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How Civil Society Represents Women: Feminists, Catholics, and Mobilization Strategies in Africa

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In recent years, civil society has risen to speak on behalf of underrepresented groups in Africa. In particular, civil society has advocated for the representation of women's interests (Tripp et al. 2008). Yet, relatively little is known about the full range of actors who seek the representation of women's interests, mobilize around women's issues, and articulate specific preferences.¹ Some of these actors include not only feminists, but also religious activists who may clash over women's issues. This gap in knowledge, moreover, extends to non-democratic countries. Who in civil society seeks to influence the representation of women's interests and how, in both democratic and authoritarian regimes? What impact do civil society groups have on specific policy outcomes?

This chapter contributes to the volume by addressing the *who* and *how* questions of women's representation. It identifies who in civil society can potentially mobilize for and against women's interests and how they try to hasten, or delay, policy outcomes. Focusing on the African Union's Maputo Protocol on the Rights of Women, I find that feminist groups and Catholic groups were central actors. These groups employed multilevel strategies to gain the government's attention. Both groups engaged in in-

1. Following Beckwith (Chapter 2 of this volume), women's interests are socially and politically constructed values. Issues are choices that emphasize components of interest as a policy initiative. Preferences are alternatives on a specific issue.

ternational networking and domestic lobbying, protesting, and consciousness-raising activities, though the strategies varied across democracies and autocracies. I then find that women's mobilization helped countries ratify the Protocol more quickly, in both democracies and autocracies, but find limited evidence that anti-Protocol mobilization slowed down the pace of ratification. Thus, this chapter explores Implications 3.1 and 3.2 from Chapter 1 regarding the importance of the venues in which women have representation.

Who in civil society claims to represent women?

Though the scholarship on women and politics predominantly focuses on women's groups, they are not the only ones who care about how governments regulate women's and men's lives. Religious actors can also claim to represent women's interests. For instance, Sisters in Islam, an international women's group of Muslim women that advocates for women's rights, met in 2003 to reflect on the challenges that Muslim women's groups encounter "in the face of rising religious extremism" (Othman 2005: xiii). Women's activists from Egypt, Indonesia, Iran, Malaysia, and Morocco lamented that states were rejecting policies that would promote women's rights. Women's activists did not blame "Islam" writ large. This is an important point: Sisters in Islam was not struggling against religion per se. Rather, it identified specific Islamist political parties, politicians, and civil society groups that were mobilizing against proposed policies. Similarly, one study of Senegal argues that "the factor assumed here to be a, if not the, principal force restricting the political power of Senegalese women is the importance of Islamic institutions and leaders in Senegalese politics" (Creevey 2006: 154).

Opposition from civil society to pro-women policy is not limited to Muslim countries. One of the best-studied instances of anti-feminist mobilization took place in the United States, when conservative women activists mobilized against the Equal Rights Amendment (e.g., Mansbridge 1986; Soule and Olzak 2004). As Mazur finds, "[h]igher levels of feminist policy were achieved in countries where fundamentalist Christianity was less socially salient and politically influential" (2002: 189).

To better understand anti-feminist mobilization, scholars have considered the conditions under which anti-feminist actors succeed in influencing the state. One vein of theorizing focuses on pacts. Htun (2003a) compares women's rights policy making across Argentina, Brazil, and Chile under military and civilian rule in the 1970s through the 1990s. Htun finds that conflict between the state and the Catholic Church in authoritarian Brazil and democratic Argentina enabled politicians to vote against the Church's

wishes and to legalize divorce. In authoritarian Brazil, the Catholic Church had joined the opposition. In Chile, however, state leaders hesitated to legalize divorce. Civilian rulers were loyal to the Church because the Church shielded them during the previous dictatorship.

Economic inequality might facilitate the success of conservative religious activism. Blofield (2006) analyzes divorce and abortion reform in Argentina, Chile, and Spain. She suggests that class divisions, rather than elite pacts, affect the representation of women's interests. Blofield suggests that in unequal societies, organizations like the Catholic Church have more financial resources than do women's organizations. Thus, politicians court the Church. For instance, Argentina's former President Carlos Menem sought out the Vatican's support by formulating an anti-abortion agenda. Moreover, in unequal societies, politicians use moral issues to deflect the poor's attention away from their economic woes. Finally, high levels of inequality undermine cross-class solidarity within women's movements. Blofield attributes the absence of legalized abortion in Argentina and Chile partly to the fact that middle- and upper-class women can afford to pay for medical abortions in private clinics, hence the lack of elite women's mobilization. In Spain, relative social equality meant that women's activists not only had access to the media and the political arena through a supportive left-wing party, but they also were able to mobilize a broad, multiclass support base to lobby for legal abortion.

A third vein of theorizing differentiates between doctrinal and non-doctrinal issues. Htun and Weldon's (2010) global study of women's rights policy suggests that religious leaders and civil society mobilize depending on the type of issue, along with other factors such as the political environment. Doctrinal issues, such as abortion, contraception, and family law, challenge the letter of religion. Non-doctrinal issues, such as maternity leave, workplace equality, gender quotas, violence against women, and constitutional equality, do not challenge the doctrine of organized religion. Htun and Weldon contend that if a women's issue is doctrinal, then religious actors will mobilize and challenge women's rights policy, but if the issue is non-doctrinal, then religious actors will not mobilize.

How civil society claims to represent women

Civil society groups use several types of strategies to gain their government's attention and influence policy outcomes. These strategies are used singly. These strategies are also used in combination, including the combination of advocacy at the international level with advocacy at the domestic level.

International Strategies

An important aspect of women's mobilization for women's interests is its international character. In attending international conferences, workshops, and trainings, women from around the world make new friends, share ideas, and debate regarding what constitutes women's interests. Women in international arenas also identify and promote new international norms to promote women's interests. The creation of international norms can be effective. Scholars have found that governments respond to international norms because governments pay attention to what other countries do and fear being left out (Wotipka and Ramirez 2008). Additionally, scholars have found that governments try to keep up with international women's rights norms in the hopes of attracting foreign aid and favorable trade and lending agreements (Goodliffe and Hawkins 2006; Hathaway 2002).

Another strategy that civil society uses to gain government attention and influence policy outcomes is to use international law. International treaties can bind the hands of government actors and force them to reform domestic laws that undermine women's interests. Women's activists were instrumental in creating the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1979. Research suggests that governments that ratify CEDAW adopt more women's rights policies than governments that do not (Stetson 1995). Women's living conditions improve more in countries that have ratified CEDAW than in countries that have not (Gray et al. 2006). In her landmark study, Beth Simmons (2009) finds that, all else being equal, ratifying CEDAW decreases the gender gap in education and increases the likelihood that a government will adopt policies that will allow greater access to contraception.

Another strategy for civil society is to use international courts. Systematic study shows that through a long, incremental process of "judicial policy making," the European Court of Justice expanded the protection of women's pregnancy and maternity leave policy in European Union countries (Cichowski 2006). Representing a woman who had been enslaved most of her life, a coalition of international activists and Nigerien lawyers went to the Economic Community of West African States (ECOWAS) Court of Justice to enforce Niger's 2003 anti-slavery law. The international court fined the Nigerien government, and payment was accorded to the former slave (Duffy 2009). The ruling is now binding for ECOWAS's 15 member states.

Domestic Strategies

At home, civil society groups use several tactics to advocate for women's interests. Civil society groups can lobby government actors to build

alliances. They can use newspapers, radio, and television to provide information to the public and mobilize public opinion. In the Republic of Niger, a coalition of women's activists used the media to call upon the constitutional court of Niger to reject political party candidate lists that violated Niger's gender quota in 2004. In that year and subsequent election years, the law on candidate lists was enforced (Kang, 2013). Civil society groups can also organize demonstrations, at times marching to sites of policy making to demand change (e.g., Fallon 2008; Weldon 2011b). In 2002, a coalition of women's activists, with support from UNICEF, marched to the seat of the national parliament in Benin. The demonstrators demanded that the parliament review a draft family code, which had been stalled for several years. The head of the parliament agreed to make family law reform a priority, and the reform was made into law in 2004 (Kang 2010).

The Maputo Protocol on the rights of women

In July 2003, the African Union met in Maputo, Mozambique, and adopted the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, hereafter the Maputo Protocol. The Maputo Protocol is a bold treaty. It identifies a wide variety of African women's concerns, from economic equality to reproductive rights to widow's rights. The Protocol further stipulates that women have the right to medical abortion in cases of assault, rape, incest, and the endangerment of the mother's health. It is the first international women's rights treaty to take such an explicit stance on abortion. Catholic civil society groups mobilized against the Maputo Protocol, specifically objecting to the abortion clause.

By the end of 2010, more than half of the countries in the African Union (29 out of 53) had ratified the Maputo Protocol (African Union 2011). Eight countries ratified the Protocol in 2004 and nine in 2005. Following the fifteenth ratification, the Protocol went into effect, in November 2005. The number of ratifications in subsequent years then tapered off: three in 2006, four in 2007, three in 2008, none in 2009, and two in 2010.

Strategies used to advocate for the Maputo Protocol

Women's activists from across Africa came together early to push for the ratification of the Maputo Protocol. Activists employed a multilevel strategy, at the international and domestic levels, in democracies and autocracies. As will be shown below, the need for, and success of, a multilevel strategy is evidence in support of Implication 3.2 (see Chapter 1) regarding women having a voice in multiple venues.

Networking across Borders

One key strategy for proponents of the Maputo Protocol was to coordinate efforts and share ideas across borders. In 2004, four organizations (Equality Now, Fahamu, FEMNET, and Oxfam) created a network of supporters for the Maputo Protocol, called Solidarity for African Women's Rights (SOAWR). The purpose of SOAWR was to mobilize for the Protocol's ratification and implementation. SOAWR's 16 original organizations operated in 12 African countries (see Table 1).² Since 2004, SOAWR's membership has expanded to include 39 organizations.

Another network of African women's activists, Women in Law and Development in Africa (WiLDAF), led by women lawyers and judges, joined the movement for the Protocol's ratification. WiLDAF was created in 1990 "to promote the development of strategies that link law and development to empower women" (Hodgson 2002:4). WiLDAF organizes legal education campaigns, provides legal advice to women, and lobbies governments to

Table 1. Original members of Solidarity for African Women's Rights (SOAWR), 2004

Organization	Country Headquarters
1. African Center for Democracy and Human Rights Studies (ACDHRS)	The Gambia
2. African Women's Development and Communication Network (FEMNET)	Kenya
3. Association des Juristes Maliennes (AJM)	Mali
4. Akina Mama wa Afrika (AMwA)	Uganda
5. Cellule de Coordination sur les Pratiques Traditionnelles Affectant la Santé des Femmes et des Enfants (CPTAFE)	Guinea
6. Coalition on Violence Against Women (COVAW)	Kenya
7. Equality Now (the Secretariat of the Coalition)	UK, Kenya
8. Fahamu	Senegal
9. Federation of Women Lawyers Kenya (FIDA-K)	Kenya
10. Oxfam GB	UK
11. Sister Namibia	Namibia
12. Union Nationale des Femmes de Djibouti (UNFD)	Djibouti
13. University of Pretoria - Centre for Human Rights	South Africa
14. Voix de Femmes	Burkina Faso
15. Women in Law and Development in Africa (WiLDAF), Zambia	Zambia
16. Women's Rights Advancement and Protection Alternative (WRAPA)	Nigeria

Sources: E-mail correspondence between Equality Now and author (May 4, 2011) and websites of the organizations.

2. I thank Brenda Kombo of Equality Now for providing this information. E-mail correspondence with the author, May 4, 2011.

reform laws, especially family law. Like SOAWR, WiLDAF brings together women's activists across African borders. It comprises country offices that accept applications for individual and group membership. Individual membership is open to people of any profession, though the majority of individual members are women lawyers and judges. Additionally, local groups may apply to be affiliated with a WiLDAF country office. These local groups vary in topical interest (e.g., Muslim women's empowerment, female photojournalists) and are not exclusive to women's organizations (e.g., development NGOs, human rights NGOs). By my count, WiLDAF had offices in 23 countries when the Protocol became open for ratification (see Table 2).

Together, SOAWR and WiLDAF spearheaded a serious continental movement for the ratification of the Maputo Protocol in democratic and authoritarian countries. In 2003, civil society groups in 25 countries belonged to SOAWR or had a national office for WiLDAF.³ Eighteen of those countries were "free" or "partly free" according to Freedom House in 2003. Seven countries were authoritarian or "not free."

Lobbying

Activists mobilized for the ratification of the Maputo Protocol by lobbying key political actors. Activists in six countries used this type of strategy (see the quantitative section below for how I gathered this informa-

Table 2. Countries with a national office of Women in Law and Development in Africa (WILDAF), 2003

1. Benin	13. Namibia
2. Botswana	14. Nigeria
3. Burkina Faso	15. Senegal
4. Cameroon	16. South Africa
5. Cote d'Ivoire	17. Sudan
6. Ghana	18. Swaziland
7. Guinea	19. Tanzania
8. Kenya	20. Togo
9. Lesotho	21. Uganda
10. Mali	22. Zambia
11. Mauritius	23. Zimbabwe
12. Mozambique	

Sources: Butegwa (1995), WiLDAF (2001).

3. Zimbabwe, which is one of the 25 countries, is not included in the quantitative analysis below due to missing data.

tion). Pro-Protocol activists lobbied a wide range of political actors, from ministers to parliamentarians to ambassadors to the African Union to heads of state. Activists were reported to have lobbied their country's ministers for the ratification of the Protocol in Kenya, Mali, Tanzania, and Uganda. In Mauritania and Niger, activists were reported to have lobbied the president. Interestingly, I found relatively few reports of activists lobbying members of parliament, with the exception of Niger. This may be due to the relative strength of the executive branch over policy making in African countries whose parliaments are modeled on British or French parliaments rather than the US Congress. In some cases, activists met with multiple political actors to advocate for the Protocol's ratification. For instance, the Association of Malian Women Lawyers (an original member of SOAWR) and the minister for the promotion of women in Mali kept each other informed about their work on the Protocol. After the cabinet approved the decree for the Protocol's ratification in June 2004, the Association of Malian Women Lawyers then directed its efforts to lobbying parliamentarians so that the national assembly would approve the decree.⁴ Mali ratified the Protocol in January 2005. In Tanzania, pro-Protocol activists lobbied two different ministers: the minister for justice and constitutional affairs and the minister for gender, children's affairs and community development.⁵

Lobbying was more commonly used in democratic and hybrid countries than in authoritarian countries. Kenya and Mali, which had reports of lobbying, were relatively stable democracies throughout the study period. Tanzania and Uganda, which are stable hybrid democracies, also had reports of lobbying. Niger saw lobbying and was a relatively stable democracy until 2009, when President Tandja vied for a third term and dissolved the Constitutional Court and National Assembly. I found one report of lobbying in authoritarian Mauritania, which was nonetheless transitioning toward more competitive rule during the study period. The lack of reports of lobbying in "not free" countries may stem from the relative lack of publicly available information about pro-Protocol mobilization in authoritarian states. It is plausible that activists in authoritarian states do have access to government officials; authoritarian ruling coalitions may seek to address activists' demands to promote the regime's legitimacy at home and abroad.

Women's activists used popular culture to help lobby key officials. Drawing on the colors of football penalty cards, SOAWR issued color-coded pieces of paper to government actors. Green cards signified that

4. "Protocol on the Rights of Women in Africa: Update on Progress," *Pambazuka News* 165, July 15, 2004. Accessed at <http://www.pambazuka.org/en/category/features/23224>

5. Joshua Ogada. "SOAWR Update on the Protocol on the Rights of Women in Africa," *Pambazuka News* 302, May 4, 2007. Accessed at <http://www.pambazuka.org/en/category/wgender/41217>

the country ratified the Protocol. Yellow cards meant that the country had signed but not ratified the treaty. Red cards, given to countries that had not signed the Protocol, read: "You have received a *red card* by the Solidarity for African Women's Rights, a coalition of organizations campaigning for the ratification of the Protocol on the Rights of Women."⁶ At African Union summits, members of SOAWR issued the cards to country representatives, including ministers and heads of state. By 2007, the penalty card campaign became recognizable. When a minister from the Sahrawi Arab Democratic Republic received his country's card, he gladly announced that his country was now yellow and no longer red.⁷ SOAWR mailed penalty cards as well. Following the August 3, 2005, *coup d'état* in Mauritania, Equality Now sent a letter to the newly installed president, with a red card.⁸ Mauritania ratified the Protocol in September of that year. The ratification could have been used to improve the country's reputation internationally, including among the member states of the African Union following the *coup d'état*. While the president's concern about Mauritania's reputation may help account for the country's ratification of the Protocol, the timing of events suggests that lobbying may have been an effective tactic for pro-Protocol activists.

Consciousness-Raising Activities

To raise the public's awareness of the Maputo Protocol and to mobilize public opinion, activists organized a variety of consciousness-raising activities, from press conferences to workshops to documentary screenings, in both democratic and authoritarian states. Taking advantage of the widespread use of mobile phones, the campaign encouraged people to register support for the Protocol by sending text messages and to sign up for free alerts about the campaign's progress. As reported by one advocacy organization, SOAWR received approximately 1,000 requests for text message alerts in a six-month period (Fahamu 2005: 7).

Demonstrations

Finally, activists also created petitions and organized demonstrations to show that the Protocol had popular support. Reports of petitions and

6. SOAWR Press Release, "Twelve African Leaders Receive Red Cards on Women's Rights at the African Union Summit in Khartoum, Sudan," January 20, 2006. Emphasis in the original.

7. Joshua Ogada. "Africa: SOAWR Update on the Protocol on the Rights of Women in Africa." *Pambazuka* 302, May 4, 2007. Accessed at <http://www.pambazuka.org/en/category/wgender/41217>.

8. "Women's Rights Protocol: Challenges of Domestication," *Pambazuka News* 222, September 20, 2005. Accessed at <http://www.pambazuka.org/en/issue1222>.

protests, however, were relatively rare. Petitions and protests require the participation of greater numbers of people and special incentives or conditions to overcome the collective action problem. SOAWR organized an online petition. By their count, SOAWR had 3,849 signatures from individuals in nearly every African country (the exceptions are Chad, Gabon, Libya, Madagascar, and Sao Tome and Principe). Individuals signed the petition from other countries such as Canada, New Zealand, Pakistan, Turkey, Vietnam, the United Kingdom, and the United States.⁹ In Djibouti, pro-Protocol activists in 2004 distributed a petition for the ratification of the Maputo Protocol and collected 383 signatures in the Protocol's favor.¹⁰ I found reports of petitions or protests in three other countries: Republic of Congo, Uganda, and Zimbabwe. In the Republic of Congo, women's civil society groups held a march on International Women's Day in 2010 in which activists called for the Protocol's ratification.¹¹ In Zimbabwe, women's activists marched in the streets to call for the ratification of the Protocol in 2007.¹²

Strategies used to oppose the Maputo Protocol

Just as feminist civil society actors sought to advance women's interests by calling upon their governments to ratify the Maputo Protocol, others sought to advance women's interests by asking their government to *not* ratify the Protocol. Opponents of the Maputo Protocol used a multilevel strategy in their mobilization against the treaty in democracies and autocracies.

While some civil society groups opposed the Protocol, mobilization against the treaty was not as widespread as support in its favor (see Table 3). I found reports of public mobilization against the Protocol in nine countries: Burundi, Cameroon, Democratic Republic of the Congo, Ghana, Kenya, Madagascar, Niger, Tanzania, and Uganda. Public contestation over the Protocol was particularly rare in predominantly Muslim countries. Out of 18 predominantly Muslim countries in the African Union, I found reports of public opposition to the Protocol in one, the Republic of Niger.¹³ This

9. "Petition Signatories." Accessed at <http://www.pambazuka.org/en/petition/signatures.php>

10. "Campaign Update: What's Happening Around the Continent?" *Pambazuka* 190, January 20, 2005.

Accessed at <http://www.pambazuka.org/en/category/features126462/print>

11. Lydie Gisèle Oko and Yvette Reine Nzaba. "Les Congolaises organisent une marche." *Dépêches de Brazzaville*, March 9, 2010.

12. Nqobani Ndlovu. "Women Lawyers Protest over Protocol." *The Standard*, December 16, 2007. Accessed at <http://allafrica.com/stories1200712170538.html>

13. Predominantly Muslim countries are those where more than 50.1% of the population is Muslim. They are Algeria, Burkina Faso, Chad, Comoros, Djibouti, Egypt, Gambia, Guinea, Libya, Mali, Mauritania, Niger, Nigeria, Senegal, Sierra Leone, Somalia, Sudan, and Tunisia (Pew Forum 2009).

lack of opposition surprised me because in previous research, I examined why women mobilized against the Protocol in Niger and found that they had rational reasons for doing so (Kang 2010). I expected other neighboring or predominantly Muslim countries to experience similar kinds of public contestation over the Protocol.

In the remaining eight of the nine countries, Catholic groups opposed the Protocol, but there is another surprise here. Opposition does not seem to correlate with the percentage of the population that is Catholic (see Table 4).

For one, opposition from Catholic groups emerged in countries where Catholics constitute a minority: Cameroon (39%), Ghana (10%), Kenya (30%), Madagascar (20%), and Uganda (35%) (Fox 2004).¹⁴ In countries with similar proportions of Catholics, such as Benin, Zambia, Lesotho, and Swaziland, I did not find reports of anti-Protocol protests. Second, where Catholics constitute the majority, I found reports of anti-Protocol mobilization in two countries (Burundi and Democratic Republic of Congo) but not in the other two (Cape Verde and Rwanda). The lack of anti-Protocol mobilization in Cape Verde and Rwanda can be explained partly by timing: Cape Verde and Rwanda ratified the treaty quickly, in 2005 and 2004, respectively. Yet, Kenya saw anti-Protocol agitation as early as 2004. The connection between Catholicism and anti-Protocol activism is not as simple as one might think.

Networking across Borders

Anti-Protocol activists came together outside their countries, as did pro-Protocol activists. In March 2007, the Standing Committee of the Sympto-

Table 3. Countries with reports of anti-Protocol mobilization, 2003-2010 (month and year of first instance)

1. Burundi	June 2007
2. Cameroon	June 2009
3. Democratic Republic of Congo	February 2007
4. Ghana	April 2007
5. Kenya	September 2004
6. Madagascar	December 2007
7. Niger	September 2006
8. Tanzania	April 2007
9. Uganda	January 2006

Sources: AllAfrica.com and *Madagascar Tribune*.

14. Pew Forum (2011) is used to fill in missing information on Cameroon.

sium of Episcopal Conferences of Africa and Madagascar (SECAM) met in Accra, Ghana. On their agenda was the Maputo Protocol.¹⁵ Speaking in Ghana at a press briefing after the meeting, Cardinal Polycarp Pengo of Tanzania said, “we admire the efforts of some of the United Nations Committees, like the International Committee of the Convention for the Elimination of every type of Discrimination Against the Woman (CEDAW),” but “we equally denounce the unchallenged pressure they are exerting on Countries in Africa.” Pengo asked African leaders to reconsider the Protocol: “We respectfully request all the Governments of Africa to remove from the Protocol Article 14 # 1, e and 2, c and so defend our African cultural and

Table 4. Countries with Catholic minorities and majorities (above 10%)

Country	Percent Catholic
1. Cape Verde	90
2. Burundi	60
3. Rwanda	55
4. Democratic Republic of Congo	50
5. Congo	40
6. Cameroon	39
7. Angola	38
8. Lesotho	38
9. Uganda	35
10. Kenya	30
11. Zambia	28
12. Mauritius	26
13. Central African Republic	25
14. Tanzania	24
15. Benin	21
16. Madagascar	20
17. Togo	20
18. Malawi	20
19. Cote d'Ivoire	20
20. Namibia	18
21. Zimbabwe	16
22. Mozambique	16
23. Ghana	10
24. Swaziland	10

Note: Countries in bold saw anti-Protocol activism.

Sources: Fox (2004). For Cameroon: Pew Forum (2011).

15. “Press Release,” *Daily Mail*, March 27, 2007. Accessed at <http://allafrica.com/stories/200703270231.html>; “SECAM Committee Discusses Report on Evangelization,” *Catholic Information Service for Africa*, March 27, 2007, <http://allafrica.com/stories/200703270681.html>

religious values with regard to the sacredness of life, before the final ratification of the Protocol."¹⁶

Archbishops and bishops from Burundi, Democratic Republic of Congo, and Rwanda reached a similar conclusion at a meeting of the Association of the Episcopal Conferences of Central Africa (ACEAC) in June 2007. Out of a concern for protecting "African family values" and "women as mothers and source of life," the ACEAC declared that it opposed the article granting African women the right to abortion.¹⁷ International meetings provided a reason for Catholic leaders to come together and a space for them to identify their positions on the Maputo Protocol.

Lobbying, Consciousness-Raising, and Demonstrations

Anti-Protocol activists also mobilized on the ground in democracies and autocracies. Opponents of the Protocol lobbied political actors to sway the government from ratifying the treaty. In Niger, opponents asked the government and parliamentarians to refuse to ratify the Protocol. Opponents in Kenya met with President Kibaki to express their disapproval in June 2007. Anti-Protocol activists also sought to demonstrate that the public was on their side through petitions. In June 2009, activists organized a petition in Doula, Cameroon, against the Protocol for "legalizing homosexuality and abortion."¹⁸ Finally, opponents took to the streets in protest against the Maputo Protocol. In July 2009, opponents organized a march of silence over Article 14 in Cameroon.¹⁹ In Niger, dozens of women demonstrated against the Protocol in front of the National Assembly in September 2006.²⁰

Civil society actors in Africa are mobilizing around women's interests. The question remains: Are women's activists and their opponents influencing whether governments represent women's interests? I address this question in the following section with an empirical test. This analysis directly

16. Isabella Gyau Orhin, "Catholic Bishops Advocate Removal of Abortion Provisions in the African Charter," *Public Agenda*, April 16, 2007. Accessed at <http://allafrica.com/stories/200704161064.html>.

17. "Le droit à l'avortement de femmes en Afrique: Les Evêques du Burundi, RDC et Ruanda s'opposent au Protocole de Maputo," *La Prospérité*. June 21, 2007. Accessed at <http://fr.allafrica.com/stories/200706210465.html>.

18. Note that the Protocol does not make reference to homosexuality. Pierre-Marie Djongo. "De Maputo—Le rôle trouble de la France," *Le Messenger*, July 1, 2009. Accessed at <http://fr.allafrica.com/stories/200907010578.html>.

19. Eric Vincent Fomo. "Avortement—Quand le protocole de Maputo anime le débat," *Cameroon Tribune*, July 13, 2009. Accessed at <http://fr.allafrica.com/stories/200907130874.html>.

20. Laoual Sallaou Ismaël. "Les femmes musulmanes interpellent le gouvernement." *Roue de l'histoire*. September 13, 2006.

addresses Proposition 3, presented in Chapter 1, regarding the different and multiple venues in which policy is made by government.

Does civil society influence the ratification of the Maputo Protocol?

In this section, I analyze whether civil society groups affected the speed of the Protocol's ratification in 47 countries.²¹ The dependent variable is the likelihood of country i ratifying the Maputo Protocol on the Rights of Women in year t (African Union 2011). The unit of observation is the country-year. In the data set, a country is included while it is "at risk" of experiencing the event. Once a country ratifies the Protocol, it exits the data set. All countries enter the data set in 2003, the year the Protocol first became open for ratification. The study period ends in 2010. I use Cox proportional hazard models, which allows me to estimate the effects of covariates on duration time without parameterizing time-dependency. Because Cox models assume that the effect of each covariate is constant, i.e., proportional, over time, I look for violations of the proportionality assumption by calculating scaled Schoenfeld residuals for each covariate.²²

The central independent variables are mobilization for and mobilization against the Protocol. *Mobilization for the Protocol* equals 1 once a national newspaper or international news wire reports that a societal actor advocated for the ratification of the Maputo Protocol, and 0 otherwise. For instance, for Uganda, I marked that mobilization started in 2007. A Ugandan newspaper reported that Akina Mama wa Afrika said they discussed the Protocol's ratification with a gender minister.²³ I found reports by conducting a search on AllAfrica.com's database for the following combinations of keywords: < Protocol> <women> <rights>; < Charter> <women> <rights>; < Maputo> <women> <rights>. For countries with no national newspapers in AllAfrica.com's database, I searched national newspapers' websites by using the "Search within a site or domain" specification in Google's advanced search. The data collection included newspapers in English, French, Portuguese, and Spanish. Using this search method, I find reports of pro-Protocol mobilization in 23 countries between July 2003 and December 2010. Fifteen of the 23 ratified the Protocol. *Mobilization against the Protocol*

21. Morocco is excluded from the study because it was not a member of the African Union during the study period. Libya, Sao Tome and Principe, Seychelles, Somalia, and Zimbabwe are excluded due to missing data. South Sudan was not a state until 2011 and is not included.

22. The results concerning mobilization remain substantively similar when using Weibull event history models.

23. Geresom Musamali. "Kadaga Appeals to Govt Over Women Rights Law." *New Vision*, August 9, 2007. Accessed at <http://allafrica.com/stories/200708100088.html>.

equals 1 once a national newspaper or international news wire reports that a societal actor moved against the ratification of the Maputo Protocol, and 0 otherwise. I find reports of anti-Protocol mobilization in nine countries. Of those nine, five countries ratified the Protocol (Democratic Republic of Congo, Ghana, Kenya, Tanzania, Uganda).

Because measuring mobilization through newspapers has limitations (Earl et al. 2004), I also use an organization-based measure of mobilization as an alternative proxy. This measure follows Soule and Olzak (2004), who used the presence of an in-state chapter of the American Association of University Women, an organization that explicitly backed the ERA's ratification, as a proxy for pro-ERA mobilization. *SOAWR-WiLDAF* equals 1 if, in 2003, there was an in-country office of Solidarity for African Women's Rights (SOAWR) or of Women in Law and Development in Africa (WiLDAF), and 0 otherwise (Butegwa 1995; WiLDAF 2001; author communication with SOAWR). I chose to examine membership in SOAWR and WiLDAF in 2003 due to data availability. (Some countries did open an office later.) Twenty-four African countries had a national chapter of one or both of the pro-Protocol networks in 2003.

The models include six control variables. *Women in Parliament* is the percentage of women in the lower house of the national legislature or in the unicameral parliament (Inter-Parliamentary Union 2011). *Women in Parliament* ranges from 0 (Comoros in 2003) to 48.75 (Rwanda in 2004), with an average of 13.08%. Women in parliament may also represent women's interests (Escobar-Lemmon et al., Chapter 11 of this volume; Kittilson 2008; Reingold and Haynie, Chapter 10 of this volume; Schwindt-Bayer 2006; Swers, Chapter 9 of this volume). I expect that as the percentage of women in parliament increases, the speed of ratification increases.

Two controls take into account the country's political opportunity structure (see Beckwith, Chapter 2 of this volume). To control for regime type, I use *Level of Democracy* as measured by the Polity IV Project (Marshall and Jaggers 2010). Democracy ranges from -10 (full autocracy) to 10 (full democracy). In this study's sample, *Level of Democracy* ranges from -9 (Swaziland, all years) to 10 (Mauritius, all years). The average across all years and countries is 0.97. As *Level of Democracy* increases, I expect the pace of ratification to increase. This is because autocrats may support pro-women's rights in theory, but may undermine women's rights in practice. This false support for women's interests in autocracies is known as "First ladies syndrome," "wifeism," and "femocracy" (Abdullah 1995; Ibrahim 2004; Mama 1997; Okeke 1998; Tsikata 1998). Democracies, however, may be slow to ratify the Protocol as well. If the space for democratic debate is closed (Walsh 2010), then one would expect democratically elected governments to be slow at ratifying the Protocol. Further, the most organized and sustained anti-Pro-

tol movements arose in the democracies of Kenya and Niger. Kenya ratified the Protocol relatively late, in 2010.

To control for regime ideology, *Left Leader or Government* equals 1 if the country's leader or ruling party is Left-leaning, and 0 otherwise (Beck et al. 2001). Out of 265 country years, a Left-leaning president or government was in power in 67 years. Countries that had leftist rule while they were at risk are Algeria, Angola, Cape Verde, Congo, Cote d'Ivoire, Lesotho, Libya, Mozambique, Namibia, Senegal, South Africa, Tanzania, Tunisia, and Zambia. Some countries become Left-leaning over time, such as Guinea-Bissau and Sierra Leone. I expect that ratification occurs more quickly when a Left-leaning government is in power. Scholars have shown that Left-leaning leaders in democracies and autocracies are more likely to adopt gender quotas and gender equality policies (Caul 2001; Charrad 2001; Htun 2003a; Tripp and Hughes n.d.), though Left party rule does not always translate into the adoption of other types of women-friendly policies (Htun and Power 2006; Kittilson 2008; Mazur 2002: 189, 197). I expect Left-leaning governments to ratify the Protocol more quickly in democracies and autocracies.

The fourth control variable addresses external incentives. *Foreign Aid* is the natural log of net official development assistance per capita in current US dollars in the previous year (World Bank 2011). *Foreign Aid* ranges from -2.30 to 6.00, with an average of 3.57. A government might ratify the Protocol to demonstrate to foreign governments and international organizations its commitment to liberalism. I expect ratification to happen more quickly when governments rely more on foreign aid. In alternative models not presented here, I include other proxies for foreign incentives, such as whether there is a liberalizing United Nations peacekeeping force in the country (Bush 2011).

Finally, I control for religious demographics and wealth. *Catholic* is the percentage of the country that is Catholic (Fox 2004; Pew Forum 2011). *Catholic* varies from 0 to 90, and the mean is 15.95. Alternative models examine the hypothesis that predominantly Muslim countries are less open to international women's rights norms (Fish 2002, 2011; Inglehart and Norris 2003; Poe et al. 1997). The percentage of Muslims in the country does not negatively influence the likelihood of ratification. *GDP per Capita* is the natural log of gross domestic product per capita of the previous year (World Bank 2011). The natural log of GDP per capita varies from 5.52 to 10.36, with an average of 7.46. Modernization theorists posit that post-industrial countries are more open toward norms of gender equality (Inglehart and Norris 2003). According to the modernization hypothesis, higher levels of wealth should have a positive influence on the ratification of the Protocol.

Table 5 reports the results in terms of hazard ratios. Hazard ratios estimate the change in odds of policy adoption given a one-unit change in the independent variable. When hazard ratios are greater than 1, this suggests a

faster pace of ratification. Hazard ratios less than one indicate a slower pace of ratification. The results show that the mobilization of women's activists increases the pace at which the government ratifies the Maputo Protocol.

The baseline model in Table 5 does not include mobilization. The political opportunity structure seems to matter. The hazard ratio for *Women in Parliament* is greater than one, as expected. The higher the level of democracy, the faster the country is likely to ratify the Protocol. Countries appear to be at greater risk of ratifying the Protocol more quickly if there is a Left-leaning leader or government in power. Contrary to our expectations, higher levels of dependence on foreign aid does not correlate with a faster pace of ratifying the Protocol. Note as well that the percentage of the country that is Catholic and level of GDP per capita do not appear to influence the ratification of the Protocol.

Table 5. The determinants of the ratification of the African Union Maputo Protocol, 2003-2010 (Cox event history analysis)

Variables	Baseline Model	Mobilization Model	Democracies Only Model	Autocracies Only Model
Mobilization for the Protocol		3.9910*** (1.6395)	3.6480** (2.2562)	5.3687* (3.4840)
Mobilization against the Protocol		1.7204 (1.3775)	1.5607 (1.4390)	2.2204 (1.9599)
Women in Parliament	1.0425* (.0258)	1.0474* (.0262)	.9683 (.0435)	1.0601 (.0391)
Level of Democracy	1.1196** (.0500)	1.0992** (.0465)		
Left Leader or Government	1.9300* (.7070)	1.6782 (.7294)	8.2457*** (5.2831)	.7882 (.4306)
Foreign Aid	1.0031 (.2639)	1.1664 (.3636)		
Catholic	.9973 (.0096)	1.0008 (.0105)		
GDP per Capita	.8124 (.1483)	.8576 (.1471)		
Log pseudolikelihood	-84.3845	-78.4896	-22.9654	-37.0800
Number of countries	47	47	17	30
Number of failures	26	26	12	14
Observations	265	265	81	184

Hazard ratios are estimated using the Efron method for ties. Robust standard errors, clustered by country, in parentheses. * $p < 0.10$; ** $p < 0.05$; *** $p < 0.01$

What happens when we include activism for and against the Protocol? I find a strong relationship between women's activism and the Protocol's ratification (Table 5, second column). When women's advocates publicly call on their governments to ratify the Maputo Protocol, governments are significantly faster to ratify the Protocol. Religious opposition to the Protocol, by contrast, does not appear to be effective. This may be due to the relatively late timing of opposition. The earliest instance of opposition against the Protocol I found was in a September 2004 speech at a seminar on women's rights in Nairobi. Mirugi Kariuki, assistant minister of foreign affairs, who would later become a parliamentarian and human rights advocate, "lamented that [Kenya] had not ratified the pact," which was "being criticized by religious organizations because it included abortion."²⁴ Kenya aside, the majority of anti-Protocol activity took place *after* the Protocol entered into force. In robustness tests, the variable for *Women in Parliament* does not consistently obtain significance at the .10 level. The degree to which a country is democratic is important for the pace of ratification.

The last two models split the countries into democracies and autocracies to examine whether pro- and anti-Protocol activism influences the speed of the Protocol's ratification under different regimes. Countries that scored a six or higher from the Polity IV Project in 2003, 2004, or 2005 were coded as democracies. The results in the last two columns should be interpreted with care, given the relatively small number of countries and observations in the models. Results for the first group, democracies, are shown in the third column of Table 5. The importance of women's activism on the pace of ratification remains strong. Mobilization against the Protocol does not appear to significantly affect the speed of ratification in democracies. Within democracies, countries with Left-leaning leaders and governments are significantly faster to ratify the Protocol. Contrary to my expectation, Left-leaning governments in autocratic regimes do not appear to be faster to ratify the Protocol. Among autocracies, governments are also quicker to ratify the Protocol when there is women's activism for the treaty, including in alternative models where I include foreign aid and GDP as control variables, neither of which are significantly related to the time it takes governments to ratify the Protocol. Again, the findings are preliminary, given the limited number of cases in the split samples.

Women's activism is the only explanatory variable in Table 5 that has a strong and consistent relationship across different models. This finding holds in a variety of robustness checks. The importance of women's activism holds when the models use an alternative measure of women's activism, *SOAWR-WiLDAF* (models not shown). The impact of women's mobilization

24. "Equality Bill to Go Back to Parliament," *Daily Nation*, September 21, 2004. Accessed at <http://allafrica.com/stories/200409210073.html>.

on the Maputo Protocol holds when the models replace a dichotomous measure of Muslim-majority population with a continuous variable (Pew Forum 2009). Different sources sometimes produce different lists of Muslim-majority countries, so I alternatively use Fish's (2002) and Fox's (2004) lists. Others have found that it is not religion per se, but state-church relations that influence women's rights reforms (Simmons 2009). Therefore, I include a measure of state religion (Fox 2004). To assess whether large oil rents create a structural impediment for the enjoyment of women's rights (Ross 2008), I add a variable measuring net oil and gas exports as a percentage of Gender-related Development Index (GDI) to the models (World Bank 2011). The central findings about the effect of pro-Protocol mobilization remain substantively similar.²⁵ Finally, leverage analysis suggested that Burkina Faso, Democratic Republic of Congo, Guinea-Bissau, and Mauritania are outliers. When these countries are excluded one at a time, pro-Protocol mobilization remains a positive and significant influence on the Protocol's ratification.

Implications of the study

This chapter has provided an empirical analysis of who in civil society claims to represent women's interests and how civil society groups seek to influence policy outcomes. Civil society groups employ a variety of strategies over time and across the continent, which is evidence in support of Implication 3.2 from Chapter 1: success in realizing the translation of preferences into policy is greater when women have an influential voice in multiple venues.

Implications for Who Represents Women's Interests

One implication of this study is that a wide range of actors outside the state are actively involved in the representation of women's interests. I find that women's activism is the strongest determinant of the timing of ratification. Women's activism appears to matter more than the proportion of women in parliament, though in two out of the four models, *Women in Parliament* gains statistical significance. It is possible that this study's measure of women's representation does not adequately measure the substantive importance of female parliamentarians or female cabinet members, who may serve as crucial allies for women's groups.

Future work should examine not just the percentages of women in office or in cabinet, but whether and when women in office and in cabinet

25. Future research could examine why some countries ratified the Protocol with reservations, but the African Union has not released such information.

form alliances with women's groups. Dahlerup (Chapter 4 of this volume) argues that movements have to work to build a common ground, and makes a similar call for research that examines the conditions under which women from multiple venues form coalitions and work together. The anecdotal evidence suggests that these alliances matter. Indeed, many of the women's activists involved in promoting the Protocol were judges and ministers, who include women and men. As Maria Escobar-Lemmon et al. (Chapter 11 of this volume) find, male ministers do propose bills that seek to advance women's interests; male members of cabinet may serve as important allies for civil society. This analysis thus can be interpreted to provide support for Implication 3.1—access to the right venue is critical for the ability of representatives of women's interests to change policy—but it also indicates the need for more investigation of the factors that make a venue the "right venue." Only further research can tell us whether and under what conditions women in African parliaments and women in African cabinets are substantive representatives. Thus far, case study evidence goes in both directions (e.g., Beck 2003; Goetz and Hassim 2003; Hassim 2006; Tripp et al. 2008).

A second implication from this study is that civil society groups sometimes but not always conflict over women's issues. I was surprised by the relative lack of public debate over the issue of abortion and other potentially contentious issues, such as the age of marriage and polygamy, in the Maputo Protocol. Perhaps my surprise stems from the context in which I live, in the United States, where debates over abortion and contraception seem perennial. As Hancock (Chapter 3 of this volume) argues, race, ethnicity, gender, and other markers including religion are not static or homogeneous categories. Let me be clear that I do not claim that African women enjoy free access to reproductive health; women face real hurdles in obtaining quality health care. Rather, I suggest that scholars further study the conditions in which opposing groups emerge. Africa provides a rich and diverse terrain in which to study the representation of women's interests—both who seeks to represent women's interests, and how they try to do so.

Implications for How the Representation of Women Occurs

A final implication from this study is that advocacy for women's interests is happening at multiple levels. Transnational networking is being employed by advocates and opponents. Advocates and opponents of the Maputo Protocol formulated and articulated their policy preferences in international arenas. Thus far, scholars have examined how transnational networking advances the representation of women's interests (e.g., Keck and

Sikkink 1998; True and Mintrom 2001). This chapter finds that much of the opposition to the Maputo Protocol came from groups in the transnational network of the Catholic Church. This suggests that the more conservative religious groups meet internationally, the more opportunities they have to discuss and claim to represent women's interests.

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