulnerable groups the popularity of AFELL continues to increase. This group of female lawyers are presently based in the capital city, Monrovia and they advocate for women, children and indigents all over the country.

AFELL tries to protect the fundamental and legal rights of women according to the Liberian Constitution and other abiding laws. In particular, they focus on cases of rape, as it was a common practice among soldiers during war time. With the Centre for Abused Girls and Women, AFELL documented the experiences of Liberian women during the war years. They play an important role to help women to break the taboo of rape.

A major success of the association occurred in 2000, when AFELL was granted the right to prosecute rape cases, whereas before this date, only state lawyers were allowed to prosecute criminal cases. AFELL was later able to influence the legislation in drafting a new legislative bill increasing the penalty linked to rape (Truth and Reconciliation Commission report, 2009). AFELL works directly with women, notably through its legal aid clinic in Monrovia. There, AFELL lawyers give daily advice to women who are victims of rape or gender violence.

AFELL pushed the government to implement new laws on rape or modify the old laws. They went to the extent of presenting a rape bill to the Liberian parliament. According to the draft of this bill, they advocated that those guilty of raping children under 18 years should be jailed for life. And also that those guilty of gang rape should be sentence to death. Forced sexual intercourse between married couples according to the bill was to be punishable by a 10 years sentence (Truth and Reconciliation Commission report, 2009). Though this original rape bill was not adopted, it went a long way to show how hurt women were and the serious measures they were ready to take against the perpetrators. Though the draft bill was not adopted other measures were taken. The bill made first degree rape non-bail able. It also increased the limit age for statutory rape from 16 to 17 and the definition of rape was expanded to also include not only females but also males and rape cases using objects. AFELL also got permission to join the government in prosecuting criminals of rape cases. They now stand in for cases where state prosecutors are not available or where lawyers are in shortage. They can easily present the patent to a judge or magistrate to initiate prosecution in a case involving rape. This speeds up the trial on rape suspects.
However, AFELL does not limit its fight to rape and war crimes, as it is also fighting on issues of women’s inheritance rights and customary law. An important legal reform which was initiated by AFELL is the Act of Govern and Devolution of Estates and Establishment of Rights of Inheritance for Spouses of Both Statutory and Customary Marriages which was adopted in October 2003 (Massaquoi, 2007). According to some Liberian customary laws on marriage, men are required to pay a bride price and could ask for a compulsory refund in the case of a divorce and considered women as their assets. Some women were forced into marriage without their consent and in case of the dead of their husbands, were refused the rights to inherit the property or to take custody of the children. Worst still they were forced into another marriage to the male relatives of the deceased husband. AFELL saw this as a violation of the Liberian Constitution as it goes against the principles of unity and equity enshrined in the constitution. There was therefore the need of this estate law to change many of such practices.

AFELL has also established a legal aid clinic. This clinic provides complimentary legal services to victims of rape and gender violence for free. They have legal experts who educate the public on the law on rape and other sexual violence issues. They use the constitution of Liberia, other laws as well as the other international instruments such as the CEDAW and CRC in sensitizing and creating awareness throughout the country on the basic fundamental and legal rights of women. This particular case shows the efforts made by this organisation. The next part will therefore highlight the way forward.

The above shows that AFELL is fighting to deal with the intersection of politics and inclusion or exclusion of multiple cultural forms within a nation state as stipulated by Ponzanesi (2007:98) in his analysis on feminist theory. AFELL clearly illustrate the complex interaction of the different structures relating to gender equality and women’s empowerment in Liberia. In a country where the civil law coexists with customary law, there is the need for more of such organisations to stand in for vulnerable groups whose voices have been muted by weak institutions, policies and laws. AFELL is a very active institution that works directly with the local population. They consider the intersection of class, gender and ethnicity which deprives certain groups and make them visible. Only the rich can afford a lawyer and follow up a legal case. AFELL therefore stands in for the poor who cannot afford legal services or get a fair
trial because of their status in terms of gender, class and ethnicity. This explains why AFELL deals with the most vulnerable in the Liberia society (women, children and indigenous people). The case of AFELL is therefore being used here to show how the invisible interactions in institutions, policies and laws are made visible through AFELL. The ideas of AFELL together with feminist discourse on the theory of intersectionality and other measures can be integrated to meet the target of the 3rd MDG and other MDGs enhance women’s rights.
Chapter 5

5. Discussion and Conclusion

5.1 Discussion

Just a year before the 2015 deadline of the MDGs, the above analysis has shown that Liberia is yet to meet the target. Though efforts have been made by the different stakeholders, much still have to be done to enhance the way forward. This section will therefore identify some measures which could be used to speed up the process of meeting the 3rd MDG in particular and other MDGs in general. These measures could be considered in tackling intersecting forms of discrimination against women.

There are many practical steps and positive actions that can be considered to reduce gender inequality and promote women’s empowerment. The first overall point is that stakeholders involved in promoting the MDGs should note that the 3rd MDG is central in achieving the rest of the seven MDGs as noted earlier. It has been pointed out that development policies and actions are less efficient when the role of women is not prioritized (National Democratic Institute, 2010). Therefore, the success of the 3rd MDG does not only depend on itself but on how the other MDGs are designed to promote equality between women and men and girls and boys within different groups. Also, meeting the 3rd MDG will enhance the other MDGs and reduce poverty. There is therefore this interdependence of the MDGs with women as the focal point. Empowering women and girls does not only promote their rights but increases their economic potentials. That is why many countries that invest much in promoting the social and economic status of women tend to have low levels of poverty (Huggins and Randell, 2007; Africa Union Commission/ UNDP programme, 2013).

The different indicators can be considered more specifically in looking at the way forward for the achievement of the 3rd MDG. Bridging the gap for access to education between boys and girls is the crucial step in promoting gender equality and women’s empowerment (Huggins and Randell, 2007). As seen above though much has been done in the case of Liberia, the country is yet to meet the disparity in education especially at the level of post primary education. The enrolment rates of girls into secondary schools have not satisfactorily met the
desired expectation. Secondary education for the girl child is important because it provides a stronger framework for women’s empowerment in all aspects. Therefore, to achieve the 3rd MDG opportunities to strengthen secondary education for the girl child should be created.

The same transformative intervention strategies that have been used in bridging the gap in primary education can also be used for secondary education. Secondary education should be made more affordable by reducing the cost of education and wiping out the idea that “education is not meant for the poor”. This could be done by providing scholarships and giving priorities to girls as it is the case of many countries. To reduce the distance to school and the problem of lack of class rooms caused by the war, secondary schools should be built closer to the homes of girls especially in the rural areas. Teachers are among the top three sexual abusers of girls attending schools in Liberia (Dominguez, 2009). So, strict measures should be taken against teachers and senior students sexually violating girls in schools so as to satisfy their insatiable quest for sex. This is very pathetic because they use this approach as a precondition for the victim’s success in school. The feminist theory of intersectionality therefore frowns at such cases where the woman is put to disquietude and her freedom taken from her because of her gender and the context in which she finds herself. This is an example of the “invisibilities” pointed out by Wallby et al. The setting up of safety zones in schools will create such environment. Girls therefore need such safety measures to remain focus in school. Educational reforms should be taken to change the gender bias curriculum, increasing the training of more female teachers and also encouraging women adult training programmes (Huggins and Randell, 2007). In addition, secondary education must be considered as a means to change the beliefs, attitudes and social norms that promote discrimination and inequality against women and girls.

(Galtung, 1990: 291-293) calls this structures and institution that create or legitimise invisible threats to human dignity in Liberia “Cultural violence”. The “invisibility” can be explained by the fact that people living under the structure turned to accept and practice them without remorse. The practices in turn create multiple violations that could only be made visible through the method and theory as shown in this research and not the least the human rights instruments. As a matter of fact, If Liberia had taken as a priority some steps to incorporate the definition of discrimination against women as stipulated in article 1 and article 2 of CEDAW which is about principle of equality between men and women in the national legislation, the position of women must have progressed beyond reproach.
The success story of Rwanda in promoting education as discussed by Huggins and Randell (2007) can be applied in the case of Liberia. According to these authors, the 2003 Constitution of Rwanda clearly states that primary education is free and compulsory for all primary school children (2003:2). There is also the Organic Education Law, Higher Education Law and the Vision 2020 development plan that stipulates gender equality in educational attainment. Liberia has not implemented its laws and policies and can follow the example of Rwanda. They need fulfill their international obligation provided by the CEDAW, CRC, IRESCHR, and Beijing Platform for Action and the Dakar Goals on Education for All.

Another aspect to be considered in achieving the 3rd MDG is the promotion of sexual and reproductive health and rights for girls and women. A healthy mind can only function well in a healthy body. As indicated above, the wars in Liberia amongst other factors had a tremendous impact on the sexual and reproductive health of most women and girls in Liberia. The impacts of forced and early marriages, sexual violence especially through rape and the increase in HIV/AIDS has had a negative impact on the productive capacity of most women and girls in Liberia. There is therefore the need for the government of Liberia and other stakeholders to guarantee the sexual and reproductive health of women and girls in Liberia.

According to the 2013 report on Millennium Development Goals, family planning programmes and services should be reinforced at the level of public health. Measures should be taken to enhance safe abortions so as to reduce the risk of illegal abortions. The report also adds special obstetric care and services should be provided for pregnant women to reduce pregnancy complication problems. The prevention and treatment of sexually transmitted diseases should be effectively carried. Intervention measures to reduce malnutrition should also be promoted. All these can be more efficient with the availability of policies which enhance sexual and reproductive health educational programmes.

The rights of women and girls to property and inheritance are still a major setback in meeting gender equality and women’s empowerment in Liberia. Ownership, access and control of properties such as land and houses empower women and provide them with economic and social security. As seen above there are customary and statutory laws that have hindered
equality rights of women to property and inheritance in Liberia. For better security of women, it is important to deal with this fundamental injustice.

There is the need to carry out reforms that ensure women’s property rights. This could be done by amending customary and statutory laws with the aim of promoting gender equality. Also promoting more legal literacy centres like what AFELL is doing is a vital measure. Generally, promoting organisation advocating for women’s rights will be a great step. Internationally, women’s rights need to be continuously supported. The efforts of CEDAW on equality in property and UN-HABITAT on women and land including efforts of other NGOs and UN agencies should be properly implemented.

To escape poverty and meet the MDGs, the nature of women’s employment is important. Women’s status in the job market remains significantly lower than those of men as illustrated above. Instead, they are more engaged in domestic activities which are time consuming. Many factors discussed above accounts for this disparity in employment. There is therefore the necessity to bridge this disparity as regards the access to jobs, types of jobs, income, opportunities at work etc put in place for women and men.

The time spent by women and girls in their daily routines could be reduced through the provision of accessible and affordable sources of transportation, energy, water and sanitation systems. Creating alternative sources of energy such as cooking stoves, kerosene and LPG to substitute traditional bio fuels will reduce the time spent is fetching fuel wood (United Nations Millennium Project, 2005). Reducing the time that women take in caring for the children and elderly could give women more time and opportunities to look for paid jobs. The reduction in time spent for carrying out domestic activities can be enhanced by government intervention. This can be done through government policies where the government shares the responsibility of taking care of the child and the elderly through the provision of social services and childcare allowances. Also increasing women’s participation at all levels in development projects will empower them and provide them with more job opportunities.

Also, for women in Liberia to secure jobs and enjoy the same rights as men, the country has to implement the framework of the International Labour Organisation (ILO) in promoting equal access to and treatment in employment. This is clearly noted in the objectives of the
ILO Decent Work Agenda. The main goal of this agenda is “to promote opportunities for women and men to obtain decent and productive work, in conditions of freedom, equity and security and human dignity” (ILO, 2009). This will foster gender equality in getting jobs, women’s rights at work, social dialogue and social protection of women.

Violence against women and girls as seen above is still a great issue in Liberia even after the wars. This violence against women and girls is not just a human rights violation but also has tremendous impacts on the health and development potentials of women and girls. To combat this, the government of Liberia still have a long way to go. The activities of AFELL in eliminating such violence have been illustrated above, but they can only be more effective and wide spread if they work with the government and other bodies.

The government therefore needs to set up more infrastructural, legal and judicial frameworks which deal specifically with gender-based violence (United Nations Millennium Project, 2005). The case of rape as seen above has been dealt with to an extent but stricter measures needs to be taken against the perpetrators. Also the creation of educational, health and other services relating to violation act against women could reduce the rate and also reduce the negative impacts on the afflicted. Health centres are the places visited first by violation victims. These centres while treating the victim, should take upon themselves to report the case to the police as it is done in many developed countries. Most victims of rape are usually shy or discouraged to report the case at the police due to social and judicial weaknesses. Mass media as well as schools should be used to educate women, girls and the society on issues relating to violence against women.

Another indicator of the 3rd MDG is to increase women’s share of seats in national parliament and local government bodies. A target of 30 percent was set by the Beijing Platform for Action for women in national parliaments. Above, it has been noted that this target is far from being reached in the case of Liberia. Equality of opportunity in politics is a human right which needs to be respected. The inclusion of women in top position has been seen to improve the quality of governance (National Democratic Institute, 2010).

To increase the number of women’s representation in politics, important policy tools such as gender quotas and reservations should be effectively implemented (United Nations
Gender quotas have been implemented in Liberia with the help of NEC and the Electoral Reform Law of 2008. But as seen above the target is yet to be made. The gender quota law can be more effective in large electoral districts. So the NEC should encourage and facilitate the creation of larger electoral districts with many potential candidates. The use of placement mandates where women are placed in high positions on party lists is also important. Also, the quota laws should be very specific with detailed and clear information on how to implement and strict sanctions of noncompliance should be given to political bodies who do not comply. In addition, more women’s organisations in like Liberia should join productive organisations like AFELL in promoting gender equality and women’s empowerment. Together, they can easily mobilize and pressure the government of Liberia to implement reforms that will increase the participation of women in politics and national decision-making bodies.

Lastly, the above analyses through the feminist theory of intersectionality have shown that though some women are subjected to discrimination, other factors examined above also determine their social location. Their history, social relations and the power relations is influenced by the intersection of identities in the society. The intersection of these identities creates systems of discrimination such as gender, class, patriarchy structures that are discriminatory against women and other weaker groups as seen above. The intersectional analysis can therefore be used to enforce gender equality and women’s empowerment in Liberia.

There are differences in terms of women/men, girls/boys, upper class/lower class, rural/urban, poor/rich, old/young when looking at gender relations. Stakeholders and researchers involved in collecting information on the promotion of gender equality and women’s empowerment should consider the different experiences of women revealed by the intersecting analysis. They should try to produce data and statistics that differentiate the different groups. Through this perspective they can be able to know the level at which each group is affected. The Liberian policymakers should focus on the groups that are least represented and try to implement policies, comprehensive legal frameworks and institutions that address specific needs of that group. Resources should therefore be provided first for those that are most marginalized as illustrated by the intersecting analysis of discrimination against women.
5.2 Conclusion

The central point of this study has been to analyse the legal policy framework for gender equality and women empowerment in Liberia with the guide of Millennium development goals (MDGs). Firstly, there was the introduction and background to the studies which gave detailed analyses about the geography and an overview history of Liberia. The main premise of this study was based on the hypothetical contention that even though Liberia has done much to meet that target a lot still needs to be done with respect to meeting the MDG of gender equality and women empowerment. Secondly, there was an analysis of the interactions in the institutional, legal and policy framework in Liberia. This showed that a number of institutions such as the international regional framework that was put in place to improve the human condition in Liberia. This was to be done by adjusting the inequalities in the gender sectionalised society. As such the legal and policy framework was thus a backing to ensure equal rights irrespective of class, gender and ethnicity.

The subsequent analyses dwelt on evaluating the extent to which gender equality improved through the educational, economic, legal and political sectors. It was realised that there has been an increase of women in these sectors especially as extra efforts were put because of the leadership of the first female president of not only Liberia but Africa. Despite the improvements registered to meet the 3rd MDG of empowering the woman, it was also noted that significant challenges were registered which explains why gender equality did not attained the satisfactory level more especially because progress towards the 3rd MDG is measured through 1 target (eliminate gender disparity in primary and secondary education preferably by 2005, and at all levels by 2015) and 3 official indicators. An analysis of these indicators using the case of Liberia has shown that the country is yet to meet this target though 2015 is just a year away. The above points have instead illustrated that whether from the public or private sphere, the highest levels of government decision making to the household level, women in Liberia continue to be denied equal rights in many aspects as opposed to men. This disparity has existed from time immemorial as seen through the historical intersection of ethnic groups, class and gender. The social division in identities continue to interact and affects gender equality negatively. One can therefore say that the feminist theory of intersectionality and the case study method has helped to highlight the invisible violations embedded in the cultural, structural, and political set up in Liberia. Both
the theory and method find common grounds in that they all aided in the analyses of the evolution of the social phenomena in the Liberian society.

In relation to the aforementioned violations identified through the feminist theory of intersectionality, the government of Liberia through policies and institutional reforms and the active influence of other stakeholders involved in advocating for women’s rights are working hard in meeting the MDGs. To pave the way forward measures and policies have been recommended which should not just stay in theory but should be effectively executed. It should also be noted that the government of Liberia and international organisations are the main institutions that have a great role to play in achieving the MDGs. The government and international organisations should therefore continue to create an enabling national and international environment for gender equality and women’s empowerment. It has been noted that countries with such enabling environments are more women inclusive, more egalitarian and more democratic. The Liberian government and international organisations should therefore consider transforming the legislature on gender issues and provide reforms that are not gender biased.

Women organisations deal with the grass root women who are those strongly affected by gender inequality and victimization. These organisations are aware of the interaction between class and ethnicity which have an impact on gender hierarchies. These women’s organisation therefore strive to remove the constraints, fulfil the potentials and guarantee the rights of women from the lowest level as seen in the case of AFELL. Together with other stakeholders, they need the enabling environment in terms of space and resources to deal with this societal transformation. With the adequate structures and processes using the different indicators as analysed above, they will help women to claim their rights in all aspects. All of these and more will help in meeting not just the 3rd MDG but all the MDGs in Liberia and other countries around the world. It should also be noted that 2015 is not the end point of human development and the promotion of human rights. Efforts to achieve prosperity, equity, freedom, peace and dignity in the world will continue after 2015.
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