

ADVANCING GENDER JUSTICE IN AFRICA: LEGAL FRAMEWORKS, MOVEMENTS, CHALLENGES, AND OPPORTUNITIES FOR TRANSFORMATIVE CHANGE

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ABSTRACT

This article examines the institutional and practical dimensions of advancing gender justice in Africa, focusing on gender justice movements, legal frameworks, persistent challenges, and emerging opportunities. Through content analysis and philosophical hermeneutics, it analyses the role of key instruments such as the Africa Gender Justice Charter, the Maputo Protocol, and the Pan-African Parliament's Model Law on Gender Equality and Equity. The discussion highlights the contributions of traditional leaders, faith communities, and collective action, while addressing implementation gaps, rising anti-gender pushback, and intersectional barriers. The paper concludes with recommendations for strengthening enforcement, gender-responsive transitional justice, and decolonial community-led approaches to achieve sustainable gender equity across the Continent.

Keywords: Gender justice, legal frameworks, Maputo Protocol, Africa Gender Justice Charter, grassroots movements, transitional justice, implementation challenges, decolonial feminism

INTRODUCTION

The pursuit of gender justice in Africa has entered a critical phase where legal and institutional advancements must translate into tangible transformation on the ground. While reinterpretation of traditional norms provides a culturally resonant foundation for change, as explored in related analyses (e.g., Uchenna, 2026; Udenigwie, 2026), sustainable progress also demands robust movements, harmonised legal frameworks, and effective enforcement mechanisms. Despite notable gains in constitutional reforms, gender quotas, and ratifications of continental instruments, persistent implementation gaps, rising anti-gender pushback, and intersectional barriers continue to hinder full realisation of women's and girls' rights (International Institute for Democracy and Electoral Assistance, 2024; Tamunomiegbam & Arinze, 2024; African Union, 2025).

This article examines the institutional and practical dimensions of advancing gender justice across the continent. It focuses on dynamic gender justice movements, key legal frameworks such as the Africa Gender Justice Charter, the Maputo Protocol, and the Pan-African Parliament's Model Law on Gender Equality and Equity, as well as the evolving roles of traditional leaders, faith communities, and collective action. By analysing progress alongside persistent challenges, including patriarchal norms, economic exclusion, gender-based violence, and shrinking civic space, the paper identifies opportunities for localised, participatory transformation. It concludes with targeted recommendations that emphasise strengthened enforcement, gender-responsive transitional justice, and decolonial community-led approaches to foster equitable and cohesive societies.

The paper is structured as follows. First, it outlines the theoretical framework underpinning the analysis, drawing on legal pluralism, social movement theory, and decolonial feminism. Next, it examines gender justice movements and legal frameworks in Africa, highlighting key instruments and the roles of traditional leaders, faith communities, and grassroots collective action. This is followed by a synthesis of intersectional challenges and emerging opportunities for transformation. The article then presents concrete recommendations before concluding with reflections on the path toward sustainable gender equity.

THEORETICAL FRAMEWORK

The advancement of gender justice in Africa rests on a synthesis of legal-institutional theory, social movement theory, and decolonial perspectives that together address both structural barriers and enabling mechanisms for change. Legal pluralism theory provides a vital lens for understanding the interaction between formal statutory law, regional human rights instruments, and customary systems that continue to shape gender relations in many African contexts (Ndulo, 2017; Tchoukou, 2025; Campbell & Swenson, 2016). Instruments such as the Maputo Protocol and the Africa Gender Justice Charter illustrate efforts to harmonise these layers while prioritising the elimination of discriminatory practices. Social movement theory highlights how grassroots activism, women-led organisations, and strategic alliances with traditional and faith leaders generate bottom-up pressure for policy reform and norm change (Bouilly et al., 2016; UN Women, 2024). These movements succeed when they combine advocacy with community dialogue, reframing gender equity as compatible with cultural values and communal well-being.

Decolonial feminism further enriches the framework by critiquing colonial legacies that rigidified patriarchal structures and by centring African agency in reclaiming indigenous knowledge for contemporary justice (Udenigwe, 2026). Culturally sustaining approaches emphasise that effective leadership and institutional reform must nurture rather than erase local identities. Collectively, these perspectives underscore that legal frameworks and movements achieve lasting impact only when they integrate universal protections with context-specific strategies, bridging state accountability with community ownership.

GENDER JUSTICE MOVEMENTS AND LEGAL FRAMEWORKS IN AFRICA

Gender justice movements in Africa have evolved into dynamic, multi-layered platforms that challenge systemic patriarchal inequalities while advocating for inclusive policy reforms across governance, land rights, economic participation, and protection from violence. These movements draw strength from grassroots activism, women-led organisations, regional networks, and strategic engagement with international and continental human rights instruments. Central to their efforts is the recognition that gender equality requires not only legal protections but also cultural and institutional transformation.

The Africa Gender Justice Charter and Beyond

One of the most influential frameworks guiding gender justice efforts is the 2003 Africa Gender Justice Charter, developed by the International Land Coalition (ILC). Launched as a

comprehensive set of guidelines, the Charter empowers ILC members, civil society organisations, networks, and platforms across the continent to promote gender equality, particularly in land governance where women face disproportionate barriers to ownership, control, and inheritance (ILC, 2024). The Charter emphasises systemic change through gender audits, inclusive decision-making, and community-level advocacy. It has inspired initiatives such as national gender action plans (e.g., in Liberia, where the MAP Liberia Land Platform aligned its strategy with the Charter in 2025) and annual awards recognising champions of gender justice. By centring women's land rights as foundational to economic empowerment and climate resilience, the Charter bridges grassroots action with broader development goals. Complementing this are broader movements that integrate gender justice into transitional justice, peacebuilding, and sustainable development. Regional convenings, such as the African preparatory gathering toward Women Deliver 2026 held in Nairobi in November 2025, brought together feminist activists, youth advocates, and policymakers to address shrinking civic spaces, funding withdrawals, and rising anti-rights rhetoric while mobilising for Sexual and Reproductive Health and Rights (SRHR) and gender equality (Sonke Gender Justice, 2025). These platforms highlight collective action as essential for countering backlash and sustaining progress toward the 2030 Agenda.

The Role of Traditional Leaders, Faith Communities, and Collective Action

Traditional leaders, who remain influential custodians of culture and decision-making in rural areas, play a pivotal yet complex role. Predominantly male, they can either reinforce patriarchal norms or become powerful allies for change when engaged thoughtfully (Palitza, 2014). Successful initiatives involve training and dialogue with chiefs and elders to reinterpret customs in favour of gender equity, such as endorsing women's land rights or co-facilitating community dialogues on harmful practices. Faith communities similarly wield significant influence; progressive religious leaders have increasingly advocated against gender-based violence (GBV) and for women's dignity, framing equality as compatible with spiritual values (Mashanzhi, 2025; Nairuba, 2026). Collective action, often led by women and youth, amplifies these efforts. Grassroots networks leverage local knowledge to implement transformative programs, including peer education, community covenants against FGM and child marriage, and advocacy for policy enforcement. Models like Tostan continue to inspire scalable, dialogue-based change, while feminist organisations resist authoritarian trends and hold states accountable (Houinato, 2024; Omwoha, 2024).

Progress versus Persistent Challenges

Africa has recorded notable advances in recent years. Constitutional reforms in several countries have embedded gender equality provisions, and gender quotas have boosted women's parliamentary representation to an average of 42.1% across the continent as of 2025, the highest global regional share, with Rwanda leading at 63.8% in its lower chamber (IPU data cited in Mo Ibrahim Foundation, 2026). Laws addressing violence against women have strengthened in many jurisdictions, contributing to improved scores in indices like the Ibrahim Index of African Governance (IIAG) (Ibrahim Foundation, 2026). Ratifications continue. The Central African Republic became the 46th AU member state to ratify the Maputo Protocol in 2025, signaling renewed commitment (Amnesty International, 2025). Despite these gains, implementation gaps remain stark. Patriarchal norms, cultural resistance, and institutional weaknesses hinder the translation of laws into practice. GBV persists at alarming levels. Africa recorded the world's highest femicide rate in 2024 (UNODC & UN Women, 2025), exacerbated by armed conflicts,

economic exclusion, and rising anti-gender movements funded by international networks that seek to dismantle protections (Equality Now, 2025). Reservations to the Maputo Protocol by some states undermine key provisions on reproductive rights and harmful practices, while weak enforcement allows child marriage, marital rape, and inheritance discrimination to continue (Gashaw, 2020; Equality Now, 2025). Shrinking civic space and funding cuts further threaten activist work (Sonke Gender Justice, 2025).

Model Laws, Regional Harmonisation, and Enforcement Imperatives

The Pan-African Parliament (PAP) has advanced continental harmonisation through landmark model laws. In November 2025, PAP adopted the Model Law on Gender Equality and Equity, providing a flexible template for national legislatures to promote equality in education, nutrition, economic empowerment, and political participation (Pan-African Parliament, 2025). Developed through regional consultations and technical review, this instrument aligns with AU commitments and complements earlier frameworks like the Maputo Protocol and CEDAW. It encourages at least 50% women's representation and addresses intersectional barriers, offering a roadmap for states to modernise legislation while respecting local contexts. Effective enforcement requires robust mechanisms: improved access to justice, victim support systems, gender-sensitive judicial training, and monitoring bodies. States must allocate resources for implementation, engage traditional and faith leaders, and counter anti-rights pushback through coordinated advocacy (Ankut, 2025; Izobo, 2024). Regional bodies like the African Commission on Human and Peoples' Rights play a critical role in holding states accountable, as seen in rulings against violations of the Maputo Protocol.

GENDER JUSTICE: CHALLENGES AND OPPORTUNITIES

The synthesis of historical, conceptual, and practical insights across this article reveals a continent at a crossroads in the pursuit of gender justice. While African societies possess rich cultural legacies capable of supporting equity and communal well-being, persistent intersectional challenges, rooted in patriarchy, economic exclusion, and colonial remnants, continue to undermine progress. At the same time, emerging opportunities through localised, participatory approaches signal pathways toward sustainable transformation.

Intersectional Challenges

Patriarchy remains the most entrenched barrier, manifesting in normalised gender-based violence, harmful cultural practices, and unequal power structures that limit women's agency in households, communities, and institutions (Ankut, 2025; Nairuba, 2026). Recent analyses highlight that patriarchal norms intersect with economic exclusion: women face disproportionate poverty, limited access to land and credit, and precarious informal employment, which reinforce dependency and vulnerability to violence (Ankut, 2025). In conflict-affected regions, these dynamics are amplified, with GBV used as a weapon of war and transitional justice processes often failing to deliver gender-responsive reparations or accountability (Izobo, 2024; Scanlon & Muddell, 2009). Colonial remnants exacerbate these issues by perpetuating imported binary gender ideologies that marginalise indigenous fluidities and women's pre-colonial authority, while fostering institutional biases in legal and judicial systems (Roxburgh, 2022; Makhathini, 2023). Contemporary pushback, evident in anti-gender movements, funding withdrawals from traditional

donors, shrinking civic spaces, and legal challenges to protections (e.g., FGM bans in The Gambia), further entrenches resistance (Equality Now, 2025; Sonke Gender Justice, 2025). Global trends compound local vulnerabilities. As of 2025-2026, Africa grapples with donor retreats, inadequate national budgets for SRHR and GBV programs, and rising anti-rights rhetoric that threatens decades of gains (Pathfinder International, 2025; Nairuba, 2026). These intersectional forces create a cycle where cultural justifications shield impunity, economic precarity discourages reporting, and weak enforcement perpetuates inequality. Despite progress, such as increased female parliamentary representation (averaging over 40% in some regions) and the adoption of instruments like the AU Convention on Ending Violence Against Women and Girls, implementation gaps persist, allowing GBV to remain pervasive and femicide rates alarmingly high (African Union, 2025; Mo Ibrahim Foundation, 2026; UNODC & UN Women, 2025).

Opportunities for Transformation

Amid the above challenges lie significant opportunities rooted in Africa's own strengths through localised, community-driven approaches that leverage indigenous knowledge and cultural assets. Grassroots models like Tostan and West Pokot dialogues demonstrate that change is most durable when it emerges organically through education, dialogue, and consensus-building in local languages and frameworks (Omwoha, 2024; Pugen et al., 2023). These initiatives shift narratives from external imposition to internal renewal, fostering ownership and reducing backlash. Education and training emerge as powerful levers: comprehensive programs that integrate gender equality, human rights, and positive masculinity into community and school curricula can challenge stereotypes and build allyship (Palitza, 2014; Calimoutou, 2024). Male engagement is particularly promising; initiatives framing shared domestic responsibilities and anti-violence advocacy as expressions of responsible manhood, drawing on cultural values of communal harmony, yield reductions in intimate-partner violence and improved household equity (Pugen et al., 2023; UN Women Africa, 2025). Integrating indigenous knowledge offers further potential: women's roles in environmental stewardship and traditional ecological practices can be amplified in climate adaptation and sustainable development efforts, elevating their status while addressing intersecting crises (Elrashdi, 2021). Faith communities and traditional leaders, when engaged as partners, can reinterpret doctrines and customs to support equality, countering conservative narratives with progressive voices (Mashanzhi, 2025; Nairuba, 2026).

RECOMMENDATIONS

Looking ahead, advancing gender justice demands prioritised actions across multiple fronts. Increasing meaningful female representation in governance, transitional justice bodies, and decision-making requires not only quotas but structural reforms ensuring women's voices shape outcomes (Houinato, 2024; Anzaya, 2026). Gender-responsive transitional justice must become standard: incorporating women's experiences as agents and survivors, providing targeted reparations for sexual violence, and embedding intersectional approaches that address overlapping discriminations (Izobo, 2024; UN Women, 2026). Robust enforcement mechanisms, strengthened judicial training, dedicated GBV budgets, survivor-centred services, and monitoring of Maputo Protocol and CEDAW commitments are essential (Ankut, 2025; Equality Now, 2025). Sustained funding, including innovative domestic resource mobilisation and support for women-led organisations, will counter global donor retreats (Sonke Gender Justice, 2025; Nairuba, 2026). Finally, the path forward lies in decolonial, relational praxis, where communities lead

reinterpretation, states enforce progressive laws, and bridge alliances between grassroots activism and policy. By centring African agency, harnessing positive cultural elements, and confronting intersectional barriers head-on, the continent can move toward inclusive, equitable societies where gender justice drives broader social cohesion and development.

CONCLUSION

The pursuit of gender justice in Africa holds immense promise when legal frameworks, social movements, and community-driven initiatives converge to translate commitments into lived realities. While constitutional reforms, increased women's parliamentary representation, ratifications of the Maputo Protocol, and instruments such as the Africa Gender Justice Charter and the Pan-African Parliament's Model Law on Gender Equality and Equity signal important progress, implementation gaps, patriarchal resistance, economic exclusion, and rising anti-gender pushback continue to constrain advancement. Achieving sustainable transformation requires sustained multi-stakeholder commitment that bridges grassroots reinterpretation of norms with robust state enforcement. Ongoing dialogue across generations, genders, faiths, and sectors remains essential, creating safe spaces where communities interrogate harmful practices and co-create equitable alternatives. Recent continental developments, including the African Union's renewed commitment to eliminating female genital mutilation by 2030 and global-regional prioritisation of ending violence against women and girls, underscore both urgency and momentum.

Further research is needed to evaluate the long-term impact of specific initiatives, hybrid justice systems, and intersectional approaches. By centering African agency, strengthening enforcement mechanisms, engaging traditional and faith leaders as allies, and mobilising domestic resources, the continent can overcome persistent barriers. In conclusion, the journey toward gender justice in Africa demands courage to confront entrenched inequalities, humility to draw from indigenous wisdom, and resolve to enforce progressive norms. Embracing this integrated strategy, rooted in dialogue, community leadership, legal harmonisation, and decolonial commitment, will enable African societies to forge equitable futures where cultural heritage empowers rather than constrains, turning diverse traditions into engines of unity, dignity, and shared prosperity for women, girls, and all genders. The time for sustained, collective action is now; the potential for transformative change has never been greater.

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