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LEGAL REFORMS AND WOMEN'S RIGHTS ADVOCACY IN AFRICA

by Dr. Emelyne Calimoutou*

I. Introduction

The recent developments in the Republic of the Gambia ("Gambia"), announced on March 22, suggesting a possible reversal of the ban on female genital mutilation (FGM),¹ prompted both professional and personal reflections. With years of involvement in women's rights advocacy and legal reform, I perceive this development as revealing the complex interaction between law, societal norms, and cultural beliefs in shaping gender equality. Although Gambia enacted the Women's (Amendment) Act in 2015, which criminalized FGM and imposed penalties of up to three years in prison,² the parliament is currently deliberating on a bill to overturn the Act. The bill has been referred to a parliamentary committee, indicating a minimum three-month evaluation period before returning to parliament for further deliberation and voting.³ The advancement

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1 Diane Cole, *The Gambia is Debating Whether to Repeal Its Ban on Female Genital Mutilation*, Mar. 22, 2024, <https://www.npr.org/sections/goatsandsoda/2024/03/22/1239276999/the-gambia-is-debating-whether-to-repeal-its-ban-on-female-genital-mutilation>.

2 Kaddy Jawo, 'Over My Dead Body', Say Gambian Mothers Amid Efforts to Lift FGM Ban, Mar. 28, 2024, <https://www.aljazeera.com/features/2024/3/28/mothers-fight-to-protect-daughters-as-the-gambia-considers-unbanning-fgm#:~:text=In%202015%2C%20the%20Gambian%20parliament,shift%20after%20years%20of%20advocacy>.

3 Pap Saine, *Gambian Parliament Debates Bill to Reverse Bill on Genital Mutilation*, Reuters, Mar. 19, 2024, <https://www.reuters.com/world/africa/gambian-lawmakers-vote-repealing-fe->

of the bill to this crucial stage suggests a strong likelihood of it becoming law. The prospect of Gambia becoming the first country to reverse legislation against FGM is alarming, not only for its immediate implications on women's health,⁴ but also for the precedent it could set for other states.⁵ It serves as a reminder of the fragility of women's rights protections in the face of deeply entrenched social practices and underscores the urgent need for a comprehensive approach to address gender inequality.

Through my experiences supporting countries' efforts to adopt or revise legislation aimed at improving the lives of women and girls, I have gained firsthand insights into the complexities and challenges involved. From navigating cultural sensitivities to negotiating political landscapes, every step in the legal reform process requires careful consideration, diplomacy, compromise, and strategic planning. In sharing my knowledge and experiences, I hope to empower others working towards gender equality. I aim to help others navigate these challenges effectively and drive meaningful change in their communities. The recent news from Gambia serves as a reminder of the ongoing struggle for gender equality and the importance of collective action in advancing women's rights. It reinforces the need for a comprehensive approach that addresses the root causes of gender inequality and underscores the importance of continuous advocacy, community mobilization, and education in promoting gender equality across Africa and beyond.

II. The Role of Collaboration

Advancing gender equality depends on strong collaboration among different stakeholders including governments, civil society, international agencies, and grassroots communities.⁶ A collaborative approach

male-genital-mutilation-ban-2024-03-18/

4 WHO Guidelines on the Management of Health Complications from Female Genital Mutilation. Geneva: World Health Organization; 2016. PMID: 27359024

5 Rachel Chason and Ramatoulie Jawo, In a first, West African country moves toward ending ban on female genital cutting, *The Washington Post*, March 19, 2024.

6 Röger-Offergeld U, Kurfer E, Brandl-Bredenbeck HP. Empowerment through participation in community-based participatory research-effects of a physical activity promotion project among socially disadvantaged women. *Front Public Health*. 2023 Jul 19;11:1205808. doi: 10.3389/fpubh.2023.1205808. PMID: 37538266; PMCID: PMC10396770; Title: "Empowering Com-

emphasizes the collective responsibility of individuals and institutions to uphold and fulfill women's and girls' rights, necessitating collaborative efforts to drive substantive change. Furthermore, it prioritizes empowering women and girls as proactive agents of change, advocating for their active involvement in decision-making processes and ensuring their voices are heard and respected.⁷ This approach has been used to advance women's rights reforms in Africa, especially to improve access to contraception, to criminalize FGM, and prevent child marriage. In 2015, the Gambian government criminalized FGM. Subsequently, stakeholders such as government officials, women's rights activists, NGOs, healthcare professionals, legal experts, and international organizations collaborated to raise awareness, advocate for legal reforms, provide support services, and enforce the ban through legal mechanisms and community engagement initiatives. This move was part of a broader campaign to address human rights issues and protect the rights of women and girls in the country. These concerted efforts contributed to the successful adoption of the ban on FGM in Gambia, which is now in danger of reversal.

Governments, civil society organizations, and international agencies must collaborate closely to develop and implement policies that safeguard women's rights and promote gender equality. This entails crafting legislation that addresses systemic barriers, such as discriminatory practices and unequal access to resources. By aligning efforts, stakeholders can ensure that policies are effectively implemented and enforced, thereby fostering an environment conducive to women's empowerment. Collaborative efforts among governments, donors, and philanthropic organizations are essential for securing funding for programs that address the diverse needs of women and girls, ranging from education and healthcare to economic empowerment.

In my previous role working on a regional project on women empowerment, I witnessed the power of collaboration in action. We partnered with local NGOs, government agencies, and community leaders to ad-

dress maternal and child health issues in rural areas. By pooling together our resources and expertise, we were able to conduct health education sessions, provide access to maternal care services, and distribute essential supplies. Through these collaborative efforts, we not only increased awareness about maternal and child health but also improved access to healthcare for underserved communities. One key lesson from this experience is that collaboration allows for a more comprehensive and sustainable approach to addressing complex issues. By working together, we were able to leverage each other's strengths and resources, ultimately making a greater impact than any single organization could achieve alone. This lesson has since guided my approach in other contexts, emphasizing the importance of partnerships and collective action in driving positive change.

Collaborative efforts to enhance local the capacity of organizations and communities to implement effective interventions is also essential. This is where the groundwork for long-term empowerment is laid, ensuring that change is not just a temporary fix but a lasting transformation. Through training, technical assistance, and knowledge exchange, stakeholders can empower grassroots organizations and community leaders to design and implement tailored initiatives that address the specific challenges faced by women and girls. By strengthening local capacity, collaborative efforts establish the foundation for sustainable change and long-term empowerment. Finally, sharing best practices, research findings, and lessons learned is pivotal for driving innovation and maximizing the impact of empowerment initiatives. By fostering a culture of knowledge exchange among countries, organizations, and communities, stakeholders can learn from each other's successes and failures, thereby accelerating progress towards gender equality. Additionally, my experience shows that knowledge sharing facilitates evidence-based decision-making, enabling stakeholders to design interventions that are informed by data and grounded in the realities of women and girls' lives.

III. The Role of Social and Cultural Norms

Addressing and transforming entrenched social and cultural norms is crucial for achieving genuine gender equality and empowering women and girls across Africa. Countless strategies can be employed to challenge and reshape these norms, each playing a

community Influencers for Gender Equality in Africa: Strategies and Impacts" Authors: Abubakar, N., Kamara, F., & Mbeki, T.

7 Lwamba E, Shisler S, Ridlehoover W, Kupfer M, Tshabalala N, Nduku P, Langer L, Grant S, Sonnenfeld A, Anda D, Evers J, Snilstveit B. Strengthening women's empowerment and gender equality in fragile contexts towards peaceful and inclusive societies: A systematic review and meta-analysis. *Campbell Syst Rev.* 2022 Mar 8;18(1):e1214. doi: 10.1002/cl2.1214. PMID: 36913184; PMCID: PMC8904729.

crucial role in fostering a more inclusive and equitable society where women and girls can thrive. One effective approach involves implementing comprehensive education and awareness programs that target communities at large.⁸ By integrating gender perspectives into educational curricula and conducting targeted awareness campaigns, we can dismantle harmful stereotypes and misconceptions surrounding gender roles. These initiatives not only empower individuals to advocate for gender equality but also foster positive attitudes towards women's rights. One such example is the implementation of community-led literacy initiatives in underserved regions. These programs, often facilitated by local NGOs and grassroots organizations, focus on empowering community members, especially women and girls, through literacy education. By tailoring the curriculum to address local needs and contexts, these initiatives not only improve literacy rates but also foster community engagement and self-reliance. However, it is important to critically examine these educational programs through a decolonial lens. One common critique is that many interventions, despite their good intentions, often perpetuate Western-centric perspectives and undermine local knowledge systems. From a decolonial standpoint, there is a pressing need to center local knowledge and languages in educational initiatives. By prioritizing cultural relevance and local autonomy, decolonial education seeks to empower communities to reclaim their narratives and shape their own futures. Furthermore, engaging directly with communities and influential figures such as religious leaders and traditional authorities is essential for challenging entrenched norms and promoting gender-equitable practices.

By fostering dialogue and collaboration with key stakeholders,⁹ initiatives aimed at empowering women and girls can gain acceptance and traction within communities. This community engagement approach ensures that interventions are culturally sensitive and responsive to local contexts, thereby enhancing their effectiveness and long-term sustainability. While legal reforms play a crucial role in addressing institutionalized discrimination, they must be accom-

panied by efforts to change social and cultural norms that perpetuate gender inequality. This involves grassroots initiatives, advocacy campaigns, and community dialogues aimed at raising awareness about women's rights and challenging harmful practices.¹⁰ By mobilizing communities to advocate for both legal reforms and social change, stakeholders can create an enabling environment where gender equality can flourish. In my experience, I have seen the transformative impact of multifaceted approaches that combine legal reforms with community engagement and education. Addressing gender norms at both the individual and structural levels can create lasting change that empowers women and girls to fully participate in and contribute to their societies. Ultimately, achieving gender equality requires a concerted effort from all sectors of society. It is only through collaborative action, informed by a deep understanding of the complexities of gender dynamics, that we can overcome entrenched norms and create a world where every woman and girl can live free from discrimination and oppression.

IV. The Role of Community Influencers

Community influencers, including traditional leaders, religious figures, elders, and local activists, play a pivotal role in shaping attitudes and behaviors within African communities.¹¹ Leveraging their authority and credibility is indispensable for advancing women's rights and achieving gender equality. To effectively engage and empower these influencers, a multifaceted approach is essential.¹² It is imperative to integrate a decolonization argument into these strategies to avoid perpetuating patriarchal or discriminatory practices, particularly regarding issues such as gender equality, reproductive rights. The historical legacy of colonialism has left enduring imprints on societal structures,

8 Nabaneh S, Muula AS. Female genital mutilation/cutting in Africa: A complex legal and ethical landscape. *Int J Gynaecol Obstet*. 2019 May;145(2):253-257. doi: 10.1002/ijgo.12792. Epub 2019 Mar 13. PMID: 30779344.

9 Ako M, Akweongo P. The limited effectiveness of legislation against female genital mutilation and the role of community beliefs in Upper East Region, Ghana. *Reproductive health matters*. 2009;17(34):47-54. doi: 10.1016/S0968-8080(09)34474-2

10 Matanda DJ, Van Eekert N, Croce-Galis M, Gay J, Middelburg MJ, Hardee K. What interventions are effective to prevent or respond to female genital mutilation? A review of existing evidence from 2008-2020. *PLOS Glob Public Health*. 2023 May 16;3(5):e0001855. doi: 10.1371/journal.pgph.0001855. PMID: 37192150; PMCID: PMC10187928.

11 Muriaas, R. L., Tønnessen, L., & Wang, V. (2018). Counter-Mobilization against Child Marriage Reform in Africa. *Political Studies*, 66(4), 851-868. <https://doi.org/10.1177/0032321717742859>

12 Priscilla Rabasimane, Traditional Leaders Play a Critical Role in Advancing Sexual and Reproductive Health & Rights, *UNFPA*, 2 December 2023.

including patriarchal norms that continue to marginalize women. Community influencers such as traditional leaders, religious figures, elders, and local activists wield significant authority in shaping attitudes and behaviors. However, their influence is often entrenched within colonial frameworks that perpetuate gender inequalities. Therefore, a multifaceted approach that includes decolonization efforts is essential. This involves promoting indigenous knowledge systems, reclaiming cultural practices that support gender equality, and fostering spaces for critical dialogue.

Recognizing the importance of engaging religious leaders in efforts to address FGM, initiatives have been undertaken to provide religious leaders with training and resources on the health consequences of FGM and the religious perspectives on the practice. By incorporating religious teachings that emphasize the protection of human rights and well-being, these leaders have been able to advocate for the abandonment of FGM within religious contexts, contributing to broader community acceptance and support for ending the practice. Firstly, implementing comprehensive training and capacity-building programs on gender equality, human rights, and women's empowerment equips community influencers with the knowledge and skills necessary to advocate for change within their communities. Programs often incorporate culturally sensitive education, ensuring that interventions are respectful and mindful of local customs and beliefs. This might involve engaging community leaders, elders, and religious figures to promote understanding and facilitate dialogue. Collaborating with grassroots organizations and local NGOs familiar with the cultural context can enhance the effectiveness of interventions. These organizations often have existing relationships and trust within the community, facilitating outreach and implementation. By enhancing their understanding of the significance of gender equality and empowering them to become vocal proponents of women's rights, capacity-building initiatives enable influencers to effectively challenge entrenched norms and promote gender equity.

It is vital to foster dialogue and collaboration among community influencers, women's rights activists, and other stakeholders. By creating platforms for meaningful engagement and the exchange of ideas, stakeholders can form alliances and develop collaborative strategies for advancing women's empowerment.¹³

¹³ Daisy Leoncio, OTLA, the Council of Traditional Leaders of Africa, in association with UN Women and UNFPA The Role of

This dialogue fosters collective action towards achieving gender equality goals and ensures that interventions are contextually relevant and culturally sensitive. Recognizing and supporting the efforts of community influencers who champion women's rights is also crucial. Acknowledging their contributions and providing them with the necessary resources and support amplifies the impact of their advocacy efforts and encourages broader community participation in promoting gender equality. This recognition validates the role of influencers as agents of social change and reinforces their commitment to advancing women's empowerment. Moreover, amplifying the voices of women and girls within communities is imperative for challenging harmful norms and asserting their rights. Through storytelling, advocacy, and participatory decision-making processes, women and girls can articulate their needs and aspirations and assert their agency. By amplifying their voices and ensuring their inclusion in community-level discussions and decision-making processes, stakeholders empower women and girls to challenge gender stereotypes and contribute to transformative change within their communities.¹⁴ Through direct involvement and firsthand experiences, I have seen the transformative power of engaging and empowering community influencers in Africa to drive progress towards gender equality. By leveraging their influence and supporting their efforts, we can drive meaningful change and create more inclusive and equitable societies where women and girls can thrive. These community influencers can also advocate for policy changes and legal reforms that promote gender equality and protect the rights of women and girls at the grassroots level.

V. Conclusion

Empowering women and girls in Africa require more than just changing laws; it demands a holistic approach that addresses societal norms and community dynamics. Yet, this journey has been anything but straightforward. It has been a labyrinth of challenges and complexities, demanding innovative solutions and

Traditional Leaders in Advancing Sexual and Reproductive Health and Rights, UNFPA, December 4, 2020.

¹⁴ Klugman, Jeni; Hanmer, Lucia; Twigg, Sarah; McCleary-Sills, Jennifer; Hasan, Tazeen; Bonilla, Julieth Andrea Santamaria. *Voice and agency : empowering women and girls for shared prosperity : Main report (English)*. Washington, D.C. : World Bank Group. <http://documents.worldbank.org/curated/en/455941468152971238/Main-report>.

unwavering commitment. One of the most profound lessons I have learned is the importance of collaboration and community involvement in driving meaningful change. It is not enough to draft laws in isolation; we must engage with communities, listening to their voices and understanding their needs. Through dialogue and partnership with community influencers, from traditional leaders to local activists, we can ignite grassroots movements for change.¹⁵ I recall a powerful moment during a community gathering where a group of adolescent girls shared their stories of resilience and strength. Their courage inspired me to redouble my efforts in the fight for gender equality. Legal frameworks provide the scaffolding for progress, but they must be reinforced by challenging social and cultural norms that perpetuate gender disparities. Empowering women and girls is not just about granting them rights; it's about recognizing their agency as active agents of change. I have seen how empowered women and girls contribute to social, economic, and political development, driving progress and prosperity within their communities and nations. Overall, my journey in women's rights advocacy has reinforced my belief in the necessity of persistence, solidarity, and resilience in the fight for gender equality. While the road ahead may be challenging, I am inspired by the courage and determination of women and girls across Africa who continue to push for change.

15 Haldane V, Chuah FLH, Srivastava A, Singh SR, Koh GCH, Seng CK, Legido-Quigley H. Community participation in health services development, implementation, and evaluation: A systematic review of empowerment, health, community, and process outcomes. *PLoS One*. 2019 May 10;14(5):e0216112. doi: 10.1371/journal.pone.0216112. PMID: 31075120; PMCID: PMC6510456.