

# ECONOMIC EMPOWERMENT OF WOMEN; TOWARDS CENTRIC INCLUSION POLICIES IN AFRICA

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## ABSTRACT

*Despite evidence of increasing opportunities for women, a vast majority of them continue to live their lives constrained by historical and institutionalized gender based barriers of exclusion and discrimination many of which are founded on and or supported by laws. Various inclusion policies have been formulated in Africa but they appear to lack a centric approach across all sectors of African societies. These have resulted in the persistent exclusion or under-representation of women in mainstream economic endeavours hence the widespread poverty and disadvantageous placement of the woman. These dynamics, if unaddressed will pose a long term threat to our economy from increased demand for social service, to potential spikes in crime, to reduction in local business growth thus, we must rise to the challenge by translating economic growth into economic opportunity. Given the above constraints, the engagement of women in workforce will not only create new economic opportunities, but will also ensure that existing talents can be fully exploited. Women's economic empowerment is therefore a critical imperative for the business community and policymakers because in addition to contributing to stronger and more inclusive societies, there is a compelling economic case for engaging women in the workforce. This paper seeks to analyse the dynamic linkages between economic inclusion of women in all spheres and economic growth which will in turn promote the ease of doing business in Africa. Adopting a group-centred approach, the paper will employ a boardroom case study to identify the significance of women inclusion. The paper recommends a centric approach to inclusion policies which will cover the traditional scope of economic inclusion and concludes that low representation of women in economic activities is an outcome of poor formulation and implementation of policies.*

**Key words: Economic Empowerment, Economic Inclusion, Economic Development,**

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## 1.0 INTRODUCTION

Fostering inclusive growth has become a global priority as a means toward building fairer, stronger societies. Economic inclusion is essential to sustaining growth, building the middle class, raising national competitiveness, and promoting social and political inclusion.<sup>2</sup> It goes beyond addressing the basic needs of the poor and vulnerable populations to actively engaging them in productive activities and helping them realise their full economic potential.

The question of how to unlock new sources of productive employment and translate economic growth into broad-based progress in living standards of women has preoccupied political and business leaders in developed and developing countries alike. These challenges constitute the foremost concerns in Africa beyond alleviating poverty. While a widespread international consensus now exists on the need for more economically-inclusive models of growth and development, not much in the way of concrete policy guidance has emerged.<sup>3</sup> There is a growing need for analytical frameworks and evidence-based solutions suited to this purpose and little attention has been paid to address this issue comprehensively.

In the absence of contextual evidence, women's economic empowerment and financial inclusion is typically embraced as an unalloyed good with little or no acknowledgement of the potential for perceived harm as has also been acknowledged by Kofi Annan where he said that, 'it is impossible to realise our goals while discriminating against half the human race'.<sup>4</sup>

The paper discusses gender relations, cultural and religious practices that inhibit economic inclusion of women and seeks to improve the understanding of how countries can make use of a diverse spectrum of policy incentives and institutional mechanisms in order to widen economic inclusion in the process and benefits of economic growth. The paper will further show that countries that are more gender sensitive tend to have higher economy development than

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<sup>2</sup> Kim Bettcher and TeodoraMihaylova, 'Economic Inclusion: Leveraging Markets and Entrepreneurship to Extend Opportunity' (2015) <[www.cipe.org/publications/detail/economic-inclusion-leveraging-markets-and-entrepreneurship-extend-opportunity](http://www.cipe.org/publications/detail/economic-inclusion-leveraging-markets-and-entrepreneurship-extend-opportunity)> accessed June, 2017.

<sup>3</sup> Richard Samans and others, 'The Inclusive Growth and Development Report 2015' (World Economic Forum) <[www3.weforum.org/docs/Media/WEF\\_Inclusive\\_Growth.pdf](http://www3.weforum.org/docs/Media/WEF_Inclusive_Growth.pdf)> accessed 14 July 2017; See also World Economic Forum, 'The Inclusive Growth and Development Report 2017' <[www.weforum.org/reports/the-inclusive-growth-and-development-report-2017](http://www.weforum.org/reports/the-inclusive-growth-and-development-report-2017)> accessed 14 July 2017.

<sup>4</sup> Department for International Development, 'Gender Equality Action Plan 2007-2009: Making Faster Progress to Gender Equality' <<http://users.ox.ac.uk/~qehwemc/documents/DFID-Gender-equality-plan-2007.pdf>> accessed 18 July 2017.

countries with fewer rights. A number of strategies to encourage and promote women inclusion are also discussed.

## **2.0 Conceptual and Theoretical Framework**

### ***2.1 Conceptual framework***

For the purpose of this paper, certain definitions will be deployed to ensure clarity of the terms used.

#### ***2.1.1 Economic Empowerment:***

Economic empowerment is the capacity of women and men to participate in, contribute to and benefit from growth processes in ways that recognise the value of their contributions, respect their dignity and make it possible to negotiate a fairer distribution of the benefits of growth.<sup>5</sup>

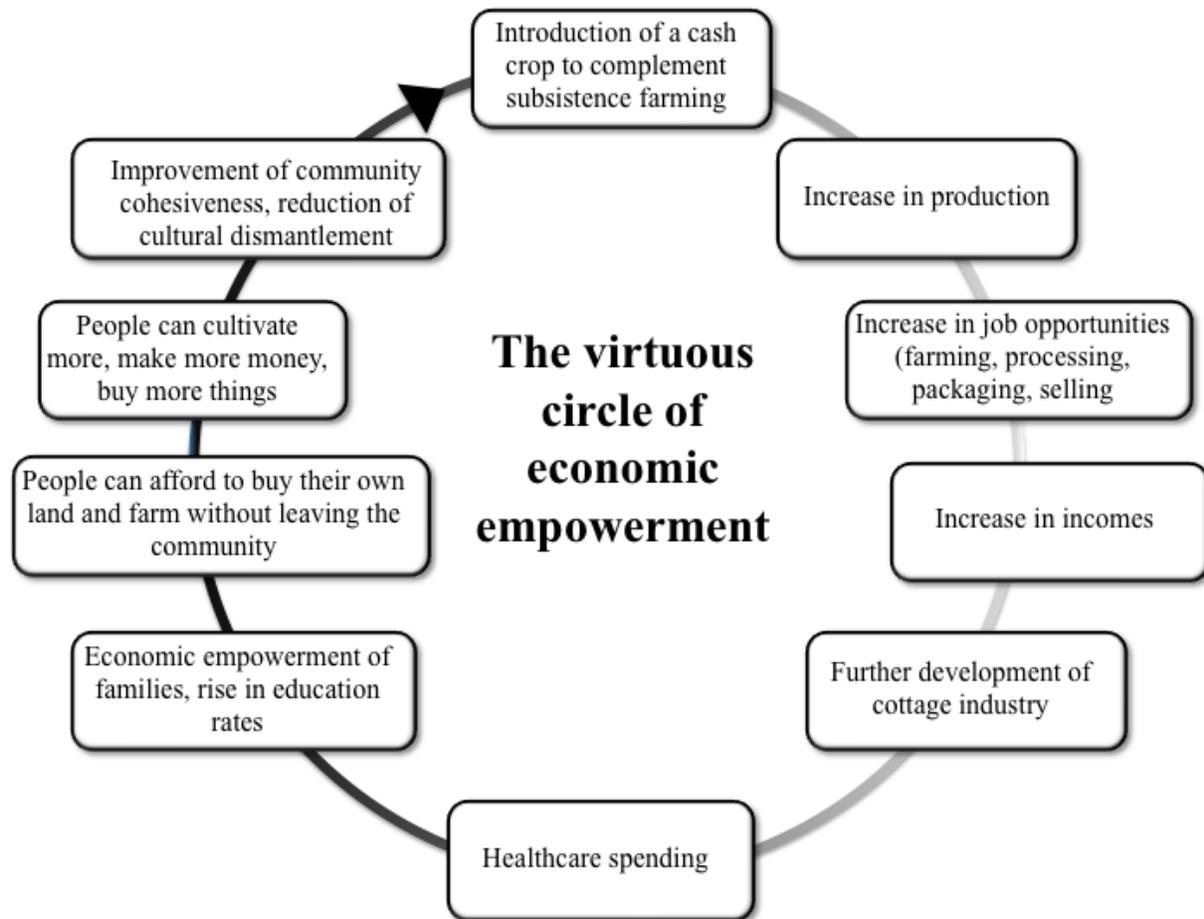
Women's economic empowerment is a prerequisite for sustainable development and for achieving the Sustainable Development Goals. Economic empowerment is also a right and there is no quick fix to achieving it. Economic empowerment requires sound public policies, a holistic approach and long-term commitment from all spheres of the society.<sup>6</sup> It is necessary for the growth of all sectors of the Economy.

Below is a diagram showing the significance of economic empowerment with regards subsistence farming in sub-Saharan Africa

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<sup>5</sup> Organisation for Economic Co-operation and Development (OECD), 'Women's Economic Empowerment' (2011) <[www.oecd.org/dac/gender-development/womenseconomicempowerment.htm](http://www.oecd.org/dac/gender-development/womenseconomicempowerment.htm)> accessed 15 July 2017

<sup>6</sup> *ibid*



**Diagram by: TheNoar Foundation for Global Community Development**

### ***2.1.2 Economic Inclusion***

Economic Inclusion refers to equality of opportunity for all members of society to participate in the economic life of their country as employers, entrepreneurs, consumers, and citizens.<sup>7</sup> Fostering inclusion through active participation in a nations' economy involves increasing access to opportunity while generating additional economic growth. Effective strategies for inclusion engage under-represented groups in the design and implementation of policies and programs.

Economic inclusion bolsters the sustainability of market development because it builds buy-in for economic reforms. Furthermore, people who have a stake in the economic system and the prospect of social mobility have incentives to support economic and democratic development

<sup>7</sup>Kim Bettcher and TeodaraMihayloya (n 1)

and claim a stake in the broader society. Ultimately, people from all income levels and all walks of life must have opportunities to shape their own destinies.<sup>8</sup>

### ***2.1.3 Economic Development:***

This concept is often used interchangeably with economic growth. However, while economic growth is simply an increase in aggregate output, economic development is concerned with quality improvements, the introduction of new goods and services, risk mitigation and the dynamics of innovation and entrepreneurship. Economic development is about positioning the economy on a higher growth trajectory.<sup>9</sup>

There are several definitions of economic development but the paper aligns itself with that of Schumpeter who opines that economic development entails a fundamental transformation of an economy.<sup>10</sup> This includes altering the industrial structure, the educational and occupational characteristics of the population, and indeed the entire social and institutional fabric.<sup>11</sup> Growth is therefore measured by putting more people to work within an existing economic framework while economic development on the other hand, is aimed at changing that framework so that people work more productively, and the economy shifts toward higher-value activities. Thus, while economic growth can be measured quarterly, realising gains in economic development may take decades or generations. Economic Development is the broad macroeconomic outcome, measured for each country per capita gross domestic products (GDP) and the Human development index (HDI)

## ***2.2 Theoretical Framework***

The paper will apply a number of approaches and theories. The Human Capital and post materialist approach will be employed in explaining the dynamic linkage between Economic inclusion, economic empowerment and economic development. The Human capital is the approach that believes that individual abilities can be enhanced through education and training

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<sup>8</sup> OECD (n 4)

<sup>9</sup> Maryann Feldman and others, 'Economic Development: A Definition and Model for Investment' (2015) <[www.eda.gov/files/tools/research-reports/investment-definition-model.pdf](http://www.eda.gov/files/tools/research-reports/investment-definition-model.pdf)>accessed 2 July 2017.

<sup>10</sup> Joseph Alois Schumpeter, *The Theory of Economic Development: An Inquiry into Profits, Capital, Credit, Interest, and the Business Cycle* (OUP 1961); See also Joseph Alois Schumpeter, *The Entrepreneur: Classic Texts by Joseph A. Schumpeter* (Stanford University Press 2011)

<sup>11</sup> *ibid*

that bring about effective change in the performance of jobs. Post materialist approach emphasises self-expression and quality of life over economic and physical security. In trying to conceptualise women exclusion, a socialist feminist theory is applied which holds that because of patriarchal sexism i.e the valuing of men and masculinity over women and femininity, women and girls have been systematically excluded or marginalised in politics and the economy. Socialist feminism is a movement which calls for an end to capitalism through a socialist reformation of our economy.<sup>12</sup> Basically, socialist feminism argues that capitalism strengthens and supports the sexist status quo because men are the ones who currently have power and money. Those men are more willing to share their power and money with other men to the effect that women are continually given fewer opportunities and resources. This in turn, keeps women subjected to the control of men.

Socialist feminism focuses on economics and politics.<sup>13</sup> They point out the fact that in the United States women are typically paid only \$0.70 for the exact same job that a man would be paid a dollar for. Why are women paid less than men for the same work? Socialist feminists point out that this difference is based on a capitalist system. Consequently, a core principle of feminist theories is to include female perspectives and experiences in all research and practice. Feminist theories, however, do not treat women or men as homogenous groups but rather recognise that gender privilege varies across different groups of women and men. The perspective of Socialist feminism will be employed in addressing the challenges of women in the society and highlight the need for an actionable inclusion policy

### ***2.3 Dynamic Linkage between Economic Inclusion, Economic Empowerment and Economic Growth***

The link between economic inclusion, Economic empowerment and economic growth is a tripartite one as inclusion leads to empowerment i.e upliftment of women from a disadvantaged position which in turn leads to development / growth of the economy. A number of studies indicate the strong correlation between gender equality and economic growth; they show that

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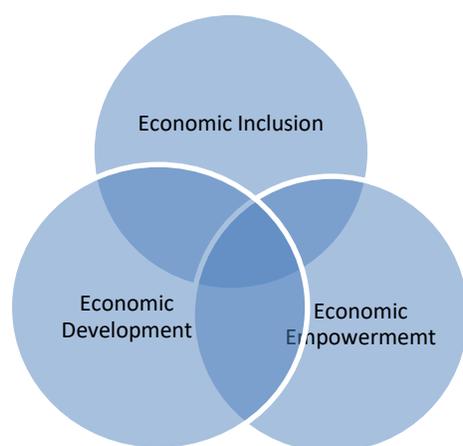
<sup>12</sup> Wind Goodfriend, 'Feminism Types and Definitions: Liberal, Socialist, Culture & Radical (2003) <<http://study.com/academy/lesson/feminism-types-and-definitions-liberal-socialist-culture-radical.html>> accessed 30 June 2017

<sup>13</sup> ibid

societies that discriminate between genders tend to experience less rapid economic development and poverty reduction than societies that treat males and females more equally and that socialgender disparities produce economically inefficient outcomes.<sup>14</sup>

For the purpose of this paper, it is imperative to say at this point that economic inclusion encompasses all forms of empowerment such as, financial, political, education, health etc.

*The diagram below is an illustration of the tripartite link between Economic inclusion, Economic Empowerment and Economic Development*



Several theoretical frameworks argue that the inclusion of women is linked to stronger economies. The identification of women as being reliable, productive and cheap sources of labour makes them the preferred workforce for textiles and electronic transnational corporations. Also, the perception of women as ‘good with money,’ including being better at paying back loans, has led them to be targeted in microfinance programs. Recognition of women as more efficient distributors of goods and services within the household has led to them being targeted with resources aimed at alleviating poverty, such as cash transfer programs.<sup>15</sup>

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<sup>14</sup> David Dollar and Roberta Gatti, ‘Gender Inequality, Income, and Growth: Are Good Times Good for Women?’ (1999) World Bank Policy Research Report, Washington Working Paper Series 1/20771 <<http://documents.worldbank.org/curated/en/251801468765040122/Gender-inequality-income-and-growth-are-good-times-good-for-women>> accessed 29 June 2017

<sup>15</sup> Sarah Bradshaw, Joshua Castellino, and BinetaDiop, ‘Women’s Role in Economic Development: Overcoming the Constraints.’ Background Paper for post-2015 Development Agenda <<http://unsdsn.org/resources/publications/womens-role-in-economic-development-overcoming-the-constraints/>> accessed 29 June 2017

In rapidly aging economies, higher female labour force participation can boost growth by mitigating the impact of a shrinking workforce. For example, in Japan, the annual potential growth rate could rise by about a quarter percentage point if the female labour participation rate were to reach the average for the G7 countries, resulting in a permanent rise in per capita GDP of 4 percent, compared to the baseline scenario.<sup>16</sup> Higher female work force participation would also result in a more skilled labour force, in view of women's higher education levels.<sup>17</sup> Where better opportunities for women to earn and control income are created, they contribute to broader economic development in developing economies, for instance through higher levels of school enrolment for girls. Women are more likely than men to invest a large proportion of their household income in the education of their children. According to the international Labour Organisation (ILO), women's work, both paid and unpaid, may be the single most important poverty-reducing factor in developing economies.<sup>18</sup> Accordingly, higher Female Labour Force Participations (FLFP) and greater earnings by women could result in higher expenditure on school enrolment for children, including girls, potentially triggering a virtuous cycle, when educated women become female role models.<sup>19</sup> Aguirre, Miller and Stotsky are of the view that the relative lack of opportunities for women in developing countries inhibits economic growth, while on the other hand, economic growth leads to improvements of their disadvantaged conditions.<sup>20</sup>

In the human capital approach, inclusion allows women to achieve their economic potential when they can get education and training that improves their productivity and when they are treated equally in the labour market. The capabilities approach suggests that greater rights and freedoms improve individual wellbeing by expanding individual's capabilities to be and do what they value. The post materialist demand for human rights theory suggests that greater economic

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<sup>16</sup> International Monetary Fund (IMF), 'Germany: 2012 Article IV Consultation, Country Report No. 12/161' <[www.imf.org/external/pubs/ft/scr/2012/cr12161.pdf](http://www.imf.org/external/pubs/ft/scr/2012/cr12161.pdf)> accessed 23 June 2017

<sup>17</sup> Chad Steinberg and Masato Nakane, 'Can Women Save Japan?' IMF Working Paper 12/48 (Washington) <[www.imf.org/en/Publications/WP/Issues/2016/12/31/Can-Women-Save-Japan-40048](http://www.imf.org/en/Publications/WP/Issues/2016/12/31/Can-Women-Save-Japan-40048)> accessed 23 June 2017

<sup>18</sup> James Heintz, 'Globalization, Economic Policy and Employment: Poverty and Gender Implications', (2006) International Labour Organisation Research Paper 106B09/139 <[http://staging.ilo.org/public/libdoc/ilo/2006/106B09\\_139\\_engl.pdf](http://staging.ilo.org/public/libdoc/ilo/2006/106B09_139_engl.pdf)> accessed 24 June 2017

<sup>19</sup> DeAnne Aguirre and others, 'Empowering the Third Billion Women and the World of Work in 2012' (2012) Briefing Report <[www.strategyand.pwc.com/reports/empowering-third-billion-women-world-2](http://www.strategyand.pwc.com/reports/empowering-third-billion-women-world-2)> accessed 25 June 2017; See also J G Stotsky, 'Gender and its Relevance to Macroeconomic Policy: A Survey' (2006) IMF Working Paper 06/233 (Washington); Grant Miller. 'Women's Suffrage, Political Responsiveness and Child Survival in American History' (2008) 123(3) Quarterly Journal of Economics 1287-1327.

<sup>20</sup> *ibid*

development might make countries more likely to respect the rights of women as they can freely organise and pursue legal changes as public opinion shift to support greater individual autonomy and minority rights.<sup>21</sup> More importantly, when women are denied their full participation in the society because of gender, their human rights are violated and those violations of human rights are likely to have harmful effects on a country's economic development.

The SDGs seek to eradicate extreme poverty, expand gender equality, and improve health outcomes.<sup>22</sup> As that effort evolves into a new stage, economic development agencies are recognising that countries that strive towards maximum inclusiveness of all genders are likely to have stronger and more vibrant economies.<sup>23</sup>

The paper submits that discriminations experienced by women reduce economic output at advanced capacity because when women experience discrimination at the workplace, violence and other forms of exclusion, their ability to contribute to the economy is diminished. Aggregating the micro-level effects up to the economy-wide level implies that exclusion would reduce economic development outcomes, a finding consistent with the macro-level statistical evidence.<sup>24</sup>

At the very least it can be said that economic development in emerging economies happens alongside equitable rights for women.

### ***3.0 Effects of Non-inclusion of Women***

Notwithstanding the relatively impressive rates of economic growth in Africa, poverty and inequality have remained intractably high. Economic growth is expected to remain positive and robust in most parts of Africa.<sup>25</sup> The African Development Bank,<sup>26</sup> in the 2014 Africa Economic

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<sup>21</sup> M V Lee Badgett and others, *The Relationship between LGBT Inclusion and Economic Development: An Analysis of Emerging Economies* (2014), <<http://williamsinstitute.law.ucla.edu/research/international/lgbt-incl-econ-devel-nov-2014/>> accessed 3 July 2017

<sup>22</sup> See Sustainable Development Goals <[www.un.org/sustainabledevelopment/sustainable-development-goals/](http://www.un.org/sustainabledevelopment/sustainable-development-goals/)> accessed 2 July 2017. Goals 1,4 and 5 of the sustainable development goal.

<sup>23</sup> World Bank, 2013

<sup>24</sup> Stephanie Seguino, 'From Micro-level Gender Relations to the Macro-economy and Back again', in Deborah Figart and Tonia Warnecke (eds), *Handbook of Research on Gender and Economic Life* (Edward Elgar 2013)

<sup>25</sup> United Nations Development Program (UNDP), 'Sustaining Human Progress: Reducing Vulnerabilities and Building Resilience' (Human Development Report 2014) <<http://hdr.undp.org/sites/default/files/hdr14-report-en-1.pdf>> accessed 6 July 2017.

<sup>26</sup> African Development Bank Group (AfDB), 'Global Value Chains and Africa's Industrialization' (2014) Economic Outlook Report <<https://www.afdb.org/en/knowledge/publications/african-economic-outlook/african-economic-outlook-2014/>> accessed July 6, 2017.

Outlook Report, cited the 2013 GDP for Sub-Saharan Africa at five percent.<sup>27</sup> The report further projected Africa's GDP for 2014 at 5.8 percent. This positive boom has translated into a 'rising middle class, a rapidly urbanising population, strong investments in infrastructure, education, health and a strong penetration of ICTs.'<sup>28</sup> Despite such positive economic outlooks recorded, the contributions of women to important economic activities such as small businesses and cross-border trade appear to be ignored when calculating national economic performances and as such are excluded from economic matrixes, planning, policies and programmes. This explains why, despite the impressive history of hard work and economic endeavours by African women, the feminisation of poverty and inequality on the continent remain constant.<sup>29</sup>

The greatest problems facing women are poverty, inequality and unemployment. It has been said that gender-based inequality, economic crises and environmental degradation hold back progress on many development goals.<sup>30</sup> The world faces an enormous task of responding to multiple crises including lifting more than a billion people out of extreme poverty, meeting the livelihood needs of the projected 2050 population of Nine Billion while maintaining environmental sustainability.<sup>31</sup> This therefore points to the frailty of existing economic models and political assumptions that have informed development over the years. The existing development models have failed to prevent these threats from arising and mitigating them because they have not been transformative in practice. These development models also fail to address the structural drivers of poverty and inequality within the women folk and remain peripheral to government, business, international aid policy, and decision-making.

The following are the major consequence of non-inclusion of women in economic policies.

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<sup>27</sup> *ibid*

<sup>28</sup> Deprose Muchena, 'Africa is Rising!' (2012) 32 Rhodes Journalism Review <[www.rjr.ru.ac.za/rjrpdf/rjr\\_no32/Africa\\_is\\_Rising.pdf](http://www.rjr.ru.ac.za/rjrpdf/rjr_no32/Africa_is_Rising.pdf)> accessed 4 July 2017

<sup>29</sup> Alice Kanengoni, 'GDP is Macho and Keeps Women Poor (BUWA)' (2014) <<http://www.osisa.org/buwa/economic-justice/gdp-macho-and-keeps-women-poor-buwa>> accessed 29 June 2017.

<sup>30</sup> Masego Madzwamuse, 'Economic Justice as a Site for Women Empowerment' <[www.osisa.org/buwa/economic-justice/regional/economic-justice-site-women%E2%80%99s-empowerment](http://www.osisa.org/buwa/economic-justice/regional/economic-justice-site-women%E2%80%99s-empowerment)> accessed 29 June 2017

<sup>31</sup> Gitanjali Kumar and others, 'A Transformative Post-2015 Development Agenda' (2014) <[www.irforum.org/sites/default/files/publications/Retreat%20%233\\_BP%201%20Final%20Draft.pdf](http://www.irforum.org/sites/default/files/publications/Retreat%20%233_BP%201%20Final%20Draft.pdf)> accessed 28 June 2017

**3.1 Gender inequality** is one of the most important structural reasons why Africa has not reached its development goals on poverty reduction and other development targets.<sup>32</sup> Structural barriers and social norms such as patriarchy continue to limit women's potential to contribute to Africa's economic growth and sustainable development. From restrictive cultural norms to less access to technology, women around the world face unique challenges in gaining access to formal services.

Despite an accumulation of evidence that reducing inequality can actually strengthen economic growth, the political consensus about inclusive growth is still essentially an aspiration rather than a prescription. No internationally recognised policy framework and corresponding set of indicators or measurable milestones has emerged to guide countries wishing to construct a more socially inclusive economic strategy that recognises broad-based progress in living standards, rather than economic growth per se, as the bottom-line measure of national economic performance. It is therefore imperative that economic and social empowerment of women should be placed at the centre of strategies for building cohesive and dynamic economies.<sup>33</sup> Furthermore,

*“Equality between women and men is a matter of human rights and a condition for social justice and is also a necessary and fundamental prerequisite for equality, development and peace. A transformed partnership based on equality between women and men is a condition for people-centred sustainable development.”*<sup>34</sup> **(Excerpt from the Mission statement of the Beijing Platform for Action)**

This pattern of sexism is often justified by men for the ostensible reason that females are not sufficiently qualified for the more important and powerful positions, long regarded and preserved as the domain of men. Unsurprisingly however, there are cases of less qualified or unsuitable

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<sup>32</sup> Maya Fehling, Brett D Nelson and Sridhar Venkatapuram, 'Limitations of the Millennium Development Goals: A Literature Review' (2013) 8(10) Global Public Health Journal 1109-1122

<sup>33</sup> United Nations Economic Commission for Africa (UNECA), 'Assessing Progress in Africa toward the Millennium Development Goals - Food Security in Africa: Issues, Challenges and Lessons' (MDG Report 2013) <[www.undp.org/content/dam/undp/library/MDG/english/MDG%20Regional%20Reports/Africa/MDG%20Report2013\\_ENG\\_Fin\\_12June.pdf](http://www.undp.org/content/dam/undp/library/MDG/english/MDG%20Regional%20Reports/Africa/MDG%20Report2013_ENG_Fin_12June.pdf)> accessed 29 June 2017

<sup>34</sup> United Nations Women, 'Action for Equality, Development and Peace' (The United Nations Fourth World Conference on Women, Beijing, September 1995) <<http://www.un.org/womenwatch/daw/beijing/platform/plat1.htm#statement>> accessed 26 June 2017.

persons being elected and/or appointed to these positions that are not usually accessible to women, simply because they are of the male gender.

Domestic chores and activities are regarded as the 'natural' preserve of the female folk. Thus the patriarchal society emphasises a seemingly natural female adaptation to such duties (which are actually not natural but learned) as if the man is not so 'naturally' equipped and also incapable of learning those domestic skills. This is further exacerbated by the impression that women cannot and have not learned new skills apart from those associated with the feminine gender.

**3.2 Poverty:** An even greater challenge also highlighted in this paper is how to address the poverty status of women. Poverty among the female gender is in part caused by gender inequality and in particular the unequal distribution of income and control over productive resources.<sup>35</sup> Several systemic factors combine to drive women's poverty and gender inequality including traditional restrictions on women's property rights, lack of opportunities and social exclusion. The most damage created by women's economic exclusion, or inequality, is its effect on future generations and the creation of human capital. In countries with female economic exclusion, household income is often dependent on only one earner. As a result, households have less purchasing power and struggle to make ends meet. This often translates into less opportunity for younger generations and thus stagnant upward social mobility.<sup>36</sup>

In cases where women are heads of households in these countries, poverty is an almost certain outcome. Even in countries where women participate unequally, for instance, by doing the same jobs as men but receiving lower wages, households suffer. Although no country is completely free from this, the degree of the gender pay gap varies significantly depending on the country. According to the Organisation for Economic Co-operation and Development (OECD), for example, gender pay gap is much lower both New Zealand and Belgium than in the United States, and so is its impact. In particular, single-mother households are highly vulnerable to economic inequalities, as they have access to fewer resources. Younger generations from these households have a tough time developing their full capabilities. Thus, a considerable amount of

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<sup>35</sup> Stephanie Seguino and Maureen Were 'Gender, Development and Economic Growth in Sub-Saharan Africa' (2014) 23(1) Journal of African Economies; See also Hazel McFerson, 'Poverty among Women in Sub-Saharan Africa: A Review of Selected Issues' (2010) 11(4) Journal of International Women's Studies 50-72

<sup>36</sup> Angelika Arutyunova. 'Investing' in Women's Rights: Challenges and New Trends' (2012) 55(3) Development 305-310

human capital, which is key to innovation and creativity, is wasted.<sup>37</sup> As the global economy grows ever-more competitive, countries lacking human capital fall behind. Therefore, the impact of gender inequality goes from one generation on to the next one, strengthening poverty and undermining sustainable development.<sup>38</sup>

**3.3. Food Insecurity:** The Food and Agricultural Organisation has shown that women are the poorest set of humans in our society even though they account for more than 80 percent of food producers and 60 percent of labour force participation in Africa.<sup>39</sup> It is estimated that women account for two-thirds of the 1.4 billion people currently living in extreme poverty.<sup>40</sup> Across Sub-Saharan Africa, women are more likely to be living in poor households than men. Their poverty status makes them particularly vulnerable to food insecurity.<sup>41</sup> Women are more at risk of food insecurity than men, particularly in rural areas. Food insecurity among female-headed households is also an emerging challenge.<sup>42</sup>

**3.4 Education:** Education should be a policy goal for societies at all levels of development as it has an important role to play in shaping career aspirations, critical thinking, and attitudes toward problem solving and risk. Cultural change is also part of the process needed to encourage experimentation and learning instead of shunning failure, and to embrace entrepreneurs as creators of value in society. Lack of Education exposes women to a lot of risks “Vulnerability is not the same as poverty. It means not lack or want but defenselessness, insecurity and exposure to risks, shocks and stress.”<sup>43</sup>

Female education affects family health and nutrition, agricultural productivity, political, social, economic development and fertility, yet there is a wide gender gap in education due to some sociocultural defects. Lack of resources and pressures on time and energies put enormous

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<sup>37</sup> Stephen Klasen and Francesca Lamanna, ‘The Impact of Gender Inequality in Education and Employment on Economic Growth: New Evidence for a Panel of Countries (2009) 15(3) Journal of Feminist Economics 91-132

<sup>38</sup> Gabriel Ortiz-Barroeta, ‘Female Economic Exclusion and Inequality Leads to Underdevelopment’ (2014) <<http://blogs.worldlearning.org/now/2014/05/15/female-economic-exclusion-and-inequality-leads-to-underdevelopment/>> accessed 30 June 2017.

<sup>39</sup> Christopher Coles and Jonathan Mitchell, ‘Gender and Agriculture Value Chains: A Review of Current Knowledge and Practice and their Policy Implications (2011) Food and Agriculture Organization of the United Nations ESA Working Paper 11-05 <[www.fao.org/3/a-am310e.pdf](http://www.fao.org/3/a-am310e.pdf)> accessed 3 July 2017

<sup>40</sup> *ibid*

<sup>41</sup> *ibid*

<sup>42</sup> UNECA MDG Report 2013 (n 32).

<sup>43</sup> Robert Chambers, IPCC 2012, p. 2

constraints on the ability of women to maintain their own health and nutrition as well as that of their children. As a result, women are less well equipped than men to maximize their potential for development.

Women's participation in national educational systems is again biased due to the sociocultural and economic environments. More than two-thirds of Africa's illiterates are women.<sup>44</sup> Women are regarded as inferior to men and are not expected to aspire as high as men, especially in what are considered as 'male' fields (engineering, computing, architecture, medicine, etc.). It is largely assumed that educating women would make them too independent; in other words, they would not do what they are expected to do - look after the house, bring up children, and cater to the needs of their husbands.<sup>45</sup>

**3.5. Discriminatory Practices:** These are orchestrated mainly by religious and cultural norms. The religions of many African tribal societies conceived the position of women as complementary to that of men. However, the fact remains that the societies of pre-colonial Nigeria for instance believed men superior to women and, to some extent, in control of women.<sup>46</sup> According to Carolyne Dennis, "The religions of many Nigerian societies recognised the social importance of women by emphasising the place of female gods of fertility and social peace, but women were also associated with witchcraft which appeared to symbolise the potential social danger of women exercising power uncontrolled by men".<sup>47</sup> In societies that did not confine women to the household as the Hausa did, women held important roles in agriculture, manufacturing, and trade, and women also possessed an important, if restricted, religious role. However, religion also provided an important means of controlling women by explaining that women acting outside their appropriate social role, unconfined by men lead to dangerous results.<sup>48</sup>

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<sup>44</sup> United Nations, 'Overall Status of Women in Africa' <<http://archive.unu.edu/unupress/unupbooks/uu37we/uu37we0t.htm>> accessed 3 July, 2017.

<sup>45</sup> *ibid*

<sup>46</sup> Maria Rojas, 'Women in Pre-colonial Nigeria' (1990) 32 English <[www.postcolonialweb.org/nigeria/precolwon.html](http://www.postcolonialweb.org/nigeria/precolwon.html)> accessed 3 July 2017.

<sup>47</sup> *ibid*

<sup>48</sup> *ibid*; See also Nkiru Igbelina-Igbokwe, 'Contextualizing Gender Based Violence within Patriarchy in Nigeria' (2013) <[www.pambazuka.org/gender-minorities/contextualizing-gender-based-violence-within-patriarchy-nigeria](http://www.pambazuka.org/gender-minorities/contextualizing-gender-based-violence-within-patriarchy-nigeria)> accessed 4 July 2017.

Throughout the economy, women tend to hold lower-level positions than men even when they have sufficient skills to perform higher level jobs. Researchers have estimated that female agricultural labourers were usually paid 40 to 60 percent of the male wage.<sup>49</sup> Even when women occupy similar positions and have similar educational levels, they earn just 80 percent of what men do. The public sector hires a greater share of women than does the private sector, but wages in the public sector in some of these countries are less egalitarian despite laws requiring equal pay for equal work.<sup>50</sup>

### ***3.6. Unemployment/ labour policies***

There are major significant disparities in access to jobs and paid services for women. These high unemployment rates often coexist with a widespread shortage of skilled workers for available entry-level jobs, suggesting a misalignment between the skills composition of labour demand and labour supply which flows from lack of access to quality education for women<sup>51</sup>. Full employment, self-employment or adequately remunerated work is an effective method of combating poverty and promoting social integration and social inclusion.<sup>52</sup> When women have jobs, they automatically become stakeholders in the economic realm. Engagement in and access to the labour market is therefore the first and most important step in participation in the economic processes of society, and employment and self-employment are the most relevant aspects of economic inclusion. Employment also acts as a source of identity and gives access to a social network.

Exclusion of the women from the labour market and lack of gainful employment represents a major threat to social and economic inclusion and cohesion. The quality of employment has also deteriorated so that half of the labour force does not make enough money to escape

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<sup>49</sup> Cheryl Doss and SOFA Team, 'The Role of Women in Agriculture' (2011) Food and Agriculture Organization of the United Nations ESA Working Paper 11-02 <[www.fao.org/docrep/013/am307e/am307e00.pdf](http://www.fao.org/docrep/013/am307e/am307e00.pdf)> accessed 3 July 2017

<sup>50</sup> Madheswaran, S and Lakshmanasamy, T, 'Occupational Segregation and Earnings Differentials by Sex: Evidence from India' (1996) Gokhale Institute of Politics and Economics Journal <<http://dspace.gipe.ac.in/xmlui/bitstream/handle/10973/27914/av-1996-dec-3-abs.pdf?sequence=2&isAllowed=y>> accessed 20 June 2017.

<sup>51</sup> European Bank for Reconstruction and Development, 'Economic Inclusion Strategy (EIS 2017-2021)' <<http://www.ebrd.com/ebd-economic-inclusion-strategy.pdf>> accessed July 2 2017.

<sup>52</sup> United Nations Department for Economic and Social Affairs, 'Creating an Inclusive Society: Practical Strategies to Promote Social Integration' (2009) <[www.un.org/development/desa/dspd/2017egms/2016-expert-group-meetings-and-panel-discussions/2015-undesadspd-expert-group-meetings-panel-discussions/2009-2/practical-strategies-to-promote-social-integration.html](http://www.un.org/development/desa/dspd/2017egms/2016-expert-group-meetings-and-panel-discussions/2015-undesadspd-expert-group-meetings-panel-discussions/2009-2/practical-strategies-to-promote-social-integration.html)> accessed 26 June 2017.

poverty.<sup>53</sup> Women and young people are particularly affected. Where job growth has taken place, it has been concentrated in insecure, informal employment with low wages and few benefits.

## **4.0 SIGNIFICANCE OF WOMEN INCLUSION**

### **4.1 Boardroom Approach**

Many studies demonstrate that a critical mass of women on the board, not just tokenistic representation, leads to better financial results and a greater impact on boardroom dynamics.<sup>54</sup>

Women have played very significant roles in the development of nations even in Africa. This can be seen from the roles and positions women held in the past in Nigeria for instance. In the political history of ancient Zaria, the modern city of Zaria was founded by a woman called Queen BakwaTuruku in the 16<sup>th</sup> century. She had a daughter called Amina who later succeeded her as Queen. Queen Amina was a great and powerful warrior who built high walls around Zaria to protect the city from invasion and extended the boundaries of her territory beyond Bauchi. The people of Kano and Katsina paid tributes to her. She turned Zaria into a very prominent commercial centre.<sup>55</sup>

The story was not different in ancient Yoruba land. The Oba ruled with the assistance of a number of women referred to as the ladies of the palace. The ladies of the palace consisted of eight titled ladies of the highest rank. The significant role played by prominent women such as Moremi of Ife, Emotan of Benin and OmuOkwei of Ossomari in the pre-colonial history of Nigeria cannot be ignored. Moremi and Emotan were great amazons who displayed tremendous bravery and strength in the politics of Ife and Benin respectively, while OmuOkwei dominated the commercial scene of Ossomari in present day Delta State.<sup>56</sup>

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<sup>53</sup> United Nations Department for Economic and Social Affairs, 'Full and Productive Employment and Decent Work: Dialogues at the Economic and Social Council' (2006) <[www.un.org/en/ecosoc/docs/pdfs/ecosoc\\_book\\_2006.pdf](http://www.un.org/en/ecosoc/docs/pdfs/ecosoc_book_2006.pdf)> accessed 5 July 2017

<sup>54</sup> Aimee Hansen, 'Overdue Change? How Women Impact on Boardroom Dynamics and why Boards Need It' (2015) <<http://theglasshammer.com/2015/04/16/overdue-change-how-women-impact-on-boardroom-dynamics-and-why-boards-need-it/>> accessed 2 July 2017.

<sup>55</sup> John Olushey Obadiya, 'Nigerian Women And Development: Yesterday, Today And Tomorrow' (2009) <<http://obadiyajohn.blogspot.com.ng/2009/11/nigerian-women-and-development.html>> accessed 28 June 2017

<sup>56</sup> F I Omu and P K Makinwa, 'Government Policies and Population Growth in Nigeria' (1976) 1(4) International Family Planning Digest 9.

The impact of gender diversity on results/achievements has been repeatedly demonstrated. According to a recent article in Harvard Business Review, it was revealed that increasing the number of female directors' changes boardroom dynamics.<sup>57</sup> A French study found that women in boardrooms have 'significant and positive impact on economic performance' and that 'gender diversity reduces corporate inefficiencies and enables firms to come closer to their optimal performance.'<sup>58</sup> Studies show that corporations with more women in the boardroom experienced greater financial performance.<sup>59</sup>

A review of 22,000 audits performed in four countries on three continents by Ernest & Young in 2012<sup>60</sup> revealed that gender-balanced teams were much more successful than other teams.<sup>61</sup> The survey further showed that they did not just outperform other teams in quality – they also brought back better returns. Further research showed that companies with at least one woman on the board have a higher return on equity, higher earnings and a stronger growth in stock price than companies with all-male boards and brought diverse voices to the solution table.<sup>62</sup>

A case study of the Norwegian board room setting as exposed in Aaron Dhir's book,<sup>63</sup> illustrates the impact of having at least 3 women in the boardroom.<sup>64</sup> He identified seven effects of gender-based boardroom heterogeneity for work, governance, and group dynamics as the following:

- Enhanced dialogue
- Better decision making, including the value of dissent
- More effective risk mitigation and crisis management, and a better balance between risk-welcoming and risk aversion behaviour

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<sup>57</sup>The EgonZehnder Global Board Diversity Analysis (2016) <<http://www.egonzehnder.com/GBDA>> accessed 8 July 2017; See also, Laura Liswood, 'Women Directors Change how Boardrooms Work' (2015) <<https://hbr.org/2015/02/women-directors-change-how-boards-work>> accessed 8 July 2017

<sup>58</sup> Sven-Olov Daunfeldt and Niklas Rudholm, 'Does Gender Diversity in the Boardroom Improve Firm Performance?' (2012) <<https://ideas.repec.org/p/hhs/huiwps/0060.html>> accessed July 2 2017.

<sup>59</sup> Janice Ellig, 'The Female Tipping Point in the Boardroom' (2014) <[www.forbes.com/sites/womensmedia/2014/05/29/the-female-tipping-point-in-the-boardroom/#1ce75db643c8](http://www.forbes.com/sites/womensmedia/2014/05/29/the-female-tipping-point-in-the-boardroom/#1ce75db643c8)> accessed 2 July 2017

<sup>60</sup> Aimee Hansen (n 53)

<sup>61</sup> *ibid*

<sup>62</sup> On importance of gender diversity in the policy debate, there is still relatively little research linking diversity and corporate governance

See Andrew M Fields and Phyllis Y Keys, 'The Emergence of Corporate Governance from Wall St. to Main St.: Outside Directors, Board Diversity, Earnings Management, and Managerial Incentives to Bear Risk' (2003) 38(1) *Financial Review* 1-24; See also David A Carter, Betty J Simkins and Gary Simpson, 'Corporate Governance, Board Diversity, and Firm Value' (2003) 38(1) *Financial Review* 33-53

<sup>63</sup> Aaron Dhir, 'Norway Socio-legal Journey: A Qualitative study of Boardroom Diversity Quotas' in *Challenging Boardroom Homogeneity: Corporate Law, Governance and Diversity* (CUP 2015).

<sup>64</sup> *ibid*

- Higher quality monitoring of and guidance to management
- Positive changes to the boardroom environment and culture
- More orderly and systematic board work
- Positive changes in the behaviour of men

Dhir found that many women brought ‘a different set of perspectives, experiences, angles and viewpoints’ than their male counterparts. In his survey, board members also observed that female directors are ‘more likely than their male counterparts to probe deeply into the issues at hand’ by asking more questions, leading to more robust intra-board deliberations. Most women appeared to be uninterested in presenting a façade of knowledge and were loath to make decisions they did not fully understand. Female directors tended to foster a different approach to engagement – seeking the opinions of others and working to ensure everyone had a say in the matter. From the foregoing, it is clear that the importance of diversity in a decision making is paramount and cannot be overemphasised.

### ***5.0 Strategies / Models to Achieve Adequate Economic Inclusion***

Historically many groups have been excluded from mainstream economic and political life. In fact as a result of discriminatory practices at the local and national levels, women, youth, minorities, and informal sector operators are underrepresented in both employment and entrepreneurship activities.<sup>65</sup> Consequently, human capital development is low and untapped talents and assets are hidden. Between the highest growth start-ups and the subsistence enterprises of emerging economies, there is a broadening segment of small businesses and start-ups. A strategy to tap this potential and promote inclusion must select its goals from among multiple – often related and, at times, competing – considerations<sup>66</sup> as improving the business climate has become a priority for developing countries who are disproportionately affected by administrative burdens and unpredictable environments.<sup>67</sup>

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<sup>65</sup>Organisation for Economic Co-Operation and Development, ‘Promoting Entrepreneurship and Innovative SME’s in a Global Economy: Towards a more Responsible and Inclusive Globalisation’ (OECD Conference of Ministers Responsible for Small And Medium-Sized Enterprises (SME’s) Istanbul, June 2004) <[www.oecd.org/cfe/smes/31919590.pdf](http://www.oecd.org/cfe/smes/31919590.pdf)>accessed 7 July 2017

<sup>66</sup>Kim Bettcher and TeodaraMihaylova (n 1).

<sup>67</sup> OECD (n 64)

Another strategy is to implement institutional reforms that acknowledge the rights of women. Systemic barriers to the recognition of rights of women such as cultural and religious practices, resulting in weak property rights, affirmative actions, widespread corruption and an unpredictable regulatory environment inhibit job creation, penalise profitability, and restrict opportunity to those with better access to resources and influence.<sup>68</sup> The main idea is to bring women into mainstream politics and economy by formalising businesses, opening access to markets and financial services, and extending public services.<sup>69</sup> This is accomplished through legal reform, development of private networks, and public investments.

Promoting local development of communities, nurturing healthy entrepreneurial ecosystems, and linking them to national and global economies will enhance transformative economic inclusion as cities tend to provide the best setting for the organic development of entrepreneurial ecosystems.<sup>70</sup> Nurturing the development of multiple cities and regions across a country promotes diversification and reduces disparities. A focus on local ecosystems enables community actors to come together and build synergies from the ground up. The role and ability of local authorities to promote entrepreneurship and integrate these activities in the national framework is vital to the success of national economic plans that will factor in women.<sup>71</sup>

**Eliminating/Amending Discriminatory Laws and Practice:** Exclusion primarily stems from discrimination of individuals or groups on the grounds of their attributes, or social, economic or physical disadvantages. The act of discrimination is a violation of international human rights, as human rights ensure that every single human being is entitled to enjoy his or her rights without unreasonable distinction as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth, or other status.<sup>72</sup> Human rights are founded on respect

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<sup>68</sup> Rose Mary Wentling and Nilda Palma-Rivas, 'Current Status and Future Trends of Diversity Initiatives in the Workplace: Diversity Experts' Perspective' (1998) 9(3) Human Resource Quarterly Journal 235-253.

<sup>69</sup> European Commission, 'A Stronger Role of the Private Sector in Achieving Inclusive and Sustainable Growth in Developing Countries' (European Commission Communication COM(2014)263) <<https://ec.europa.eu/europeaid/european-commission-communication-com2014263-stronger-role-private-sector-achieving-inclusive-and-en>> accessed

<sup>70</sup> Kim Bettcher and Teodara Mihaylova (n 1)

<sup>71</sup> OECD (n 64)

<sup>72</sup> United Nations General Assembly Resolution 40/144 of 13 December 1985 on the Declaration of the Human Rights of Individuals who are not Nationals of the Country in which they live. UN Charter are Articles 1(3), 55(c) and 56 Universal Declaration on Human Right 1948 (UDHR), Article 26 of the Covenant on Civil and Political Rights (ICCPR, 1966), and the Covenant on Economic, Social, and Cultural Rights (ICESCR, 1966).

for the inherent dignity and worth of each person, and are applied equally and without discrimination to all people. Eliminating or amending customary laws or practices that are discriminatory will be the fundamental first step to lay the foundations for an inclusive society.

The second and third generation rights<sup>73</sup> are crucial for women's economic empowerment, the reason being that majority of rural populations in Africa are directly dependent on natural resources for their livelihoods.<sup>74</sup> As indicated in many literatures,<sup>75</sup> the majority of small scale farmers are women. Therefore, women rights movements need to shift their focus to economic and social cultural rights and push for basic principles of social justice and public obligation.<sup>76</sup> The status of women can only be enhanced if they progressively realise both their civil and political and their economic and social rights. Such a strategy would highlight areas that are critical for expanding opportunities for women particularly those who are most economically marginalised and vulnerable and support demands for state protection and enabling frameworks. This strategy has been termed as economic justice by some human rights scholars. Economic justice is defined in many ways.<sup>77</sup> According to the Centre for Social and Economic Justice,<sup>78</sup> economic justice is about the individual and the social order and ensuring that institutions are designed to provide fair equal opportunities for persons to earn a living and exchange good and services. All persons must have opportunities for meaningful work and income that provides them with adequate food, shelter and a level of living that contributes to

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<sup>73</sup> The second generation rights are socio-economic rights. They are not rights directly possessed by individuals but constitute positive duties upon the government to respect and fulfil them. They are embodied in Articles 22 to 27 of the Universal Declaration. They are also enumerated in the International Covenant on Economic, Social and Cultural Rights while the third generation rights "collective –developmental" rights of people and groups held against their respective states aligns with the final tenets of "fraternity". They constitute a broad class of rights that have gained acknowledgment in international agreements and treaties but are more contested than the preceding types (Sumner B. Twiss, *Global Ethics and Human Rights: A reflection*, 2004). They have been expressed largely in documents advancing aspirational "soft law" such as the 1992 Rio Declaration on Environment and Development and the 1994 Draft Declaration of Indigenous People's Rights.

<sup>74</sup> Masego Madzwamuse, 'Economic Justice as a Site for Women's Empowerment' (2015) <[www.osisa.org/buwa/economic-justice/regional/economic-justice-site-women%E2%80%99s-empowerment](http://www.osisa.org/buwa/economic-justice/regional/economic-justice-site-women%E2%80%99s-empowerment)> accessed 28 June 2017.

<sup>75</sup> United Nations Department of Economic and Social Affairs, 'Achieving Gender Equality, Women's Empowerment and Strengthening Development Cooperation' (New York 2010) <[www.un.org/en/ecosoc/docs/pdfs/10-50143\(e\)\(desa\)dialogues\\_ecosoc\\_achieving\\_gender\\_equality\\_women\\_empowerment.pdf](http://www.un.org/en/ecosoc/docs/pdfs/10-50143(e)(desa)dialogues_ecosoc_achieving_gender_equality_women_empowerment.pdf)> accessed 7 July 2017

<sup>76</sup> ibid

<sup>77</sup> United Nations Department of Economic and Social Affairs, 'Social Justice in an Open World The Role of the United Nations' The International Forum for Social Development (New York 2016) <[www.un.org/esa/socdev/documents/ifsd/SocialJustice.pdf](http://www.un.org/esa/socdev/documents/ifsd/SocialJustice.pdf)> accessed 20 July, 2017.

<sup>78</sup> Centre for Social and Economic Justice, 'Defining Economic Justice and Social Justice' <[www.cesj.org/learn/definitions/defining-economic-justice-and-social-justice/](http://www.cesj.org/learn/definitions/defining-economic-justice-and-social-justice/)> accessed 7 July 2017.

their good health.<sup>79</sup> A critical element is for all people to have equal access to material foundations for active economic sustenance.

Economic justice is dependent on three essential principles which govern both the social and economic order in a society and they include the principles of social, distributive and participative justice. Social Justice is the equal distribution of wealth, opportunities, and privileges within a society<sup>80</sup> and distributive justice is a concept that addresses the ownership of goods in a society. It assumes that there is a large amount of fairness in the distribution of goods. Equal work should provide individuals with an equal outcome in terms of goods acquired or the ability to acquire goods.<sup>81</sup> Participative Justice will be examined below to enhance the understanding of Economic inclusion.

Participative justice has been interpreted as requiring equal opportunity in gaining access to private property in productive assets as well as equality of opportunity to engage in productive work.<sup>82</sup> In this context, it requires that every person be guaranteed by societal institutions the equal human right to make a contribution to the economy both through labour and through productive capital. This principle fundamentally rejects exclusionary social barriers drawing on the principle of social justice which is based on fairness.<sup>83</sup> The implication is official policies should result in equal allocation of benefits among participants of the economy the assumption is markets can deliver distributive justice.

The interpretation of participative justice above takes an apolitical perspective which ignores the fact that a social and economic order is driven by powerful actors with interest in the economy. Those interests are what drive inequality, economic marginalisation, poverty and inequality. It is on this note that some literatures have concluded that economic theory is inadequate in defining the desirable degree of equality in the distribution of wealth and income and suggests that

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<sup>79</sup>Colleen Lundy and Katherine van Wormer, 'Social and Economic Justice, Human Rights and Peace' (2007) 50(6) Sage Journals 727-739.

<sup>80</sup> Bryan A. Garner, Black's Law Dictionary, 9<sup>th</sup> edn, 943.

<sup>81</sup> Anthony Jordan, 'Distributive Justice: Definition, Theory, Principles & Examples' <<http://study.com/academy/lesson/distributive-justice-definition-theory-principles-examples.html>> accessed 27 June 2017.

<sup>82</sup>M V Lee Badgett (n 20)

<sup>83</sup>UN DESA (n51)

drawing knowledge from philosophers and political economist will deal with these concepts.<sup>84</sup> The paper aligns itself with the thoughts of Lundy and van Wormer who believes that government institutions should to secure economic justice for women and other marginalised sectors of the society and also that advocacy should be a central strategy to confronting discrimination, oppression and institutional inequities.<sup>85</sup>

The above therefore goes beyond the mainstream interpretations of distributive and participative justice which is mainly concerned with the nature of individual economic relations and allocating benefits of an economic system according to merit, rank and essential needs. It looks into both the processes within an economic system and its impacts on the society. Emphasis is placed on observations made by Amartya Sen, affirming that individuals are essentially social beings and socioeconomic integration is a crucial process through which a just economic system can be attained.<sup>86</sup>

This interpretation is particularly useful for purposes of both understanding the structural drivers of women's economic marginalisation and drawing recommendations for strategic shifts that are required.

## **6.1 TOWARDS CENTRIC /ACTIONABLE INCLUSION POLICIES IN AFRICA**

Strong economic growth is the end product of improved living standards. The extent to which economic growth broadens improvements in economic opportunity and living standards are influenced by an interdisciplinary mix of structural and institutional aspects of economic policy, going well beyond the two areas most commonly featured in discussions about inequality: education and redistribution. Appreciation of the crucial role of institutions – particularly legal frameworks and public agencies that administer rules and incentives – in the development process has grown in recent decades, supported by an expanding body of research and practical experience. In fact, economic institution building has been a crucial part of the development path of essentially every country that has industrialised and achieved high living standards. However, development is a complex and multidisciplinary process – many conditions

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<sup>84</sup>John Oliver Wilson, 'Socioeconomic Justice' (1989) < <http://www.rohan.sdsu.edu/~rbutler/justice.htm> > accessed 3 July 2017.

<sup>85</sup> Lundy and van Wormer (n 78)

<sup>86</sup>Amartya Sen, *The Idea of Justice* (Belknap Press 2009)

need to be fulfilled in order for widespread poverty to be replaced by ever-rising middleclass prosperity and this process of institutional deepening occurs across a wide spectrum of domains.<sup>87</sup> The best way to serve marginalised groups is to include them in the design of policies and programs for inclusion while at the same time building organisations and networks for outreach. Stakeholder engagement supports demand-driven policy formation and allows interested groups to own the change process. Thus, tools and channels to engage marginalised groups are essential.

Gender mainstreaming, the main strategy recommended by the Beijing Platform of Action that was endorsed by the UN member states in the 1995 Fourth World Conference on Women, has to be consistently linked to the goals of gender equality and equity embodied in the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW). Gender mainstreaming has been encouraged in many countries for about two decades and yet the goal of gender equality is still far from being achieved and not even monitored adequately.<sup>88</sup> Many, especially in governments which have often been the main focus of assistance in this strategy, seem already content with the gender mainstreaming being done thinking this is enough. However, the impact of gender mainstreaming has to be assessed against the goals of gender equality and equity. It is also essential that other sectors in addition to governments should also be encouraged and assisted to undertake gender mainstreaming to widen the commitment among all sectors to the achievement of these goals.

A more peculiar problem in the traditional African environment is the lack of property rights which prevents women from investing in businesses or obtaining finance. Often, discrimination is reflected in practice more than in the law due to gender-specific implementation gaps.<sup>89</sup> Customary practices can be at odds with formal property and land rights, with a strong effect on women's productivity.<sup>90</sup> Women are also disproportionately affected by economic informality.

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<sup>87</sup> Richard Samans and others, 'The Inclusive Growth and Development Report' (World Economic Forum 2015) <[www3.weforum.org/docs/WEF\\_Forum\\_IncGrwth.pdf](http://www3.weforum.org/docs/WEF_Forum_IncGrwth.pdf)> accessed 26 June 2017

<sup>88</sup> Rosa Linda T. Miranda, 'Impact of Women's Participation and Leadership on Outcomes' (2005) <[www.un.org/womenwatch/daw/egm/eql-men/docs/EP.7\\_rev.pdf](http://www.un.org/womenwatch/daw/egm/eql-men/docs/EP.7_rev.pdf)> accessed 10 July 2017.

<sup>89</sup> Carmen Niethammer, 'Women, Entrepreneurship, and the Opportunity to Promote Development and Business' (Brookings Blum Roundtable Policy Brief 2013) 37

<sup>90</sup> Marya Buvinić, 'A Roadmap for Promoting Women's Economic Empowerment' (United Nations Foundation and ExxonMobil 2014) 39 <[www.worldbank.org/en/events/2014/04/21/roadmap-for-promoting-womens-economic-empowerment](http://www.worldbank.org/en/events/2014/04/21/roadmap-for-promoting-womens-economic-empowerment)> accessed 7 July 2017

Economic opportunity for women begins with equal treatment in the workplace, a safe work environment, and provisions for child care and maternity leave.<sup>91</sup> The next challenge is to ensure that young women make the transition from education to the workforce and business. This large gap facing youths affects young women disproportionately.<sup>92</sup> Women-owned businesses already contribute significantly to the global economy and there is no shortage of talent among female entrepreneurs. What is necessary is to encourage women to set their entrepreneurial ambitions higher.<sup>93</sup>

## ***7.0 The Role of the law***

This section examines what role the law has and should play in enhancing a centric economic inclusion of women in Africa.

### *7.1 International law and the duty of government to adhere*

There are core, legally binding international human rights treaties within the United Nations human rights system, which can be effectively applied to promote inclusion of women. These are: Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and Protocol to the African Charter on Human and Peoples' Rights on the Rights of women in Africa (the African Women's Protocol).

CEDAW was adopted by the United Nations General Assembly in 1979.<sup>94</sup> The Convention obliges States parties, in general, to "pursue by all appropriate means and without delay a policy of eliminating discrimination against women" (art. 2). It reaffirms the equality of human rights for women and men in society and in the family; it obliges States parties to take action against the social causes of women's inequality; and it calls for the elimination of laws, stereotypes, practices and prejudices that impair women's well-being. It also calls for the elimination of discrimination against women in the field of employment, "in order to ensure, on a basis of equality of men and women, the same rights" (art. 11, para. 1). It also calls upon States to ensure

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<sup>91</sup>OECD (n 64)

<sup>92</sup>Buvinić, (n 89) 47.

<sup>93</sup>Lesla Mitchell, 'Overcoming the Gender Gap: Women Entrepreneurs as Economic Drivers' (Kauffman Foundation, September 2011)

<sup>94</sup>United Nations General Assembly Resolution 34/180 of 18 December 1979 on the Convention on the Elimination of All Forms of Discrimination against Women Adopted <[www.ohchr.org/Documents/ProfessionalInterest/cedaw.pdf](http://www.ohchr.org/Documents/ProfessionalInterest/cedaw.pdf)> accessed July 17, 2017

that women in rural areas have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform (art. 14, para. 2 (g)).<sup>95</sup>

The Protocol to the African Charter on Human and Peoples' Rights on the Rights of women in Africa (the African Women's Protocol) adopted by the African Union in 2003 affirm the equality of men and women and prohibit all forms of discrimination against women.<sup>96</sup>This protocol has been signed and ratified by 36 countries out of the 54 Countries. Article 2 of this protocol provides for the Elimination of Discrimination against women in all fields because of her sex. it provides that states Parties undertake to combat all forms of discrimination against women at all levels and in all field. Article 5 provides that States Parties shall prohibit and condemn all forms of harmful practices which negatively affect women's human rights and are contrary to recognised international standards. It calls on state parties to take all necessary legislative and other measures to eliminate such practices, including: a. creation of public awareness in all sectors of society regarding harmful practices through information distribution, formal and informal education and outreach programmes;Article 9 calls for women's Right to Participation in the Political and Decision-Making Process and oblige state parties to take specific positive action by enacting laws that clearly stipulate and encourage the participation of women in the political life of their countries on equal footing with men. These affirmative actions, national legislation and other measures are to ensure that: women participate without any discrimination in all elections;that women are equal partners with men at all levels of development and in the implementation of development policies and programme; States Parties shall ensure increased and effective representation and participation of women at all levels of decision-making Article 12 provides for the Right to Education and Training and acalls on all states Parties to takeappropriate measures to ensure that young girls and boys are guaranteed equal opportunity and access to education and success.<sup>97</sup>

Article 13 obliges States Parties to enact laws to guarantee equal opportunities for women and men in work and career advancement and access to other economic opportunities.<sup>98</sup>

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<sup>95</sup>ibid

<sup>96</sup> Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa [www.achpr.org/files/instruments/women-protocol/achpr\\_instr\\_proto\\_women\\_eng.pdf](http://www.achpr.org/files/instruments/women-protocol/achpr_instr_proto_women_eng.pdf) accessed 17 July, 2017.

<sup>97</sup> ibid

<sup>98</sup> ibid

Article 15 is on the right to Food Security, and calls on States Parties to ensure that women have the right to nutritious and adequate food and take appropriate measures to provide women with access to clean drinking water, sources of energy for cooking, land, and the means of producing nutritious food. They also mandate states parties to ensure that women are allowed access to cultivable land for crop production, establish adequate systems of supply and storage to ensure food security, guarantying that women never lack necessary foods for themselves and their familiesetc.<sup>99</sup>

Article 17 is on the Right to live in a Positive Cultural Context in an environment where the practices, attitudes and behaviours accepted by the culture of the community have no harmful consequences (are positive for all human beings). Women also have the right to ensure that their ideas about these practices are taken into account by their community, village or district and the entire country. It therefore calls on States Parties to take all appropriate measures to enhance the participation of women in the formulation of cultural policies at all levels.<sup>100</sup>

The vital question to ask here is the level of adherence to this protocol on the African Continent. It is rather abysmal to know that most African countries have not completely adhered to the provisions of this protocol by way of domestication and implementation.<sup>101</sup> On harmful cultural practices only countries like In Malawi, Gambia and Ghana has enacted laws criminalizing acts such as Female Genital Mutilation.<sup>102</sup>The CEDAW is no different as most of the countries that signed and ratified the Convention have not domesticated it; example of such country is Nigeria. In addition, there are many other universal instruments relating to human rights, including the Universal Declaration of Human Rights(UDHR) that prohibits all forms of discrimination based on sex and ensures the right to life, liberty and security of person; it recognizes equality before the law and equal protection against any discrimination in violation of the Declaration.<sup>103</sup>

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<sup>99</sup>Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (fn95).

<sup>100</sup> *ibid*

<sup>101</sup> Status of Implementation of the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa By Justice Lucy Asuagbor Commissioner, Special Rapporteur on the Rights of Women in Africa (African Commission on Human and Peoples' Rights) 60TH MEETING -COMMISSION ON THE STATUS OF WOMEN 18 March 2016 New York [www.peaceau.org/uploads/special-rapporteur-on-rights-of-women-in-africa-presentation-for-csw-implementation.pdf](http://www.peaceau.org/uploads/special-rapporteur-on-rights-of-women-in-africa-presentation-for-csw-implementation.pdf)> Accessed July 13, 2017.

<sup>102</sup> [http://www.achpr.org/files/sessions/58th/state-reports/6th-2011\\_2014/namibia\\_state\\_6th\\_periodic\\_report.pdf](http://www.achpr.org/files/sessions/58th/state-reports/6th-2011_2014/namibia_state_6th_periodic_report.pdf) 89 .Seel also Criminal Offences (Amendment) 2012 of Ghana available at <http://www.refworld.org/pdfid/44bf823a4.pdf> (accessed on 15 March 2016). 11[http://www.achpr.org/files/sessions/57th/state-reports/1st-1983-2013/sierra\\_leone\\_state\\_report\\_eng.pdf](http://www.achpr.org/files/sessions/57th/state-reports/1st-1983-2013/sierra_leone_state_report_eng.pdf)

<sup>103</sup> Universal Declaration on Human Right, <[www.ohchr.org/EN/UDHR/Documents/UDHR\\_Translations/eng.pdf](http://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/eng.pdf) > Accessed July 19, 2017

There are also instruments that address the rights of those that belong to the vulnerable<sup>104</sup> and other conventions such as Convention on Civil and Political Rights (ICCPR), Convention on Economic, Social and Cultural Rights (ICESCR), Convention on the Elimination of All Form of Racial Discrimination<sup>105</sup> (CERD), Convention on the Rights of the Child (CRC), Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), Convention on the Rights of Persons with Disabilities (CPRD), and Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICPMW)<sup>106</sup>.

### *7.2 Effective implementation of existing laws and a formulation of policies along the frame work of the law:*

The legal system inherited from the colonial era placed many obstacles on the way of women's self-advancement and participation in national development. For instance, married women had to obtain their husband's written permission to obtain international passports in many African societies.<sup>107</sup> Until very recently,<sup>108</sup> women were not allowed to stand as sureties to bail for a suspect in Nigeria. In 2011 Malawi passed the Deceased Estates (Wills, Inheritance and protection) Act. This Act repealed the Wills and Inheritance Act which posed a number of challenges especially for women after the death of their husbands. The Act is therefore deemed a milestone in addressing the predicament of women and children in as far as the administration of deceased estates is concerned<sup>109</sup>. In Sierra Leone the Chieftaincy Act encourages women to

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<sup>104</sup> Adopted by General Assembly Resolution 46/91 of 16 December 1991

<sup>105</sup> Here, "racial discrimination" is defined as "any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life

<sup>106</sup> United Nations Office of the High Commissioner, 'International Human Rights Law' (2017) <[www2.ohchr.org/english/law/index.htm#core](http://www2.ohchr.org/english/law/index.htm#core)> accessed 10 July 2017

<sup>107</sup> *Dr. PriyeIyalla-Amadi V Comptroller-General, Nigerian Immigration & Anor.* A major judicial landmark was recorded in Nigeria on June 1, 2009 in Port Harcourt. The Honourable Justice G.K. Olotu of the Port Harcourt Division of Federal High Court gave a judgment that threw out as unconstitutional the entrenched age-old oddity that required married women obtain their husband's consent before acquiring or renewing their international passports. The judgment, says the lawyer who argues the case, is the first one that addresses institutional discrimination against women by a state agency. Reported in *Thisday Lawyer* June 23, 2009

<sup>108</sup> This position was changed by Administration of Criminal Justice Act, 2015.

<sup>109</sup> Lucy Asuagbor, Status of Implementation of the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa, 60TH Meeting -Commission on the Status of Women, 18 March 2016 New York

contest for Paramount Chieftaincy. Before this law, chieftaincy was a male domain controlled by traditional norms and values.<sup>110</sup>

The Senegalese Parity law passed in 2010 requires all political parties and coalitions to avail equal numbers of men and women on their candidate list.<sup>111</sup> Another example is the Constitution of Kenya which prohibits either gender from constituting more than two thirds of any elected body; this means women must make up at least one-third of all elective public bodies within Kenya's political arena.<sup>112</sup> Rwanda and Malawi and Democratic Republic of Congo are also no different to the above developments.<sup>113</sup>

### **7.3 The role of the courts in interpretation of the laws:**

The courts should be more liberal in the interpretation and application of the Fundamental Objectives and Directive Principles of State Policy<sup>114</sup> with judicial activism also employed. Directive Principles are classified under economic and socialistic, political and administrative, justice and legal, environmental, protection of monuments and peace and security.

The judicial activism of the courts can be seen in the Nigerian case of *Ukeje v Ukeje*<sup>115</sup> where the Supreme Court voided the Igbo law and custom that forbids a female from inheriting her late father's estate, on the grounds that it is discriminatory and conflicts with the provision of the constitution. The South African Constitutional Court in *Bhe v Magistrate, Khayelitsha* declared unconstitutional and invalid the African customary rule of male primogeniture which only allows

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<sup>110</sup> Sierra Leone Country Gender Profile October 2011 , African Development Bank Group report page 16

<sup>111</sup> S Faye Breakthrough for Women in Senegal's Lower House available on <http://www.ipsnews.net/2012/08/breakthrough-for-women-in-senegals-lower-house/>> Accessed July 14, 2017

<sup>112</sup> Implementing the Protocol on the Rights of Women in Africa: Analysing the Compliance of Kenya's Legal Framework available on [www.soawr.org/sites/default/files/ml-implementing-protocol-womens-rights-africa-010314-en.pdf](http://www.soawr.org/sites/default/files/ml-implementing-protocol-womens-rights-africa-010314-en.pdf)> Accessed July 17, 2017.

<sup>113</sup> Maputo Protocol, A journey to equality available on <[www.equalitynow.org/sites/default/files/MaputoProtocol\\_JourneytoEquality.pdf](http://www.equalitynow.org/sites/default/files/MaputoProtocol_JourneytoEquality.pdf)> [www.achpr.org/files/sessions/58th/state-reports/6th-2011-2014/namibia\\_state\\_6th\\_periodic\\_report.pdf](http://www.achpr.org/files/sessions/58th/state-reports/6th-2011-2014/namibia_state_6th_periodic_report.pdf)> Accessed July 12, 2017 Republic of the Congo 2014 Human Rights Report (2014) 21 available at <[www.state.gov/documents/organization/236560.pdf](http://www.state.gov/documents/organization/236560.pdf)> (accessed on 14 March 2016). See also South Africa Constitution Section 9.on access to justice for women, The Malawian Constitution on Womens Right to Education. <[www.achpr.org/files/sessions/56th/state-reports/1-1995-2013/malawi\\_state\\_report\\_eng.pdf](http://www.achpr.org/files/sessions/56th/state-reports/1-1995-2013/malawi_state_report_eng.pdf) 79>

<sup>114</sup> The Fundamental Rights, Directive Principles of State Policy and Fundamental Duties are sections of the Constitution of most countries that prescribe the fundamental obligations of the State to its citizens and the duties of the citizens to the State, see Chapter 2 of the 1999 Constitution of Nigeria(as amended), see also Part IV (Article 36-51) of the Constitution of India, These provisions are not enforceable by any court, but the principles laid down therein are considered irrefutable in the governance of the country, making it the duty of the State to apply these principles in making laws to establish a just society in the country. The principles have been inspired by the Directive Principles given in the Constitution of Ireland relate to social justice, economic welfare, foreign policy, and legal and administrative matters.

<sup>115</sup>(2014) LEPLR SC/ (2014) 11 NWLR (PT.1418) 384

an oldest male descendant or relative to succeed the estate of a deceased man.<sup>116</sup>Civil society organisations (CSO's) are encouraged to do more in pressurising their government. In the case of Nigeria, the CSO's can pressurise the State Houses of Assembly to domesticate the Supreme Court judgment and pass it as a law in every part of Nigeria. However, beyond expecting the courts to enforce chapter II, the civil society, particularly the labour movement component should realise that it has a responsibility in advocating and taking practical actions to actualise implementation of socio-economic rights

## **8.0. CONCLUSION**

In conclusion, it has been said that women are unevenly treated in African society and it has also been said that for women to be duly represented in decision making body, they must be included in economic policies, empowered by eliminating social constraints which negate environment parity. The idea of empowerment within the context of this paper goes beyond political and financial empowerment as is usually talked about. It covers education, health, equal employment opportunity, level playing fields etc. The implication of this is that for an even political structure to be in place where men and women can compete with one another equally, there is the need for a political collective behaviour revolution that recognises 50% affirmative action plan.

A centric inclusion policy is a call for ending poverty, addressing global inequalities and “leaving no one behind” by “supporting vulnerable groups, achieving gender equality and the empowerment of women and girls. Economic justice is required to level the playing field and facilitate gender equality. This can only be achieved through structural interventions that will empower women and a concerted focus on changing their socioeconomic status. This paper has outlined strategies for promoting economic inclusion with a focus on women. Effective approaches to the challenges of inclusion involve entrepreneurs and other stakeholders (including marginalized or underrepresented groups) in the solutions. Individual empowerment and market-based reforms should be combined to create diverse, expanding entrepreneurial ecosystems.

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<sup>116</sup>2005 (1) SA 580 (CC), Second Periodic Report Under The African Charter On Human And People`S Rights And Initial Report Under The Protocol To The African Charter On The Rights Of Women In Africa. <[www.achpr.org/files/sessions/58th/state-reports/2nd-2002-2015/staterep2\\_southafrica\\_2003\\_2014\\_eng.pdf](http://www.achpr.org/files/sessions/58th/state-reports/2nd-2002-2015/staterep2_southafrica_2003_2014_eng.pdf)> Accessed July 14, 2017