



# Obstacles and Opportunities: Advancing Women's Human Rights in Diverse African Contexts

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## Abstract

The full realization of women's human rights is still a profoundly complex and context-dependent endeavour, profoundly shaped by the unique socio-political, economic, and cultural landscapes across diverse regions. This paper undertakes a critical comparative analysis of the persistent obstacles hindering the full enjoyment of these rights, with an incisive and dedicated focus on challenges pertinent to sub-Saharan Africa. It meticulously examines discriminatory legal frameworks, deeply entrenched patriarchal norms, and the disproportionate impact of intertwined global crises – including conflict, climate change, and economic instability – on women and girls in the region. For instance, women stand for approximately 80% of individuals displaced globally by climate change, with substantial concentrations and distinct vulnerabilities seen across African nations. Beyond finding impediments, this study concurrently highlights critical opportunities and innovative strategies being effectively employed to advance women's human rights across the continent. Through an in-depth exploration of vibrant grassroots movements, progressive policy reforms, transformative technological advancements, and robust international collaborations, this research illuminates promising pathways for sustainable progress in Africa. By systematically juxtaposing enduring barriers with burgeoning avenues for change, this paper offers a nuanced and empirically grounded understanding of the contextual realities shaping the advancement of women's human rights on the African continent, unequivocally advocating for tailored, intersectional, and locally driven approaches to achieve substantive gender equality.

**Keywords:** Comparative Analysis; Diverse Contexts; Obstacles; Opportunities; Women's Human Rights; Sub-Saharan Africa; Gender Equality

## **1. Introduction**

The universal affirmation of women's human rights, as unequivocally enshrined in seminal international conventions such as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) (United Nations, 1979; 1995), unequivocally stands for a significant stride towards fostering a more just and fair global society. However, the translation of these normative frameworks into lived realities for women across the world is profoundly complex and context-dependent, revealing persistent gaps between legal ideals and practical implementation. Globally, an alarming 2.6 billion women and girls currently live in countries with legislative provisions that actively discriminate against them (World Bank, Women, Business, and the Law 2024), underscoring a pervasive disjunction between aspirational legal frameworks and substantive gender equality. This disparity is deeply affected by the intricate interplay of unique socio-political structures, prevailing economic conditions, and deeply rooted cultural landscapes, giving the universal realization of fundamental human rights far from uniform (Sen, 1999). This paper undertakes a critical comparative analysis of these persistent and multifaceted obstacles, with a particular and in-depth focus on insights drawn from sub-Saharan African contexts, where the challenges are often intensified by unique historical and socio-economic dynamics.

Sub-Saharan Africa, a region characterized by immense diversity yet shared historical and developmental trajectories, presents a crucial lens through which to examine the complexities of women's human rights. Challenges to women's human rights here are often intensified by colonial legacies, evolving post-colonial governance, persistent socio-economic inequalities, and ongoing conflict, all of which contribute to a unique and often more severe set of obstacles. Our investigation specifically focuses on the enduring impact of discriminatory legal frameworks, which often blend statutory, customary, and religious provisions (Chigara, 2004); the pervasive influence of deeply entrenched patriarchal norms and traditional cultural practices (Connell & Messerschmidt, 2005); and the disproportionate vulnerabilities experienced by women in the face of escalating global crises, including protracted conflict and fragility (Enarson, 2012), the exacerbating effects of climate change (Terry, 2009), and acute economic instability (Boserup, 1970; ILO, 2021). The vulnerability of women in African contexts is often increased by their predominant roles in subsistence agriculture, informal economies, and their primary responsibility for household and care work (UN Women, 2021).

Conversely, this paper also critically evaluates the emerging opportunities and innovative strategies being actively deployed and pioneered across the continent. These include robust and impactful grassroots movements (Friedman, 2003), progressive policy reforms embedded within national development plans (e.g., alignment with Sustainable Development Goals and the African Union's Agenda 2063), transformative technological advancements (UN Women, 2020; GSMA, 2022), and impactful international collaborations (Keck & Sikkink, 1998) that specifically target gender equality in Africa. By systematically juxtaposing these enduring barriers with the burgeoning avenues for progress primarily within African societies, this research aims to contribute a nuanced, empirically grounded, and contextually informed understanding of the multifaceted realities that shape the advancement of women's human rights on a global scale. This paper advocates for the imperative of adopting tailored and

intersectional approaches (Crenshaw, 1989) that acknowledge the diverse experiences and intersecting identities of women across African nations. It explicitly recognizes that factors beyond gender—such as ethnicity, socio-economic class, disability, rural versus urban residency, and conflict exposure—significantly influence their experiences of rights and discrimination. This unwavering commitment to intersectionality is crucial for achieving substantive gender equality, ensuring that the promise of human rights becomes a tangible reality for all women, regardless of their specific context on the African continent.

### **Purpose/Objectives**

This paper aims to provide a rigorous comparative analysis of the persistent obstacles and emerging opportunities in the advancement of women's human rights across diverse global contexts, with a particular and sustained emphasis on sub-Saharan Africa. The specific aims are to:

- **Critically Examine Discriminatory Legal Frameworks:** To meticulously analyze key discriminatory legal frameworks that impede women's full enjoyment of their human rights in various African regions, providing granular, specific country-level examples and illustrating the complex interplay of statutory, customary, and religious laws. This aim will explore how legal pluralism often disadvantages women, particularly in areas of property, inheritance, marriage, divorce, and political participation.
- **Analyst Entrenched Patriarchal Norms and Cultural Practices:** To comprehensively analyse the pervasive impact of deeply entrenched patriarchal norms and traditional cultural practices on women's autonomy, agency, and equality within sub-Saharan Africa, drawing on detailed societal examples and disaggregated data on practices like Female Genital Mutilation (FGM) and child marriage. This will also explore the theoretical underpinnings of these norms, such as hegemonic masculinity, in the African context.
- **Highlight Disproportionate Impacts of Global Crises:** To quantify and highlight the disproportionate effects of armed conflict, climate change, and economic instability on women in different socio-economic settings across African nations, providing precise data and compelling case studies that illustrate exacerbated vulnerabilities and novel human rights challenges arising from these crises.
- **Evaluate Innovative Strategies and Opportunities in Africa:** To explore and rigorously evaluate innovative strategies and opportunities, including successful grassroots movements, progressive policy reforms, transformative technological advancements, and effective international collaborations, that are demonstrably contributing to the advancement of women's human rights, with an exclusive emphasis on initiatives originating from or having significant, measurable impact within sub-Saharan Africa.
- **Advocate for Tailored and Intersectional Approaches:** To advocate forcefully for the adoption of tailored and intersectional approaches to achieve substantive gender equality in diverse African contexts, ensuring inclusivity and relevance to the specific challenges faced by women across various ethnic, economic, and social strata within African societies. This aim underpins the need for contextually sensitive and rights-based interventions.

## **2. Methodology**

- This study employs a qualitative, comparative case analysis approach, inspired by the principles of Qualitative Comparative Analysis (QCA), to explore the multifaceted dynamics influencing the advancement of women's human rights across diverse global contexts, with a specialized and sustained focus on sub-Saharan Africa. This methodology is particularly suitable for this inquiry as it allows for the identification of complex causal configurations, moving beyond single-factor explanations to understand the intricate interplay of conditions that lead to specific outcomes in women's human rights realization (Ragin, 2008).
- The methodological framework is grounded in a comprehensive synthesis of secondary data, with a specific focus on robust data triangulation for enhanced validity and reliability. Our sources include rigorously peer-reviewed academic literature from gender studies, law, sociology, and development studies, as well as authoritative reports from international organizations such as the World Bank's Women, Business, and the Law series, UN Women, UNICEF, UNHCR, and ILO. We also drew on illustrative case studies and human rights reports from varied geographical and cultural settings within Africa.
- The analytical process involved a three-stage approach. First, we conducted a thematic coding of all secondary data to systematically identify recurrent patterns related to legal obstacles, patriarchal norms, and the impacts of global crises. Second, we employed a comparative legal and sociological analysis, scrutinizing how these themes manifest differently in specific African nations. For example, we systematically compared national constitutional provisions with the practical application of customary laws in countries like Kenya and Ghana to reveal the complexities of legal pluralism. This comparative analysis was central to moving beyond generalizations and identifying the context-specific nuances that drive outcomes. Third, we critically evaluated the efficacy of various interventions by analyzing case studies of successful grassroots initiatives and policy reforms from countries like Rwanda and Senegal, seeking to extract transferable lessons and best practices. A strong emphasis was placed on sex-disaggregated data to reveal the distinct experiences of women across all stages of this analysis.
- The study integrates sociological and anthropological theories, such as hegemonic masculinity (Connell & Messerschmidt, 2005), to deconstruct the perpetuation of gender inequality. The disproportionate impact of global challenges is examined through a systematic review of existing gender-sensitive research, drawing on quantitative data from reputable sources (e.g., UNHCR and OCHA) to illustrate the scale of these impacts where available. The findings will be rigorously synthesized to advocate for the implementation of tailored and intersectional approaches (Crenshaw, 1989), recognizing that women's lived experiences are shaped by the intricate interplay of multiple identity markers. This methodological rigor ensures that the recommendations are not only evidence-based but also practical and culturally resonant within the diverse African landscape.

### **Discriminatory Legal Frameworks: Persistent Impediments in African Contexts**

Discriminatory legal frameworks form a significant and pervasive obstacle to the full realization of women's human rights globally, with profound and multifaceted manifestations across sub-Saharan Africa. Despite the widespread ratification of international human rights treaties such as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) by all African states, many national legal systems in the region keep provisions that directly or indirectly discriminate against women. This legal pluralism, where formal statutory laws coexist with customary and religious laws, often creates a complex web of norms that can undermine women's rights (Griffiths, 2005). These discriminatory laws manifest in various forms across diverse African contexts, creating formidable barriers to equality, justice, and women's agency.

In the realm of property ownership and inheritance, for instance, women in over 40 countries globally, a substantial number of which are in sub-Saharan Africa, still face legal barriers that explicitly limit or implicitly disadvantage their rights to own, inherit, and control land and other assets (World Bank, *Women, Business, and the Law* 2024). This challenge is acutely pronounced in sub-Saharan Africa where customary laws and religious interpretations often further worsen these inequalities. For example, in countries like Kenya, while the Constitution (2010) and specific statutory laws like the Succession Act (1972) generally guarantee equal inheritance rights regardless of gender, customary practices in many ethnic groups, such as the Luo or Kikuyu, often dictate that land passes solely through male heirs (Kameri-Mbote, 2005). This customary preference significantly disadvantages widows and daughters, particularly in rural areas, leading to their dispossession and economic insecurity upon the death of a male relative. Similarly, in Ghana, despite progressive land laws aimed at clarifying tenure, customary land tenure systems in some regions continue to deny women direct ownership, restricting them to usufruct rights (rights of use) through male relatives, thus limiting their ability to use land as collateral for economic ventures (OECD, *Gender, Institutions and Development Database* 2024). This persistence of customary practices overriding formal law significantly hinders women's economic empowerment and security, particularly in cases of widowhood or divorce, where women can be arbitrarily dispossessed of assets accumulated during marriage (Lastarria-Cornhiel, 2008).

Family law forms another critical area of pervasive legal discrimination across Africa. Provisions related to marriage, divorce, child custody, and guardianship often disadvantage women, often reflecting patriarchal societal structures. For instance, globally, 12 million girls marry before age 18 each year (UNICEF, 2023, 'Child Marriage'), with sub-Saharan Africa bearing a substantial and disproportionate burden of this practice. Niger, for example, has one of the highest rates of child marriage globally, with an alarming 76% of girls married before age 18. Other countries like Central African Republic (68%) and Chad (67%) also show exceptionally high prevalence rates, indicative of deeply entrenched social norms and inadequate legal enforcement (UNICEF, 2023). Laws in some regions permit polygamy, which can lead to economic and social disadvantage for women within polygamous unions, and unequal divorce rights, severely undermining women's autonomy, and well-being. Furthermore, the pervasive lack of legal recognition for marital rape in at least 34 countries

globally (UN Women, 2023, 'Progress of the World's Women') exemplifies the systemic failure of legal systems to adequately protect women from violence within the domestic sphere. This challenge is notably clear in many African judicial systems that historically struggled with or upheld the concept of spousal immunity, thereby making violence within marriage legally invisible or less punishable (Amnesty International, 2021).

Furthermore, discriminatory laws often impede women's political participation and representation, despite significant gains in some African nations. While global progress has seen women forming 26.5% of parliamentarians as of January 2024 (UN Women & Inter-Parliamentary Union, 2024, 'Women in Parliament'), the landscape in Africa presents a mixed picture. Countries like Rwanda consistently lead globally with women holding over 60% of parliamentary seats (61.3% as of January 2024), a testament to strong political will and effective gender quota implementation. South Africa also boasts a high representation rate, consistently around 46%. However, many other African nations still struggle with notably low representation. Legal barriers, such as restrictive electoral laws (e.g., high candidacy fees, complex nomination processes), or the absence of robust gender quotas in certain contexts, continue to hinder their full and equal participation in political decision-making processes (Ballington, 2018). For example, in countries without strong affirmative action, women often face formidable challenges in electoral contests due to deeply ingrained societal biases, limited access to political networks, and significant resource disparities compared to their male counterparts. These persistent discriminatory legal frameworks, often deeply rooted in historical contexts, cultural norms, and entrenched power structures, not only violate women's fundamental human rights but also impede broader societal progress by limiting their economic contributions, educational attainment, and overall well-being across the African continent.

To further illustrate the varied progress and ongoing challenges in women's political representation across the continent, Table 1 provides a snapshot of parliamentary representation in select African nations.

Table 1: Regional Disparities in Women's Political Representation in Africa (Illustrative Examples, January 2024)

<b>Sub-Region</b>	<b>Country</b>	<b>Women in Lower House/Single House of Parliament (%)</b>	<b>Legal Framework/Contextual Factor</b>
<i>East Africa</i>	Rwanda	61.3%	Constitutional quota (30% minimum)
<i>Southern Africa</i>	South Africa	46.0%	Voluntary party quotas (ANC)
<i>West Africa</i>	Mali	14.6%	No specific quota, political instability
<i>Central Africa</i>	Central African Republic	10.6%	No specific quota, conflict-affected
<i>North Africa</i>	Egypt	27.6%	Constitutional quota (25% minimum)

*Source:* Based on UN Women and Inter-Parliamentary Union. (2024). Women in Parliament: 2024. Data as of January 2024

### **Entrenched Patriarchal Norms and Cultural Practices: Shaping Inequality in African Societies**

While formal legal structures present significant barriers, the advancement of women's human rights in sub-Saharan Africa is also profoundly hampered by deeply entrenched patriarchal norms and traditional cultural practices. These informal but powerful norms often underpin and reinforce the legal discrimination discussed above, creating a complex web of inequality that limits women's autonomy and perpetuates harmful stereotypes. These norms often manifest in subtle yet pervasive ways, systematically limiting women's autonomy, perpetuating harmful gender stereotypes, and contributing to various forms of discrimination and violence. The analytical framework of "hegemonic masculinity" (Connell & Messerschmidt, 2005) is particularly relevant here, as it illuminates how dominant ideals of male behaviour and power reinforce the subordination of women in social, economic, and political spheres across African societies. These ideals dictate gendered divisions of labour, control over resources, and decision-making authority, often disadvantaging women.

Son preference, while most pronounced in parts of Asia leading to skewed sex ratios (e.g., 120 boys for every 100 girls in some regions of India and China) (UNFPA, 2021, 'State of World

Population Report'), is still a significant, though often less overt, patriarchal norm influencing resource allocation and opportunities for girls in many African communities. While it may not consistently result in the same level of sex-selective abortions as seen elsewhere, it often translates into preferential treatment for boys in terms of nutrition, access to quality education, and healthcare within households, particularly in resource-scarce environments (UNICEF, 2019). This subtle bias can accumulate over a lifetime, affecting girls' overall human capital development, limiting their prospects, and perpetuating intergenerational cycles of inequality.

Restrictions on women's mobility and decision-making represent significant obstacles in many African cultural contexts (Moghadam, 1993). In many communities, especially in conservative rural areas, women's freedom of movement outside the home is severely curtailed, often requiring male permission for travel, engaging in economic activities, or even accessing essential healthcare and social services. Their ability to make independent decisions about their education, employment, marriage partners, and reproductive health is often limited by male family members, including fathers, husbands, or brothers, who often hold ultimate authority (Okeke-Iloabuchi, 2018). For example, traditional norms in parts of Northern Nigeria, particularly among certain ethnic groups, can severely restrict women's movement, affecting their access to markets, educational institutions, and healthcare facilities, thereby reinforcing their domestic roles, and limiting their public sphere engagement. These restrictions not only violate women's right to autonomy and freedom of movement but also significantly constrain their opportunities for personal and professional development, thereby hindering their full participation in public life and economic activities, perpetuating cycles of poverty and dependence.

The normalization of gender-based violence (GBV) is one of the most egregious manifestations of deeply entrenched patriarchal norms (WHO, 2020), tragically woven into the fabric of some African societies. Harmful traditional practices such as female genital mutilation (FGM), which has affected at least 200 million girls and women alive today across 31 countries globally (UNICEF, 2021, 'Female Genital Mutilation'), are primarily concentrated in Africa, the Middle East, and Asia. These practices exemplify extreme forms of control over women's bodies and sexuality, rooted in patriarchal ideologies that subordinate women and grant men power. In Africa, FGM prevalence varies widely, from universal rates in countries like Somalia (98%) and Guinea (95%) to lower but still significant rates in others, such as Kenya (21%) and Uganda (0.3%), proving regional and ethnic variations (UNICEF, 2021). Other harmful practices include early and forced marriage, which stays prevalent, particularly in regions like the Sahel, and dowry-related violence (less common in Africa than South Asia, but other forms of transactional violence like 'bride price' disputes can lead to violence). The pervasiveness of GBV across diverse contexts underscores the urgent need to challenge and transform these deeply ingrained norms, which often perpetuate cycles of violence and discrimination, undermining women's physical and psychological integrity.

To provide a clearer overview of the scale of some of these harmful practices within the African context, Table 2 compiles data from select countries.

Table 2: Prevalence of Key Discriminatory Practices in Select African Countries (Illustrative Examples)

Country	Child Marriage (girls married before 18, %)	Female Genital Mutilation (FGM prevalence, %)
<b>Niger</b>	76%	2.2% (lower than others, but FGM is present)
<b>Central African Republic</b>	68%	24%
<b>Chad</b>	67%	34%
<b>Somalia</b>	45%	98%
<b>Guinea</b>	30%	95%
<b>Kenya</b>	23%	21%
<b>Uganda</b>	34%	0.3%

*Source:* Based on UNICEF. (2023). Child Marriage; UNICEF. (2021). Female Genital Mutilation. Data for latest available years.

Addressing these entrenched patriarchal norms and harmful cultural practices requires a multifaceted and culturally sensitive approach. This involves challenging stereotypes through sustained, community-led education campaigns tailored to local contexts; actively engaging men and boys as allies in promoting gender equality and positive masculinities (Barker, 2005); fostering women's leadership and empowerment at community levels to shift power dynamics; and working collaboratively with traditional and religious leaders to foster positive social and cultural change that respects human rights and dignity. Such approaches must acknowledge the deep-seated nature of these norms and engage with them constructively rather than confrontationally.

### **Disproportionate Impact of Global Crises: Exacerbating Vulnerabilities in Africa**

Global crises, including armed conflict, the escalating effects of climate change, and acute economic instability, disproportionately affect women, worsening existing gender inequalities and creating new and complex challenges for the realization of their human rights across sub-Saharan Africa (Enarson, 2012). The inherent fragility and often limited institutional ability in many African states mean that women's vulnerability is particularly acute during such crises, amplifying their exposure to violence, displacement, and economic hardship.

Conflict and fragility significantly heighten the risks of sexual violence, displacement, and devastating loss of livelihoods for women and girls. Sexual violence is often employed as a weapon of war, causing immense physical and psychological trauma, social stigmatization, and the destruction of community fabric. For instance, in ongoing conflicts in eastern Democratic Republic of Congo (DRC), sexual violence against women and girls is tragically pervasive, with estimates suggesting that hundreds of thousands of women have been subjected to rape and other forms of sexual violence, often committed with impunity by armed groups (United

Nations, 2023; Physicians for Human Rights, 2015). Women and children make up approximately 80% of all refugees and internally displaced persons (IDPs) globally (UNHCR, 2023, 'Global Trends Report'), with a massive and disproportionate part of these populations found in sub-Saharan Africa. For example, as of early 2024, the Sahel region (including Burkina Faso, Mali, and Niger) saw over 3 million internally displaced persons due to escalating insecurity, a significant majority of whom (estimated at over 60%) are women and children facing heightened risks of exploitation, trafficking, lack of access to basic services (including healthcare and education), and increased exposure to GBV in displacement camps (UNHCR, 2024; IRC, 2023). The breakdown of social structures during conflict also often leads to a documented increase in domestic violence and a resurgence of harmful traditional practices as community protections erode and desperation rises.

Climate change also has distinct, severe, and gendered impacts in Africa, directly affecting women's human rights to food, water, health, and a healthy environment (UN Human Rights Office, 2019). Women, particularly those in rural, agriculture-dependent areas and developing countries, often endure the brunt of climate change impacts due to their reliance on natural resources for livelihoods and their traditional roles in food production, water collection, and household energy provision. It is estimated that 80% of people displaced by climate change are women (UN Women, 2023, 'Gender and Climate Change'). In sub-Saharan Africa, where many communities are highly dependent on rain-fed agriculture, climate-induced events such as prolonged droughts (e.g., in the Horn of Africa), devastating floods (e.g., in Mozambique and Nigeria), and extreme weather events, are leading to increased loss of livelihoods, severe food insecurity, and widespread displacement. This further marginalizes women and increases their vulnerability to violence, exploitation, and early marriage as desperate coping mechanisms (Terry, 2009). For instance, in the Horn of Africa, the 2020-2023 drought, the worst in decades, displaced over 1.7 million people in Somalia, Ethiopia, and Kenya (OCHA, 2023), with women disproportionately affected by acute water scarcity, increased burdens of collecting water over longer distances, and heightened risks of sexual violence during these journeys (IRC, 2022).

Economic instability and crises often disproportionately affect women's employment and economic security (ILO, 2021). During economic downturns or structural adjustments, women are often the first to lose their jobs, particularly in the informal sector where they are significantly overrepresented (over 70% of women's non-agricultural employment in sub-Saharan Africa is informal) and often lack social protections, labour rights, and access to formal credit (ILO, 2018). Austerity measures and cuts in public spending can also disproportionately affect women who rely more heavily on public services such as healthcare, education, and childcare. For instance, during the COVID-19 pandemic, women's employment was hit harder than men's in many sectors globally, with women's employment falling by 5% compared to 3.9% for men in 2020 (ILO, 2021, 'Gender and COVID-19: A Global View on Jobs'). This trend was particularly clear in many African economies reliant on tourism, informal trade, and domestic work, such as South Africa and Kenya, where women's informal vending, cross-border trade, and small businesses were severely affected by lockdowns, reduced economic activity, and border closures. Furthermore, economic hardship can worsen existing gender inequalities within households, increasing women's unpaid workload (e.g., caring for sick family members, providing food with scarcer resources) and limiting their access to crucial

resources, thereby further deepening their vulnerability and eroding their human rights (Oxfam, 2020).

Table 3: Disproportionate Impacts of Global Crises on Women (Illustrative Examples from Africa)

<b>Crisis Type</b>	<b>Global Impact on Women (Concrete No./Context) Specific African Context/Data (Concrete No./Context)</b>	<b>Specific African Context/Data (Concrete No./Context)</b>	<b>Supporting Sources</b>
<b>Conflict</b>	Approx. 80% of all refugees/IDPs are women & children globally. Sexual violence used as weapon of war.	Over 3 million IDPs in Sahel (early 2024), majority women/children (est. >60%). Hundreds of thousands of women subjected to sexual violence in Eastern DRC.	UNHCR (2024), UN (2023), IRC (2023)
<b>Climate Change</b>	Approx. 80% of climate-displaced individuals are women globally.	Over 1.7 million displaced by Horn of Africa drought (2020-2023) in Somalia, Ethiopia, Kenya; women disproportionately affected by water scarcity & related violence.	UN Women (2023), OCHA (2023), IRC (2022)
<b>Economic Instability</b>	Global women's employment fell by 5% (vs. 3.9% for men) during COVID-19 (2020).	Significant impact on women in informal sectors in South Africa & Kenya during COVID-19 lockdowns. Over 70% of women's non-agricultural employment in sub-Saharan Africa is informal.	ILO (2021), ILO (2018)

*Source:* Author's compilation

Addressing the disproportionate impact of these global crises on women requires a gender-sensitive and human rights-based approach integrated into humanitarian aid, climate change adaptation and mitigation strategies, and economic recovery plans across Africa. This includes ensuring women's meaningful and equal participation in decision-making processes related to crisis response and recovery; providing targeted support to address their specific needs and vulnerabilities (e.g., comprehensive GBV services, tailored economic empowerment programmes); and systematically collecting and analyzing sex-disaggregated data to inform all relevant policies and programmes, ensuring that interventions are equitable and effective.

### **Emerging Opportunities and Innovative Strategies: Pathways for Progress in Africa**

Despite the persistent and formidable obstacles, significant opportunities and innovative strategies are being employed and pioneered across sub-Saharan Africa to advance women's human rights. These offer promising pathways for progress towards substantive gender equality

and powerfully highlight the resilience, agency, and transformative potential of women and their allies on the continent.

Grassroots movements play a crucial role in challenging patriarchal structures and advocating for women's rights from the local level up (Friedman, 2003). Women's organizations and activists in countries like Senegal, Uganda, and Nigeria, for instance, are at the forefront of demanding legal reforms, challenging harmful cultural practices (such as FGM and child marriage), providing essential support to survivors of GBV, and empowering women economically and politically. Their deep understanding of local contexts, their unparalleled ability to mobilize communities, and their direct engagement with affected populations make them powerful, effective, and sustainable agents of change. A compelling example is the Maasai Women Development Organization (MWEDO) in Kenya, which has successfully advocated for girls' education and against FGM in Maasai communities since its inception in 1994, leading to demonstrable increases in girls' school enrolment and the widespread adoption of alternative rites of passage that preserve cultural identity without harmful practices (MWEDO, 2020). Similarly, in Uganda, the Forum for Women in Democracy (FOWODE) has been instrumental since 1995 in promoting women's effective participation in decision-making processes at all levels, influencing policy, and increasing women's political literacy and engagement (FOWODE, 2022).

Progressive policy reforms at national and regional levels are also significantly contributing to the advancement of women's rights in Africa. The enactment of laws criminalizing GBV, promoting gender equality in employment and education, and increasing women's political representation are crucial steps forward. As of 2023, 155 countries globally have laws on domestic violence (UN Women, 2023, 'Progress of the World's Women'), and a growing number of African nations have adopted such legislation, often driven by civil society advocacy. For example, South Africa's Domestic Violence Act (1998, amended 2021) and Ghana's Domestic Violence Act (2007) are examples of comprehensive legal frameworks designed to protect women. Furthermore, over 130 countries globally have adopted electoral gender quotas (QuotaProject, 2023), leading to tangible improvements in women's rights and political representation. Rwanda stands as a global leader, consistently proving the effectiveness of strong political will combined with a constitutionally mandated quota system, resulting in women holding 61.3% of seats in the lower house of parliament as of January 2024 (UN Women & Inter-Parliamentary Union, 2024, 'Women in Parliament'). South Africa also boasts a high representation rate, consistently around 46%, thanks in part to the African National Congress's internal party quotas. International conventions and commitments, such as the Sustainable Development Goals (SDGs), provide a robust framework for action and accountability in promoting gender equality and women's empowerment globally, often integrated into national development strategies across Africa (e.g., the African Union's Agenda 2063, which priorities gender equality as a key aspiration).

Technological advancements offer new and innovative tools for women's empowerment across Africa (UN Women, 2020). Mobile technology and the internet can provide women with unprecedented access to information, education, and economic opportunities, particularly in remote and underserved areas where traditional infrastructure is lacking. For example, mobile

money platforms like M-Pesa in Kenya have significantly boosted women's financial inclusion since its launch in 2007, enabling millions of women to save, receive payments, access credit, and manage small businesses more easily, circumventing traditional banking barriers (Suri & Jack, 2016). Online platforms are also effectively used for advocacy, networking among women's rights advocates, and mobilising widespread support for women's rights initiatives, such as campaigns against GBV (e.g., #SayNoToFGM campaigns on social media). Digital literacy programmes specifically targeting women are crucial to bridge the digital gender gap, as women in low-income countries are 33% less likely than men to own a mobile phone (GSMA, 2022, 'The Mobile Gender Gap Report'), a disparity particularly pronounced in rural African areas. Ensuring that women have equal access to, and meaningful control over, technology is paramount to fully harness its transformative potential for their empowerment.

Potential Figure/Graphic Suggestion: A simple bar chart illustrating the “Digital Gender Gap in Mobile Phone Ownership” for women vs. men in low-income countries, highlighting the 33% disparity mentioned in the text (GSMA, 2022). This would visually reinforce the challenge and the opportunity for technology-based interventions.

International collaborations and partnerships between African governments, vibrant civil society organizations, influential regional bodies (such as the African Union (AU) and sub-regional economic blocs like the Economic Community of West African States (ECOWAS)), international organizations (Keck & Sikkink, 1998), and the private sector are essential for fostering a more enabling environment for women's rights. These collaborations ease the sharing of best practices, provide crucial financial and technical aid, and coordinate efforts at the global, regional, and national levels, thereby significantly accelerating progress towards gender equality and ensuring efficient resource use. Initiatives like the African Women's Development Fund (AWDF), set up in 2001, which provides grants to African women's organizations for their crucial work on women's rights and gender equality, are critical examples of effective partnerships that directly empower local agency (AWDF, 2023). The AU's “Agenda 2063: The Africa We Want” explicitly integrates gender equality as a foundational pillar, proving a high-level commitment to women's human rights that can drive continent-wide policy harmonization and action (African Union, 2015). These emerging opportunities and innovative strategies, when strategically supported, scaled up through concerted efforts, and adapted to local contexts, hold significant potential to overcome persistent obstacles and accelerate the realization of women's human rights across diverse contexts on the African continent.

### **3. Findings/Results**

The findings of this research consistently highlight several critical and interconnected aspects concerning the advancement of women's human rights, with a pronounced and empirically supported focus on the African continent:

- **Persistent Discriminatory Legal Frameworks:** Evidence unequivocally proves that discriminatory laws persist across various African regions, often deeply rooted in historical legacies and cultural norms. These frameworks, affecting fundamental areas like property ownership, inheritance, and family law, continue to significantly hinder women's equal

access to resources, justice, and fundamental opportunities. Concrete examples include customary inheritance laws in parts of Kenya and Ghana that effectively override statutory provisions, directly disadvantaging women. Furthermore, the absence of explicit legal recognition for marital rape in many African judicial systems contributes to the global figure of 34 countries lacking such protection, thereby perpetuating impunity for domestic sexual violence. Globally, over 40 countries keep legal barriers limiting women's property rights (World Bank, Women, Business, and the Law 2024), a reality keenly experienced across much of Africa.

- **Entrenched Patriarchal Norms and Harmful Cultural Practices:** Pervasive patriarchal norms, such as subtle son preference (influencing the allocation of resources and opportunities for girls within households), severe limitations on women's mobility and decision-making (as observed in parts of Northern Nigeria), and the entrenched normalization of gender-based violence, profoundly impede women's autonomy and equality in diverse African societies. Harmful traditional practices like Female Genital Mutilation (FGM) continue to affect a vast number of women globally (200 million), with significant concentrations in African countries such as Somalia (98% prevalence) and Guinea (95% prevalence), despite ongoing eradication efforts.
- **Disproportionate Impact of Global Crises:** Conflict situations in Africa, exemplified by ongoing crises in Eastern DRC (where hundreds of thousands of women have experienced sexual violence) and the Sahel region (which saw over 3 million internally displaced persons by early 2024, predominantly women and children), lead to heightened risks of sexual violence, displacement, and loss of livelihoods for women and girls, who constitute approximately 80% of all refugees and internally displaced persons globally. Climate change worsens existing gender inequalities through differential impacts on livelihoods and resources, with an estimated 80% of climate-displaced individuals being women, vividly shown by the over 1.7 million people displaced by the Horn of Africa drought (2020-2023), disproportionately affecting women with increased burdens and vulnerabilities. Economic instability disproportionately affects women's employment and economic security, shown by the global 5% drop in women's employment during COVID-19 in 2020 (compared to 3.9% for men), with particularly severe implications for women in Africa's informal sectors (e.g., South Africa and Kenya).
- **Emerging Opportunities and Innovative Strategies:** Promising grassroots movements in African nations (e.g., MWEDO in Kenya, FOWODE in Uganda) effectively challenge patriarchal structures at the local level, leading to measurable positive change. Progressive policy reforms, such as the adoption of comprehensive domestic violence laws in many African countries (e.g., South Africa, Ghana) and the implementation of electoral gender quotas (over 130 countries globally, with Rwanda exemplifying success at 61.3% female parliamentarians), result in tangible improvements in women's rights and political representation. Technology is increasingly being used for education, economic empowerment (e.g., M-Pesa in Kenya), and advocacy, despite a persistent digital gender gap where women in low-income countries are 33% less likely to own a mobile phone (GSMA, 2022). Successful models of international collaboration (e.g., the African

Women's Development Fund) foster a more enabling environment for the advancement of women's rights globally, specifically targeting and strengthening initiatives within Africa.

- **Imperative for Tailored and Intersectional Approaches:** The research consistently and emphatically underscores that context-specific interventions that explicitly address the multiple and intersecting forms of discrimination and disadvantage faced by women in Africa (e.g., based on ethnicity, socio-economic class, geographic location (rural vs. urban), disability, and conflict exposure) are not merely desirable but are fundamentally necessary to achieve substantive equality. This approach ensures that human rights become a lived reality for all women, recognizing their complex and diverse identities across the continent.

#### **4. Conclusion: Towards Substantive Equality Through Contextualized Action in Africa**

This comparative analysis has comprehensively illuminated the persistent and multifaceted barriers hindering the full realization of women's human rights across diverse global landscapes, with a particular and in-depth emphasis on the deeply entrenched challenges within sub-Saharan Africa. Discriminatory legal frameworks, often complicated by legal pluralism; deeply entrenched patriarchal norms, frequently reinforced by harmful traditional cultural practices; and the disproportionate impact of cascading global crises – from protracted conflict zones like eastern Democratic Republic of Congo and the Sahel, to climate-vulnerable regions in the Horn of Africa, and economically unstable nations across the continent – continue to profoundly impede progress towards substantive gender equality. However, this study also powerfully underscores the significant potential inherent in a spectrum of emerging opportunities and innovative strategies being cultivated, adapted, and successfully implemented within Africa. The burgeoning power of grassroots movements, the transformative impact of progressive policy reforms, the empowering reach of technological advancements, and the synergistic effects of robust international collaborations offer tangible, evidence-based, and effective pathways forward for the continent.

The central implication of this research is the imperative to move decisively beyond universalistic pronouncements and to unequivocally embrace nuanced, context-specific, and intersectional approaches. These approaches are particularly attuned to the intricate and diverse realities of African societies. Recognizing that women's experiences of rights and discrimination in Africa are intricately shaped by the confluence of gender with other critical dimensions of identity – including ethnicity, socio-economic status, geographic location (e.g., rural versus urban settings), and disability – is not merely an academic acknowledgement but a fundamental practical necessity for effective and equitable intervention. Achieving substantive equality demands a departure from "one-size-fits-all" solutions in favour of highly tailored strategies that proactively address the unique challenges and strategically use the specific opportunities present within the incredibly diverse communities across the vast and varied African continent.

Therefore, this paper culminates in a set of critical, action-oriented recommendations for stakeholders across all levels – national governments, regional bodies, civil society,

international partners, and the private sector – aiming to guide future efforts towards more effective and fair outcomes for women in Africa:

- **Comprehensive Legislative and Institutional Reform for Equitable Pluralism:** National governments must move beyond token legislative changes to address the complexities of legal pluralism. This requires a multi-pronged approach that includes the comprehensive repeal of discriminatory statutory laws, alongside the establishment of formal mechanisms to harmonize customary and religious laws with national and international human rights principles. Practical actions to enhance applicability include the creation of mobile legal aid clinics and community-based justice centres in rural areas, empowering women to navigate this pluralistic system and challenge discriminatory practices effectively. This will ensure women's equal rights and access to justice in critical areas such as property ownership, inheritance, and family law.
- **Culturally Responsive and Transformative Empowerment Programs:** Invest significantly in the development and sustained implementation of culturally sensitive and context-specific programmes that actively challenge harmful patriarchal norms and promote genuine gender equality. This involves fostering deep-seated social change through tailored education campaigns, sustained community engagement (crucially including men and boys as allies in promoting positive masculinities), and the systematic empowerment of women as leaders and decision-makers within their own communities, respecting cultural nuances while rigorously upholding universal human rights principles.
- **Gender-Integrated Crisis Response and Resilience Building:** Systematically integrate a comprehensive gender perspective into all humanitarian and development efforts across Africa. This ensures that responses to armed conflict, climate change-induced disasters, and economic instability explicitly address the disproportionate and differentiated impact on women and girls. Key actions include providing targeted protection and support services, amplifying women's voices and leadership in recovery and peace-building processes and rigorously collecting and using sex-disaggregated data to inform all interventions that build long-term community and national resilience.
- **Amplifying African Grassroots Agency and Harnessing Technology:** Significantly increase direct, flexible, and sustainable financial and technical support for grassroots women's movements across Africa, recognizing their unparalleled understanding of local contexts and their proven ability for driving sustainable social change. Simultaneously, strategically leverage technological advancements (e.g., mobile banking for financial inclusion, digital literacy initiatives, online platforms for GBV reporting and advocacy) to enhance their reach, amplify their voices, and empower African women with equitable access to information, education, economic opportunities, and platforms for advocacy, while actively working to bridge the persistent digital gender gap within the continent.
- **Strengthened Intra-African and Global Partnerships for Shared Progress:** Foster stronger, fairer, and results-oriented collaborations and partnerships among African governments, influential regional bodies (like the African Union and ECOWAS), diverse civil society organizations, international organizations, and responsible private sector entities. This should involve enhanced shared learning, targeted resource mobilization, and coordinated efforts to promote the universal realization of women's human rights more

effectively and sustainably across the continent, ensuring constructive interaction and avoiding duplication of efforts.

- **Mandatory Intersectional Policy and Programming for Inclusivity:** Adopt intersectional approaches as a fundamental and non-negotiable principle in all policy design, programme implementation, and resource allocation in Africa. This ensures that interventions rigorously address the multiple and intersecting forms of discrimination faced by women in diverse contexts (e.g., based on ethnicity, socio-economic class, disability, rural status, refugee status, or sexual orientation), thereby ensuring that no woman is left behind in the collective pursuit of equality and justice, regardless of their complex identity.

The journey towards the full and fair realization of women's human rights in Africa is still a complex, dynamic, and ongoing endeavour. However, by embracing the principles of rigorous comparative analysis, deep contextual understanding, and intersectional action, the global community, in strong and respectful partnership with African stakeholders, can move decisively beyond aspirational declarations towards tangible, measurable, and transformative change. This concerted effort will ensure that the promise of human rights becomes a lived reality for all women across the African continent, in all their diverse experiences. Future research must move beyond descriptive analysis to empirically evaluate the effectiveness, scalability, and sustainability of tailored, intersectional interventions. This includes tracking outcomes of innovative technologies in bridging the digital gender gap and assessing the long-term impact of specific legal reforms on women lived realities, thereby providing an evidence-based roadmap for stakeholders.

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