Gender Inequality, Human Rights, and Poverty in Liberia:

An Assessment and Proposed Path Forward

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I. Introduction

2011 was an important year for Liberian women. The small West African country attracted international attention when two of its prominent female leaders, Ellen Johnson Sirleaf and Leymah Gbowee, received the Nobel Peace Prize for their efforts to secure the security and rights of women, and for their contributions to Liberia’s post-civil war peace-building process. Upon receipt of the prize, Gbowee, who helped end Liberia’s second civil war through her leadership of the Women of Liberia Mass Action for Peace movement, told Committee members “By this act you affirm that women's rights are truly human rights and that any leader, nation or political group that excludes women from all forms of national and local engagement is setting themselves up for failure.”

One month after the presentation of the Peace Prize, Liberian women again made headlines when Johnson Sirleaf, Africa’s first-ever elected female head of state, was reelected to the presidency with a 91% margin in the runoff. Although she faced domestic criticism for the corruption plaguing her administration and slow pace of reform, Johnson Sirleaf was—and continues to be—admired by the international community for her contributions to ending the second civil war and for her political prominence as a woman.

Beyond the visible success of Johnson Sirleaf and Gbowee, other factors contribute to Liberia’s perceived success as a country that actively supports women: several government offices, including the Ministries of Finance, Justice, and Commerce, are headed by women; Johnson Sirleaf helped enact a law that criminalized rape and established a special “Rape Court” for victims of the crime; and women now have greater property and custodial rights than many of its neighboring countries due in part to the Johnson Sirleaf administration.

Nevertheless, in spite of having produced such prominent women and seemingly progressive policies, the overall position of women in Liberia is disheartening: maternal mortality in Liberia is among the highest in the world; over fifty-percent of Liberian women have never attended any school; and in spite of having a female executive, overall female participation in government is low, with only 13.5% female representation in the National Legislature. Unlike neighboring countries such as Burkina Faso, Mali and Ghana, Liberia does not have a quota system to increase female representation in government, nor have there been any concrete legal reforms to structurally advantage female candidates.

This contradiction between a small group of elite Liberian women and the relatively disadvantaged female masses underscores the tremendous amount of work necessary to effect broad, transformative change for Liberian women. While the country rightfully cheers the achievements of Johnson Sirleaf, Gbowee and their counterparts, empowering a few is far from sufficient. In what follows, I will explore the broader topic of gender equality in Liberia by answering three broad question: First, I seek to explain why gender equality matters, from both a rights-based perspective and a practical outcomes-focused perspective. Next, I build a case outlining why we should be concerned about the status of women in Liberia. Finally, in response to what is arguably the most difficult question—what might be done?—I suggest several ways in which the Government of Liberia, the broad “development community” and individuals in Liberia and beyond might redress these challenges.

As an issue at the intersection of culture, religion, societal norms, economics, and law, gender equality is not easily established nor enforced, and we must be realistic in our analysis. Nevertheless, to give up on gender equality because it is “difficult” is to give up on the rights, well-being, and opportunity of half of the world’s population. The onus is thus on all those
positioned to effect change—from the poorest Liberian woman who decides to follow-through with a course of vaccinations for her child, thereby increasing that child’s later prospects for health, education and income, to the World Bank employee who considers the gender-related consequences of loans—to ensure that gender equality in Liberia and beyond remains a priority issue.

II. Why Does This Matter? The Importance of Gender Equality from a Rights-Based and Outcomes-Based Perspective

There may come a day when one no longer has to make the case for gender equality; certainly that is the aspiration. Until we reach that stage, however, two lines of argumentation are most effectively employed: a rights-based argument and an outcome-focused argument. I will briefly review both.

First, however, it is important to distinguish what we mean when we say “gender equality,” as this affects how we engage theoretical arguments in support of equality, as well as our analysis of current obstacles and possible solutions.

A Rights-Based Approach to Gender Equality

“Gender” in this context refers to the physical characteristics associated with being male or female, as well as the social attributes generally associated with being male or female. I will use UN Women’s definition of gender equality:

“[Gender equality refers to] the equal rights, responsibilities and opportunities of women and men and girls and boys. Equality does not mean that women and men will become the same but that women’s and men’s rights, responsibilities and opportunities will not depend on whether they are born male or female.”

–UN Women, Concepts & Definitions of Gender Mainstreaming

When I say “gender equality,” therefore, I am not simply referring to a verbal commitment by a government or society to equality; rather, I am referring to the actual practice of equal rights, responsibilities, and particularly, opportunities, which is precisely where many societies fall short. The phrase “women’s rights” refers to a woman’s right to non-discrimination in “education, employment and economic and social activities” (from the 1979 UN Convention on the Elimination of All Forms of Discrimination Against Women), as well as her right to non-discrimination in health (including reproductive health), political participation, property and legal rights, religious, and marital/parental rights. Put differently, I define “women’s rights” as equal opportunity to: “[accumulate] endowments (education, health, and physical assets); the use of those endowments to take up economic opportunities and generate incomes; and the application of those endowments to take action, or agency (from the World Bank’s 2012 Gender Report). Note that this definition emphasizes non-discrimination in opportunity, although equality of outcomes is arguably the more important, although harder to measure, metric.

Historical Underpinnings of Gender Equality
I now turn to the theoretical underpinnings of gender equality and ask whether the broad category of “women’s rights” ought to be considered “human rights,” and if so, how that would contribute to the debate in the Liberian context. Today, there is global precedent for the idea that women’s rights are indeed human rights, however it took many years for this idea to develop. The 1948 UN Declaration of Human Rights notably employed gender-neutral language so as to establish gender equality as a principle—a precedent followed by many of the subsequent treaties and declarations. The 1979 UN Convention on the Elimination of All Forms of Discrimination Against Women draws a link between women’s rights and human rights by affirming that discrimination against women prevents women from enjoying their full set of human rights. As one of the ten human rights treaty bodies of the UN, the recognition of this linkage was helping to propel the movement for women’s equality and currently has 99 signatories. viii The convention did not, however, go as far as to equate women’s rights with human rights; rather, it spoke of women’s rights as a necessary precondition to the achievement of the full set of human rights. ix

In the early 1990’s, first the UN’s Vienna Declaration & Programme of Action and then the UN’s Beijing Platform for Action affirmed that women’s rights are human rights, stating: “The human rights of women and of the girl-child are an inalienable, integral and indivisible part of universal human rights.” x Today, there is widespread understanding among international organizations that women’s rights are part and parcel of human right’s, and that the two should always be treated as synonymous; that gender-based abuses ought to be treated as human rights abuses. xi This treatment of human rights is consistent with the “universalist” approach to rights, which affirms that a broad set of rights are inalienable and should not be formulated, separated, or manipulated in a way to advance specific outcomes.

Freedom From Poverty as a Human Right?

Yet as we apply this understanding to the Liberian context, it is important to distinguish between two different considerations: the first is whether equality between men and women—meaning that women are not subject to discrimination on the basis of their gender—is a human right. As explained above, there is now ample precedent among international organizations that this is indeed the case, and that the subjugation of women on the basis of their sex is a violation of human rights. The second issue is which rights of men (which, according to this argument, should necessarily be extended in the same manner to women) ought to be considered human rights. In Liberia this is particularly relevant as we ask whether freedom from poverty (and what degree of poverty, at that) is a human right, and we question the extent to which the human rights framework is both valid and productive in the context of opportunity creation for Liberian women.

The debate surrounding the second question of poverty alleviation and human rights is complex and generally distinct from (although intricately linked to) questions about women’s equality and human rights. The most efficacious way to distill the arguments in this debate and evaluate their applicability in the Liberian context is to briefly turn to two frameworks of human rights, a minimalist conception and a more robust understanding of rights.

Those who believe in the “moral minimum” understand human rights as “possessed by all human being....simply in virtue of their humanity...[with] properties of universality, independence, naturalness, inalienability, non-forfeitability, and imprecriptibility.” As understood by John Rawls, Michael Walzer and others, such rights include subsistence, physical
security, and sufficient liberty to sustain “meaningful freedom,” yet they do not include individual rights, such as a right to liberal democratic freedoms. To this end, Liberian men—and, following the above arguments, women as well—ought to have their basic needs met, thereby enabling them to “access” other non-minimal goods, such as more advanced education, greater freedom in occupation, and greater mobility. xii

If women do not have their minimal needs met because they are female, the principle violation would be with regard to the women’s right to subsistence; not the violation of the principle of gender equality. However, that Liberian women are broadly underrepresented in political office would, under this definition, not be a violation of one’s minimal rights, as political rights and the right to equality exceed the limits of minimalism.

A second way of conceiving human rights is with a stronger framework, whereby a robust set of human rights are viewed as having a universal quality, and poverty is evidence of a “massive underfulfillment of human rights.” xiii Under this relatively expansive definition, the same goods associated with moral minimalism—the attainment of basic social and economic human rights (e.g. sufficient housing, food, health for survival)—are necessarily a component of this conception of rights, but so are more “advanced” forms of rights, including civil and political rights.

For example, someone like Thomas Pogge conceives of human rights in an expansive manner and believes that human rights are not only a negative duty (freedom from want), but also a positive duty (imperative to act), while Fernando Tesón would argue that from the original position, we would all agree to protect the rights of individuals. Amartya Sen, meanwhile, conceives of development as a rightful end onto itself, thus the phrase “human right” is extended to a number of development outcomes, from gender equality to education. These arguments imply that our shared humanity generates at least a weak moral claim to always assist those in need of help, and would certainly support the position of the UN on human rights:

“Human rights are indivisible. Whether of a civil, cultural, economic, political or social nature, they are all inherent to the dignity of every person. Consequently, they all have equal status as rights, and cannot be ranked in a hierarchical order. Human rights are interdependent and interrelated. The realization of one right often depends, wholly or in part, upon the realization of others. For instance, realization of the right to health may depend, in certain circumstances, on realization of the right to education or information”

– UN Rights-Based Approach, Statement of Common Understanding xiv

As such, using our earlier examples, those who subscribe to this more expansive, universalist approach to human rights would clearly view the case of a Liberian woman being severely impoverished because of her gender as a human rights violation on both the grounds of gender discrimination and her severe poverty, and they might also view the underrepresentation of Liberian women in political office as a violation of human rights, on the grounds that the inability to exercise the full suite of political rights (including participation in government) is indicative of a violation of human rights.

Thus we arrive at some degree of consensus on whether gender discrimination constitutes a fundamental violation of human rights: international organizations generally assert this to be true, and under both the minimalist and more robust conception of rights, there is agreement that when fundamental necessities (e.g. subsistence) are not met regardless of the cause, this too constitutes a violation of human rights. The discrepancy is how expansive each definition is in its
understanding of “basic needs,” as well as the “maximalist’s” additional qualifications about gender equality as a fundamental human right. Nevertheless, there is a strong case for conceiving gender equality—particularly as it relates to humanity’s most primal, basic needs—as a human right, and the absence of these principles in places like Liberia as a violation of human rights.

For those who care about human rights, global poverty relief and the broader issue of gender equality, regardless of whether it is viewed through a human rights lens or in its own regard, these arguments alone constitute a duty to take action. According to these frameworks, the mere existence of gender inequality, and particularly, of gender inequality contributing to even more extreme poverty compels some form of redress. Yet alongside the rights-based argument for both gender equality and poverty alleviation in Liberia (and again I emphasize that the two are effectively indivisible, although they were teased apart earlier for the purposes of clarifying different theoretical approaches to rights), there is also a compelling set of “outcome-based” arguments for gender equality that promote the advancement of women not only because it is morally right, but because it is politically and economically efficient. I now turn to those arguments in order to put forth a more comprehensive case for the importance of gender equality, particularly in developing countries such as Liberia.

“Outcome-Based” Arguments for Gender Equality

UN Women concisely articulates the link between gender equality, human rights, and the question now at hand, development outcomes, in saying “Equality between women and men is seen both as a human rights issue and as a precondition for, and indicator of, sustainable people-centered development.”

In what follows, I outline several well-established links between gender equality and development outcomes, all of which underscore the idea that equality is a precondition for development, peace and security.

There is significant evidence supporting the important role women can play in promoting economic development:

- When female farmers are provided with equal access to inputs (seeds, fertilizer) and technology as men, overall yields improve by 20 to 30 percent. It is estimated that if female farmers were given the same inputs, they could singlehandedly eliminate hunger for 100 to 150 million people worldwide. xv
- Were the present-day population of women fully integrated into the formal economy, it is estimated that the global impact would be akin to adding 1 billion new workers. xvii
- For countries that engage in extensive international trade (such as Liberia), gender equality makes the country more competitive due to the dramatic increase in the labor force. xviii

Similarly, there is growing evidence that for households in which the woman is relatively empowered, the outcomes for children of that household improve:

- When women control a greater proportion of household resources, health and education outcomes for children (particularly girls) improve, decreasing the burden on governments and international aid organizations. For example in India, when the woman were able to take advantage of increased employment opportunities the chances
that the girls ages 5-15 were enrolled in and attending school increased by 3 to 5 percentage points. Moreover, the girls had higher body mass index and were up to 10% more likely to hold a wage-paying job. xix

- When a household is free from domestic violence, the children are significantly less likely to perpetrate or experience domestic violence when they are adults. According to the 2012 World Bank report on Gender Equality and Development, “men who had witnessed domestic violence in childhood were two to three times more likely than other men to perpetrate violence.”

With regard to security, evidence shows women’s empowerment can dramatically improve outcomes:

- Over 50% of all peace agreements fail within 10 years, in part because agreements are often negotiated by a small number of male ex-combatants who lack the foresight to address critical societal needs that ensure lasting peace.” xx

- When women are involved in these negotiations, the outcomes are generally more sustainable, more supportive of democratic governance, and more conducive to full post-conflict demobilization, repatriation, and reconciliation.xxi

- When empowered, women have played a critical role in predicting and preventing war. A key example of this was during the recent conflict in South Sudan.

- When women are involved in peace processes, they are often able to curtail the horrific “side effects” of war, including sexual violence against women, by devising strategies to protect the women and/or disarm and demobilize the men.

Finally, with regard to political participation, evidence suggests that women do more to consolidate democracy and advance development outcomes when they are politically empowered.

- According to the 2012 World Bank Gender Equality and Development report, politically empowered women can “can change policy choices and make institutions more representative of a range of voices.” The report cites the example of women’s suffrage in the US, which focused policymaker’s attention on children’s health and decreased infant mortality by 8-15%.

- The report also emphasizes that women policymakers are generally less prone to corruption.

These facts are representative of a growing pool of research about the impact of women’s equality on development outcomes. While there is not yet conclusive evidence to suggest that gender equality directly leads to economic growth, improving the status of women generally improves family-level outcomes, adds GDP to the economy, increases the overall quantity of economic output (e.g. food), and contributes meaningfully to the country’s security. This positive relationship between women’s empowerment and development outcomes is another important way in which one can defend the importance of gender equality, even in places that may, for deep-seated religious or cultural reasons, be less inclined to support the advancement of women.
As such, when coupled with the rights-based approach to development, there are compelling reasons why gender equality and the overall status of women in a given country is deeply important. That this issue is arguably even more pressing in developing countries, where inequality is often most pronounced and opportunities for improved development outcomes are greatest, further underscores the importance of gender equality in Liberia.

III. Why Should We Be Concerned? An Overview of Gender Inequality in Liberia

I now will review the specific case of Liberia, with an eye toward better understanding both the status of women and girls in Liberia as well as possible factors that may contribute to this gender inequality. The relatively bleak position of Liberian women will be cast into sharp relief when contrasted with Rwanda, a country that shares a background of a recent violent civil war, destruction, and sexual violence, yet was able to dramatically improve the position of women through pro-equality policies and laws. Although the population of Rwanda is over twice that of Liberia and although the two countries are located in differing parts of the African continent, the similarities in their recent history lends itself to a comparative analysis.

The Status of Women in Liberia and the Comparative Case of Rwanda

Located on the western coast of Africa, Liberia is a country of approximately 4 million people with an average per capita income of $200 and a national GDP of approximately $1B. The country relies on exports and foreign aid and carries a large quantity of external debt stock, estimated at $230 million. (See Table 3). The Liberian society is comprised of roughly equal numbers of men and women, even in spite of the two recent civil wars, yet as will be discussed, Liberian women are systematically worse-off than their male counterparts.

Human Development Indicators

On one hand, Liberian women comprise the backbone of the society: women account for roughly 55% of the economy (in both the formal and informal sectors) and are estimated to be responsible for over 80% of trade, over 60% of agricultural output, and the vast majority of household chores. xxii The Comprehensive Food Security and Nutrition Survey estimates that “33% of (Liberian) household’s income was jointly generated by men and women, 33% by men only and 16% by women.” xxiii

Furthermore, Liberian women are almost always the primary caretakers of children and are thereby entrusted with the health and well-being of the next generation of citizens. Their income is usually dedicated to welfare of the household, including the provision of basic foodstuff for the children and men in the home.

Yet concurrent to the responsibilities shouldered by Liberian women, they remain relatively disadvantaged and relegated to diminished roles in the economy and in society. Of the Liberian women who have some form of employment, 47% are engaged in “informal nonagriculture” (including trade and small-scale processing) and 46% are involved in agriculture. Only 7% of employed Liberian women have employment within the formal, nonagriculture sector. xxiv According to the UN and the Government of Liberia, this “clustering” of female employment in the less productive sectors of the economy results in “low productivity,
meager earnings and exposure to exploitation.” xxv Put differently by Liberia-focused researchers, “Women (in Liberia) do more household work than men, women’s market work is undervalued, and the greatest rewards for market work accrue to men.” xxvi

These statistics are not unlike those of many other sub-Saharan African countries, including Rwanda, the “exemplar” in gender equality in certain areas, although Rwanda does outperform Liberia with 14% of working Rwandan women employed in the formal sector. xxvii

The “underemployment” of Liberian women is symptomatic of and contributes to poor levels of human development. Only 8% of Liberian women have completed secondary school, in contrast to 19.6% in Rwanda and the average of 29.7% across sub-Saharan Africa. xxviii Literacy among women between 15-49 is 40%, as compared to 70% for their male counterparts and 60% for Rwandan women (72% for Rwandan men). In rural areas, literacy among Liberian women is only 26%. xxix

Health outcomes among Liberian women are equally troubling. Maternal mortality in Liberia is among the highest in the world at 994/100,000 births from the period of 2007-2010xxx, as compared to 750/100,000 births in Rwanda. By the time they are 18, 48% of Liberian women have already become pregnant, a rate that is dramatically higher than that of Rwanda, where approximately 6% of women under 19 are pregnant or have children. xxxi Additionally, The HIV rate among Liberian women is 1.8%, as compared to 1.2% among Liberian men, due in part to the widespread use of rape as a weapon of war during Liberia’s two civil wars (1989-1996 and 1999-2003). xxxii (See Table 2).

Women and the War(s)

The impact of the Liberian civil wars on women is worthy of its own discussion, as there has been a significant amount of research focusing on the central role of women in these wars. Briefly, Liberian women were both the worst victims and most important change-agents of the wars, particularly the most recent civil war. It is estimated that the proportion of Liberian women who experienced sexual or gender-based violence during or after the second civil war is between approximately 80-93%. xxxiii Approximately 72% of Liberian women interviewed in a 2005 survey by the World Health Organization (WHO) responded affirmatively to the statement: “(Were you) forced or threatened with harm to make you give oral sex, anal sex or vaginal sex?” xxxiv Table 2 displays the full results of the WHO survey. The rampant nature of gender-based violence during and after the most recent civil war has had profound effects on the status of women in Liberia. As a 2007 UN Development Assistance report explains,

“The war exacerbated gender inequality in Liberia; a vast majority of women and girls suffered various types of violence including sexual abuse and gender-based violence, forced sex in exchange for food and survival, forced and early marriage and unwanted pregnancies due to rape. In 2006, rape remained the most frequently reported crime in Liberia... Gender-based violence (including rape) substance abuse and increased violence have left most young people with psychosocial trauma.”


At the same time, however, women also played a remarkably important role in both civil wars, and in particular, in bringing about an end to the second civil war. During the early days of the first war, Liberian women operating through the “Women in Peacebuilding Network”
(WIPNET) organized marches and demonstrations for peace, and ultimately attended the peace talks that helped bring about the short-lived peace. xxxv

During the second civil war, WIPNET intensified its efforts, ultimately organizing the now-famous “Women of Liberia Mass Action for Peace Campaign” which helped bring about the end of the war. Nobel Peace Prize winner Leymah Gbowee organized this effort, which included public singing and praying for peace at markets, marches in support of nonviolence and ultimately a direct confrontation between Gbowee and the recently-indicted, then-President and instigator of violence, Charles Taylor, during which he committed to peace talks. xxxvi Women were also instrumental in accelerating the disarmament and reintegration processes

Today, women are largely viewed as having played the central role in ending the most recent civil war, which makes their relatively disadvantaged position in Liberian society even more tragic. The mass atrocities perpetuated against women during the civil wars, the critical role of women in ending the war, and the ascension of Ellen Johnson Sirleaf to the presidency in the 2005 elections all suggest that the empowerment of Liberian women ought to have been made a priority over the past seven years. And indeed, Johnson Sirleaf purposefully appointed several women to prominent positions in her cabinet, including appointing women to lead the Ministries of Finance, Law, Commerce and Industry, Gender and Development, and Youth and Sports. xxxvii She also noted that she had planned to create an exclusively female cabinet but was not able to find women to fill every role. xxxviii However in spite of these efforts, Liberian women are not only faring badly in terms of human development indicators, but they are also underrepresented in politics and offered few legal protections.

Women and Political Participation

With regard to political participation, excepting the prominent position held by Johnson Sirleaf and a small number of ministers, Liberian women are unrepresented across every level of politics, with 13.5% representation in the legislature, 10.3% across the ministries, 8% in the judiciary, and only 5.3% in Liberian national bureaus and agencies. xxxix Liberia ranks 90th in the world in terms of female representation in the legislature; this is in spite of the roughly equal registration and turnout of female voters during the 2005 elections. xl Returning to the comparative case of Rwanda, we see significantly higher proportions of female representation in all levels of their political systems. Following the trauma of the 1994 genocide, xli women accounted for 25% of Rwanda’s Parliament (through appointment). When the first post-genocide elections were held in 2003, female representation was at almost 50%. Today, Rwanda leads the world in terms of female representation in legislature, with 56.3% representation in the lower house of parliament and 34.6% representation in the upper house. xlii Additionally, women in Rwanda now hold over one third of all cabinet positions (including the position of foreign minister, police commissioner general and Supreme Court head). Almost 55% of registered voters in Rwanda are now women.

How has Rwanda achieved such impressive results in integrating its women into politics? Briefly, Rwanda has enshrined a commitment to gender equality in its Constitution, affirming not only the “equal rights between Rwandans and between women and men without prejudice to the principles of gender equality and complementarity in national development,” but also a newly-created gender quota of “at least 30 percent of posts ‘in all decision-making organs.”” xliiv Additionally, Rwanda has experimented with an electoral system that systematically advantages women. Those seats reserved for women in the lower house are contested in women-only
elections, and a national system of women’s councils (of which the members are also elected in women-only elections) now operate in parallel to general local councils and are tasked with representing women’s concerns and interests. Furthermore, the women’s council head actually serves on the general local council. xlv

By contrast, the electoral system and constitution of Liberia are constructed in a way that is not only devoid of specific measures to advantage women, but may actually disadvantage women (and other “minority” groups) in elections. Liberia’s constitution does not impose any kind of gender quota and, in fact, the 2010 proposal to reserve 30% of political seats for women was defeated in the legislature on the grounds that it would “discriminate against men,” thereby violating the 18th Article of the Liberian constitution which enshrines equality of opportunity. xlvii Liberia’s unwillingness to enact gender quotas—which are not only widespread in sub-Saharan Africa (see Exhibit 1) but are also used by over 30 additional countries worldwide—belie an incomplete commitment to gender equality.

The lack of a gender quota is exacerbated by the country’s electoral system. xlviii Liberia uses a majoritarian system with single-member electoral constituencies—a system which has been shown to disadvantage women and minorities. xlviiixlviii A 2005 United Nations report demonstrated that “14 of the 20 top nations in which women are significantly represented in parliament use quotas and the list PR system,” yet Liberia does not engage in either of these practices. xlviiixlviiixlviii

Women and the Law

Finally, in what is perhaps the most disheartening aspect of the struggle for Liberian gender equality, the legal system in Liberia is not established in a way that would protect and promote women, nor are the legal enforcement mechanisms sufficiently robust so as to ensure justice. ¹ Although women are guaranteed equality in the Liberian Constitution and in other pieces of legislation, the state’s capacity to ensure these ideals are met is limited. li As explained in a 2009 UN report:

“Access to justice however, is limited for most Liberians due to the very low capacity of the judicial branch of government. Moreover, Liberia operates a dual legal system, one that applies modern written law and a traditional system that applies customary law. Women are particularly vulnerable due to the edicts of the customary law as they are generally treated as minors.”

–Government and UN Joint Programme: Gender Equality and Women’s Economic Empowerment Republic of Liberia

Given the historical and ongoing plight of women in Liberia, particularly with regard to sexual and gender-based violence, one might expect strong legal protections for women. And indeed in 2006, Johnson Sirleaf helped institute a new law that made rape illegal for the first time in Liberia (previously only gang rape was illegal). In 2008, a special court (Court E) dedicated exclusively to the prosecution of accused rapists was established in Monrovia, however there are widespread reports that it is underfunded, facing a substantial backlog of cases, and consequently cannot bring the vast majority of perpetrators to justice. lii Further, members of “Lawyers of the Liberia Bar Association” have even been agitating to overturn the law, claiming that the law is unfair to and “wicked against defendants.” liii
Across several other important dimensions—family law, property rights, and inheritance law—women in Liberia receive relatively few protections under both the state’s legal code and customary law, even in spite of recent changes. For example, the minimum legal age of marriage for Liberian women is 18, as compared to 21 in Rwanda, and many women are married years before their 18th birthday. As explained by an OECD report:

“In reality, the custom of early marriage is very widespread, especially in rural areas, where girls marry from the age of just 12 or 13 years. A 2004 United Nations report estimated that 36 per cent of girls between 15 and 19 years of age were married, divorced or widowed. There has been a slight increase in the average age of first marriage in Liberia. Liberia’s civil law prohibits polygamy but customary law allows men to have several wives; more than one-third of married women between 15 and 49 years of age live in polygamous marriages.”

--Gender Equality and Social Institutions in Liberia, OECD

Similarly, according to customary law, married Liberian women have no right to parental standing, meaning that if a Liberian woman’s husband dies, she has no legal claim to her children (this is not the case in the government’s legal code). Similarly, under customary law, women have no rights of inheritance (including of land and property), although this is not the case according to Liberia’s civil law. By contrast, the 1999 Inheritance and Martial Property law in Rwanda guarantees equal inheritance, although again due to the prevalence of customary law, only 60% of Rwandan widows received a full inheritance. Notably, the population in Rwanda was almost 70% female immediately following the genocide of 1994, which is one of the factors contributing to the relative empowerment of Rwandan women vis-à-vis their counterparts in Liberia. Today, however, the gender ratio is down to 104 women for every 100 men—an average ratio for sub-Saharan Africa—and yet the post-genocide gains achieved by women.

Implications and Possible Causes of Gender Inequality in Liberia

It is important not to lose sight of the broader implications of this deluge of statistics about Liberian women. Recognizing that generalizations should be used with caution, there are several broad takeaways from this data:

• First, women in Liberia play an important role in the economy yet receive disproportionately few benefits from their participation.

• Additionally, the overall level of human development among Liberian women (meaning health, education, and living standards) is extremely low, particularly when contrasted with women in Rwanda.

• The second civil war was particularly devastating for Liberian women, as the longstanding inequalities “assumed a different and diabolical posture” in which females were used as a weapon of war. Sexual violence was, and unfortunately still is, shockingly prevalent, leaving deep scars on the psyches of Liberian women and girls.

• One possible cause and consequence of this relatively disadvantaged status is that excluding the notable exception of Johnson Sirleaf and a small number of Ministers,
Liberian women are marginalized in politics. Attempts to reform the Constitution and/or electoral law to redress this concern have been roundly defeated by vocal opponents.

- Another cause and consequences of the relatively low level of human development among Liberian women is that the law (particularly customary law, but also the government’s law) offers few protections.

Naming specific causes of this inequality is arguably even more challenging than generalizing about the implications of women’s disadvantaged status. The precise roots of discrimination against women in a given country are nearly impossible to identify, as discrimination can stem from a mixture of factors, including religious values, ethnic tradition, cultural and societal norms, and economic incentives. In the case of Liberia, there has been some degree of consensus about the most important factors underlying gender equality:

- Scholars hypothesize that the “traditional culture” in Liberia, as reinforced by customary law, underlies some of this inequality. Tax As the Ministry of Gender and Development explains, “Many Liberians (women and men) hold rigidly to cultures which cushion traditional gender role relations, and women’s subordinate position in the Liberia society.” lxix

- Additionally, socially-constructed gender roles perpetuate inequality. By that scholars mean, “girls and boys, women and men are socialized into taking different roles in society,” which in turn are “transferred to schools, public life, institutions and work places,” further reinforcing gender inequality. lx

- The tremendous burden women shoulder in the household, the fields, and in reproductive work limits their ability (and time) to participate in the formal economy and consequently, in decision-making. lxi

- Such disparities are further reinforced by the limited education women received, which is in part a consequence of the disadvantaged status of women, and in part stems from the other obligations that are prioritized by Liberian women, such as child-rearing and subsistence farming. lxii

- Finally, in spite of the government’s will to redress this inequality, a lack of resources and implementation capabilities has hindered progress. lxiii

IV. What Might Be Done? A Proposed Path Forward

The case for action in Liberia is clear. The disadvantaged position of women in the country is well-documented, and there is ample evidence supporting the importance of gender equality from both a rights-based as well as outcomes-oriented perspective. UN Deputy Secretary General Asha Rose Migiro nicely summarizes the importance of equality: “When women are empowered, all of society benefits.” lxiv

Furthermore, we know that there is a virtuous cycle between development and women’s empowerment: when women achieve greater equality, they contribute disproportionately to the development of society, and when society is more developed, it is easier for women to achieve
such equality, in part because their time is no longer wholly devoted to child-rearing and manual labor. The structure of this “positive feedback loop” is conducive to targeted interventions that may be able initiate the development process.

Much has been written about the types of interventions that are most effective at sparking sustainable development; indeed organizations such as the Jameel Poverty Action Lab (J-PAL) are wholly devoted to the evaluation of development programs and policies. The following recommendations draw on J-PAL’s research, as well as the research of other development organizations such as the World Bank, UNDP, and Liberia’s own Ministry of Gender and Development (MoGD). Many but not all of these strategies are already in the implementation phase in Liberia, thus these recommendations should complement rather than replace ongoing efforts. It is also worth noting that the resources for these programs will come almost exclusively from international donors and organizations, as aid to Liberia represents over 700% of government spending (the precise figure was 771% in 2008).^lxv

**Gender Mainstreaming Across the Government**

At all levels of government, gender mainstreaming—an approach to achieving gender equality by “ensuring that gender perspectives and attention to the goal of gender equality are central to all activities”—should be not only required, but also emphasized and appropriately funded. ^lxvi This includes:

- **Articulation of gender goals**, with specific near and long-term achievement targets and clearly-defined metrics. While the MoGD releases periodic strategy reports with the stated goal of “gender equality,” the reports are generally lacking short-term goals and metrics. These goals should be adopted by each relevant ministry or agency, and should be routinely discussed, reported on, and reassessed as necessary.

- **Refinement and entrenchment of gender-specific reporting**, data sharing, and data analysis to support gender mainstreaming.

- **Comprehensive training** of all government employees on all elements of gender mainstreaming, including goals, metrics, measurement tools, reporting, and consequences/incentives to support this change.

- **Additional resources devoted to research, evaluation and reporting** of all gender mainstreaming initiatives and policies.

- The Ministry of Gender and Development has recommended that each agency/ministry **appoint a designated gender-focused employee** whose task is to ensure gender mainstreaming is being appropriately implemented and to look for additional opportunities to advance policies that support gender equality. This is a prudent recommendation that is worthy of implementation.

**Development-Focused Initiatives**

Following the second civil war, significant resources from international organizations and donors were channeled into the establishment of programs that support economic development and reconstruction. Today, in part through the work of the MoGD, many of these development initiatives focus on the advancement of women. Alongside the ongoing work of the MoGD,
investment ought to be made in high-potential initiatives that support the development of women:

- **Increased economic opportunity** through: the provision of farming inputs (e.g. high-performing seeds, fertilizer, access to land); free training for women that teach skills necessary in the formal economy (e.g. basic computer and telephone skills, service delivery); partnerships with multinational corporations working in Liberia (e.g. Chevron) to ensure a proportion of their employees are Liberian women; the passage of laws that make workplace discrimination illegal; a reduction in barriers to labor force entry via partnerships with NGOs that provide childcare services while the women are at work.

- **New sources of capital and credit for women**, be it through microfinance, cash transfers, or low-interest private-sector lending.

- **Improved educational outcomes for women** by: ensuring that education is free, compulsory and enforced for girls through primary school, and that substantial investments are made to encourage girls to complete secondary school. Research demonstrates that the installation of toilets in schools alongside prestige and money-based incentives can dramatically increase the attendance and completion rates of girls. Additionally, the school curriculum should include lessons that address the equal status of girls and boys, women and men, so as to counteract discriminatory messages students may hear outside of the classroom.

- **Better health outcomes for women** through: additional investments in women’s health clinics that specialize in primary care and reproductive health; education campaigns about HIV/AIDS that seek to not only teach methods of prevention but also address the stigma associated with the disease; the establishment of free rape and sexual violence centers that provide medical care and support to women who have endured this form of abuse; investments in maternal health (e.g. training for birth attendants, establishment of emergency obstetrics care centers); education campaigns that promote vaccinations.

**Means of Increasing the Political Participation of Women**

As discussed, redressing the low rate of overall female participation in government will likely require:

- **Electoral reform** that institutes a plurality rather than majoritarian electoral system

- **The extensive use of quotas to ensure that women are represented in all levels of government.** Research shows that the effects of quotas tend to “stick,” such that relatively higher female representation in government persists even after quotas are removed. This suggests that quotas could be a short rather than long-term strategy.

- Additionally, **political training for women, potentially including small start-up grants for** campaigns may help women overcome the initial barriers to running for office
• **Voter education and mobilization** campaigns may help ensure that women are elected, even to non-reserved seats.

**Law Reform**

While several important pro-women laws have been enacted in recent years, awareness and enforcement of these laws remains low. As such, reform should focus on both improving and enforcing laws. This may require:

• A **full review of current the current legal code** to highlight laws that are wholly or partially discriminatory.

• An **ongoing reform of “problematic” laws** to ensure that they no longer disadvantage women. Specific notice should be paid to **property and inheritance rights, family law (including child custody), and employment law.**

• **Increased female representation among judicial officers, administrators,** and other low-level officials who enforce these laws.

• The **dedication of additional resources to the court system,** and particularly to Court E that is theoretically responsible for prosecuting convicted rapists.

• The Government of Liberia may also consider **enacting additional equality laws** that address existing gaps and convey the seriousness of the government’s commitment to women’s rights.

• Finally, any reform in the law should be accompanied by a **widespread education campaign** to ensure both men and women are aware of the new standards.

These recommendations are by no means comprehensive and indeed, many of these proposals are already being implemented by the Government of Liberia and its international partners. At a minimum, the list ought to be discussed by those at the MoGD and the Ministries of Planning and Finance to ensure that programs addressing each of these concerns are either in place or are in the planning phases. Ideally, this list would be part of a broader cross-Ministry discussion that involves individuals of all ranks, up through the level of the Cabinet and the Presidency.

Finally, efforts will need to be prioritized, as Liberia simply does not yet have the resources, capabilities or the political will to simultaneously implement all of these programs. The discussion of priorities is perhaps the most urgent next step the Government and its partners can take. It is extremely difficult to pit women’s health versus their political representation versus their prospects of employment, as indeed, reforms are needed across all of these categories and they are intricately interconnected. High-quality education is a critical enabler of all of these initiatives and thus may be the most logical starting point.

**V. Conclusion**

Gender inequality is but one challenge currently facing Liberia—others include the extreme discrimination against gay and lesbian Liberians, the generally low levels of human
development, even for men, and the still-fragile nature of the post-conflict peace. Gender equality is also not easily achieved: indeed few things are more challenging than shifting a society’s social norms, constructs and roles. However this equality is important—critically important, even—to the peace, prosperity and justness of Liberia, and rather than viewing incremental change as “insufficient,” it should rather be viewed as a step toward undoing generations of wrongdoing.
Endnotes


vi ---.


xv Hannan, Carolyn. “Gender Mainstreaming: Strategy for Promoting Gender Equality.”


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xx Disney, Abigail. “Women, War and Peace.” As broadcast on PBS, Fall 2011.


xxiii ---.

xxiv Liberia Gender-Aware Programs and Women’s Roles in Agricultural Value Chain UNDP


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Lviii ___.

Lix ___.

Lx ___.

Lxi ___.


