

**GENDER
EQUALITY IN
LAW ACROSS
AFRICA** | **IS THE
GLASS
HALF
FULL?**



A RESEARCH BRIEF

The Institute for African Women in Law (IAWL) is a non-profit, nongovernmental organization established in 2015. It is committed to supporting the formidable works of women in law across the continent of Africa and the Diaspora. Our mission is to be a focal point for addressing issues across the legal and judicial professions. The Institute is registered in Delaware, USA, and operates from Accra, Ghana.

This research brief captures the key findings from the research report *Gender Equality in Law Across Africa: Is the Glass Half Full?*

Disclaimer: All hyperlinks in this policy are provided for the user's convenience and were correct and active at the time of publication. IAWL cannot control publicly available documents and links to professional, government, institutional or other external websites. All materials consulted at the time of publication have been duly cited. This report does not constitute legal advice. IAWL recognizes that gender is socially constructed, and the meaning of the term "gender" varies between societies and changes over time. While acknowledging expansive gender identities, this report uses the binary division of male and female to classify the representation of men and women on the scorecards. For this report, we use the gender representation of the binary male and female and not the self-identified gender identity of the individuals.

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The Institute for African Women in Law

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MESSAGE FROM EXECUTIVE DIRECTOR

The Gender Equality in Law Campaign (GELC) is a Pan-African initiative by the Institute for African Women in Law (IAWL) to raise awareness about the challenges women in the legal profession face. The Campaign uses evidence-based research, stakeholder engagement and public advocacy to ignite policy reforms for equitable and women-inclusive institutional practices and policies that support women's career development and leadership. Expanding on the extensive four-nation research on Women in Law and Leadership (WILL) conducted by IAWL in 2023, the current report narrowed down the campaign to four issue areas– sexual harassment, equal pay for equal work, equitable hiring and promotion and gender bias and stereotypes.

While women are increasingly represented at the bar globally, the legal profession remains steeped in historical patriarchal institutional norms and practices that negatively affect women. Thus, an increase in the number of women must be matched by an increase in awareness of the lingering gender biases and stereotypes women in law face. This report and policy brief are the first steps to using evidence-based research to highlight existing gaps and opportunities for change.

Data from the 2023 IAWL Gender Scorecard show that of the 82 law firms surveyed, women comprised 23% of managing partners, 38% of partners, 51% of senior associates and 55% of associates. There is still work to be done to close the gender representation gap in leadership positions. Sexual harassment is still rampant, and while 36.6% reported being victims, only 12.4% ever reported it to an authority at their workplaces. Women continue to face gender biases and stereotypes at work, with only 25.5% agreeing that male co-workers speak up against gender-based discrimination at the workplace. On the brighter side, 63.1% reported that women and men are paid equally at their workplace, and 59% agreed that women and men are assigned tasks equally.

These findings show that the glass is half full, and more work needs to be done to shatter the proverbial glass ceiling. While we must acknowledge and congratulate ourselves for progress, we must not rest. We must acknowledge and commit to addressing lingering challenges and be fully cognizant of the fact that progress can erode easily. The Gender Equality in Law Campaign seeks to push forward to fill this glass – because an equal and inclusive legal profession is a win for all. When women thrive, their law firms benefit. When women thrive, their communities develop. When women in law thrive, they expand access to justice for all.

Join this campaign, and together, let us raise awareness, advocate for change, and activate gender-equitable policies.

EXECUTIVE DIRECTOR
INSTITUTE FOR AFRICAN WOMEN IN LAW



MESSAGE FROM MALE ALLY PATRON

Patriarchy has been a negative factor in gender relations. It has perpetrated false masculinity and perpetuated economically and socially costly discriminatory tendencies and exclusionary practices. Whereas the feminist movement has made considerable progress in expanding our knowledge of the retrogressive dynamics and effects of our patriarchal gender system, a lot still needs to be done to disrupt the patriarchal order. Women's representation in high decision-making positions is still comparatively lower; the IAWL reports on women in law and leadership show that women are paid less than men for the same jobs, and socially harmful cultural practices continue. That is why it is important to pay attention to the multiple and reinforcing systems of oppression against women including race, ethnicity, class and much more.

Not all the men who have intellectually embraced gender equality, and recognise its objective merit, socially live the fact. Many men – who enjoy the material benefits of gender hierarchies – still need to consciously move beyond the polite intellectual nods to the cause, and totally immerse themselves in the belief that gender parity is an important necessity. Gender parity is not a perfume for men to wear in order to 'smell nice' and appear progressive; rather, it is a moral cause men must commit to their bloodstream and 'behave right'. Residual patriarchy among liberal men, or weak strands of feminist masculinity, may sometimes cause a lot more harm.

Gender-based violence (GBV) and sexual harassment are global epidemics. Most of the victims are women. A FIDA-Kenya study found that up to half of all women in Kenya have experienced GBV. These are alarming figures that should concern all of us as a serious human rights issue. There are several reasons that account for these frighteningly high cases of GBV in our societies, including the lack of adequate laws to protect women, societal attitudes, and the lack of economic empowerment of women that marginalises them. It is important to realize how sexual harassment and GBV are inscribed in societal and cultural norms: First, women are socialized to accept sexual harassment and GBV as part of what they must deal with in their everyday lives. At the same time, the societal norms about it and the silence prescribed by society make it difficult for women to report it. Second, men are socialised to dish out GBV as part of the cultural imprimatur of their negative masculinity.

I commend the Institute for African Women in Law for launching the Gender Equality in Law Campaign. Interventions such as this should be supported by key players in the legal and judicial professions to address the gender inequities that women continue to face. The legal and judicial professions should safeguard and promote the highest standards of justice, equity and inclusion. We should be the voices that guarantee the rights of women—both within the profession and beyond. During my tenure as the Chief Justice of Kenya, I made it part of my vision to ensure that institutional changes were put in place to raise awareness of gender inequities, develop mechanisms to address them and provide support for female victims while punishing perpetrators. We can all be part of the change. We should all be part of the change.

Women's empowerment is a metaphor for the assault on structural inequalities. It represents the enduring ambition to realise social justice and equality free from the usual divisions along ethnic, gender, class, racial and class lines. That is why we must eschew the traditional divisions between rural and urban, rich and poor, men and women, ethnicity and race that undermine the struggle for equality. While it is important to acknowledge the uniqueness of women's experiences and contributions to society, it is equally important to recognise that the empowerment of women has never been about the exclusion of anyone or any group. It cannot be. That is why our plans must include all. Male support for women's empowerment cannot be made conditional; it must be absolute. But the struggle becomes much easier when we have women role models who are strong and eloquent in their integrity and men whose feminine masculinity is ideologically, philosophically, politically, and socially rooted. Gender equality in law is necessary for our societies to advance. Let us all rally around this campaign and make it a success.

A handwritten signature in black ink, reading "Dr. Willy Mutunga". The signature is fluid and cursive, with the first letters of "Dr.", "Willy", and "Mutunga" being capitalized and prominent.

**FORMER CHIEF JUSTICE
SUPREME COURT OF KENYA**

Executive Summary

African women have been progressively taking up leadership positions within the legal profession (bar, bench, and legal academy), marking a significant shift in the traditionally male-dominated industry. However, despite the glass being half full, gender inequality remains a formidable barrier to women's rise to leadership.

Building on extensive research conducted by IAWL in Kenya, Nigeria, South Africa, and Senegal, this report hypothesized sexual harassment, gender pay gap, low promotion opportunities, and gender biases as prevalent challenges. The Gender Equality in Law Campaign (GELC) survey in 2023 aimed to test these hypotheses to provide a nuanced understanding of the landscape. The survey results challenged the initial hypothesis that sexual harassment was prevalent. About 62% of respondents had never experienced sexual harassment. There was also an indication of progress in closing the gender pay gap. However, the findings revealed persistent disparities still affect women in lower-paying positions and low promotion based on gender biases and stereotypes.

The neutral responses in the GELC survey spotlight the complexity of gender inequality and emphasize the importance of awareness, advocacy, and open dialogue in legal institutions. These neutral responses further highlight the need for gender consciousness training for men and women. The significant number of neutral responses strongly indicates that some women may need to understand and deconstruct their gendered socialization.

This report is the first step in IAWL's ongoing systems-change interventions on gender equality in law. This report recommends increasing the number of women in leadership positions. The Campaign calls for institutional-level changes and recommends adopting effective gender-inclusive and gender-sensitive policies guided by tools such as the IAWL Gender Equality in Law Model Policy to dismantle discriminatory and exclusionary practices.

The findings in this report drive home the importance of enforcing policies, deploying training programs, cultivating male allies, and adopting collective efforts to foster workplace environments free from conscious and unconscious biases, stereotypes, and microaggressions. When women in law thrive, society benefits from their contributions to law, justice, and the rule of law. A gender-inclusive legal profession expands access to justice for all human beings.

Key Research Takeaways and Recommendations ↘

Worldwide efforts to eradicate disparities and prejudices based on gender inequity include the CEDAW Convention, the Violence and Harassment Convention, the African Charter on Human and Peoples Rights (ACHPR) and the Maputo Protocol.

Predominant male viewpoints in Africa continue to shape the decisions about compensation, recognition, communication, and workplace interactions, including in the legal professions.

Africa has made progress in narrowing the gender gap in the Economic Participation and Opportunity subindex, encompassing labor force participation, earnings, income, and leadership positions. However, this still translates to women earning an average of 32.8% less than men for equivalent work.

The different manifestations of sexual harassment include unwelcome advances, comments, jokes, objectification, and physical contact, which create an unsafe work environment.

Sexual harassment substantially impacts women's career progression within the legal profession. Normalizing sexual harassment leads to personal distress, harm to one's reputation, and physical and mental health challenges, which may lead to attrition.

Implementing a sexual harassment policy and providing robust reporting and complaint procedures, which protect against reprisal and uphold confidentiality, creates a safe and accountable work environment.

Women's intermittent work patterns due to caregiving impact skills and career progression, especially after childbirth. Re-entering the workforce often leads to job downgrades and skill depreciation.

Women in the legal field tend to be less assertive when promoting their achievements and asking for fair compensation, unlike their male colleagues, who are often more vocal about it.

The principle of equal pay for equal work addresses pay discrimination and encourages gender equity at work. It plays a vital role in redistributing domestic labor, challenging stereotypes, reducing financial dependence, preventing poverty, bolstering pensions, aiding economic recovery, curbing child labor, enhancing productivity, and fortifying enterprises.

Recruitment processes should be merit-based. All candidates must be evaluated solely on their qualifications, skills and potential. Gender-biased questions introduce irrelevant factors into the decision-making process and affect the legitimacy of the recruitment process.

Addressing low promotion rates requires recognizing intersecting factors and challenging and transforming deep-rooted societal attitudes and behaviors toward women, promoting respect, equality, and inclusivity.

Gender biases are the fundamental reason behind gender inequality and originate from the "undervaluation of women's capabilities and rights in society."

Descriptive stereotypes include assuming that women cannot understand complex topics. This leads to men overexplaining or "mansplaining" such topics to women in a condescending or patronizing manner.

Prescriptive stereotypes dictate what society believes women and men should be like. For instance, they might suggest that women should be caring and men should be assertive.

Gender stereotypes can be harmful in the workplace because they create expectations that women might not possess the qualities needed for success in traditionally male-dominated roles, for example, the legal industry. This can hinder women's career progress.

Gender stereotypes have a dual effect on women: they influence how others assess them and shape how women view and evaluate themselves, creating biased expectations that can hinder women's progress at work.

Male allies can show their female colleagues' support against gender inequality by speaking up, avoiding condescending speech and electing more women to leadership.

Male allyship goes beyond "nice behavior". It is a call to action to question long-standing systemic practices such as the gender wage gap, lack of representation, and gender diversity in leadership positions.

Some organizations might be hesitant to invest in mentoring and training programs due to perceived high costs. While this number is low, it is essential to consider the long-term benefits of investing in all employees, such as increased employee retention, improved skills, and a more competitive workforce.

Intentional investment in capacity-building programs for women is recommended for achieving equity in leadership roles. These efforts involve nurturing the skills and abilities of girls and women, ensuring they have access to quality education, healthcare, and personal development opportunities. This also includes fostering an environment where women can participate in the workforce, access economic opportunities, and thrive in various industries and sectors.

Investing in data gathering (quantitative and qualitative) to allow for longitudinal studies and adopting intentional feminist approaches, emphasizing the role of knowledge and consciousness-raising among women in law across Africa.

List of Acronyms

AU	African Union
IAWL	Institute for African Women in Law Campaign
GELC	Gender Equality in Law Campaign
UN	United Nations
WILL	Women in Law & Leadership

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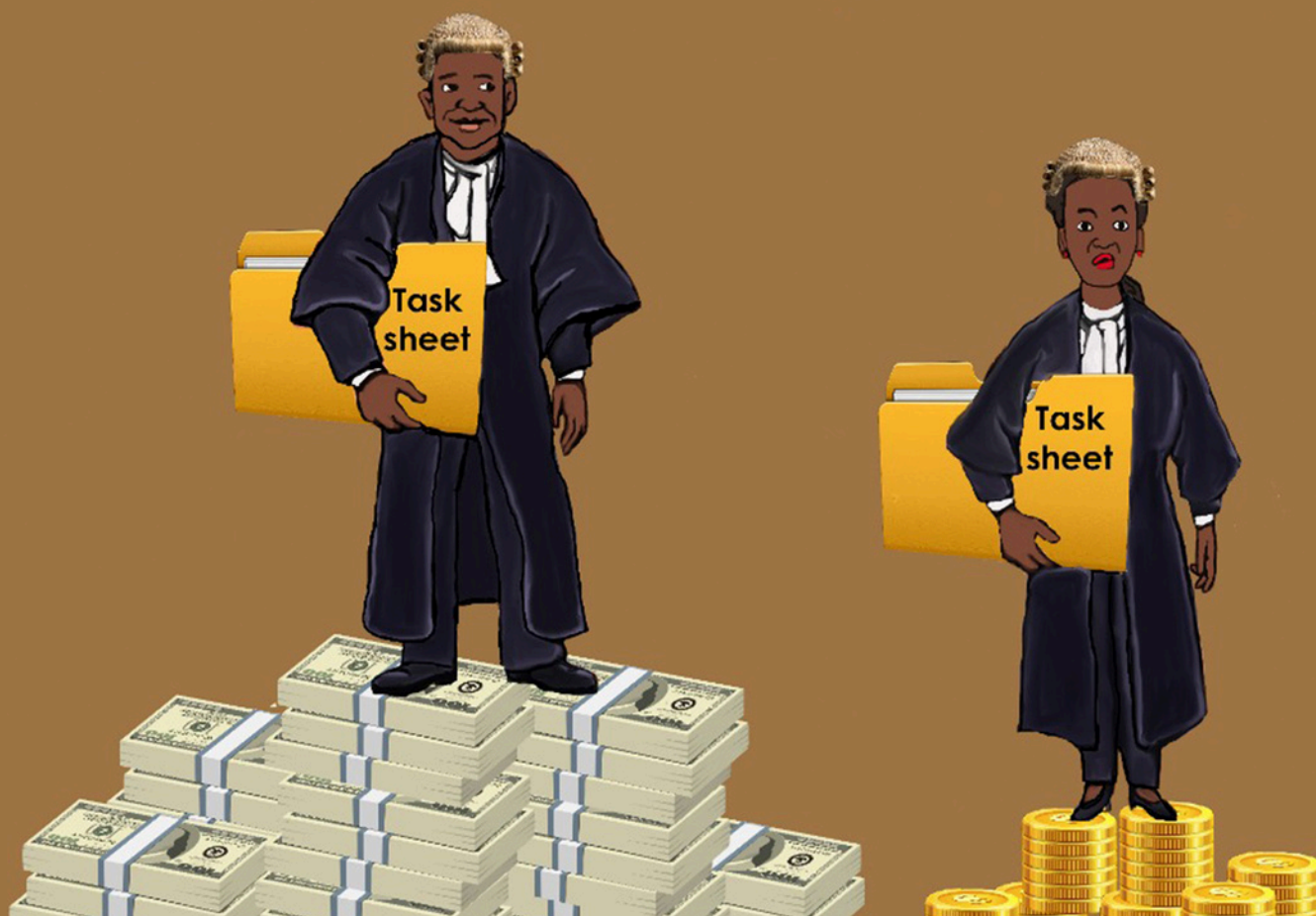
Glossary of Terms

Women: Persons who identify with the female gender.

Gender: The socially constructed roles, behaviors, activities, and attributes that a given society considers appropriate for different gender.

Legal profession: The bar (lawyers), bench (judges and magistrates) and legal academy (professors and lecturers).

GENDER EQUALITY IN LAW PLEDGE



“ I will actively work towards creating a safe and supportive environment for women in the legal field, where their hard work and achievements are recognized and rewarded equally. ”

#GELC #SayNoToUnequalPay



“

I pledge to stand in solidarity and actively support the advancement of women in law, promoting equality and breaking barriers for future generations.

”

#GELC #SupportWomenInLaw



“

I pledge to promote and support practices and policies that facilitate the promotion of women in the legal profession and to use my resources to support women's rise to leadership positions.

”

#GELC #SayNoToUnequalPromotion



“
I pledge to challenge any forms of stereotypes or biases towards women in the legal profession. I will consciously and actively create an inclusive and equitable space for women in law.
”

#SayNoToGenderBias&Stereotypes

GENDER EQUALITY IN LAW RESOLUTION



Working with its global partners and community to support women in law and address women's issues and vulnerabilities across the legal and judicial professions in Africa and the African Diaspora;

Considering international law, *inter alia*, the UN Charter, the African Union Constitutive Act, which reaffirmed the equality of all human beings,

Further considering the Universal Declaration of Human Rights, Articles 1 and 2, which affirm the freedom and equality of all human beings in dignity and rights, regardless of their "race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status";

Emphasizing the importance of Article 23 of the Universal Declaration of Human Rights on the right of all persons to work, free choice of employment and equal pay for equal work without discrimination;

Recognizing also that Article 11 of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) condemns all forms of discrimination against women and mandates State Parties to ensure equality between men and women in the field of employment by safeguarding women's right to same employment opportunities, free choice of employment, promotion, job security, equal remuneration, benefits and conditions of service;

Noting that Article 2(1) and (2) of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa which enshrines the protection of women from all forms of violence and abuse, particularly verbal and sexual violence, be it in private or public;

Recalling Goal 17 of the African Union Agenda 2063 on gender equality in all spheres of life as an indispensable element of achieving the Africa we want; "an Africa whose development is people driven, relying on the potential offered by African people";

Recalling also Article 2 of the ILO Declaration on Fundamental Principles and Rights at Work 1998 (as amended) which obligates all members to promote and respect the fundamental rights of all persons through the elimination of all forms of discrimination with respect to occupation and employment;

Decide/Decides, in accordance with the above-mentioned rules and principles, to COMMIT TO:

1. **ADVOCATE** and promote gender equality and inclusion in the legal professions at the individual and organizational levels.
2. **ADOPT** and implement the Gender Equality in Law Model Policy and recommendations from the GEL report at the individual and organizational levels.
3. **ADDRESS and raise awareness of** intersectional gender biases and stereotypes in the legal professions that create unwelcome work environments that negatively affect women.
4. **ADVOCATE** against all types of harassment, including sexual harassment and abuse, in all forms and create a safe space for reporting such violations.
5. **ENFORCE** policies for equal pay for equal work.
6. **ENFORCE** fair and transparent recruitment and promotion practices.
7. **INCLUDE** and strengthen women's voices and actions in decision-making at the workplace and advance women's leadership by promoting talent.



INTRODUCTION



Globally, women in male-dominated fields have made significant strides in dismantling barriers and championing the emergence of more equitable and diverse professions. Nevertheless, gender inequality continues to manifest in various forms, creating obstacles for women to ascend to leadership positions and reach their full potential. Women entering law schools in the late 20th century ushered in transformational change in their lives and communities. Across Africa, trailblazers such as Stella Marke Thomas, Essi Matilda Forster, Unity Dow, Annie Jiagge, Yvonne Mokgoro, Julia Sebutinde, Aloma Mariam Mukhtar, and Florence Ndepele Mumba have made significant contributions that have reshaped the legal landscape in their countries. This transformation is also visible in African countries' growing number of female lawyers, judges, public officials, and legal policymakers (Dawuni, 2021; Dawuni & Kang, 2015). As of 2021, Africa boasts the highest number of chief justices (United Nations Office on Drugs and Crime, 2021). In addition, the [2023 IAWL Gender Scorecard](#) revealed that women constituted 23% of managing partners and 38% of partners in selected top firms across Africa.

African women in law have made substantial progress toward symbolic and substantive representation. Nonetheless, the glass is half full, as different forms of gender inequality persist in the legal profession across the continent. To achieve complete gender parity, it is essential to clearly understand how inequality manifests and its profound impact on African women in law. These issues are not limited to the African continent; a 2019 report revealed that 1 in 3 women reported sexual harassment and abuse at work (IBA, 2019). The Gender Equality in Law Campaign (GELC) is a Pan-African initiative by the Institute for African Women in Law (IAWL) to raise awareness about the challenges women in the legal profession face.

The Campaign uses evidence-based research, stakeholder engagement and public advocacy to ignite policy reforms for equitable and women-inclusive institutional practices and policies that support women's career development and leadership. This report adopts a three-pronged approach. The first strategy is raising awareness using data-driven and empirical research to highlight these challenges. The second strategy is advocacy, which includes launching a high-level conversation with key stakeholders in law to commit to addressing them. The third strategy is activation, which combines the first two by asking stakeholders to enforce existing gender equality policies, adopt the IAWL Gender Equality in Law Model Policy and begin making the necessary institutional changes and arrangements to address persistent and new forms of gender inequitable practices, norms, and cultures.

The Challenges: Four Issues ↘



Sexual harassment



Unequal pay

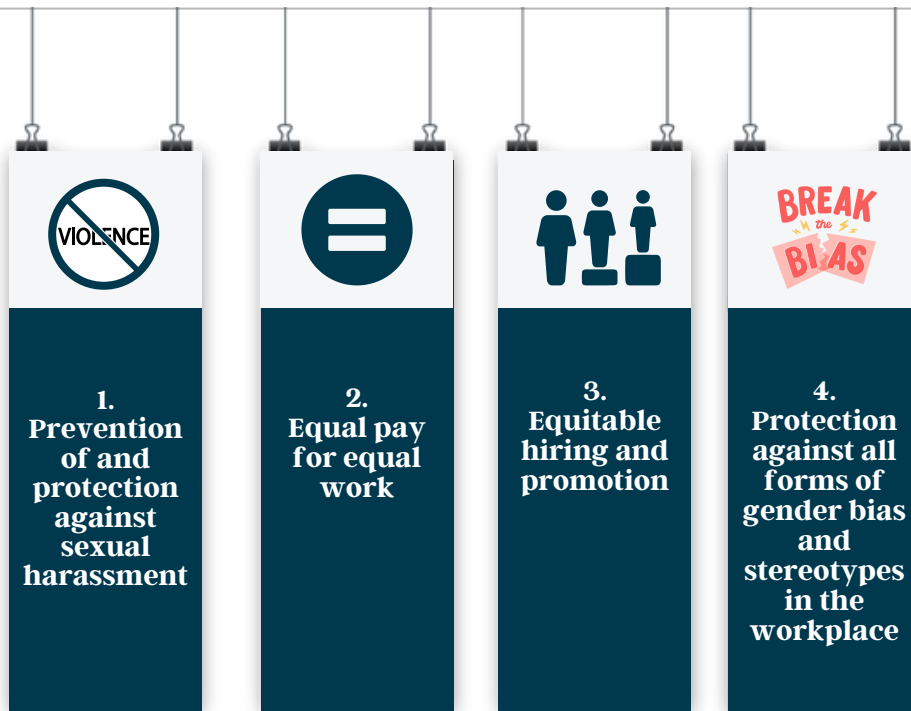


Inequitable promotion



Gender biases and stereotypes

The Solutions: Four Pillars ↘



The Intervention: Three Strategic Goals ↘

1. Awareness: Undertake evidence-based research to raise awareness about the institutional and structural challenges women in law face.

2. Advocacy: Launch a continental advocacy effort for institutional policy and practice reforms to create a women-inclusive legal profession where women thrive and lead.

3. Activation: Adopt, promote, and enforce policies, practices, and institutional changes for equitable and women-inclusive work conditions.

GELC GOALS



```
graph TD; A([GELC GOALS]) -.-> B(AWARENESS); A -.-> C(ACTIVATION); A -.-> D(ADVOCACY);
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AWARENESS

Use evidence-based research to raise awareness about the institutional and structural challenges women in law face

ACTIVATION

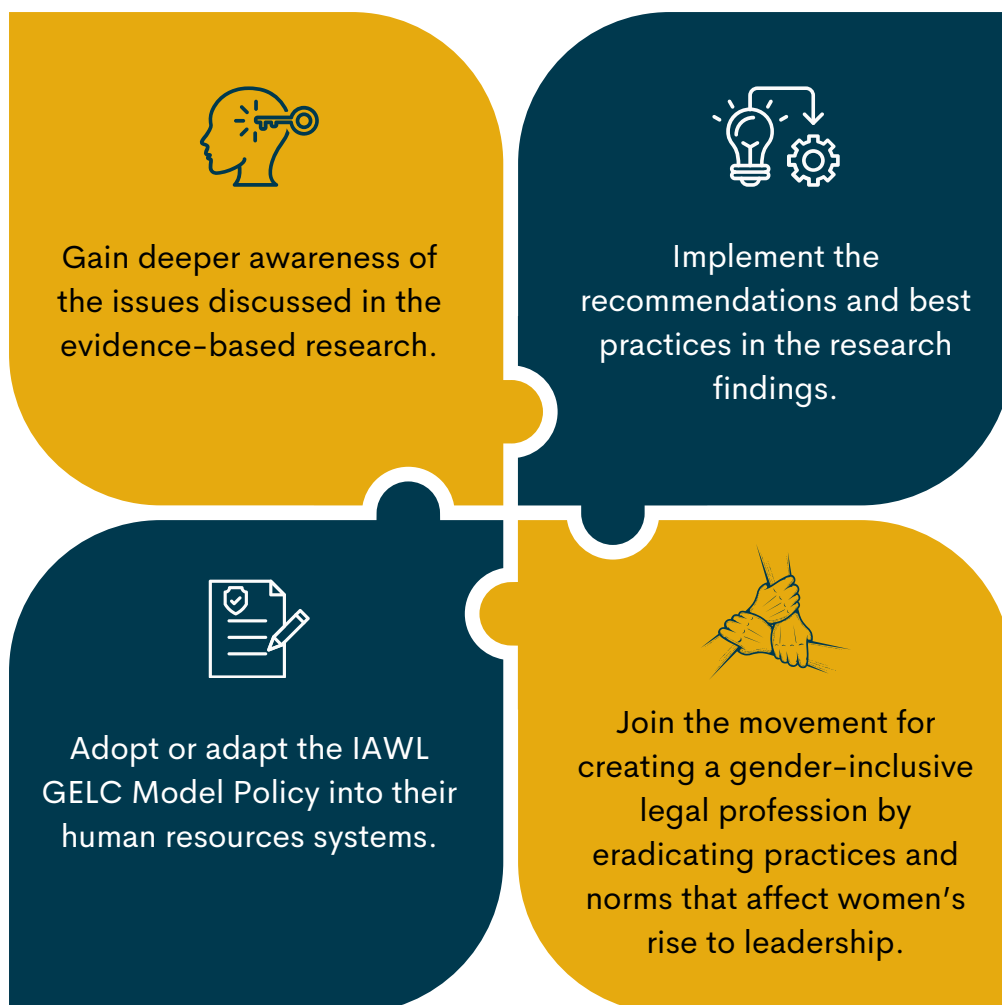
Adopt, promote and enforce policies, practices and institutional changes for equitable and women-inclusive work conditions.

ADVOCACY

A continental advocacy effort for institutional policy and practice reforms to create women-inclusive legal professions where women thrive and lead.

INTENDED OUTCOMES

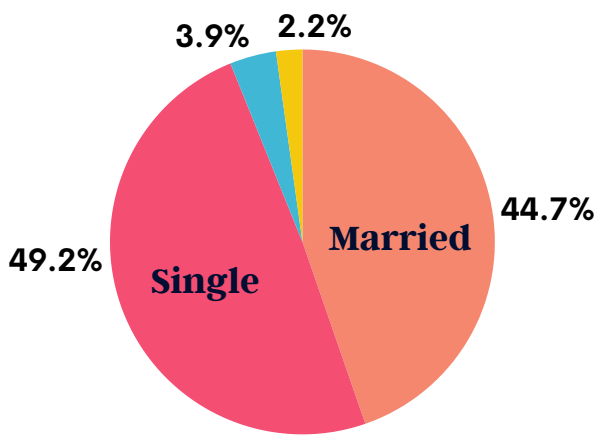
The expected outcomes of this campaign are to achieve gender equality and an equitable representation of women in the legal profession in Africa by UN SDG Goals 5 (gender equality) and 16 (peace, justice, and strong institutions) and African Union (AU) Agenda 2063 aspiration 6(1) (gender equality). To this end, the intended impact is for bar associations, law firms, and other entities, including judiciaries, academic institutions, and the private sector to:



METHODOLOGY

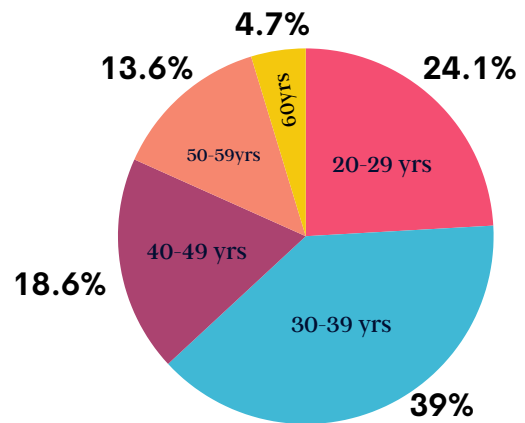
A total of **590** respondents participated in the 2023 GELC Survey with

 **98% female**  **1% male**  **1% non-binary**



Marital status

Responses: 590  Divorced  Separated



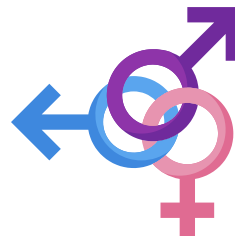
Respondent ages

The diversity of the respondents was also reflected in various **ethnic backgrounds**, **religious affiliations** (predominantly Christian and Muslim), and **marital statuses**.

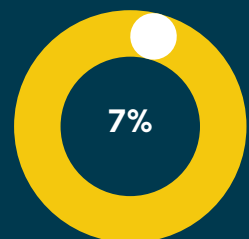
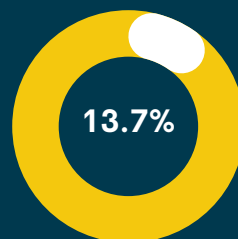
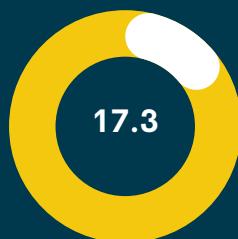
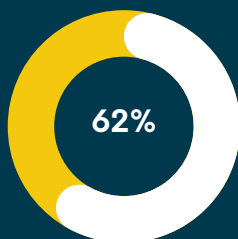
These percentages underscore the importance of our commitment to inclusivity and ensuring that the voices of marginalized and underrepresented groups in law are heard.

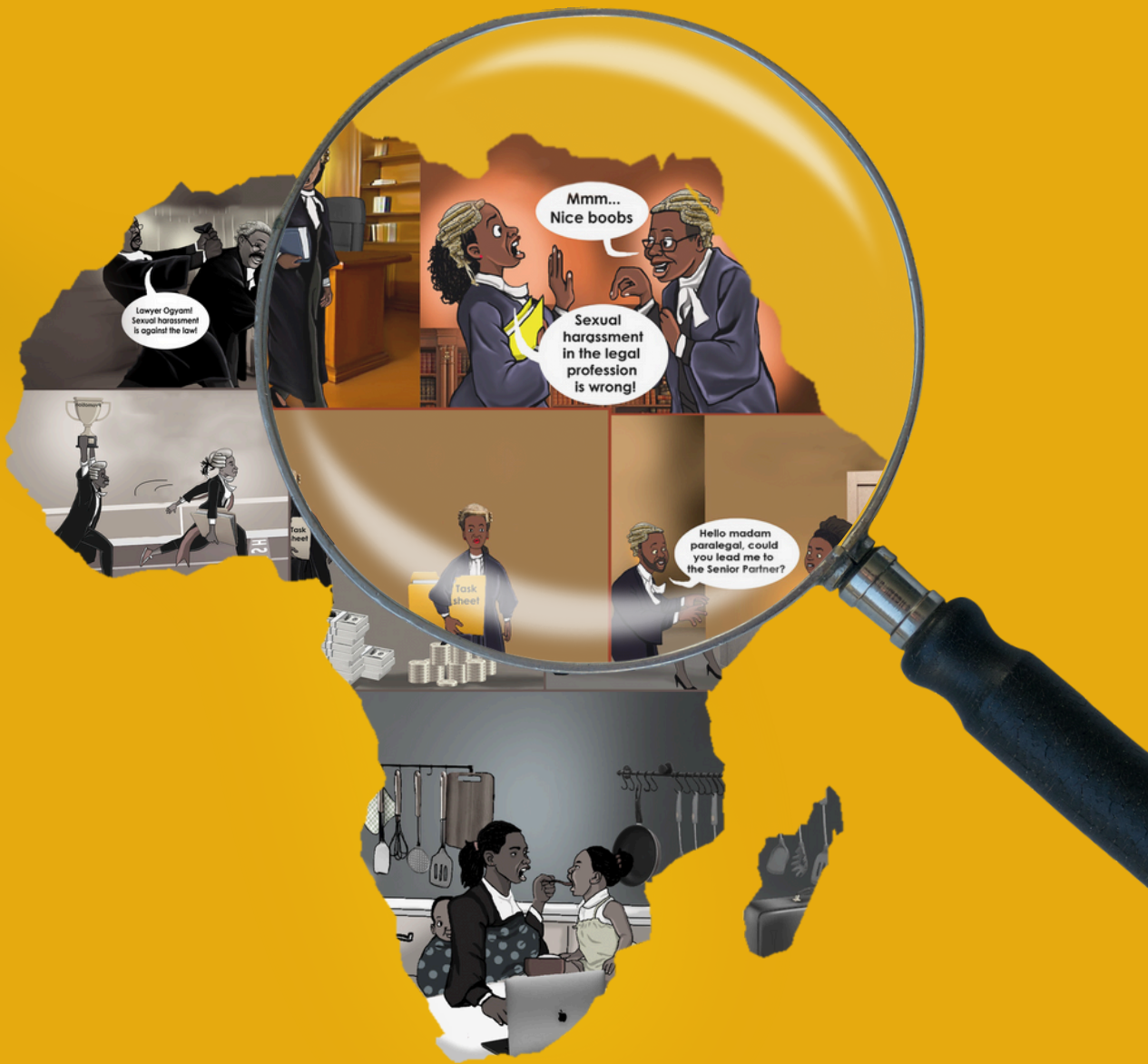


1.5% of the respondents identified as living with a disability



11.5% identified as part of a sexual minority.





FINDINGS

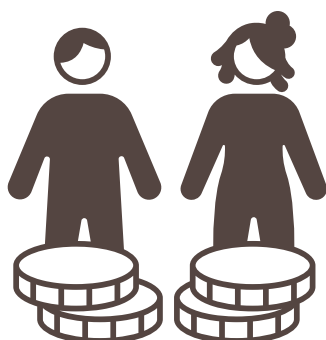


Have you ever been sexually harassed in your workplace?

4 out of 10 said yes

Are women and men at your workplace assigned tasks equally?

6 out of 10 said yes



Women and men at my workplace are paid equally for equal work done.

6 out of 10 agree

My male co-workers are aware of the gender inequality in my workplace.

4 out of 10 agree



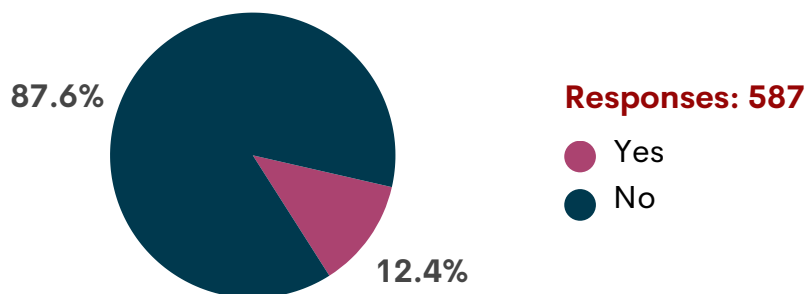
SEXUAL HARASSMENT

Sexual harassment affects all genders in the workplace but is often driven by power dynamics, primarily targeting women and committed by men. Certain groups, like those with lower socio-economic status, indigenous, LGBTQ+, migrant, disabled, and young women, face unique risks due to intersecting factors (ILO, 2017).

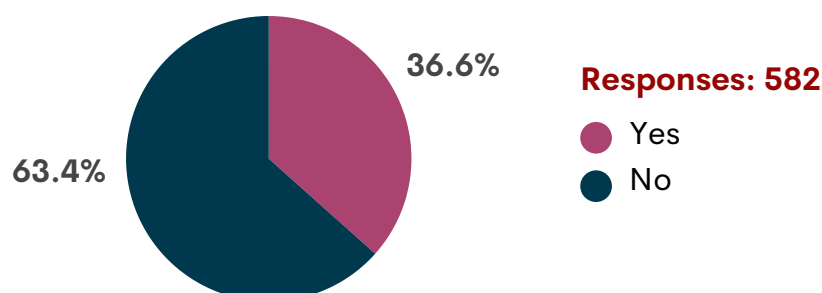


36.6% reported being sexually harassed in the workplace.

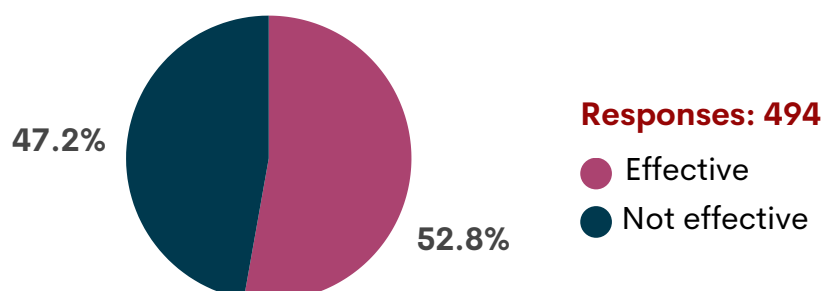
Have you ever reported sexual harassment at your workplace to a higher authority?



Have you ever been sexually harassed in your workplace?



How effective is the sexual harassment policy at your workplace in protecting female workers?



“

Most women face gender inequalities, especially sexual harassment in different institutions, and mine is not spared. Nevertheless, they choose to be silent for fear of losing their jobs. Some of them are breadwinners and fear that they will be laid off from work if they are known to have reported.

”

A respondent

Source: IAWL GELC Survey, 2023

EQUAL PAY FOR EQUAL WORK

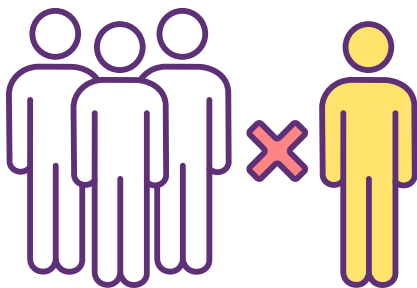
Factors explaining unequal pay



Gender differences in education and training



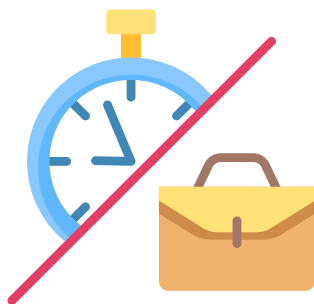
Gender differences in work experience



Occupational gender segregation



Enterprise size and union density

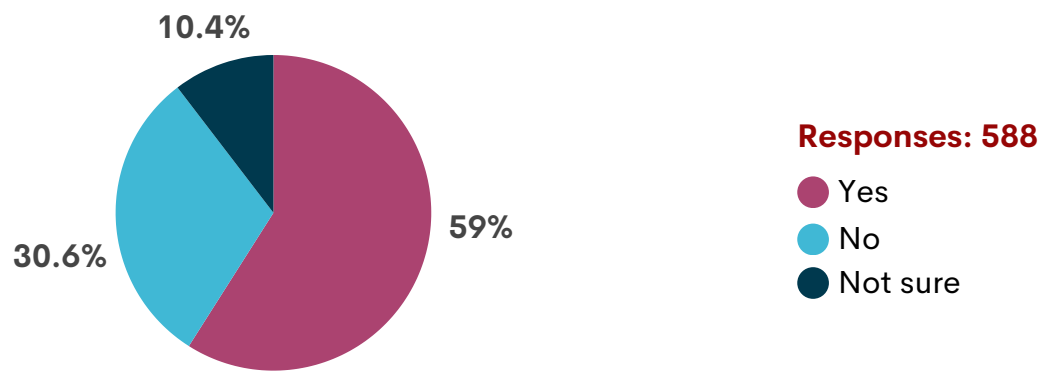


Part-time vs. full-time work

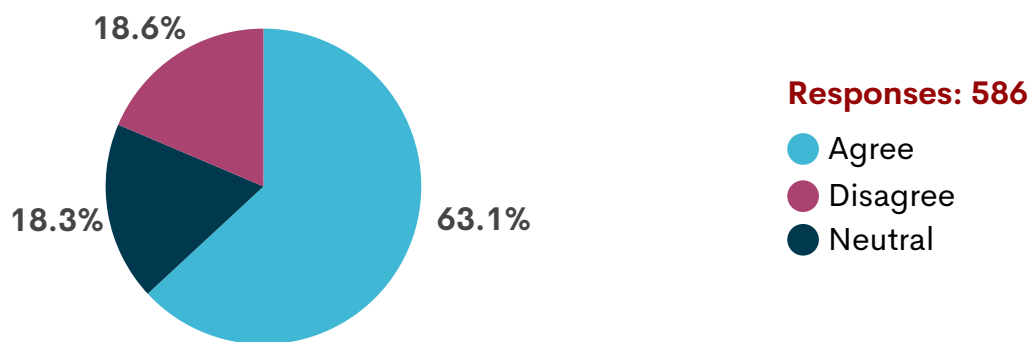


Pay discrimination

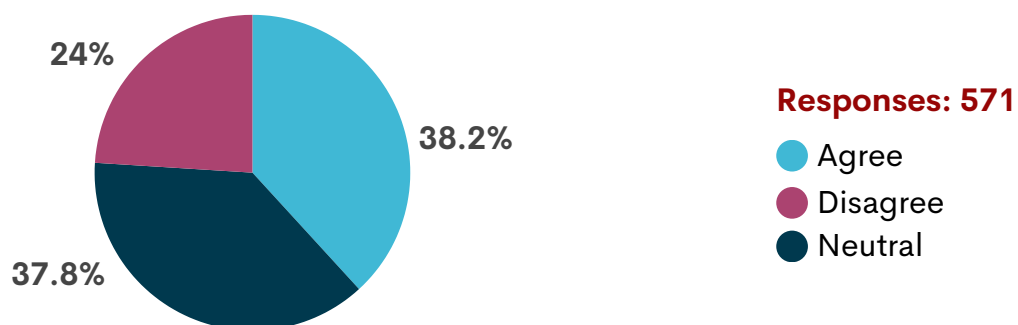
Are women and men at your workplace assigned tasks equally?



Women and men at my workplace are paid equally for equal work done.



My male co-workers are aware of the gender inequality in my workplace.

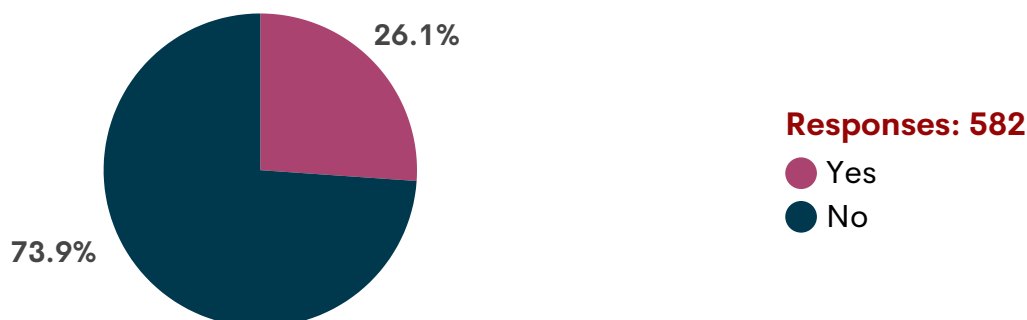


EQUITABLE HIRING AND PROMOTION

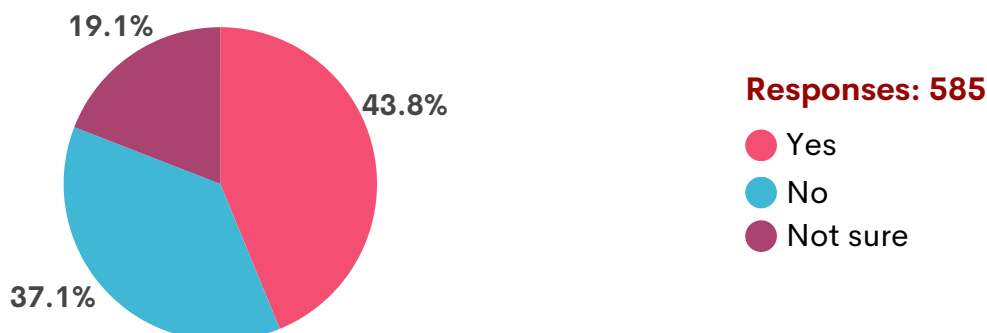


Historically, women in Africa are primarily responsible for unpaid care work within their households, balancing family and household (Moodley et al., 2019, p. 10). Women play a crucial role in Africa's economy; however, they frequently engage in informal, low-income occupations. To ensure equitable participation and opportunities for women as African nations advance and embrace modernization, it is imperative to facilitate their integration into the formal economy, particularly within sectors that generate substantial wealth and employment (Moodley et al., 2019, p. 15).

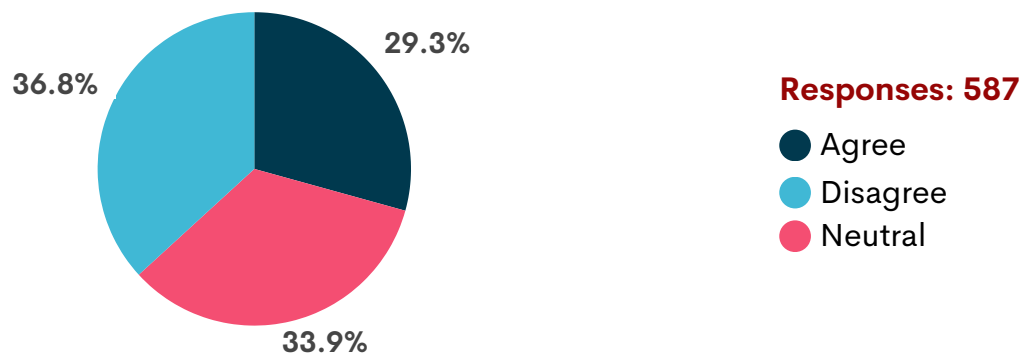
Were you asked a gender-biased question (e.g. whether you plan to get married/pregnant any time soon) at your hiring interview?



Are there clear and transparent promotion criteria at your workplace?



Men are promoted more often than women at my workplace.



Only 26.1% of the respondents agreed. However, it is important to put in place measures to ensure that women are not asked gender-sensitive questions at the hiring stage for the following reasons:

Gender Bias



Creating a Fair and Inclusive Work Environment



Encouraging Meritocracy



“

I was told I was not fit to go back to legal practice, having stayed out of practice for a couple of years to have kids and train them. Most law firms reject married female lawyers' applications for lack of experience. And so many married female lawyers are out of practice for being wives and mothers.

”

A respondent

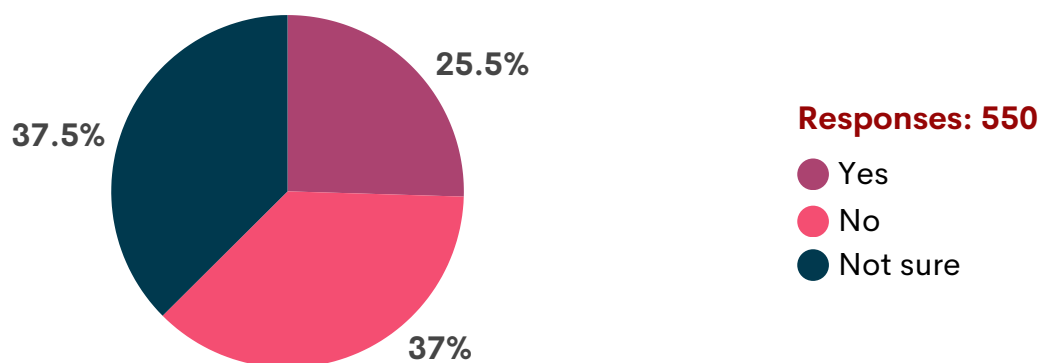
Source: IAWL GELC Survey, 2023

GENDER BIASES AND STEREOTYPES

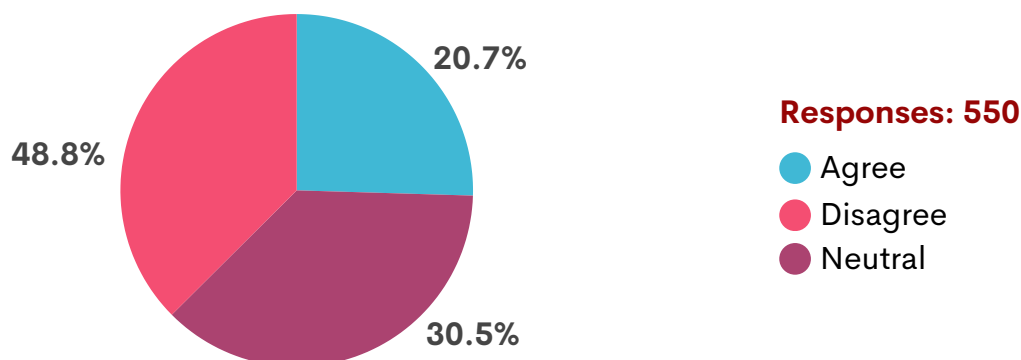


Gender biases serve as the fundamental cause of gender inequality and originate from the "undervaluation of women's capabilities and rights in society." The effects of these biases go as far as limiting the choices, opportunities, perceptions and attitudes directed at women, particularly in the workplace (Human Development Reports, 2023).

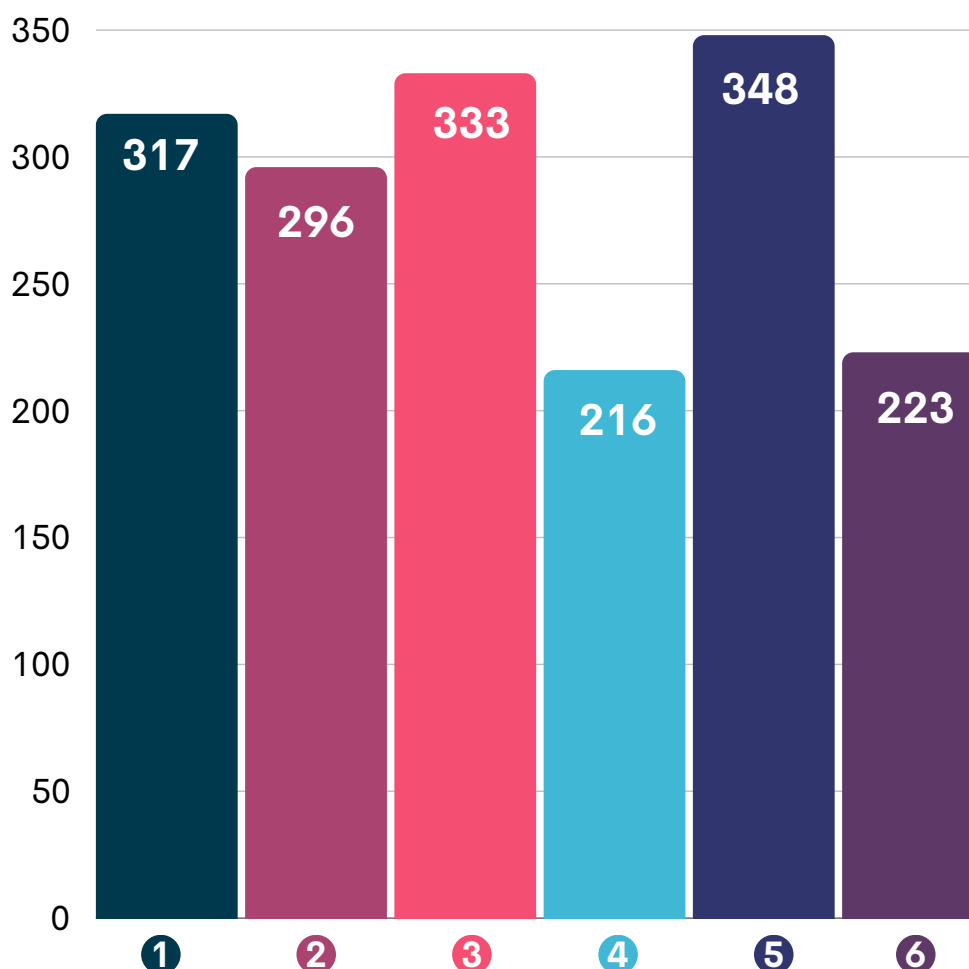
Do some male co-workers speak up against discrimination in your workplace?



Women are generally discriminated against at my workplace.



Which of the following would you recommend for your workplace? (Please tick as many as applicable)



- ① Gender equality policy
- ④ Equal work for women and men
- ② Sexual harassment policy
- ⑤ Equal opportunities for women and men
- ③ Clear and transparent promotion criteria
- ⑥ Written maternity leave policy



The lack of policies that specifically apply to women, such as maternity leave, is discriminatory.



Gender biases serve as the fundamental cause of gender inequality and originate from the "undervaluation of women's capabilities and rights in society."

“

Body shaming and objectifying women is now the order of the day. We face it on the streets, everywhere we go, including law offices/courtrooms, and from everyone, male and female, old and young, including legal colleagues.

”

A respondent

Source: IAWL GELC Survey, 2023

ADDRESSING GENDER BIASES AND STEREOTYPES IN THE LEGAL PROFESSION

Women are the majority and are well-represented in industries such as law. However, the persistence of “old boy club mentalities” in decision-making processes perpetuates these gender biases and stereotypes (Diehl et al., 2022). It is imperative to break such age-old traditions to realize gender equality in the legal profession in Africa.

According to the IAWL WILL reports, “male allies for gender equality will be crucial actors to forestall systemic backlash” (IAWL High-Level Summary, p. 45). However, male allyship goes beyond “nice behavior.” It is a call to action that includes questioning long-standing systematic practices, such as the gender wage gap, lack of representation, and gender diversity in leadership positions. It involves assisting women even when it is uncomfortable. This includes disrupting sexist discussions and ensuring that the perpetrators are held accountable for their behavior, which may be an inappropriate joke, touch, or statement (Johnson & Smith, 2022).

Intersectionality theory underscores how gender bias and stereotypes can vary in their manifestations. For example, women of different races may also experience stereotypes based on racial prejudice. Furthermore, socioeconomic factors can perpetuate stereotypes about women’s competence and suitability for leadership roles. The IAWL reports recommend continuous training on unconscious bias and microaggressions in legal institutions (IAWL High-Level Summary, p. 45). The significance of this suggestion was highlighted in the 2023 GELC survey through the statement that “my male co-workers are aware of the gender inequality in my workplace”; 38.4% either agreed or strongly agreed, 23.8% disagreed, and 37.8% were neutral.

These findings suggest that most women in law work in environments where gender inequality and the unconscious bias and microaggressions that come with it are not understood or acknowledged as pressing issues. This raises concerns about the overall awareness and acknowledgment of gender stereotypes and gender bias challenges within legal workplaces, calling for institutional-level change. This includes adopting effective policies informed by data-based policy guidelines, such as the IAWL Gender Equality in Law Model Policy.

The 2023 IAWL reports further recommended cultivating male allies dedicated to promoting gender equity and inclusion across all sectors of the profession in Africa (IAWL High-Level Summary, p. 45). Although some men may claim to be allies, they are not dedicated enough to the cause to speak up against sexual harassment. This was highlighted in the 2023 GELC survey, which asked respondents if their male coworkers spoke up against discrimination: 37.5% said “no,” 37.5% were neutral, and 25% said “yes.”

The GELC survey asked the respondents to provide suggestions on how male allies can show their female colleagues' support against gender inequality:



Speak up.



Stop sexual harassment.



Recommend equal opportunities for women.



Avoid condescending speech.

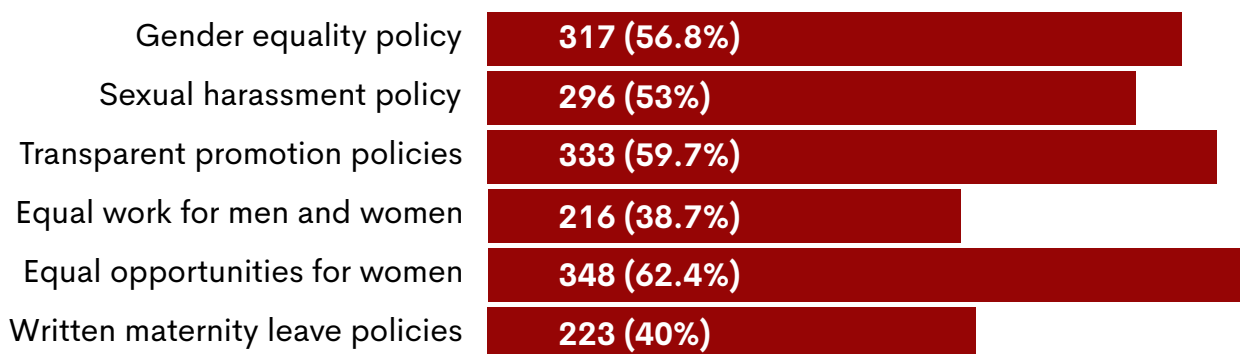


Elect more women to leadership positions.

Lastly, the GELC survey asked the respondents to select the suggested recommendations they would like implemented in their workplaces. The most common were as follows.

Figure 1: Recommendations for the workplace

Which of the following would you recommend for your workplace? (please tick as many as possible)



Source: IAWL GELC Survey, 2023

Although several other recommendations were not statistically significant, they did provide important information. Some indicated that these recommendations and policies were already in place; others stated that they needed to be enforced to achieve the desired results.

Table 1: Suggestions from GELC survey respondents

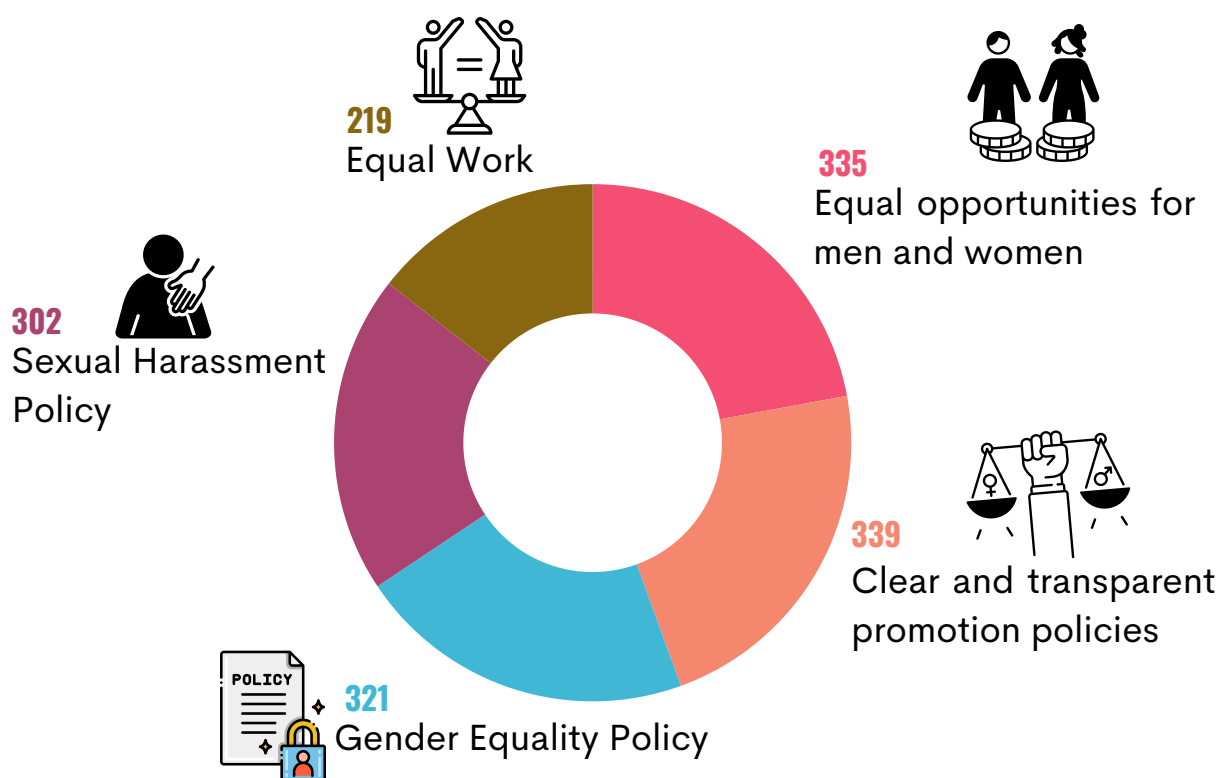
- Total review of salaries and staff welfare; the salary is very bad, and no welfare scheme exists at all.
- Provide gender-sensitive training programs.
- More policies will not help—implementation is lacking.
- Celebrate and reward hardworking staff.
- Men are almost going extinct where I work, as are women who stick to the law, policy and good conscience. Equal opportunities should be created for all and not only for people with godfathers or who will bend the rules.
- Target inclusive equality for women of color.
- Consider policies regulating flexible schedules to allow women to pick up children from school, attend sports, and handle other childcare routines, as such duties fall heavily on women.
- More effective policies on working from home to look after children.
- Create a gender-inclusive workplace policy.
- Provide training and mentorship.
- Equal pay for equal work.
- The actual implementation of policies; it's never practiced, and good policies exist on paper but organizations abuse these rights in practice.
- Although most of these policies are in place, workshops would be helpful.
- A clear pay structure for all roles and genders. There is a wide gap in pay structure, and it is done quite silently so that no one dares to talk about it. Employees just resign when they find out.
- More intensive training and mentorship programs.
- Training for all practitioners about sexual harassment.

Table 2 : Suggestions from GELC survey respondents

Sexual Harassment	<ul style="list-style-type: none"> • Training for all practitioners about sexual harassment.
Equal Work for Equal Pay	<ul style="list-style-type: none"> • Equal pay for equal work. • A clear pay structure for all roles and genders. There is a wide gap in pay structure, and it is done quite silently so that no one dares to talk about it. Employees just resign when they find out. • Total review of salaries and staff welfare; the salary is very bad, and no welfare scheme exists at all.
Gender Biases and Stereotypes	<ul style="list-style-type: none"> • Men are almost going extinct where I work, as are women who stick to the law, policy and good conscience. Equal opportunities should be created for all and not only for people with godfathers or who will bend the rules. • Target inclusive equality for women of color. • Create a gender-inclusive workplace policy. • Consider policies regulating flexible schedules to allow women to pick up children from school, attend sports, and handle other childcare routines, as such duties fall heavily on women. • Provide gender-sensitive training programs. • More effective policies on working from home to look after children. • Continuing education on gender equality.
Equitable Hiring and Promotion	<ul style="list-style-type: none"> • The actual implementation of policies; it's never practiced, and good policies [on equitable hiring and promotion] exist on paper but organizations abuse these rights in practice. • Celebrate and reward hardworking staff.

CONCLUSION

To conclude the study, the 2023 GELC Survey asked the respondents to tick the suggested recommendations they would like implemented in their workplace. The most common recommendations selected by the respondents are:



“

Women should be empowered and be sure of their capabilities; women should also be reminded of how great they are since most of them are let down by their husbands because they do not bring food to the table. Women should, therefore, work hard because anything a man can do, a woman can do.

”

A respondent

Source: IAWL GELC Survey, 2023

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