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# **GENDER AND ECONOMIC PARTICIPATION: A REVIEW OF THE LITERATURE**

## **Final Report**

### **U.S. Agency for International Development**

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# CONTENTS

<b>EXECUTIVE SUMMARY</b> .....	<b>i</b>
<b>PREFACE</b> .....	<b>1</b>
<b>CHAPTER I: Economic Policy</b> .....	<b>4</b>
<b>A. Why Gender Matters</b> .....	<b>4</b>
1. Gender-Based Constraints .....	<b>5</b>
2. The Relevance of Gender in Economic Models .....	<b>7</b>
3. Labor Force Structure .....	<b>9</b>
<b>B. Economic Policy and Women in Developing Countries</b> .....	<b>13</b>
1. Government Spending and Investment .....	<b>14</b>
2. Export Promotion .....	<b>18</b>
3. Agricultural Reform .....	<b>20</b>
4. Deregulation of Labor Markets and Business Environments .....	<b>21</b>
<b>C. Economic Policy and Women in Transitional Economies</b> .....	<b>22</b>
1. Parallels and Differences Between Developing Countries and Transitional Economies .....	<b>22</b>
2. The Status of Women in Socialist Economies .....	<b>22</b>
3. Gender Specific Impacts of the Transition to A Market Economy ..	<b>25</b>
<b>D. Conclusions/Recommendations</b> .....	<b>29</b>
1. Developing Countries .....	<b>29</b>
2. Transitional Economies .....	<b>31</b>
<b>CHAPTER II: Legal and Regulatory Issues</b> .....	<b>34</b>
<b>A. Why Gender Matters</b> .....	<b>34</b>
<b>B. Understanding How Legal Systems Affect Women</b> .....	<b>35</b>
1. A Broader Approach to Legal Systems .....	<b>35</b>
2. Dual and Plural Legal Systems .....	<b>36</b>
3. Inconsistency and Ambiguity Within Legal Systems .....	<b>39</b>
4. The Impact of International Anti-Discrimination Conventions .....	<b>40</b>

<b>C.</b>	<b>Women's Access to and Control of Property</b> . . . . .	<b>40</b>
1.	<b>The Impact of Personal Status Laws</b> . . . . .	<b>41</b>
2.	<b>The Impact of Land Registration and Land Reform</b> . . . . .	<b>44</b>
<b>D.</b>	<b>Laws and Practices Affecting Women in Business</b> . . . . .	<b>45</b>
1.	<b>Personal Status Laws and Customs</b> . . . . .	<b>45</b>
2.	<b>Bank Practices</b> . . . . .	<b>46</b>
3.	<b>Regulations Governing Business and Markets</b> . . . . .	<b>47</b>
<b>E.</b>	<b>Women's Economic Participation and Labor Law</b> . . . . .	<b>48</b>
1.	<b>The Changing Nature of Work and Women's Wage Labor</b> . . . . .	<b>49</b>
2.	<b>Representation of Women Workers in Unions</b> . . . . .	<b>51</b>
3.	<b>The Role of Government in Improving Women's Work Status</b> . . . . .	<b>52</b>
4.	<b>Specific Labor Law Issues for Women</b> . . . . .	<b>53</b>
<b>F.</b>	<b>Strategic Interventions to Improve the Legal Position of Women</b> . . . . .	<b>56</b>
1.	<b>Systematic Thinking About Action Strategies</b> . . . . .	<b>56</b>
2.	<b>Input at Political and Economic Transition Points</b> . . . . .	<b>57</b>
3.	<b>Legal Literacy Programs</b> . . . . .	<b>58</b>
4.	<b>Action-Oriented Research</b> . . . . .	<b>59</b>
5.	<b>Building Women's Constituencies for Legal Reform</b> . . . . .	<b>60</b>
6.	<b>Alliance Building and Dialogue</b> . . . . .	<b>60</b>
7.	<b>Increasing the Number of Women in the Legal System</b> . . . . .	<b>62</b>

**CHAPTER III: Business Development** . . . . . **63**

<b>A.</b>	<b>Why Gender Matters</b> . . . . .	<b>63</b>
1.	<b>Economic Rationale</b> . . . . .	<b>64</b>
2.	<b>Socio-cultural Importance</b> . . . . .	<b>65</b>
3.	<b>Increased Efficiency of Donor Projects</b> . . . . .	<b>65</b>
<b>B.</b>	<b>The Participation of Women in Business</b> . . . . .	<b>65</b>
1.	<b>Overview of Enterprise Development: Basic Terms and Definitions</b> . . . . .	<b>66</b>
2.	<b>Why Women Start Businesses</b> . . . . .	<b>67</b>
3.	<b>Characteristics of Businesswomen and Their Businesses</b> . . . . .	<b>69</b>
4.	<b>Data on Women's Participation</b> . . . . .	<b>70</b>
5.	<b>Constraints to Women Entrepreneurs</b> . . . . .	<b>73</b>
6.	<b>Graduation</b> . . . . .	<b>76</b>

C.	Financial Services for Women .....	77
1.	How Women Finance Their Businesses .....	77
2.	New Views on Financing Women's Enterprises .....	80
D.	Interventions Suggested by the Literature .....	81
<b>CHAPTER IV: Institutional Support and Representation .....</b>		<b>85</b>
A.	Why Gender Matters .....	85
B.	Why Women Organize or Fail to Organize .....	87
1.	Responses to Economic Crisis and Reform .....	87
2.	Unmet or Unrepresented Needs .....	88
3.	Responses to External Catalysts .....	89
4.	Changes in the Political Climate .....	90
C.	Women's Participation in Organizations .....	92
1.	Professional Associations .....	92
2.	Trade Unions .....	95
3.	Alternative Labor Organizations .....	97
4.	Non-Governmental and Grassroots Organizations .....	99
5.	Government Institutions .....	101
6.	Political Parties .....	105
D.	Factors Affecting Women's Influence on Policy .....	106
1.	Access to Political, Government and Donor Officials .....	106
2.	Credentials from Participation in National Armed Struggles .....	107
3.	Competing National Priorities .....	108
4.	Strengths and Weaknesses of Women's Organizations .....	109
5.	Coordination Amongst Women's Groups .....	109
6.	Tools and Strategies for Change .....	110
E.	Interventions Suggested by the Literature .....	112
<b>CHAPTER V: Target Areas and Topics for Further Exploration .....</b>		<b>114</b>
A.	Target Areas .....	114
1.	Improving the Quality of Women's Work .....	115
2.	Diversifying Women's Occupations .....	116
3.	Developing Women's Leadership Positions and Capacity .....	116
4.	Mitigating Constraints to Women's Economic Participation .....	117

<b>B.</b>	<b>Topics for Further Exploration</b>	<b>118</b>
1.	<b>Economic Policy</b>	<b>118</b>
2.	<b>Legal and Regulatory Issues</b>	<b>119</b>
3.	<b>Business Development</b>	<b>119</b>
4.	<b>Institutional Support and Representation</b>	<b>120</b>

**ANNEX A: Bibliography**

**ANNEX B: Five-in, Five-out Exercise: Summary of Results**

## **EXECUTIVE SUMMARY**

The process of political and economic reform underway in many developing countries and in the transitional societies creates the potential for women to contribute to economic growth and to share in the benefits of growth in a more effective and egalitarian manner. On this premise, the Bureau for Global Programs is designing the Participation of Women in Economy and Reform (POWER) Project in order to expand women's economic opportunities and participation in countries undergoing economic reform. This literature review is a key component of the first phase of the development of POWER. The review will be used, in combination with a review of resource institutions and a concept paper, to guide fieldwork in four countries to assess the potential for particular project activities. The findings from the literature review and the field studies will then feed into the design of the POWER Project.

This literature review examines the following questions related to gender and economic reform: (i) what are the distinctive impacts of economic reform policies on women?; (ii) what are the barriers preventing women from responding to economic policy incentives and opportunities?; (iii) what are the constraints to and opportunities for women's effective participation in setting economic policy and reforming laws that can expand women's economic participation?; and (iv) does the literature provide examples of effective interventions that enhance women's input into policy decision-making or substantially increase their economic activities?

The review is organized in terms of the following broad topics and chapters: women and economic policy reform, women and legal and regulatory systems, women and business development issues, and women's institutional support and representation. Major findings from each section are summarized below.

### **1. Women and Economic Policy**

- Due to a number of gender-based factors, women and men face different constraints in their abilities to respond to economic policy incentives. The constraints affecting women include: their dual role; limited control over resources; lack of joint decision-making and unequal sharing of resources within households; and other labor supply and demand constraints. These gender-based constraints lead to differences in men's and women's participation in and distribution across jobs and sectors.
- These constraints also affect both the spread of benefits and costs and women's ability to take advantage of opportunities brought about by economic policies. Therefore, recognition and understanding of the gender-based differences in the structure of the labor force are central to effective policy-making.

- Much of the gender specific literature which reviews effects of developing country economic policies, such as price liberalization, social service spending cuts, and wage cuts indicates that while these policies have reduced real income for men and women alike, they have increased to a greater extent women's unpaid and paid work burden due to the multiple roles women undertake in the household, as caretakers, consumers and producers. Not all of the literature, however cites negative effects, some studies pointed out the positive effects on producers, including women, of a rise in the price of their product.
- There is disagreement regarding the effects of other economic policies -- export promotion and deregulation of the labor market. Women, particularly in Asia and Latin America, have benefitted in the *quantity* of employment generated by these policies. However, the *quality* of these jobs is debatable. Some authors cite the low wages, low skills, and few advancement opportunities characteristic of these jobs as evidence of undesirable traits. On the other hand, earnings for women in some jobs may be better than the available alternatives and the jobs may entail nonmaterial benefits such as improved self-esteem and group solidarity.
- It is important to recognize that women are essential, and in some regions dominant, in agricultural production. Despite their central role, women still have limited access to land, credit, technology, agricultural inputs and government extension services. The potential of agricultural reform is severely limited when the barriers to women's participation are not addressed.
- The status of women in the workforce of the former Soviet bloc countries when the transition process began was characterized by: high female labor participation rates; high concentration of women in particular sectors; high female education levels; limited participation in job-related training; limited participation in management; a "double" work day for women; and social policies that eased and encouraged women's participation in the formal labor force.
- The impacts on women of the transition to a market economy fall into three central categories. The first is unemployment, which has greatly affected women; in fact, women comprise majorities of the registered unemployed in many former Soviet bloc countries. Second, women's potential for re-employment is limited by gender-specific job announcements, inadequate skills (or the perception of inadequate skills), and a belief that women, due to social benefits provided under socialism, are more costly than equivalently-qualified males, even though their male counterparts receive higher wages. Third, the loss of social services (particularly childcare) has made it more difficult for women to hold or look for jobs.
- The literature provides several recommendations to enhance women's economic participation. These include: gender-aware policy reform; greater participation of women in economic policy-making and implementation and dissemination of information

regarding policies; social services to decrease the burden of women's unpaid work; expansion of quality employment opportunities, training and employment services for women; and collection of gender-disaggregated data to support sound policy formulation.

## **2. Women and Legal and Regulatory Systems**

- In many countries in Africa, the Near East, and Asia, there are dual legal systems which include: (i) civil law or statutory law derived from European legal traditions and (ii) customary law, which in some countries may be defined as religious law.
- The dynamics of dual systems are country-specific with civil law, in some cases, increasing women's autonomy and access to resources. In other cases, civil law derived from European legal traditions and modern land reform laws have reduced women's control over land and other resources and their autonomy.
- Personal status law governs most aspects of private life, such as a woman's minor or majority status, marriage and divorce, control of property and inheritance. Personal status law can be a main source of discrimination against women, depriving them of autonomy and critical resources required to effectively participate in economic activities. For example, in sub-Saharan Africa, South Asia, most Islamic societies, and to a lesser degree in Latin America, a woman is considered a "minor" and, therefore, must have her husband's or another male's approval to carry out basic transactions. These laws impede women's ability to start and operate businesses; obtain bank loans, licenses, and other regulatory approvals; enter legal contracts; travel on business; and control income from the business and reinvest it.
- In most developing countries, personal status laws and customs (marriage, divorce, and inheritance) and land registration and land reform laws restrict women's ownership of property. Even when laws define women's right to property, women may not be able to assume these rights or make successful legal appeals because of patriarchal influences on the implementation of the laws.
- Islamic *Shari'a* law, a version of personal status laws, has a strong influence on women's legal status in many countries across Africa, the Middle East, Central and South Asia, and pockets of Southeast Asia. The interpretation and influence of these laws varies across countries and through time in a single country, depending on other factors such as the type of political state, economic strategies that affect the labor force, economic health or crisis, and the organizational strength and influence of concerned constituencies. A restrictive interpretation of *Shari'a* law or dominant position in the legal system makes it difficult for women to control property rights or to participate in business or other work outside of the home.
- Many developing countries have included equal rights and anti-discrimination principles at the top of the hierarchy of laws, but these are seldom applied as law because: (i) they

are undercut by customary laws; (ii) they are ignored by government agencies and magistrates who are uninformed about the law or do not accept it as law; and (iii) most citizens are not aware of these laws and do not know how to appeal lack of enforcement.

- There is limited information in the literature about the impacts of regulations on businesswomen. To move beyond generalizations about constraints, action-oriented research in particular countries is needed.
- The literature suggests some evidence of changes in the structure of work that may have significant impacts on employees generally. The literature on gender specifically looks at the impact on women workers. Companies are increasingly bringing on workers using flexible or terminable contracts which give them irregular or temporary status. With this redefinition of jobs as "casual labor", employers are able to avoid minimum wage and other legal entitlements for workers.
- Traditionally, protective legislation has provided special benefits to women, e.g., paid maternity leave, childcare facilities or assistance, prohibition of night work, and a lower retirement age for women. While these benefits may protect women in the labor force, in some cases they may create incentives for firms not to hire women, to employ them on irregular or temporary status, or to pay them a lower wage.
- The success of strategic interventions by women's advocacy organizations to address legal system constraints to women's political and economic participation depends on: the existence of a "sympathetic ear" at the top level of government policy-making; provision of well-informed input at key "transition points" when economic policies and laws are being revised or decided; broad-based legal literacy efforts that involve many stakeholders in discussion and action; strong constituencies which understand the issues and are willing to lobby for change; and action-oriented dialogue among donors, governments, and local organizations.
- A strategy that shows promise for addressing the *de facto* legal barriers to women's economic and political participation is that of broad-based legal literacy programs. Currently, a number of local women's organizations carry out such programs in many countries. The programs often involve the training of community-based legal paralegals and also targeting those in the legal profession, the media, and members of the government.

### **3. Business Development**

- Women's businesses make significant economic contributions at both the national and household levels. The literature shows that women's firms, be they formal or informal, are very important to household survival during economic crisis and reform as women

are most likely to spend their profits on household needs such as food, health, and education. The rising numbers of female-headed households also increases household dependence on women's incomes.

- According to the literature, there are relatively few women-owned businesses in the formal private sector, though there is evidence from Africa that their contributions at that level are increasing. Women-owned businesses do, however, make up a significant portion of small and informal businesses throughout the world, from about one-third in Latin America to three-fourths in parts of Africa. Women-owned businesses tend to be concentrated in the commerce and services sectors, and are often found in low-growth and less dynamic subsectors such as handicrafts and food processing.
- The literature does not directly address the impacts of economic reform on women-owned businesses. However, it does cite some instances where liberalization of markets, deregulation and privatization may be creating some new opportunities for women entrepreneurs. In particular, this seems to be the case in Central and Eastern Europe and parts of Africa.
- Women face many of the same constraints to business start-up and expansion that men do. However, the constraints are often heightened for women due to lower levels of education and discriminatory legal systems and cultural practices. The main constraints for women identified by the literature are lack of access to finance, training, institutional support, and markets.
- "Graduation" from the informal to formal sector or micro to small scale may be a difficult strategy for promoting women's businesses given that: the majority of women start their businesses for survival, with little knowledge of basic business principles; are typically in non-growth and less lucrative subsectors; and are oriented toward improving household welfare. On the other hand, because of the important contributions women's enterprises make to household welfare, it is important to identify the firms that may be viable candidates for "graduation" into more profitable markets and sectors.
- Enhancing women's access to credit continues to be an important donor strategy to improve the economic status of women. A more recent -- and perhaps more effective -- approach in this area is encouraging broad-based financial sector and banking reforms that mainstream women into formal financial markets.

#### **4. Institutional Support and Representation**

- The 1980s introduced an era of increased private participation in public life through new forms of organizing. With political liberalization in most regions of the world, non-governmental organizations (NGOs) have proliferated rapidly, and they are in particular playing the important role of representing previously unheard voices. With this

expansion of civil society, many women's groups have also begun to appear and are making important contributions to political discussions.

- Women organize for a variety of reasons: to provide mutual support in times of economic hardship; because existing organizations do not represent them or their views; in response to outside catalysts such as international donors; and as a result of changes in political climates.
- While many women's groups have formed as a result of economic crisis and reform, the literature does not discuss their influence on economic decision-making bodies or their participation in economic policy discussions.
- The participation of women in non-gender-specific organizations and institutions (e.g., unions, political parties, business associations, and government bodies) and their influence in these vary by country. However, strong lobbying efforts generally are required to include more women members and to allow them influence in policy-making.
- Although women's participation in politics and government appears to be increasing world-wide, there is no concrete evidence that this trend has improved the economic or social status of women.
- Some women's groups have been able to influence national policy. Factors behind their success or failure include: their access to political, government, and donor officials; their credentials and political clout; the prevailing political environment; the effectiveness of women's organizational structures; coordination amongst women's groups; and the organizing tools and strategies they employ.
- The literature concludes that women's groups can be effective mechanisms both for donor funds and resources to reach large numbers of women, and for women to voice their issues and concerns to policy-makers.

## **5. Target Areas and Topics for Further Exploration**

- Several broad categories "stand out" in the literature as areas that are critical to women's participation in the economy and therefore may be target areas for POWER. These areas are: improving the quality<sup>1</sup> of women's work; diversifying women's occupations; developing women's leadership positions and capacity; and mitigating constraints to women's economic participation, particularly in the areas of financial services; laws and

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<sup>1</sup> What "quality" employment means is open to interpretation. The term "quality" here means the potential for growth and advancement, for wages above subsistence level (at a minimum), benefits befitting the circumstances of employment, safe working conditions, and some degree of job security.

regulations; information, knowledge and skills; and institutional support. These broad categories cut across the four analytical categories into which this literature review is divided.

Despite providing a broad base of information regarding gender and economic and political reform, the literature provokes additional questions. In the economic policy area, these questions relate to: (i) opportunities that arise from new policies, (ii) financial services and the services sector; and (iii) the effects of changing economic policies on women-owned businesses. With respect to legal and regulatory issues, questions concern: (i) the need for country-specific information; and (ii) the need for greater information on business and market regulatory laws. Regarding business development, the literature does not sufficiently address: (i) women's roles in the formal sector; and (ii) the types of business and management training that women may need. Finally, in the area of institutional support and representation, questions remain regarding: (i) the influence and extent of participation of women's organizations in policy-making; and (ii) the types of services provided by such organizations.

## PREFACE

### ***Background***

Women are important economic actors in most developing and transitional countries. Through their involvement in small enterprises and the informal sector, for example, women make important contributions to the economy. In addition, women's economic participation is associated positively with household welfare, since women devote much of their income to meet family needs.

The process of political and economic reform underway in many developing countries offers the potential for women to enhance their contributions to economic growth. However, in some instances, the process has threatened women's roles in the workplace and has had undesirable repercussions on women's lives more generally. Moreover, in nearly all developing countries, women continue to be severely under-represented in the formal workforce, as well as in decision-making bodies in government, business, and academia. These factors may hinder women's ability to contribute to and benefit from economic policies and political reforms.

In recognition of these issues and concerns, the Bureau for Global Programs has begun to design a new initiative, the Participation of Women in the Economy and Reform (POWER) project, with the assistance of a team provided through the Private Enterprise Development Support III (PEDS III) project. The POWER project is intended to expand women's opportunities and participation in the economy, in a manner that will complement the democracy activities of the Bureau for Global Programs as well as USAID missions' economic reform and democracy activities. The Bureau for Global Programs envisions that the design of the POWER project will take place in four phases:

- ***Development of the Analytical Foundation***, including: an in-depth review of recent literature related to women's participation in the economy and economic policy-making; a review of institutions in the United States and abroad that may be resources for promoting women's economic participation; and preparation of an initial concept paper outlining objectives of the POWER project, potential project initiatives, and issues to be examined and tested through field research.
- ***Field Research and Testing***, in order to refine and update the central findings of the literature review and to test the demand and feasibility of the project initiatives proposed in the initial concept paper.
- ***Project Design***, including: modification of the initial concept paper based on results from field research; and preparation of full-project design.
- ***Pilot Implementation*** of selected project activities.

## **The Literature Review**

As the first element of POWER's analytical foundation, the literature review was launched with an exercise to determine collectively the main topics of the review. Prior to initiating research, the USAID POWER Working Group and the PEDS III project team endeavored to focus the review on issues directly and clearly linked to women's economic participation and to reach consensus on the specific issues to be included in the review. Specifically at the request of the Bureau for Global Programs' Office of Economic and Institutional Reform, members of the Working Group and PEDS III team submitted ideas regarding the five areas that they believed the review should address and the five areas that the review should not address. This effort, which became known as the "Five-in, Five-out Exercise," provided the basis for defining both the broad areas and the particular questions that the POWER literature review would aim to address and answer. (A detailed summary of the results of the "Five-in, Five-out Exercise" is included as Annex B.)

Through the exercise, four issues emerged as central to POWER: economic policy reform, legal and regulatory issues, business development, and institutional support and representation. Accordingly, these four issues form the core of the literature review. The literature review did not address two areas central to women's economic participation -- microenterprise and population and fertility -- primarily because these issues are handled by other USAID programs and offices. A number of other areas also raised in the "Five-in, Five-out Exercise" -- for example, cultural constraints, political representation and participation, and "success stories" -- were, after discussion, determined to be important but not central to POWER. As a result, the Working Group and team decided that consideration of these issues would be woven into the discussion of the four main issues where particularly relevant. Lastly, the USAID Working Group and the PEDS III project team decided that labor force issues (including wage differentials) would also be discussed in relation to the four core topics of the literature review and that in-depth examination would best be conducted on a country by country basis during the field work phase of the POWER Project design. Based on this exercise, the content and format of the literature was developed: the review contains chapters on each of the four central issues, in the order mentioned, followed by a concluding chapter that highlights questions that remain to be addressed during subsequent elements and phases of project design.

## **Research Methodology**

The literature related to the general subject of women in development is enormous. Hence, the team's research methodology purposely excluded gender analyses of a general nature and instead focused on literature that specifically explored gender *vis-a-vis* the four main topics -- economic policy reform, legal and regulatory issues, business development, and institutional support and representation. With these parameters in mind, the team gathered and read approximately two hundred books, articles and donor-funded studies and evaluations ranging from economic analyses to feminist critiques to academic studies. In general, the team concentrated on the most recent literature, published after 1988.

The team obtained literature through searches of databases and holdings at several institutions in the Washington, D.C. area, including USAID's Center for Development Information and Evaluation library, World Bank/International Monetary Fund libraries, the State Department library, the International Center for Research on Women, and local universities. The team also reviewed publications lists from several international organizations such as the United Nations. Finally, many USAID staff generously provided information on current activities in USAID missions and written materials from their own "libraries."

Two significant caveats regarding the literature review should be mentioned. First, the goal of this review is to present the existing literature concerning women's participation in the economy and reform. The review does not analyze the data, nor does it attempt to draw its own conclusions regarding women's participation in the economy and reform. Furthermore, the literature review also does not critically review the existing studies (i.e., analyze the advantages and disadvantages of research methodology, etc.); however, in selecting information to be included in the review, the research team did attempt to weed out the more polemic literature containing less rigorous analysis.

Second, the review reflects the data and analysis currently available in the literature. While the team attempted to gather the most recent literature, most documents are inherently subject to time delays generated by the need to gather, analyze and then publish such materials. Accordingly, some examples and information cited in the review may not reflect "up-to-the-minute" conditions, particularly in countries that have undergone rapid change in recent years (such as in Central and Eastern Europe and the former Soviet Union). Instead, such examples are utilized to illustrate general principles and findings that transcend conditions in any particular country at any specific time. As indicated above, information that appears "dated" will be re-examined during field work.

**CHAPTER I**  
**ECONOMIC POLICY**

# CHAPTER I

## ECONOMIC POLICY

### A. WHY GENDER MATTERS

The relationship between gender and economic policy is twofold: economic policies can have different impacts on women than men, and moreover, the success or failure of economic policies depends in part on recognition of men's and women's different economic roles and constraints. The importance of gender in economic policy, however, traditionally has not been incorporated into the models that guide the formation of government economic programs. In the 1970s, policy makers began incorporating women into their analysis, but only as vulnerable groups, recipients of assistance and "drains" on public funds (Elson, 1991). In the 1980s, policy-makers recognized that women could be agents of social development, who provide services, such as health care, when government social expenditure proves insufficient.

The current literature argues that these frameworks are inadequate for designing economic development policies. For two reasons -- one based on equity, the other on efficiency -- women must be recognized as agents of economic development (SPA Workshop, 1994).<sup>2</sup> The equity argument focuses on the rights of women to enjoy the benefits of growth policies, as well as rights to fuller participation in economic and social life. The efficiency argument, on the other hand, asserts that women make significant contributions to the economy at both the national and household levels. Such contributions are often of great importance, especially as families find it difficult to survive on one income and as the number of women-headed households grows around the world.<sup>3</sup>

This chapter explores the interplay between gender and economic policy. The four main issues to be examined include: (i) gender-based constraints that affect women's economic participation; (ii) the relevance of gender in economic models; (iii) the gender specific impacts of economic policies, including structural adjustment policies, on women in developing countries; and (iv) the gender specific impacts of the transition from socialism to market-oriented economies.

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<sup>2</sup> Workshop on Gender Issues and Economic Reform held in March 1994 by the Special Program of Assistance to Africa (SPA), a donor consortium that coordinates assistance to the debt-distressed adjusting countries of sub-Saharan Africa.

<sup>3</sup> In Latin America, estimates of female-headed households range from 25 to 33%, with figures on the rise and even higher in urban areas (Mulhern and Mauzé, 1992). In parts of East Africa and Southern Africa, the data are similar. In parts of West Africa, however, very few households are reported as being headed by women (Collier, in Demery, et al., 1990). Mehra, et al., 1992 notes that in the Asia/Near East region, as in other regions, "a disproportionate number of woman-headed households live in poverty and depend on women's income for survival" (Mehra, et al., 1992, p. 14). In Morocco and Sri Lanka, for example, 15 percent (1989 figure) of the rural population and 17 percent of all households (1981) were headed by women, respectively.

## **1. Gender-Based Constraints**

Several authors, including Diane Elson, Senior Lecturer at the Department of Economics, University of Manchester, England, argue that due to a number of gender-based factors, women and men face different constraints in their abilities to respond to economic policy incentives. These differences in constraints, discussed below, affect both the spread of benefits and costs and the success or failure of economic policies.

### **a. Women's Dual Roles**

One factor affecting women's participation in and benefit from economic policy reforms is derived from their "dual roles" in paid and unpaid work -- "... earning income represents only one component of women's overall economic activity. Women are also responsible for providing for most of their families' needs" (Grown and Sebstad, 1989, p. 937). Around the world, this dual role (which takes many forms, including unpaid work on family farms or in family-owned enterprises and day-to-day housework related to family upkeep) is primarily performed by women. In addition, according to an International Labour Organisation (1984) study, this "double burden" does not decrease as women increase their activity in the paid work force, nor is it reduced by men who are unemployed and thus have time to share in family care (ILO, 1984, as discussed in Arriagada, 1990; Elson 1991). Dual roles not only place stress on women's time, but often require women to make difficult choices in the allocation of their time and resources between their competing responsibilities.

Research shows that women's unrecorded work is significant. According to a United Nations (1991) study on time-use, in all developed and developing regions except North America and Australia (where the hours are almost equal), women spend more time working than men. In Latin America and the Caribbean, women work 5.6 hours more per week than men; in Africa and Asia, women average 12 to 13 more working hours per week than men (United Nations, 1991). In the former Soviet Union, women worked 17.4 more hours per week than men (Rimashevskaja, 1992). The United Nations (1991) examined working hours per week by gender in two countries, Côte d'Ivoire and Nepal. Table I-1, which presents the U.N. data on these countries, not only shows women's longer work week, but also provides evidence that "women's time in economic activity is comparable to men's in developing regions when non-market economic activity is taken into account" (U.N., 1991, p. 83).

**TABLE I-1**  
**TIME SPENT IN WORK**  
(hours per week)

	ECONOMIC ACTIVITY				Unpaid House-work	Total Work
	MARKET WORK		Non-Market Economic Activity*	Total		
	Wage Salary	Own-Account and Family				
<b>Côte d'Ivoire (rural)</b>						
Women	—	11.9	10.3	22.1	25.4	47.6
Men	—	20.3	3.0	23.3	4.2	27.5
<b>Nepal</b>						
Women	3.2	29.1	15.1	47.5	28.2	75.7
Men	8.7	23.1	6.4	47.1	5.5	52.6

\* Includes unpaid work in family enterprises and subsistence agriculture and other unremunerated economic activity in households such as water carrying, fuel gathering and own construction.

Source: Data from national studies compiled by the Statistical Office of the United Nations Secretariat (U.N., 1991, p. 3).

**b. Limited Control Over Resources**

Another gender-based factor affecting women's full participation and benefit from economic reform policies is women's unequal access to and control over productive resources. Guy Standing (1989) argues that due to asymmetric rights and obligations, women may not have control over such inputs as their own labor and labor time, land, tools, workspace, or information. Also, women often do not have control over raw materials and are subject to exploitation by intermediaries, monopolist merchants or manufacturers. Women who must deal with an intermediary frequently lose control over their output and the proceeds of their output. Lastly, women may lack control over "labor reproduction," i.e., "the ability to develop and maintain the woman's own 'skills' and work capacity" (Standing, 1989, p. 1091). This lack of access and control constrains women's ability to respond to market forces and policy incentives.

**c. Household Decision-Making**

Women's participation in the economy and benefit from economic policies is also affected by the way household decisions are made. Microeconomic theory assumes household unity and altruism, such that household decisions increase the utility of the entire unit. Blackden and Morris-Hughes (1993), using the case of sub-Saharan Africa, show these assumptions to be inaccurate. Sharing of decision-making and resources between spouses, in sub-Saharan Africa

as elsewhere, is unusual. Women are found to spend their incomes on joint household and community needs (as opposed, perhaps, to using some or more of the money to expand their businesses, skills or productivity), while men are more likely to retain part of their income for discretionary personal expenditures. This lack of joint decision-making and unequal sharing of resources within households increases the burden on women. Women alone must devise family survival strategies and make difficult choices when household income falls. This sole responsibility for stretching the household budget costs women time and resources, especially as economic conditions worsen (Elson, 1991).

d. Other Factors

The literature also identifies several other gender-based factors that influence women's economic participation. Caroline Moser's study for the World Bank cites labor demand and supply constraints (Moser, 1994). Those particularly affecting women include: physical mobility constraints because inadequate transportation may increase travel time to and from work to an extent that is incompatible with women's domestic responsibilities; unsafe neighborhoods (either at the workplace or home) which limit where and when women can work due to personal safety concerns; gender typing of jobs due to employers' and customers' perceptions of qualities of female and male labor (e.g., the perception that women will have higher turnover and absenteeism due to childrearing responsibilities); and restraints on employment of women due, for example, to protective legislation. Other authors, such as Mehra, et al., note that "in many countries of the Asia and Near East regions, the cultural belief is that, ideally, women should not work outside the home" (Mehra, et al., 1992, p. 9); cultural constraints are often an issue throughout the world.

2. The Relevance of Gender in Economic Models

Widely used development economics models, based on neoclassical and structuralist approaches, tend to ignore the gender-based constraints described in the previous section as well as their subsequent effects on labor force participation and distribution. These models: fail to record women's unpaid work because it is not transacted on the market -- that is, the models fail to record the full extent of women's *participation*; and do not recognize that certain constraints will affect the ways in which women can allocate resources (including their labor) and respond to policy incentives -- that is, their occupational *distribution*. The sections below discuss one aspect of women's participation that is not recognized -- that is, their unpaid labor -- as well as women's sectoral distribution of labor. The latter discussions is important because "careful attention must be paid to the sectoral and occupational distribution of employment by gender if one wants to selectively enhance women's income-earning capacity" (Hood, et al., 1992, p. 27).

a. Women's Unpaid Work

Policy-makers' failure to recognize women's "dual role"<sup>4</sup> has important implications for women's lives and economic policy. Elson argues that policies that ignore women's "dual role" are based on the implicit assumption that women will supply, under any circumstances, the necessary resources and efforts to maintain their families, without reducing their capacity to participate in other forms of paid production (Elson, 1991 and 1993). Women's labor, however, is not infinitely elastic. As the box below shows, under crisis, such as periods of substantial falls in the level of national output and disruptive changes in its sectoral composition, a "breaking point" may be reached. Women's ability to perform their multiple roles may break down. Over the long-term, declines in health, education and nutrition have an adverse impact on economic output (Elson, 1991).

**WOMEN'S ROLES: GUAYAQUIL, ECUADOR**

*Based on research in Guayaquil, Ecuador, Moser finds that the capacity of low income women to cope with change differs according to whether they are, as Moser terms them:*

*(i) Women who are coping - These are the women balancing their three roles. They are more likely to be in stable relationships, with partners who have reliable sources of income. The household income is likely to be supplemented by others working, and there may be other females also involved in reproductive work...*

*(ii) Women who are burnt out - These are women no longer balancing their three roles, whose productive role has become predominant. They are most likely to be women who head households or are the primary income earners working in domestic service, with partners who make no financial contribution to the household. They are often older women at the end of their reproductive cycle, physically and mentally exhausted after years of responsibility for a large number of dependents. Their inability to balance their roles results in a tendency to hand over all reproductive responsibilities to older daughters who cannot or will not take all the necessary responsibility. The consequence is that their younger still dependent children drop out of school and roam the streets...*

*(iii) Women who are hanging on - These women are under pressure but still trying to balance their three roles, making choices depending on the composition of the household and the extent to which other household members are providing reliable income. Some are women without partners, who, if they are the main income earners have support from other females. Others are women with partners who have been forced to work to help pay for the increased household expenses. These women are using up future resources in order to survive today, sending their sons out to work, or keeping their daughters at home to take over domestic responsibilities." (Moser, 1989, p. 81).*

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<sup>4</sup> Caroline O.N. Moser, who is currently with the World Bank, identifies a "triple role" of women in most low-income households in developing countries comprised of reproductive work, productive work, and community managing work, including the provision of housing and basic services such as water and health care. Literature regarding the former Soviet bloc also mentions a triple role for women, including: production (work outside the home), reproduction (domestic- or family-related work), and consumption (i.e., time spent trying to purchase scarce goods).

## b. Resource Allocation and Response to Incentives

Not only do widely used economic models ignore the full extent of women's work and what this means for women's capacity to take on additional functions, but also, by ignoring the aforementioned constraints, they assume that women and men can allocate their resources in similar manners in response to given incentives. However, if women and men face different constraints (which, as demonstrated above, is true), then two effects should occur (Collier in Demery, et al., 1990). First, as Collier reasons, if constraints differ by gender, then "female-controlled resources should, as a consequence, be distributed over economic activities very differently than male-controlled resources" (Collier, in Demery, et al., 1993, p. 185-186). For instance, as noted above, women often contribute significant portions of their earnings to household needs, while men utilize portions of their income on personal expenditures. Second, again following Collier's argument, if men and women face different constraints, then "when the structure of incentives change, so that it is optimal to reallocate resources, the process of supply will differ systematically" (Collier, in Demery, et al., 1993, p. 185-186). For example, due to time constraints linked to their dual role, women may not be able to participate in training opportunities in order to qualify for better positions, even though it would be optimal to pursue such training because it may lead to advancement and improved incomes. In other words, in this example, women cannot reallocate two types of resources -- time and labor -- in response to economic incentives.

## 3. Labor Force Structure

Traditional economic models do not consider gender-differentiated allocations of resources (including individuals' labor) and responses to incentives. Thus, the models fail to recognize the division of labor by gender which results from the different allocations and responses. Table I-2 illustrates how men's and women's labor was allocated differently across sectors in 1980.<sup>5</sup> This table reveals several interesting characteristics of the labor force structure in the selected countries. Key points that are revealed include:

- There is a wide variation within regions regarding the numbers of women that are recorded as part of the "economically active population" (EAP). In fact, the countries selected were chosen specifically to demonstrate high, medium and low registered economic activity. It should be noted that the data presented use the ILO's definition of economic activity, which includes those who work (or are looking for or available for

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<sup>5</sup> The reproduction of parts of the U.N. table is intended to illustrate the differences between women's and men's sectoral distribution, as well as the questions raised by such data. The data is as of 1980. It is important to note that since that date, many interventions and events have occurred that may affect and change the data. For instance, since 1980, many countries have undergone severe economic crisis and, subsequently have implemented structural adjustment policies. The U.N. data are used because they are comparable data; more recent data on individual countries may be available, but it is not possible for the team to compare data gathered from different sources under varying methodologies. Accordingly, the figures presented in the table do not represent today's "picture," but instead provide a snapshot of structural characteristics that demonstrate the points made in this section.

work at least one hour in the reference week) in wage and nonwage activity in both the formal and informal sectors.

- In the selected *Sub-Saharan African and Asian countries*, the numbers indicate a clear concentration of workers -- both male and female -- in agriculture.
- The data for the three *Near East and North African countries*, by contrast, show varying distributions of labor across sectors, both on gender and country bases.
- The cited *Latin American and Caribbean nations* demonstrate a heavy concentration of women in services and relatively little participation in agriculture, with men distributed mainly in agriculture, but with significant participation across the sectors.
- Finally, the table illustrates the clear effect of the former Soviet bloc's policies on women's participation in the three *eastern European countries*, particularly through high overall participation rates; in addition, the numbers reveal not only women's concentration in services, but also their comparatively significant participation in industry.

The table is perhaps more interesting for what it does not reveal. Central questions that are unanswered by the data presented include: why labor force participation rates for women are relatively low in general, and extremely low in some countries; how the nature of women's versus men's participation differs within the same sectors; and, as mentioned above, how underlying causes shape the data presented and therefore affect any attempts to change the structure. Each of these issues is discussed below.

**Low Recorded Female Participation Rates:** There are several reasons why female labor force activity is under-reported in official statistics. First, census questionnaires often do not sufficiently define what constitutes "work," "job," "economic activity," or "occupation," with the result that interviewers do not consider many of women's activities to be within these categories. Second, interviewers often base economic activity on the person's main activity. For example, if the woman cites "housework" as her main occupation, the interviewer may not inquire further and thus will overlook her other activities even though they may be "economic." Finally, subsistence-related activities often are simply not counted (Anker and Anker, 1989).

Table I-2 demonstrates the undercounting of economic activity, especially for women. For instance, the table shows an extremely low economic activity rate for women in Bangladesh, Egypt and Guatemala. In order to carefully plan and target economic policies, policy-makers need to be aware of such omissions within economic data.

**TABLE I-2  
ECONOMICALLY ACTIVE POPULATION IN SELECTED COUNTRIES  
(1980)**

MEN				Country	WOMEN			
EAP, ages 15-64 (%)	Employment by economic sector, percent in:				EAP, ages 15-64 (%)	Employment by economic sector, percent in:		
	Ag.	Ind.	Serv.			Ag.	Ind.	Serv.
<b>SUB-SAHARAN AFRICA</b>								
89.9	79.4	7.4	13.2	Tanzania	86.0	91.9	1.7	6.5
93.4	83.7	6.3	10.0	Uganda	67.8	88.8	1.9	9.4
92.4	87.0	1.7	11.3	Mali	17.2	78.4	3.5	18.1
<b>NEAR EAST AND NORTH AFRICA</b>								
82.0	35.5	34.2	30.4	Tunisia	22.6	33.1	44.8	22.2
84.6	48.0	23.0	29.0	Morocco	16.8	35.0	34.0	31.0
82.5	48.1	20.6	31.3	Egypt	7.6	19.7	16.8	63.5
<b>ASIA</b>								
88.6	90.8	0.8	8.5	Nepal	46.0	97.0	0.3	2.8
82.6	58.4	13.1	28.5	Indonesia	37.9	54.7	13.0	32.4
88.8	75.0	6.0	19.0	Bangladesh	6.2	72.0	6.0	22.0
<b>LATIN AMERICA AND THE CARIBBEAN</b>								
84.1	42.4	22.9	34.7	Jamaica	71.3	18.2	8.8	73.0
88.4	55.8	19.8	24.4	El Salvador	30.2	5.0	18.2	76.8
86.3	64.5	16.6	19.0	Guatemala	14.2	9.4	20.0	70.6
<b>EUROPE</b>								
86.8	14.6	57.0	28.5	Czechoslovakia	74.6	11.8	40.6	47.7
84.2	27.3	46.5	26.3	Poland	67.7	30.0	29.8	40.3
85.5	20.7	47.7	31.7	Hungary	64.2	15.1	38.4	46.6

Note: The data on "employment by economic sector" refer to population aged 10 years and over, except for the following Poland and Czechoslovakia for which data are for population aged 15 and over.

Source: Chart from USAID, "Gender and Generation in the World's Labor Force: Module One: International and National Trends," Washington, D.C., no date.

Many of the activities that may be undercounted are in the informal sector. Available data show, however, that the informal sector is indeed an area where women make important contributions to the economy and household income. While women's participation is not greater than men's in the informal sector, in many countries women's participation rate in the informal sector is higher than their participation rate in the formal economy. For a number of reasons, foremost of which is economic necessity, women's participation in the informal sector is increasing. Around the world, informal sector activities comprise an increasing and vital share of household income which should be counted.<sup>6</sup>

**TABLE I-3**  
**WOMEN'S ECONOMIC ACTIVITY BY OCCUPATION**  
**(1980s)**

Country	Occupational Groups (Females per 100 Males)			
	Admin., Managerial workers	Clerical, Sales, Service workers	Production, Transport workers, laborers	Agric., Hunting, Forestry workers
Guatemala	19	93	14	2
Jamaica	---	182	29	50
Bangladesh	2	29	20	1
Indonesia	7	86	36	55
El Salvador	19	188	32	22

**Note:** The group "professional, technical and related workers" is not shown here. However, this group has a high ratio of women to men in most areas, which is due mainly to large numbers of women teachers.

**Source:** United Nations, "Women's Work and the Economy," in *The World's Women 1970-1990: Trends and Statistics*, New York, 1991.

***Nature of Participation by Sector:*** Table I-2 also fails to reveal another equally important fact for policy-makers to consider in designing projects and programs. Generally, the jobs that women and men hold differ, even if they work in the same sector. Women's jobs tend to offer: lower wages, fewer advancement opportunities, and less security. Moreover, overall, women tend to be in a narrow range of jobs characterized by repetition of tasks, low skill requirements, and poor labor relations (Standing 1989). Table I-3, above, demonstrates that relative to men, women: are poorly represented among administrators and managers; and are highly represented in clerical, sales, and service positions (such as nursing, social and catering work), which are

<sup>6</sup> Views on the quality of work in the informal sector vary by region. As MacEwen Scott (in Elson, 1991) points out, in West Africa informal sector work leads to opportunities for advancement; in Asia and Latin America the informal sector is associated with low-paid, low-skilled, casual work.

generally less prestigious and lower paying. Table I-3 re-emphasizes the points discussed above, particularly that the enumeration of women is often biased and incomplete, as demonstrated by women's recorded representation as agricultural workers.

***The Difficulty of Transferring Resources:*** Finally, Table I-2 does not reveal the "hidden" factors and constraints, described in Section 1 of this chapter, that prompt women and men to operate in given sectors. These constraints, in combination with the nature of participation and human resource endowments, affect any efforts to encourage transfers of resources (i.e., labor) from one sector to another. (The difficulties of transferring resources from one sector to another are describe in Section 2 of this chapter.)

Combined, these factors have important policy implications. First, policies are less effective if they do not take into account the way these gender-based factors affect the responses of all economic actors. As Hood (1992) notes, the less mobile sex will become concentrated in contracting sectors, a fact that is important for policy design. Recognizing where women are in the economy, where economic opportunities are expanding, and how women's mobility is constrained (particularly with regard to expanding sectors) enables policy-makers and donors to help women make the most of these opportunities. Mehra, et al. (1992) point out such opportunities for women in Asia and the Near East may exist in: nonagricultural wage work in manufacturing; informal sector employment; agriculture; and professional and managerial positions. In overlooking women's distribution in the economy and constraints to their mobility, policy-makers may miss such opportunities. The result is *inefficiency* (lower growth, productivity, and dynamism of the economy) and *inequity*, across gender, in the spread of policy costs and benefits.

## **B. ECONOMIC POLICY AND WOMEN IN DEVELOPING COUNTRIES**

Economic reform programs are typically comprised of: (i) measures to stabilize the economy through fiscal and monetary reform; (ii) measures to liberalize prices and markets in order to promote foreign and domestic competition; (iii) policies to promote the private sector; and (iv) rationalization of public sector institutions (Blackden and Morris-Hughes, 1993). In some countries, these types of policies may be undertaken in the context of structural reform.

It is important to note that the components, implementation, and timing of economic programs vary from region to region and country to country and that many different sub-groups (besides women) within a population have been positively and negatively affected by these policies. This review, given its mandate, examines those policies where the literature reveals either gender-specific impacts or women-specific effects and focuses on the implications and opportunities for women's benefit from economic policies and participation in the economy.<sup>7</sup>

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<sup>7</sup> One prominent element of many economic programs, namely financial sector policy, is not included in this section because the team found little literature which addressed *gender specific* effects of such restructuring. See Chapter III for discussions of the latest thinking regarding financial sector reform on women-owned businesses and

Several caveats are necessary before proceeding. The first, mentioned by several authors, is the need to recognize that economic policies do not take place in a vacuum. While frequently initiated by economic crisis, many of these policies also often take place during periods of continuing and/or increasing economic crisis. As a result, there exist "inherent conceptual and methodological problems in trying to separate the effects of [government economic policies] from those of recession and also longer-term trends" (Baden, 1993, p. 4). For example, the adverse effects of war, poor weather, recession, and rises in oil prices in many countries are difficult to disaggregate from the effects of economic policies. Furthermore, it is difficult to prove the counterfactual, that is, to determine the outcome were the policies not in place. As a result, any analysis must proceed with caution. Another precaution regards the present inadequacy of data. Researchers must gather, and improve the methods for gathering, unbroken time series gender-disaggregated data. Furthermore, as Eaden (1993) notes, accuracy and comparability of the data that do exist is questionable due to problems with conceptualization and collection.

Lastly, it is important to point out that the purpose of reviewing the gender-specific and women-specific literature (versus the general literature) on economic policy is to identify how these policies, many designed to increase efficiency, production, and development, affect women, i.e., (i) what are the effects on women in the short run and longer, and (ii) are women able to take advantage of the new opportunities created by economic policies?

#### 1. Government Spending and Investment

One component of many countries' economic programs has been a reduction in government expenditure, through cuts in subsidies, price supports, and social service spending, and through the reduction in the government wage bill and employment.

##### a. Price Liberalization

In some countries, in the short term, the removal of *subsidies* and *price supports* have reduced real income for men and women alike. However, many authors contend that women have felt the effects of these actions to a greater extent due to their multiple roles in the household. In order to provide for their families, women have increased their *unpaid work* burden. For example, with a rise in the price of food, women switch to cheaper forms of nourishment; not only do women increase the time they expend shopping around to find the "best buys," but cheaper foods require more of the women's time to prepare. The need to buy smaller quantities more often also increases the daily burden on women. In addition, women also often must increase their unpaid work on family farms and in family-owned businesses.

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of the gender-based constraints women face which limit their ability to take full advantage of liberalized financial markets.

Furthermore, when households reduce food consumption because of rising prices and drops in real income, often women's and girls' food consumption is reduced by more than that of men and boys (Elson, 1989). For example, household strategies in response to increases in the price of food have contributed to "greater increases in malnutrition amongst females than males in certain areas" of Sri Lanka (Commonwealth Secretariat, 1989, p. 66). The text box to the right illustrates the possible negative effects on one family in Zambia.

As a result of the decline in real income, women have also expanded their activities in paid work. Tripp (1992) cites several women in Tanzania who hold formal sector jobs, as well as engage in "projects" in the informal sector. One woman interviewed by Tripp was a bank clerk who also ran a project raising chickens.<sup>8</sup>

Several authors note that *devaluation* of the exchange rate has had short term similar effects on women as the reduction in price supports and subsidies, i.e., a detrimental effect arising from decreases in real income,

**SATISFYING BASIC NEEDS:  
THE EFFECTS OF GOVERNMENT CUTBACKS  
IN FOOD SUBSIDIES AND SOCIAL SERVICES**

*"Jessy lives in a low-income area of town in Zambia. Since 1983, prices of food and clothing have risen markedly and her husband's income has failed to keep pace. Most protein foods are too expensive for them, including kapenta which was always considered an inexpensive protein food. Bread and cooking oil are rapidly becoming luxuries. Mealie meal prices have also increased, and Jessy is no longer able to buy it for breakfast.*

*The youngest child fell ill earlier with a respiratory infection. She was not admitted to the hospital because of bed and staff shortages. The drugs she needed were only available at a high price. Jessy had to borrow to pay the bill. The child is better now but the cost of looking after her at home was very high and Jessy is worried that the same thing will happen again before she is able to repay her loan.*

*One item that has become much more expensive recently is education. There have been increases in school charges, books and uniforms. Jessy and her husband are already worried that they will not be able to send the eldest to secondary school. They will have to find ways of earning income in the formal sector, but that is becoming saturated and the earnings to be made are declining."*

*(Extracts from a case study prepared for the Commonwealth Secretariat by Alison Evans, Institute of Development Studies, University of Sussex as cited in Commonwealth Secretariat, 1989, p.28)*

<sup>8</sup> While one cannot generalize from an individual case study (perhaps other individual women have been helped by the rise in prices of the products they sell) these examples show the possible effects a well-intentioned economic policy may have on certain portions of the population. Policy-makers must be sensitive to these possible outcomes in order to enable more of their citizens to take advantage of economic opportunities.

especially for those involved in service sector,<sup>9</sup> and increases in the cost of living (Mulhern and Mauzé, 1992). Heyzer (1988, as cited in Elson 1991) studied the effects of the 1986 devaluation on poor women in a small village in East Java, Indonesia. Here, rising prices increased women's field work for those with land and forced other women without land to become low-wage workers in whatever job they could obtain. In addition to their daily chores, the end result for these women was a longer and harder working day.

On the other hand, a study in Tanzania by Booth, et al., 1993 (cited in Blackden and Morris-Hughes, 1993) produced different results. Here, the availability of consumer goods at international prices was considered an improvement by poor people and particularly women. In addition, liberalization stimulated production in the village economies.

#### b. Social Service Spending Cuts

Similarly, reductions in *social service spending*, upon which women rely more because of their childbearing and rearing roles, have shifted the burden for providing these services from the state onto women. One example is reductions in government spending on health care. In Zambia, women's time and resources were overburdened due to their role in ensuring family well-being (Evans and Young, 1988 as cited in Elson, 1991). Women reported spending more time caring for other household members who fall ill. Furthermore, if a hospital stay is required by family members, due to shortages in equipment and personnel, women must go to the hospital to provide meals and care during treatment. Not only does this increase women's unpaid work, but it can also affect women's ability to participate in paid work. Evans and Young report the case of one woman who missed the entire planting season due to her responsibility to a hospitalized relative. Elson (1989) also notes that when charges are introduced for services, such as health and education, girls and women are more likely to have reduced access. In the long run, women's role as "shock absorbers" (Hood, 1992) hampers the development of their human capital and their future productive ability.

As Blackden and Morris-Hughes (1993) note, detrimental cutbacks in social sector expenditures, however, are not intrinsic to economic reform. Indeed, countries such as Botswana, Mauritius, and the Gambia have sustained or increased core social expenditures during adjustment. The

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<sup>9</sup> The literature provides little information on impact of economic policies on women in the service sector, including tourism. Several authors felt that more research in this area is needed, especially since "expanding services account for much of the increase in women's economic participation in the developed regions, in northern Africa and western Asia, and in Latin America and the Caribbean" (United Nations, 1991, p. 92). Indeed, in Latin America and the Caribbean, between 60 and 70 percent of the economically active women are employed in services (United Nations, 1991). In Asia and the Pacific and in Africa, among the few women who work outside of agriculture, three times as many work in services as work in industry (United Nations, 1991).

important issue, therefore, is how cuts in spending are implemented, how limited public funds are allocated, and thus, how the costs and benefits of spending are distributed.<sup>10</sup>

c. Retrenchment, Wage Cuts and Privatization

In the past, governments often pursued policies that encouraged the growth of government agencies and parastatals. Women comprised between 23 and 50 percent of public sector employees in Latin America and the Caribbean, between 10 and 35 percent in Asia and the Pacific, and between 11 to 41 percent in Africa (Baden, 1993).<sup>11</sup> In the former Soviet bloc, women constituted a larger percentage of government workers. Specifically, women typically comprised over 60% of public employees (Coopers & Lybrand, 1991b, Fong, 1993, and Paukert, 1993).

Studies on the gender-differentiated effects of a reduction in the government wage bill (through wage and job cuts and privatization) are mixed. While Baden (1993) suggests there is no clear evidence that women suffer numerically more from public sector *retrenchment*, other studies (e.g., U.N., 1991, and Hood, 1992), assert that women have been disproportionately squeezed out of public sector employment. These mixed results may be due to two factors (Baden, 1993). First, men are *generally* more highly represented in the public sector (except in some Latin American countries), suggesting that cutbacks would have a larger impact on them. Second, and by contrast, because they are often the last hired and are concentrated in lower level jobs, women may be more vulnerable during retrenchment (Mehra, et al., 1992).

A reduction in real income from *wage cuts or freezes* has similar effects on women's unpaid and paid work as those described in the section above entitled "Price Liberalization." For example, the Commonwealth Secretariat mentions that "[i]n Ghana, in July 1984, even the upper middle civil service salaries could cover barely 10 percent of the minimum nutritional diet of a five-person household" (Commonwealth Secretariat, 1989, p. 65). Existing evidence suggests that both men and women may be leaving the public sector "voluntarily" due to declines in real wages, in order to set up businesses in the informal sector. However, the Commonwealth Secretariat notes that, "income-earning opportunities [in the informal sector] lessen with the decline in formal sector incomes" (Commonwealth Secretariat, 1989, p. 62). This is evidenced in the cases of Brazil and Zambia, where increased competition for limited business opportunities in the informal sector has resulted in a decline in average incomes.

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<sup>10</sup> Issues of both expenditure quality and quantity are of importance. In the case of sub-Saharan Africa, shifts in spending to primary education (even though spending in the education sector as a whole declined) has had positive effects for women and girls and their ability to develop skills to participate in the economy.

<sup>11</sup> Data regarding trends in women's share of public sector employment by country was not available in the literature. Studies analyzing such data are desirable because they would provide more definitive conclusions regarding the effects of public sector retrenchment on women over time.

On a qualitative level, many authors agree that the loss of a public sector job is worse for women because: (i) women find it harder than their male counterparts to secure new work in the organized sector, and thus are forced into the informal sector where conditions are more precarious (Baden, 1993, and Commonwealth Secretariat, 1989); and (ii) women's position in the labor market may deteriorate because, compared to the private sector, public sector employment often pays better wages, is more secure, and is relatively free from discrimination (Baden, 1993). The last point is evidenced, for example, in many countries by smaller wage gaps between men and women in the public sector versus the private sector (Mehra, et al., 1992). Furthermore, as men lose public sector jobs, women are forced to increase their paid work to compensate for the loss of household income.

In addition, Tripp (1992) writes that in Tanzania *privatization* measures have not included policies to create a "friendlier" environment to the small-scale production in which a majority of women are engaged. Instead, accompanying policies have been directed at large-scale industries.

## 2. Export Promotion

Export promotion programs are another important focus of many economic programs. Countries which embraced such policies serve as examples of how an export orientation can encourage women's participation in the economy. The correlation between an export orientation and women's participation is particularly evident in four advanced developing countries in Asia, namely Hong Kong, Singapore, South Korea and Taiwan. Susan Joeques (1991) of the University of Sussex's Institute of Development Studies notes that it is not by chance that these four economies are distinguished by very high proportions of women in the formal labor force in general and in the industrial workforce in particular.

Rather than coincidence, Joeques contends, this situation "reflects the export intensity of production in the industrial sector, and the fact that, worldwide, expansion of export manufacturing by developing countries has demanded and created a female workforce. The high rates of participation of women in [Hong Kong, Singapore, South Korea and Taiwan] has allowed the labor absorptive strategy embodied in their macroeconomic policies to be pursued to the most" (Joeques, 1991, p. iii). In essence, in export sectors, the success of government policies to attract export industries has depended on a supply of women who will accept jobs with low wages, low security and limited career opportunity.

The authors reviewed agree that women, particularly in Asia and Latin America, have benefitted in the *quantity* of employment generated in certain industrial subsectors by export promotion policies. In developing countries, there is a positive correlation between export orientation in the industrial sector and women's share of employment in that sector (Wood, 1991 as cited in Joeques, 1993; and Mulhern and Mauzé, 1992). In EPZs (which often comprise a portion of government export promotion efforts), for example, women typically comprise 75% of the labor force (Standing, 1989). This figure is most likely an understatement of women's actual

involvement, as it does not consider those *casual* workers employed in export production through subcontracts or through homework in the informal sector (Mulhern and Mauzé, 1992).

The percentage of women employed in each country also depends on the product mix of exports (Joekes, 1993). For example, those exports requiring a less skilled labor force generally employ more women than those that require higher technical expertise. However, some authors (such as Baden, 1993 and Joekes, 1993) find that these gains from export employment may not be sustainable. Evidence from EPZs in Mexico and Singapore suggests that over time, women's share in the EPZ labor force will decline as production processes change and demand for technical and more skilled workers rises.

Regarding the *quality* of jobs created by export promotion, the evidence and view points are mixed, with some authors citing the negative impacts of "exploitation" and others pointing to the positive effects of "integration" (Hughes and Bryson, no date). On the "negative" side, women predominate in industries and jobs that require little training and a low level of skills. "Women's" jobs are monotonous, menial, highly specialized and repetitious. Several authors also cite the concentration of women in specific industries (e.g., garments and electronics) and the few, if any, opportunities for career advancement in the export sector. Women are less likely to hold supervisor and manager positions (ILO, 1985; Hyzer, 1989 as cited in Hughes and Bryson, no date). Furthermore, "when their fingers become less nimble, their vision less sharp, or they become pregnant, women lose their jobs and are replaced by younger workers. These displaced workers are often physically unable to work at any other industrial jobs" (Elson & Pearson, 1981 as cited in Hughes and Bryson, p. 4). Thus, some conclude that any advantages are short-lived.

On the "positive side," despite the persistent wage gap between men and women, other authors contend that earnings for women in the EPZ sector are relatively good compared to traditional opportunities outside of the zone (Joekes, 1993; Moghadam, 1990). Often a wage job is considered by many to be better than a no-wage job. Women's standards of living rise, and they become less dependent on men (Hughes and Bryson, no date). Other nonmaterial benefits include improved self-esteem, the chance for social intercourse, exposure to modern ideas, and group solidarity. In addition, women's assessments of their position in EPZs has been more positive than in other sectors (Wolf, 1992, as cited in Joekes, 1993).

Joekes (1993), warns that the above positive findings must be qualified in three ways: (i) only a small number of developing countries participate as exporters in the international trade of modern products and services; (ii) the picture of the total employment effect resulting from EPZs is incomplete in that, for example, there may be offsetting effects in the informal sector related to exporting; and (iii) as described above in the Mexico and Singapore example, the potential long term impact of EPZ employment on women is still not known. Moghadam also notes that these findings must be qualified for the Near East as well, where "the high concentrations of female labor in TNCs [transnational corporations] characteristic of Southeast Asian and some Latin American countries is rarely found ..., partly because EOI [export oriented

industrialization] has not been pursued by all the countries of the region and partly because of reliance on revenue and foreign exchange from oil exports" (Moghadam, 1993, p. 40-41).

### 3. Agricultural Reform

Except for Latin America and the Caribbean (where the majority of women's recorded work is in the services sector), studies show that in most developing regions, the percentage of economically active women who work in the agriculture sector is greater than the percentage of men in this sector (Dixon-Mueller and Anker, no date, as cited in MSI, 1992). Even in Latin America and the Caribbean, however, "nearly half of family income in the region's small farm sector is generated by women's work in agriculture" (FAO, 1987 as cited in Martín p. 5). Mehra, et al. (1992) note that this role is increasing in the Asia and Near East region as men are migrating to cities and foreign countries or are drawn to nonfarm employment. Women therefore are left with responsibility for family farms.

#### **GENDER AND AGRICULTURAL REFORM: ZIMBABWE**

*Under Zimbabwe's Resettlement Program, as part of the economic reforms in the 1980s intended to increase production and encourage economic growth, "men are given ownership of the land and control over production. The male head of household can command the labor of his wife and children and can choose how much to compensate or support them. In many cases, this compensation is inadequate, and men spend much of the profits from family-produced crops on themselves. The Zimbabwe example shows that in many cases, privatization of land may actually be worse than traditional land tenure practices where women had secure rights to land for farming. Under privatization the husband can now choose whether or not his wife gets 'his' land; she has no legal right. Some women get none, and if a woman is divorced or widowed, she may lose whatever insecure access to land she had" (Gordon, 1991, p. 31).*

Thus, as is the case with exports, the high representation and importance of women in the agricultural sector means those agricultural policies that take gender into account are more likely to be successful. Unfortunately, "despite the overwhelming evidence of women's essential, and sometimes dominant, role in agricultural production, study after study in the last decade has shown that women still have deplorably limited access to land, credit, technology, agricultural inputs and government extension services" (Mary Altomare, 1990, as cited in MSI, 1992, no page number). For example, April Gordon, who teaches sociology at Winthrop College in South Carolina, points out several examples from Africa. In Zaire, Kenya, Cameroon's Northwest Province and Zimbabwe (described in the box above), agricultural reform policies have resulted in the accumulation of land under men's control, thus further limiting women's access to productive factors and limiting their ability to contribute to economic development (Gordon, 1991).

In addition, when government agricultural policies focus on commercial crops for export which are usually produced by men, some women must increase their work burden on their husbands' farms. Thus their lives become even more difficult due to additional time and resource constraints to produce crops for domestic and family consumption (Gordon, 1991 and FAO, 1990 as cited in MSI, 1992). On the other hand, some women who have no rights to the land or to the profits from the cash crops have refused to work on their husband's farms, thereby

lowering crop output (Gordon, 1991). These examples show that when incentives are geared toward men (without consideration of women's role), agricultural policies may lead to negative impacts on women and less successful programs.

#### 4. Deregulation of Labor Markets and Business Environments

In an effort to provide investment incentives to the private sector, many developing countries have deregulated their labor markets, though the extent of such deregulation varies country by country. Deregulation may be explicit -- for example through reversal of prohibitions regarding work at home -- or implicit -- through inadequate monitoring of labor legislation. Often, deregulated environments allow companies to reduce benefits and pay and to engage in informal relationships with employees, such as subcontracting, in an effort to cut costs and remain competitive. This "casualization" of labor is becoming more common throughout the world. This has implications for women because when "low-wages spread, ... women's employment in [these jobs] increases" (Standing, 1989, p. 1078). For example, in Latin America, women dominate the outwork associated with export production.<sup>12</sup>

Deregulation also often involves a reduction in registration and other formalities in setting up a business. The Commonwealth Secretariat notes that in a less regulated environment, "the spontaneous, competitive, market driven, labour-intensive activities of the informal sector can not only help meet the immediate needs of the poor but also may contribute to long term development. For example, economic deregulation is thought to have increased opportunities to the "higglers" in Jamaica, many of them women, who buy and sell almost anything in an extremely competitive environment" (Commonwealth Secretariat, 1989, p. 63).

Mulhern and Mauzé (1992) raise a related point: while deregulation encourages growth in the informal sector, regulation and enforcement of labor legislation may have a similar effect, i.e., stringent labor legislation may limit the hiring of women in the formal labor force and may push them into and keep them in their only other option for paid employment, the informal sector. While women, especially with small children, might enjoy the flexibility of such work, this arrangement affords the workers little legal recourse when problems arise, limits workers' ability to organize, and transfers the cost of depreciation of the tools used in production to the worker.

Unregulated work in the home may also jeopardize the health and safety of the whole family. As the above discussion shows, while *increasing the number* of jobs, and hence income opportunities available to women, the deregulation of the labor market also may *decrease the quality* of women's employment (Mulhern and Mauzé, 1992; see also Mitter, 1994).

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<sup>12</sup> While this viewpoint has not yet been tested, some authors feel that there is not a strong connection between outwork/casualization of labor and exports. For instance, Kreuger hypothesizes that outwork is not a viable substitute for formal production given quality requirements and large orders (as cited in Mulhern and Mauzé, 1991).

Most economic programs have been designed without consideration for gender at the outset. As a result, women are still, and sometimes even more, constrained from taking advantage of the opportunities in the economy. As the next section demonstrates, the transition from socialism to market economies has also been undertaken with little attention to women's roles and constraints, with similar results.

## **C. ECONOMIC POLICY AND WOMEN IN TRANSITIONAL ECONOMIES**

### **1. Parallels and Differences between Developing and Transitional Countries**

While they began the economic reform process later than many developing countries, the countries undertaking the transition from socialism to a market economy face many of the same issues as the developing countries. Similar to many developing countries, countries in transition have begun a restructuring process that includes: de-controlling prices and eliminating government subsidies; balancing the budget deficit and eliminating easy credit for enterprises; promoting growth in the private sector; privatizing and de-monopolizing state enterprises; introducing domestically convertible currency; and facilitating free trade (Leven, 1991). As the former Eastern bloc countries execute such policies, they have experienced some of the prominent, immediate-term negative repercussions, such as decreased availability of public services, increased unemployment, and deteriorating household budgets. In some respects, therefore, the broad issues faced by transitional countries fit within the general parameters surrounding developing countries. However, some key differences exist between the two types of countries. Some of the central defining features of women's participation in the former socialist economies are discussed below; subsequently, the gender-specific impacts of the transition are described.

### **2. The Status of Women in Socialist Economies**

Socialist economies exhibited a number of notable features related to women's participation in the economy. Some of these features -- such as high concentration of women in particular sectors, limited participation in job-related training, limited participation in management, and a "double" work day for women -- are common to both developing countries and former Soviet bloc countries. Others -- such as high female labor participation rates, high female education levels, and social policies that encouraged women's participation -- may be particular to the socialist economies. These features are important to consider as the countries undergo the difficult transition to market economies.

#### **a. High Female Labor Participation Rates**

The participation of all citizens -- male and female -- in building socialism was an ideological cornerstone of that system. Official policy and ideology combined with economic imperative (i.e., the impossibility of providing for a family on one income) to promote high rates of female labor participation in nearly all former Soviet bloc countries. For instance, across the former

Soviet Union, women comprised 51 percent of the labor force in 1989, with regional fluctuations ranging from a high of 55 percent of the labor force in Latvia to a low of 39 percent in Tadzhikistan (Rimashevskaja, 1992). In eastern European countries, women also represented significant portions of the labor force: in Czechoslovakia, Poland, and Hungary, women comprised nearly 46 to 47 percent of the labor force in each country.<sup>13</sup>

b. High Concentration of Women in Particular Sectors

Although women participated actively in the labor force, their activity was concentrated in certain sectors. Generally, women dominated fields such as economics, law, education, medicine and health care, commerce, culture, and banking<sup>14</sup>; in such fields, women often comprised over 70 percent of workers. While women participated in lesser proportions in industry, within that sector, feminized sub-sectors existed in areas such as textiles and shoe manufacturing. (See, for example, Fong, 1993; Development Alternatives, Inc., 1994; Rimashevskaja, 1992; Coopers & Lybrand, 1991a and 1991b.)

c. High Female Education Levels

One of socialism's accomplishments was opening formal educational opportunities to all citizens, whether male or female. Accordingly, the former socialist countries exhibit high levels of female educational attainment, with women in some countries and age groups achieving educational qualifications higher than their male counterparts. Under socialism, however, the educational patterns by gender differed significantly between men and women. In general, women tended to study liberal arts, health, economics and business (leading to the sectoral concentration of women in the labor force mentioned above), while men took up sciences and engineering. Nevertheless, in some countries, namely Albania, Poland and Yugoslavia, women were well-represented in sciences and mathematics, comprising over 60 percent of all students in those fields (Moghadam, 1993).

d. Limited Participation in Job-Related Training

Despite high levels of formal education, women in former socialist countries participated less frequently in job-specific or skills-development training. As students, girls tended not to enroll in vocational training (Coopers & Lybrand, 1991a and 1991b). In later years as workers, Monica Fong<sup>15</sup> (1993) finds that in Russia, women were much less likely to receive on-the-job

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<sup>13</sup> Data for Czechoslovakia is as 1991 (Paukert, 1991), for Poland as of 1989 (Coopers & Lybrand, 1991b), and for Hungary as of 1988 (Coopers & Lybrand, 1991a).

<sup>14</sup> These fields of concentration differentiate women in the former Soviet bloc from women in many other developing countries, who generally do not dominate the fields mentioned above.

<sup>15</sup> Monica Fong is a socio-economist and women in development specialist in the Education and Social Policy Department of the World Bank.

training than men, even though on-the-job training generally forms an important part of skill development and professional advancement in that country. Across the former Soviet Union, approximately 25 percent of women do not acquire any further training and continue working with the same qualifications that they had on entry into the labor market (Rimashevskaja, 1992). In Hungary as well, most women had general schooling, rather than professional training -- even though "the labour market recognizes professional training and not the level of education received" (Hrubos, 1994, p. 311), with negative implications for career advancement.

Common reasons cited for women's lack of participation in job-related training are: time constraints due to domestic responsibilities; inability to travel to other cities for extended periods because of family responsibilities; and reluctance of managers to nominate women for training because of their dual role and the perceived lower return generated from training women versus men.

e. Limited Participation in Management

Although they were highly educated, under socialism, women did not rise to higher management levels in proportionate numbers. For instance, in Hungary 37 percent of men with advanced degrees worked as upper- or middle-level managers, while only 12 percent of women did so; of those with middle-level degrees, 35 percent of men held middle-management positions, compared with 8 percent of women (Lampland, 1989, as quoted in Fong and Paull, 1993). Even in "feminized" sectors of the economy, men rather than women held the higher managerial positions. For example, in the former Soviet Union, women comprised: three-fourths of the teachers, but only a third of the school principals; 70 percent of the doctors, but less than half of the hospital administrators; and 70 percent of the engineers and skilled technical workers in industry, but only 6 percent of the leaders of work collectives (Development Alternative, Inc., 1994).

The literature focuses on women's dual roles as workers and family caretakers (and the time these roles required) as an explanation for women's limited participation in management. For example, Sheila Puffer (1993) notes that being a manager in Russia was time-consuming; "managers joked that they worked an eight hour day -- from 8 a.m. to 8 p.m." (Puffer, 1993, p. 6). Thus, because of responsibilities at home, women simply may not have had time to pursue managerial positions.

f. "Double Day" for Women

In all of the former socialist countries, women were not only strongly encouraged to participate fully in the paid labor force but also continued to act as primary caretakers of the family. The latter responsibilities, which men shared only to a minimal extent, led to what is commonly referred to as women's "double day," which is illustrated in the box to the right. The existence of the double day is related to or explains many of the issues outlined above, in that, as mentioned, women often did not have time or energy to engage in training or to compete for managerial positions. In fact, rather than pursuing opportunities that might enhance their careers, Natalia Rimashevskaja (1992) notes that women may even change jobs and professions to ones which they regard as more compatible with their family duties.

**WOMEN'S "DOUBLE DAY"  
IN THE CZECH REPUBLIC**

*"The household remains very much the domain of the woman, and housework still takes several hours out of many Czech women's daily schedules. ... In most Czech households, the traditional division of labor persists: women shop, cook, launder, clean and take care of the children; men do the handy work and in some families help out with the shopping and cooking. Men's considerably lighter domestic workload ensures the continuance of the centuries-old Czech pub culture.*

*Women's extensive domestic duties allow her less time to pursue her career. Also, because she is so busy in both the workplace and the home, she is more likely to be ill, another factor which could limit her professional performance" (USAID, 1994).*

g. Social Policies

As a matter of policy, socialist countries provided a number of services intended to promote and ease full participation in the paid labor force by all citizens. Such services included childcare, extended maternity leaves, food subsidies, and housing. While many of the social policies were gender-neutral in theory, (e.g., men normally were entitled to take leave to look after a child), in fact, most of the policies affected women due to their primary role in caring for the family.

3. Gender Specific Impacts of the Transition to a Market Economy

Given the features of socialist economies outlined above, it might be expected that the transition to a market economy would have different effects on women versus men. These effects, as described into the literature, fall into three central categories, as described below.

a. Unemployment

Because full employment was a fundamental tenet of socialism, former Soviet bloc countries did not experience open unemployment prior to their transitions to market economies. Today, unemployment is a serious concern in transitional countries, particularly for women, as described in the box on the following page. Indeed, in nearly all such countries, unemployment has had "markedly feminine" features (Gruzdeva, et al., 1992, p. 46; see also Moghadam, 1993 and Development Alternatives, Inc., 1994). In most countries, women comprise majorities of the

unemployed. In some countries, women's unemployment rates far exceed their shares in the labor force, indicating that women may be disproportionately dismissed during the transition. For example, in Belorussia, women comprise 80 percent of the unemployed (Gryaznova, 1994); in Russia, Ukraine, Kazakhstan and Uzbekistan, 70 percent of those reported as unemployed between January 1992 and May 1993 were women (Marnie, 1993, as quoted in Development Alternatives, Inc., 1994); in Poland in 1993, women constituted 58 percent of the unemployed (Fong and Paull, 1993). Accordingly, after forty years of state encouragement of their labor force participation, women are for the first time faced with the possibility of unemployment and its consequences, particularly loss of income and social benefits.

#### UNEMPLOYMENT IN KYRGYZSTAN

*A young Uighur mother living in north Kyrgyzstan "describes her background as a trained medical emergency doctor. 'I dreamed of a red diploma when I was a child. Prior to Gorbachev, I would never have gotten into the university because I was Uighur [an originally Turkic group which came to Kyrgyzstan from China during the 1960s to escape discrimination there], but his policies helped break down old loyalties. But now, I am educated, and I won't get my job back after my maternity leave because so many jobs are being cut or going to others. How has education helped me now? It's made me realize how much I have lost. I am unable to afford more education. But I am not complaining. It is the children I feel sorry for; I can't get any formula for my baby'" (Kuehnast, 1993, p. 36).*

#### b. Re-Employment

The literature includes evidence that women may face greater hurdles in finding new jobs after being unemployed. Lado states that "in many countries, job vacancies may specify the desired gender and 'men only' advertisements are becoming more widespread ... [moreover] the better the job offered, the more likely it will specify 'men only'" (Lado, 1991, as quoted in Fong and Paull, 1993, p. 233). Gender-specific job announcements allow direct comparisons between the number of unemployed and the number of job openings by gender. In Russia, Fong and Paull (1993) report that the probability of obtaining new employment for a man is more than three times greater than for a woman; in Poland at the end of October 1990, the number of female job-seekers per vacancy was four times as high as the corresponding figure for men (Ciechocinska, 1993). In Hungary, due to gender specification in job announcements, women are ineligible to even apply for 20 to 30 percent of the officially registered openings in non-manual labor and for 65 to 70 percent of the manual jobs (Coopers & Lybrand, 1991a).

As a result of the social policies provided under socialism, women may also face greater difficulties finding re-employment because they are perceived to be more costly than equivalently-qualified males, even though their male counterparts receive higher wages. "The result of such 'overprotection', as some call it, is that private employers, in particular, are reluctant to hire women with family responsibilities" (Paukert, 1991, p. 268).

Women's re-employment also will be affected by the skills they bring to the new jobs of the post-reform economy. Many of the feminized sectors and subsectors of the economy, such as banking, commerce, and trade, are those that are increasingly important in post-reform

economies. While working in these sectors is very different under the socialist and market systems, some researchers argue that women may have an advantage due to their previous experience and education qualifications in these fields. Fong and Paull contend that not only will women be better qualified to work in these fields on the basis of past experience but also "these careers are already 'female-stereotyped', so employers are familiar with hiring women in those areas" (Fong and Paull, 1993, p. 232).

#### **PHARMACIES IN POLAND**

*An example from Poland illustrates the complicated relationship between the skills women developed under socialism, their application in a market economy, and the "competition" in previously feminized sectors as such sectors gain greater prestige in the transition. Specifically, "[f]rom a gender perspective, pharmacies are particularly interesting to examine because of the dramatic shift in their ownership over the past fifty years. Before 1945, most pharmacies were owned and operated by men; now nearly all private pharmacies are owned and managed by women. What accounts for this phenomenon are changes in the employee structure over the past forty-five years. Under socialism, pharmacists came to be perceived as 'glorified sales-people' (despite their five years of demanding post-secondary education). As the prestige and wages of pharmacists declined, men left the sector for more lucrative opportunities, and women assumed an increasingly significant role. By 1989, nearly all employees in Poland's state-owned pharmacies were women.*

*With economic restructuring, the Polish government has been quick to privatize small pharmacies. Women entrepreneurs have taken the lead in buying the pharmacies in which they have been employed for many years. But while pharmacies are now owned primarily by women entrepreneurs, this may well change in the future. Privatization and new commercial opportunities have made the pharmacy business increasingly attractive, and in response, men are beginning to re-enter the profession. Indeed, nearly 50 percent of all applicants to pharmacy schools are now male – a dramatic shift from the enrollments under socialism" (Coopers & Lybrand, 1991b, p. 27).*

Other researchers offer a contrasting view, with negative implications for female participation in these sectors. For instance, Moghadam writes regarding Poland that:

**Given that Polish women dominated business, accountancy, foreign languages, and computer skills, one would expect that they would be at an advantage in a market economy. But according to Bialecki, now that business and accounting are profit-making and central to the new market economy, these jobs will become predominantly male. In other words, men will move into previously feminized professions as they become more lucrative. ... Women's qualifications are not being accepted, and women themselves accept less qualified positions out of the need simply to earn money and survive (Moghadam, 1993, p. 16).**

Part of the reason that women's qualifications may not be accepted is that, generally, women were concentrated in lower level, less skilled clerical positions within such sectors (Hrubos, 1994; Sziraczki and Windell, 1992); as a result, women may not have the skills necessary to work in those sectors within a market economy.

In Russia, Gruzdeva, et al. (1992) also report indications of a mismatch of skills compared to job openings. As described earlier, women in Russia are highly educated, often with secondary and higher specialized education. However, 90% of the job openings listed in the Moscow City Executive Committee Labor Exchange were for physical labor, for which many women are overqualified or unsuitable (Gruzdeva, et al., 1992).

c. Loss of Social Services

As the governments of eastern Europe and the former Soviet Union privatize state-owned enterprises and cut back the government role and spending in the social sector, women are faced with a dilemma: they must continue to work in the paid labor force in order to maintain adequate household living standards, but they find retaining their positions in or re-entering the job market increasingly difficult because of the precipitous decline in social services such as childcare facilities. As a result, women are affected more directly and significantly than men as such social services are cut back. "In post-reform conditions, however, such costs [e.g., maternity leave, childcare leaves, provision for creches and kindergartens at the work place] can no longer be borne by profit-maximizing enterprises, which will contract for the cheapest qualified labor" (Moghadam, 1993, p. 9). The box above illustrates the significance for family incomes of social services such as childcare.

**CHILDCARE IN BULGARIA,  
HUNGARY AND POLAND**

*Given current economic difficulties in Bulgaria, Hungary, and Poland, families are not able to survive on a single income, signifying that the demand for dependable and affordable childcare is likely to remain at current levels or increase. However, families in these countries are not accustomed to paying full costs for child care, since fees charged by public child care facilities historically have not covered full operating costs. Even at these rates, child care fees typically comprise 15-20% of family income. Thus, few families in these countries would be able to afford the high fees that private facilities would require. In light of these circumstances, "the bulk of the financial burden of providing child care services will continue to fall on central and municipal governments" or "increase the demand for informal, family care" (Price Waterhouse, 1994, p. iii).*

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In light of these issues, the literature recommended a number of areas for potential interventions. These areas, along with the interventions suggested in the literature regarding economic reform *vis-a-vis* women in developing countries, are described in the next section.

## **D. CONCLUSIONS/RECOMMENDATIONS**

The recommendations cited below are derived from and divided according to the literature on developing countries and economies in transition. However, it should be noted that many of these recommendations transcend the issues of either developing countries or transitional economies and instead point to general strategies to enhance women's economic participation.

### **1. Developing Countries**

The literature suggested several recommendations for improving the effects of economic policies on women and for optimizing the development goals by taking gender into account and thus enabling women to take advantage of the opportunities in the economy. These recommendations, discussed below, fall into five categories covering a range of issues related to policy-making, job creation, decreasing the constraints on women's economic participation, and data collection.

#### **a. Gender-Aware Policy Reform**

Several authors and studies (e.g., SPA Workshop) note that since gender roles are one of the key determinants of how the economy works, economic policy analysis must incorporate gender roles into the investigation from the start, rather than adding-on women as an afterthought. Many authors note that policy-makers must address their tendency to ignore gender as a factor in policies' success or failure and must see women as economic actors, not just as vulnerable groups. Models must permit a more complete understanding of the interplay between women's productive and reproductive activities and the related constraints to resource allocation.

Tools for improving such models are described in the literature including, for example:

- Prototype policy tools have been developed by the Gender Resource Awareness in National Development (GRAND) project of USAID's Office of Women in Development. These tools: (i) examine existing structures of social and economic production, accounting specifically for incentives and constraints, based on gender-disaggregated data analysis; and (ii) investigate the implications of different policy choices for economic development given the gender-based division of labor, returns to labor, and allocations of social and economic resources (Mary Altomare, in MSI, 1992)
- The Gender Identification Framework (GIF), described by Rae Lesser Blumberg (1989, as cited in MSI, 1992), examines "six exploratory factors," including: division of labor; income sources; spending patterns; availability of time over the seasons; decision-making; and access to resources. From these six factors, conclusions can be drawn regarding constraints that affect men and women differently and opportunities for either men or women in a specific area or sector.

- The "livelihood model," described by Grown and Sebstad (1989), examines the mix of strategies employed over a period of time by individuals or households. Livelihood systems refer to individual and household survival strategies the poor use to ensure their survival, security or growth. Livelihood systems are dynamic and provide a better understanding of how the poorest households function.

b. Greater Participation in Economic Policy-Making and Implementation

Several authors cite the need to elicit greater participation of women in design and implementation of economic programs (HIID, 1990). Evidence suggests that programs have failed where stakeholders do not have a sense of ownership or have insufficiently participated in design and implementation. Women's empowerment at the local, household, and national level is critical to consolidate the economic gains they achieve. To date, the record for women's bureaus and ministries has been less than satisfactory. They are often underfunded, overworked and excluded from the economic policy making process (Elson, 1991). However, as described in Chapter IV, some women's associations have been very effective in contributing to the national-level policy dialogues. The resources of trade unions, parallel financial institutions, community development organizations, parastatals and research organizations must also be called upon (Grown, 1989).

Crosby (1991, as cited in MSI, 1992) describes several models for stakeholder analysis, including: Brinkerhoff's (1991) matrix of actors and resources; Honandle and Coopers (1989) matrix of stakeholders and problems; Gramman's (1991) approach which lists actors, their relative importance, their interests and objectives, how these interests conflict, and the leaders of each group; and Lindenberg and Crosby's (1981) matrix which for each group arrays the groups' interests, resources, resource mobilization capacity, and position on the issue in question. Use of such analysis is critical at both the policy formulation and design stages. Crosby notes that such analysis is a tool to better understand the environment in which policy change and implementation will take place.

c. Decreasing the Burden of Women's Unpaid Work

Providing public sector services that lighten the burden of women's unpaid work and hence enable women to participate in the paid economy are needed. "Adjustment with Gender Equity" supporters advocate greater selectivity in public expenditure cuts. Policies that improve access to water supplies, electricity, waste disposal facilities, public transportation, health care, education, and childcare, for example, will lighten the burden of women's unpaid work and may enable them to better participate in the paid economy (Elson, 1989).

Rausser (in HIID, 1990) suggests that, according to game theory, compensation schemes that include side payments to address the social cost of development may be used to promote a collective group's cooperative behavior and desirable outcomes. A number of criticisms of past compensatory programs have been raised. For example, the temporary nature of employment programs, which limits their ability to provide an adequate "safety net," and inadequate targeting

and delivery of food subsidies inhibits the programs' ability to reach those most in need. As a report for the Commission for the European Communities states, "there is a need to address the long-term issues of poverty in Social Action Programmes, rather than providing temporary assistance to the most immediate, and possibly most vocal, losers from economic policy reform. Complex systems of limited targeted assistance may not be cost effective, and may miss many of those most in need" (CEC, 1993, p. 14).

d. Quality Job Creation

According to Ibrahim (1989), the goal of donors and policy-makers should be to expand women's employment opportunities and the quality of those job opportunities in terms of security, pay and opportunities for promotion. This involves two issues: (i) education and training; and (ii) women's access to quality jobs. Regarding the first point, several authors note that many training programs are inadequate because they funnel women into low-paying, traditional "women's work." As to the second point, policymakers can learn from a USAID training project in Morocco. Here the project trained women in the field of technical drawing and successfully placed them in well-paid employment. Joekes (1991) notes that this was a relatively new occupation and stereotypes regarding women were not established. These facts may have played a part in the success of the program.

e. Gender-Disaggregated Data

As discussed above, gender-disaggregated data is needed to improve policymakers' understanding of the division of labor and resources between men and women. Gender disaggregated data will contribute to better planning, designing, and evaluations of programs and development results (MSI, 1992). In addition, as Anker and Anker (1989) show in the case of Egypt, terms such as "main occupation," "economic activity," and "work" must be redefined to encompass women's activities. Interviewers also must be trained to recognize women's economically productive work. Otherwise, women's economic activity will continue to be underreported in the official statistics upon which policy-makers may rely. Grown and Sebstad (1989) suggests that data are needed on women's control over their labor power, labor time, means of production, output, proceeds of their output in order to better understand women's labor force participation.

2. Transitional Economics

The literature on transitions to market economies also contained a number of recommendations regarding what measures could be taken to address gender-specific effects of the change of systems. These recommendations generally fall into four categories: legal and regulatory issues in the labor market; training and employment services; information dissemination; and social services.

a. Legal and Regulatory Issues in the New Labor Market

As mentioned in Section C, women face significant constraints to finding new jobs once they are unemployed. Some of these constraints relate to laws and regulations governing the labor market and work place. First, as noted previously, in several countries job openings are classified by gender. Such classifications prevent women from competing for jobs, even though they may be qualified candidates. Accordingly, an important recommendation of the literature is to prohibit job vacancy announcements and job classifications by sex, in order to ensure the free mobility of all labor, male or female, from contracting to growth sectors. Secondly, Fong (1993) recommends that transitional countries re-examine, in light of international standards, labor laws and regulations prohibiting women's employment in blue collar occupations that are formally closed to women on the grounds of health. Such exclusions may also prevent women from competing for the new jobs available in post-reform economies.

b. Training and Employment Services

In much of the literature, recommendations center upon providing training and employment services in order to address gender-specific impacts of transitions. Areas repeatedly suggested for training were management skills and small business development; it is also recommended that training be provided in broad, rather than industry-specific, skills such as advertising and marketing (Development Alternatives, Inc., 1994). In addition, training provided should be designed to take into consideration women's continuing domestic responsibilities and should be tailored to women's economic role and status in the particular country or region. To complement training, employment services were also recommended. Such services might include job search facilities and skills, career counseling, and occupation testing.

c. Information Dissemination

The literature noted several types of information dissemination and educational campaigns. First, the literature mentioned that women, and men, do not have adequate information regarding key aspects of the transition, such as market economics, the privatization process, new laws affecting private sector development, and current government programs. Such information could be provided through targeted information programs. In addition, Fong and Paull (1993) recommend educational campaigns to decrease career stereotyping by gender and to encourage women to enter other fields.<sup>16</sup>

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<sup>16</sup> Specifically, they argue for occupational-segregation career counselling to encourage women to consider occupations that have traditionally been male-dominated and, more generally, for development of campaigns within the educational system and mass media to eliminate gender stereotypes and to attract public attention to the issues of equality between men and women (Fong and Paull, 1993).

d. Social Services

The legacy of socialist government provision of social services affects women's participation in the new economies of eastern Europe and the former Soviet Union in two ways: (i) employers perceive women to be more expensive, and sometimes unreliable, workers because of existing laws mandating benefits such as maternity leaves and childcare allowances; and (ii) women find it increasingly difficult to balance their need to work with their family responsibilities as formerly government-sponsored programs are eliminated during the restructuring process. Most recommendations regarding social services were not explicit; however, as Fong (1993) notes, the disappearance of benefits previously provided or mandated at the central level, such as child care and maternity leave, will need to be addressed so that women, as the primary users of such benefits, will not be discriminated against as a class, and men therefore hired before women.

**CHAPTER II**  
**LEGAL AND REGULATORY ISSUES**

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## CHAPTER II

### LEGAL AND REGULATORY ISSUES

#### A. WHY GENDER MATTERS

Gender matters because laws and regulations and their enforcement affect women's equality in political and economic life and their ability to actively participate as self-sufficient persons. Women face laws in addition to those that men face. Moreover, women's lack of understanding of the laws and their lack of access to channels for legal redress can be critical constraints to women's participation. Women's World Banking emphasizes in its recommendations for increasing women's economic participation: "Certain laws are barriers to women's economic participation -- property, inheritance, credit policies, labor and zoning laws. Governments have a role to play here in enacting legislation that is more favorable to women's entrepreneurial development" (Women's World Banking, 1994, p. 4). Also, there is a need for governments and donors to join with women's advocacy groups to improve the legal position of women workers and producers (Ibrahim, 1989; Mitter, 1994).

This chapter begins by outlining several concepts for understanding how legal systems affect women. The chapter then examines how laws or practices affect women's economic participation. The discussion is organized around three key themes: laws affecting women's access to and control of property; laws and practices affecting women's ability to participate in business and markets; and labor laws and practices affecting women's work status. The final section of the chapter discusses both a framework for thinking about strategic interventions to improve the legal position of women and specific types of interventions.

From the outset, we should note that the literature is surprisingly sparse in analyzing legal systems and their impacts on women's economic activities in particular countries. Outside of the key general review articles by Martin and Hashi (1992) on Sub-Saharan Africa and Freedman (1991) on the Near East and Asia<sup>17</sup> and the analysis of protective labor legislation in Latin America by Crummett (1994), there are few detailed analytical pieces about the impacts of specific legal systems on women. Even the two review articles provide mainly brief examples from those regions. This points to the need for donors to support focused research efforts on gender and legal systems in countries where they are considering interventions.

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<sup>17</sup> Doris Martin and Fatuma Hashi prepared three papers for The World Bank on law as a constraint to women's economic empowerment in Africa. Lynn Freedman, formerly with the Development, Law and Policy Program at Columbia University, wrote a report on women and the law in Asia and the Near East for USAID's GENESYS (Gender in Economic and Social Systems) Project.

## **B. UNDERSTANDING HOW LEGAL SYSTEMS AFFECT WOMEN**

In this section four general concepts discussed in the literature are presented to highlight the complex nature of legal systems and how they affect women's activities.

### **1. A Broader Approach to Legal Systems**

A number of writers on gender and legal issues point to the importance of looking beyond formal laws themselves to the contextual factors that affect which laws and practices are applied to women, how they are applied, and the context for appeal and for reform of discriminatory practices and laws. This approach is critical whether one is designing effective interventions to address these constraints or improving projects which presume women will be able to take advantage of various development opportunities.

One framework for identifying the legal constraints to women's political and economic participation divides the analysis into three areas: the substantive component (content of law); the structural component (mechanisms for implementing, appealing and modifying the legal system); and the cultural component (attitudes about the law and its role in a society) (Freedman, 1991; Martin and Hashi, 1992; and Schuler, 1986). These authors identify various types of legal and regulatory discrimination affecting women's political and economic participation. These types include:

- obviously discriminatory laws;
- inadequate laws with ambiguous interpretations;
- laws that appear gender neutral but have *de facto* discriminatory impacts on women because they have less education, less control over property, or restricted access to public domains and "old-boy" networks;
- laws that intend to protect women (e.g., protective labor laws) but which in fact may have mixed impacts;
- anti-discriminatory laws which may be ineffective because of personal status laws that undercut their impact; and
- adequate laws and regulations undercut by *de facto* lack of enforcement or discriminatory interpretations based on dominant cultural attitudes.

Taking a broader approach to looking at gender and legal systems means moving beyond just the letter of the law to the actual practice and enforcement of law. A 1988 United Nations report states: "There is no doubt that the *de juris* and the *de facto* treatment of women are two different matters. In general the legislative process achieved in [Latin America] has been made in the search to establish equitable relations between men and women. However, experience

shows that the laws are inadequate except as a means of expressing an ideal" (reported in Rhodie, 1989, p. 89).

The opportunities for legal appeal is an important dimension of how law is practiced and enforced. In many developing countries, women lack access to channels for lodging complaints or face institutions unable to respond to their legal needs. This may be due to any one of several factors: for instance, there may be no official body established to handle complaints; the channels may involve cumbersome legal procedures or corrupt agencies; or women may not know the channels or may face discriminatory access to these channels. Also, entrenched discriminatory attitudes of courts, police and regulatory officers toward women and basic ignorance of the possibilities and limits of the law lead to an acceptance of discrimination and unjust practices. For example, the Columbian legal system has progressive legislation in place, but it lacks the necessary mechanisms to enforce its laws. Moreover, neither men nor women have been adequately informed of the legislation. As a result, Colombia's progressive legislation -- which could have benefitted women -- has not been observed or enforced (Rhodie, 1989).

## 2. Dual and Plural Legal Systems

Authors discussing gender and the law in Africa (Martin and Hashi, 1992) and the Near East and Asia (Freedman, 1991) report that in these regions colonial governments imposed European legal codes on top of customary laws, thereby creating a dual legal system.<sup>18</sup> These systems include: (i) civil law or statutory law derived from European legal traditions which governs most aspects of public life and commercial transaction, labor relations, and criminal sanctions; and (ii) customary law, which in some societies may be defined as religious law. In the gender and law literature, the dual system corresponds to the "outside/inside" dichotomy discussed in gender studies. "Public sphere" responsibilities, where men are the key players, are governed by statutory law. "Private sphere" or domestic responsibilities, where women are the key actors, are governed largely by customary law (Blackden and Morris Hughes, 1993).

### **THE DUAL SYSTEM IN UGANDA**

*Reporting on the experience of the Ugandan Women's Lawyers Association (FIDA-Uganda) and Action for Development (ADFODE) in implementing a legal literacy program in the rural areas, Butewega discusses the reality of the dual system of law in Uganda: "[f]or most women, especially the large proportion of women who live in the rural areas, customary laws are the only laws they know. The fact that law enforcement officers and other people who make up the structures of the legal system at this level are as steeped in custom as the women themselves, further complicates the matter" (Butegwa, 1992, p. 142)*

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<sup>18</sup> The literature does not point to a similar dual system operating in Latin America. Colonial authorities in Latin America imposed French and Spanish civil codes, which emphasized the male as the absolute head of the family (Cairns, 1984).

**Personal status law governs most aspects of private life such as a woman's minor or majority status, marriage and marital relations, divorce, child custody, control of property and inheritance. Personal status laws may derive from either civil law or customary law, depending on the specific law and the environment in which it is practiced. The key issue is how the law defines a woman's status: either as a minor, dependent on her husband or another male family member, or as an adult with majority status and rights. Even within a given country, marriage law may be closely tied to civil or statutory law in urban areas, where there tends to be a more educated or westernized population; however, customary law may still prevail in the rural areas. There may also be multiple ethnic or religious groups in a country, each with its designated set of personal status laws. This is the case in India, where the Hindu, Muslim and tribal communities all have distinct personal status laws. As one author notes, "The grand provisions in the Indian constitution to protect women are whittled away or effectively diluted" by the multiple sets of personal status laws dealing with land and inheritance (Rhodie, 1989, p. 88).**

**The effects of dual systems are significant. Ironically, dual systems created during the colonial period have often given male family members greater rights or control over women's behavior and property than had been the case in the pre-colonial period (Martin and Hashi, 1992; Freedman, 1991). Tripp argues, "[i]n many African countries, this dual system is one of the main sources of discrimination against women" (Tripp, 1994a, p. 16). The example from Uganda described in the box on the previous page helps explain why this is the case.**

**In Asia and the Near East, the dual system is a key factor that deprives women of control over their lives, particularly with regard to their autonomy in participating in economic activities and their ability to take advantage of opportunities provided in donor projects to improve their economic status and productivity. Strict interpretations of customary laws are often imbued with the symbolism and power of nationalism, ethnic identity or religion. They can effectively define and circumscribe women's behavior because they are closely tied to an indigenous system opposing inappropriate "western" notions of gender relations (Freedman, 1991).**

- **Women's Status Defined by Islamic Shari'a Law**

**Islamic *Shari'a* law is a codified version of traditional personal status laws that has a strong influence on women's legal status in many societies across Africa, the Middle East, and Asia. Although recognizing that *Shari'a* law is interpreted and implemented in many different forms, Moghadam (1992), senior research fellow at the World Institute for Development Economics Research of the United Nations University in Helsinki, explains that traditional characteristics of this religious law include the following: a strong emphasis on family roles for women; a corresponding traditional segregation of women's activities in the domestic sphere and exclusion of women from many public contexts (e.g., factory work, market and sales work, courts and political contexts); and the allocation of resources, whether at the household level, the market, or state levels marked by a gender bias in favor of men. Generally, a restrictive interpretation of Islamic personal status laws makes it difficult for women to protect or control specific property rights or to participate in business or other work activities outside of the home (Freedman, 1991). However, although some or all of this cluster of rules are applied in various**

Islamic countries, the strictness of interpretation concerning women's economic participation is significantly affected by other factors such as national ideology and type of political state; national economic strategies that affect the labor force structure; national economic health or crisis; and the social composition of the country, including the nature of the political elites (Moghadam, 1992).

The application of *Shari'a* traditions is not a static system but has changed rapidly in the past thirty years due to state-sponsored education, economic development, and expansion of public sector employment. In particular, the expansion of the female labor force in urban areas and emergence of educated and employed women concerned about women's issues has had a positive effect in reducing traditional sex segregation and female seclusion (Moghadam, 1992). However, more recently, due to worsening economic conditions and other factors, there have been reversals of gains in some Islamic countries with gender becoming increasingly politicized. "Where women are regarded as the custodians of cultural values and traditions in the face of real or perceived external challenges, we can expect women's roles to be more privatized than public ... " (Moghadam, 1992, p. 3). As described in the box below, Egypt reflects both the progressive changes and reversals in the application of *Shari'a* tradition to women's status as various constituencies gain influence.

#### **WOMEN AND PERSONAL STATUS LAW IN EGYPT**

*In Egypt the welfare state developed by the Nasser regime in the late 1950s and the 1960s had an explicit commitment to public equality for women. A fundamental principle of the state was the incorporation of educated women as employees into the government and industrial sectors with guaranteed public sector employment, job security, equal pay, and childcare. This required putting in place new civil code legislation establishing the right of females to education and wage employment and loosening of traditional Shari'a control over women's participation in the public domain.*

*However, at the same time, a parallel set of personal status laws passed in the 1920s and 30s remained part of the legal system. These laws defined women as "economic dependents of men, unstable emotional beings that cannot be trusted with the right to divorce, and unable to leave a husband without his consent" (Hatem, 1992, p. 232). The Nasser regime did not directly challenge the familial views of women's dependency on men institutionalized by the personal status laws. Moreover, as an overture to Islamist groups who were to become political allies, Sadat rewrote the constitution to qualify women's equal rights clauses with this phrase: "provided that the above do not infringe on the rules of Islamic Shari'a" (Hatem, 1992, p. 232).*

*In the climate of increasing economic problems and particularly high levels of unemployment in the last decade, there have been challenges by conservative Islamists, often successful, against the equal rights laws supporting the progressive position of women. They demand more restrictive personal status laws and more restrictive court interpretation of the Shari'a religious law (Hatem, 1992).*

Freedman (1991) contends that in Islamic countries additional importation of western legal models for defining women's personal status will not be successful, and that it is more effective to work on transformation inside the society in terms of a revised and legitimate interpretation of the Islamic *Shari'a* law. Some progressive women's organizations comprised of women from

Islamic countries (e.g., Women Living Under Muslim Laws, an organization based in France, and *Shirkat Gah*, a women's resource center in Pakistan) are calling for a less restrictive interpretation of Islamic law which would be based more accurately on traditional women's behavior in the period of the Prophet Muhamad and his family. Freedman reports there is a growing body of technical legal literature which shows "how the tools of Islamic jurisprudence can be used to transform Islamic personal status law into a set of rules more favorable to women without abandoning the essential principles on which classical Islam is based" (Freedman, 1991, p. 22)

### 3. Inconsistency and Ambiguity Within Legal Systems

In many developing societies, the hierarchy of laws is characterized by ambiguity and lack of consistency (World Bank, 1992; Martin and Hashi, 1992). Lower level laws and customs are often inconsistent with higher level laws. Moreover, in African countries, because of dual or even multiple legal systems based on ethnic diversity, and lack of precise rules about which laws apply in particular cases, a process of "forum shopping" has arisen; this situation contributes to arbitrary and inconsistent judicial decisions, often to the detriment of women. In addition, the ambiguity and lack of precision in Africa about customary law leaves room for arbitrary decisions -- ostensibly based on custom but not genuinely rooted in custom.

To illustrate the point, Butegwa, Regional Coordinator of the Women in Law and Development in Africa (WiLDAF) program and active member of the Ugandan Women's Lawyer's Association, describes local government officials' lack of clarity about the law. Members of the Ugandan Resistance Committees were assigned judicial power to hear and make decisions on local civil disputes. The Committee members are ordinary people with no legal training. "They do not know which customs have the force of law, and which are not enforceable due to their incompatibility with statutes, or due to their repugnancy to the principles of natural justice" (Butegwa, 1992, p. 159). This lack of clarity, and also corruption and lack of accountability, in legal systems is related to the process of weakening rule of law and administration in some crisis-ridden countries (Obbo, 1991).

- Transitional Economies

Transitional economies represent a special case of inconsistency and uncertainty in legal systems. As the Newly Independent States and Central and Eastern Europe bridge the transition to a market oriented economy, they have had to adopt completely new legal structures and systems. In the process, the legal environment has been characterized by flux and uncertainty. Legal codes are often incomplete or in the process of being rewritten, including laws that have a direct impact on women; and legal appeal structures are just beginning to emerge. For example, in the case of Poland, a Commissioner for Civil Rights Protection has been instituted to handle anti-discrimination cases arising in the administration of state and local institutions; however, as of 1991, the country had no legal structures for enforcing anti-discrimination laws in the private sector (Coopers & Lybrand, 1991a). As a result, women have no legal recourse in the event of discrimination.

#### **4. The Impact of International Anti-Discrimination Conventions**

Although developing countries have publicly signed international conventions concerned with ensuring women's equal status, frequently these have not been implemented at the country level (Martin and Hashi, 1992; Rhodie, 1989; Joeke, 1991; Saint-Germain, 1993). In her discussion of advanced developing countries, Joeke (1991) lists six U.N. conventions calling for the elimination of all discrimination and establishment of equal rights in the following areas: political rights, marriage rights, education, equal pay for equal value, maternity protection, and employment. In addition, several authors discuss the U.N. Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) presented for state signatures after the 1980 Copenhagen U.N. Conference for Women. In attempting to address the problems of achieving *de facto* equality, this convention incorporated the idea of compensatory actions to rapidly equalize the position of women. CEDAW has been ratified by over 100 nations.

While these international conventions would appear to be a step in the right direction, there is usually no immediate benefit to women following their country's signing U.N. conventions. The most significant hurdle is translating the constituent principles into national legislation and regulations (Rhodie, 1989; Joeke, 1991). This is where publicly-stated reform intentions break down. Rhodie makes an even stronger statement about the "intellectual dishonesty" of many African, Asian and Latin American countries that ratify these conventions and even pass equal rights laws, which are then buried in order to protect the patriarchal system (Rhodie, 1989, p. 88). The ratified international conventions do, however, offer some leverage for lobbying on women's issues.

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With these concepts in mind, the following sections explore three areas of the law that specifically affect women's economic participation: property law, laws related to business, and labor laws.

#### **C. WOMEN'S ACCESS TO AND CONTROL OF PROPERTY**

Property law is probably the biggest legal constraint for women entrepreneurs, with lack of title to property in many countries still prohibiting women from obtaining credit (Women's World Banking, 1994). In many countries, lack of property rights are a critical problem faced by both men and women; however, even in those countries where property rights are well-defined and protected, lack of title to property remains a problem for women because the title is generally held in the name of a man. "In the long term, economic efficiency requires reforms in women's rights to property (i.e., in inheritance and marriage law)" (Palmer, quoted in Elson, 1993, p. 242). Types of laws affecting women's rights to property include the following: land system and registration acts, inheritance laws, and marriage and divorce laws.

This section explores the relationship between property law and gender in various regions, with a focus on: (i) the impact of custom-derived personal status laws (e.g., inheritance, marriage and divorce laws) on women's ownership of property and (ii) the impact of land registration and land reform on women's ownership and control of property. Again, it is important to note that there is no systematic analysis of these issues in the literature, but rather, snapshots of how these issues play out in specific countries. The examples presented below by region help to illustrate some of the critical issues regarding gender and property rights, but do not necessarily represent the diversity of legal systems within regions. The literature on Africa provides more examples because of donor-sponsored research in this area.

## 1. The Impact of Personal Status Laws

### a. Women's Property Status in Sub-Saharan Africa

The case of Botswana helps to illustrate how dual legal systems affect women's property status in sub-Saharan Africa. Women in Botswana marry either (i) "in community of property" with property pooled in a joint estate, the husband holding legal control, and the wife being a "minor" in all legal transactions, or (ii) "out of community property" with each spouse legally maintaining control over his/her assets brought to the marriage. However, in this case, men generally assume *de facto* control (Nkwe and Raile, 1992). With regard to inheritance of property, women may be entitled to one half to none of the husband's estate depending on whether the marriage is a civil marriage or a traditional one (Bremer and Hourihan, 1990). The literature is not clear on whether women actually do inherit their entitled land portion.

In the case of Uganda, the Succession Act states that the "legal heir" is the living relative "nearest in degree to an intestate person" and that "a male shall be preferred to a female when there is equality between kindred of the same degree" (Mbire, 1992, p. 65-66). This legal qualification, in effect, prevents women from inheriting land or other valuable property from their fathers. Moreover, "it is common practice for the deceased husband's relatives to forcefully seize all the property that would have been passed on to the widow" (Mungai, 1992, p. 67). Butegwa (1992) notes that the Succession Act in Uganda entitles a widow to a 15 percent share in her deceased husband's intestate estate; whereas, under most customary laws, she has no such right. In fact, Butegwa argues, in many ethnic communities, the wife herself is part of the estate to be inherited by the deceased man's brother or uncle.

Since customary laws are the only laws most Ugandan local law enforcement officers know, it is, therefore, not uncommon to find a magistrate who will throw out the case of a widow claiming a small portion of the property she accumulated with her husband. From a Ugandan woman's point of view, the question is whether she wants to take her in-laws to court and, if so, can the laws and courts protect her property rights. This is not just a matter of women knowing the law, but rather, whether it is worth a woman's effort to formally complain and risk the possibly serious social and economic sanctions brought against her as she attempts to have the statutory law enforced.

Another perspective can be drawn from Ghana and the Gambia. Moncrief (1994) has examined the legal constraints to women's participation in a planned horticultural export enterprise in these two countries. She notes that several factors affect whether women can own or control property for contract farming. An overarching factor is that most rural women are subject to customary laws, as opposed to land reform laws; customary law considers a woman's social and economic obligations to her extended family, clan and/or tribe in determining her legal rights to land. Moreover, the property status of women in customary law is defined in personal law which means that women that have married under the jurisdiction of customary law do not receive equal entitlements. Lastly, customary law is sometimes difficult to determine because it varies by tribe, place, and sometimes by family. The complexity of the application of laws within the context of multiple legal systems is described in the box to the right.

African women's organizations are pushing for reform of property law and practices. Most noteworthy among these efforts is the strong effort of women in Ghana to get a uniform family law passed, which would address the property status of divorced women and widows (Haney, 1990). Women's groups in Zambia are also pressing for reform of the inheritance law (Schuler, 1990). But once these laws are in place to give women the right to land ownership, cumbersome administrative procedures may create additional barriers to women who wish to use the laws.

b. Women's Property Status in Islamic Countries

The restrictive interpretation of Islamic personal status laws in keeping with the *Shari'a* religious law makes it difficult for women in some Islamic countries to protect or control specific property rights through the process of inheritance, after divorce, or accumulated through her work or in

**PROPERTY REFORM IN KENYA**

*In Kenya, several reform laws have been enacted to improve women's ownership rights in property. These laws give a married woman full proprietary capacity with the right to hold property in her name separate from her husband, the capacity to sue to protect her property, and the capacity to make a will or dispose of the property. However, the law makes a critical exception: wives cannot protect their property against their husbands. Equally troubling are the exceptions to Kenya's Law of Succession Act, which restrict the capacity of a woman to inherit a deceased husband's property or inherit equally from a father's estate. Because of these exceptions, agricultural land, crops, and livestock descend in accordance with the "law or customs applicable to the deceased's community, tribe, religion or sect as the case may be" (Martin and Hashi, 1992, p. 11). In Kenya, this provision triggers any of four systems of customary law:*

*tribal customary law – sons have exclusive right to inherit, wives and unmarried daughters have right to be maintained, married daughters have no rights in deceased father's property;*

*Islamic law – widows with children receive one-eighth of property or one-fourth if childless; daughters receive one-half of amount their brothers receive;*

*Hindu law – widow has right only to maintenance;*

*Statutory law – wife has security of tenure in the matrimonial home, right to benefit from the husband's assets against all third parties, if the husband has named her as a beneficiary on an insurance policy covering the assets" (Martin and Hashi, 1992, p. 11-12).*

her business (Freedman, 1991). Women also can easily be controlled through a husband's threat of divorce or taking another wife, which in either case threatens her economic security (although the degree of vulnerability varies by social class with elite women being less severely affected). In Egypt, as in many Islamic countries, land titles are in the name of male household members, with women's assets likely to be only in liquid form such as jewelry or household furnishings (Weidemann, 1992). *De facto* disregard of women's property rights assigned by Islamic law (Martin and Hashi, 1992) is characteristic of many Islamic countries.

*Shari'a* based personal status laws also determine the inheritance of land by daughters in Bangladesh (World Bank, 1990; Sobhan, 1992). Although the law states that sons are to inherit twice the share of daughters, the literature notes "it is generally known that a rural woman does not claim her inheritance from her father's estate but exchanges it for the continued right to visit the parental home (a right commonly referred to as *naior*) a few times a year after the parent's death" (World Bank, 1990, p. 21). This right to visit offers a woman some security in case of a divorce. During legal literacy classes in villages organized by the Bangladesh Rural Advancement Committee (BRAC), the more progressive village members stated that they felt society had changed and there was no reason to continue to provide daughters a lesser share. They suggested that there should be a legal provision for parents to avoid the *Shari'a* laws by preparing wills to give daughters an equal share (Sobhan, 1992).

c. Women's Property Status in the Caribbean and Latin America

In Latin America, women's lack of control over property is a significant impediment. The literature notes that, in a number of countries, the law gives husbands the marital right to administer all family property; formal prenuptial agreements are required for the woman to retain rights over the property she holds on entering the marriage (Cairns, 1984). However, some countries such as Costa Rica have revised family codes to provide equal property rights to married women. In the Commonwealth countries of the Caribbean, as a result of advocacy and lobbying of women's groups, married women now have the right to manage their property (Clarke, 1992); but an issue of continuing concern is that the property rights of women in common-law or conjugal unions are not recognized by the law. Legal literacy programs are urging women to be vigilant about getting their names on the deeds of commonly held property (Clarke, 1992).

d. Women's Property Status in Asia

In contrast to other countries with a strong Islamic tradition, customary law (*Adat*) in Indonesia provides women with a rather strong economic position based on their right to own their own property (Wright and Crockett-Tellei, 1994). Husbands in the East Asian advanced developing countries hold the right to manage their wife's property and collect income from it (Joekes, 1991).

## **2. The Impact of Land Registration and Land Reform**

The literature notes that male household heads are the main beneficiaries of land reform; men obtain control of and title to distributed land, in large part, because land reform and land registration programs in developing countries are based on patriarchal systems. For example, in Ghana, "the transition from communal to individual ownership of land generally benefits men more than women since it is the men, as heads of families, who are seeking title deeds to land that they oversee" (Moncrief, 1994, p. iv). In the process of land reform and land registration, not only do women not obtain title to land, but in many African countries, they also lose their rights to use family land (Molokomme, 1993). Men acquire title deeds over the family land, and they have the right to prevent women from using it; they also have the right to sell the land and keep the proceeds for themselves. In turn, women increasingly lose their traditional rights to land, their primary source of income and survival.

In her article on "Economic Reform and African Women," Gordon (1991) also describes how the implementation of land reform laws and ordinances in Africa can have a negative effect on women's ownership and access to property. She argues that "gender-neutral" land reform programs (often supported by international donors) assume women will also get ownership rights to land; however, patriarchal institutions in Africa ensure that men benefit from land reform programs at women's expense. For example, one approach to land reform promoted by the World Bank involves helping farmers secure title registration to land that "codifies customary land rights." This approach ensures that it is mostly men who obtain land title. The World Bank also promotes a policy whereby farmers who grow export crops get priority access to the best land. The result is that men get the opportunity to grow crops on good land, while women -- by necessity -- must grow food crops on relatively poor land.

A few more examples illustrate the costs of land reform for many women:

- In Cameroon, the government gave title to land almost exclusively to men and subsidized male farmers through the Young Farmer's Resettlement Program as part of its land reform program (Gordon, 1991).
- In Zimbabwe, the Resettlement Program favored men, in that it provided "heads of the household" with ownership of land and control over production in the government land distribution process. "The Zimbabwe case shows that in many cases privatization of land may actually be worse than traditional land tenure practices where women had secure rights to land for farming" (Gordon, 1991, p. 31). With privatization, women no longer have a legal claim, and a husband can choose whether or not his wife gets "his" land.
- In China, a new property law "has revived the concept of male head of the household." As a result, "a peasant woman's access to the means of income generation ... now depends on her relationship to a man" (cited in Moghadam, 1990, p. 40).

- In Indonesia, the government directed resources and benefits to the male household head in its transmigration program (Dawson, 1994). Land titles were issued only in the male household head's name; this, in turn, provided the husband, and not his wife, with access to credit from the village cooperative.
- In Latin America, with the exception of Cuba and Nicaragua, women were generally excluded as beneficiaries of land reform programs because they were not considered the legal head of the household (Deere and Leon, 1987; Deere, 1987). In Honduras, for example, women were virtually excluded from land reform programs because male cooperative members did not consider them true farmers. As a result, very few women were able to participate as members in agrarian cooperatives or state farms, which provided significant program assistance. The only women who could legally participate in many country programs were widows or single mothers with no adult male living in the household.

#### **D. LAWS AND PRACTICES AFFECTING WOMEN IN BUSINESS**

Women entrepreneurs in the developing world face numerous legal hurdles in addition to those faced by businessmen. As previously discussed, property laws in particular affect businesswomen; because women do not have title to land, they lack the necessary collateral to obtain credit. Other laws and regulations also hinder women's ability to conduct normal business and market-related activities. They include personal status laws or customs assigning women minority status, banking practices, and business and market regulations such as zoning and licensing.

It is important to note that, beyond women's restricted access to credit, relatively little has been written on the legal and regulatory issues for women in business; in part, this is due to the fact that donor interest in this issue has been fairly recent. With that limitation in mind, this section discusses the key legal and regulatory constraints that are specific to businesswomen.

##### **1. Personal Status Laws and Customs**

Personal status laws often determine whether a woman can independently establish a business, get access to credit and carry out normal business activities. As mentioned above, the key issue is how the law defines a woman's status: either as a minor, dependent on her husband or another male family member, or as an adult with majority status and rights. Martin and Hashi use the term "marital power" to describe the legally-sanctioned rights a husband may have to exert control over his wife's business and work.

The concept of marital power plays out in different ways in different countries. For instance, in Bolivia, the Family Code states that husbands may challenge their wives' right to work outside the home (Inter-American Development Bank, 1994). In some Islamic countries in the Middle East and South Asia, personal status laws designate women as minors and give the

husband the right to decide whether his wife may be employed, travel or borrow money. It is particularly difficult for women to protect or control rights to property and income accumulated through business or work while in the process of inheritance or divorce (Freedman, 1991). However, in some countries such as Indonesia, Islam is tempered by other religions; as a result, women do not have to contend with this strict interpretation of personal status laws (Wright and Crockett-Tellei, 1994).

In Swaziland, "the concept of marital power gives the husband the right to control his wife's person and property" (Martin and Hashi, 1992, p. 15). Unless a woman's marriage under customary law or civil law includes a formal revocation of her husband's marital power, she must be represented in court proceedings by her husband. Marital power has numerous ramifications for women's business activities. Any legal action involved in starting and operating a business requires the cooperation of the husband. Moreover, customary law gives the husband the right to control his wife's income. These are potentially serious constraints to women's business ownership. However, it should also be noted that in some cases, African businesswomen may, in fact, exercise a significant degree of independence despite the letter of the law.

## **2. Bank Practices**

Practice of the personal status laws affecting women can be more liberal than the actual law itself, as noted above. However, the reverse can also be true in some cases. Banking and financial services is the most critical case with respect to businesswomen. In a number of countries, the banks continue to treat women as minors even though they have gained majority status. For example:

- In Botswana, women may be married "in community of property" with "minor" status in legal transactions or married "out of community property" and retain control over their own assets. Nonetheless, banks treat all women as minors regardless of their legal status and require women to obtain their husband's signature before receiving credit (Nkwe and Raile, 1992).
- In Mali, women have the legal right to apply for a bank loan on their own. However, in practice, "banks are generally not aware of women's legal rights and prefer to take the 'safer' route and obtain a husband or male relative's signature before granting women a loan" (Lewis and Russell, 1989, p. 15).
- In Lesotho, wives cannot obtain credit in their own names; only widows and females who are legally determined to be heads of households may apply in their names (Martin and Hashi, 1992).
- In Swaziland, a woman's husband must countersign for any loans she takes (Mungai, 1992).

The type of collateral banks accept is also an important issue for businesswomen. As few banks accept collateral other than a property title, rarely can women fulfill banks' collateral requirements. In Islamic countries, for example, because women seldom hold title to land, they often hold their assets in liquid form such as jewelry. The problem is that these highly liquid assets do not meet most banks' collateral requirements for loans. As a result, women are unable to access financial services independent of their husbands or another male family member (Weidemann, 1992).

### **3. Regulations Governing Business and Markets**

There is no doubt that men and women in business face significant regulatory hurdles in most developing countries. Red tape and lack of transparent rules and regulations affect businesswomen and businessmen equally. Nonetheless, there are also gender-specific constraints in the regulatory environment of most developing countries. First, women are often less able to work through the regulatory morass due to: (i) their lower levels of education, (ii) their lack of experience with licensing and regulatory agencies, (iii) their unwillingness to pay expected bribes; and (iv) their lack of involvement in the "old-boy" network.

Secondly, businesswomen in developing countries lack knowledge about and experience with written contracts. Moncrief (1994) makes the point that the beneficiaries of USAID's Credit Programs for Women's Specialty Crops "could benefit from contractual assurance and the ability to use modern contractual concepts on which modern commercial relations are based" (Moncrief, 1994, p. vi).

Thirdly, a number of regulations specifically impede women's opportunities to conduct business. For example:

- In Mali, the Marriage Law bars women from dealing in commerce without their husband's authorization; the Commercial Code also restricts their participation in commercial activities (Lewis and Russell, 1989).
- In Swaziland, a married woman is required to obtain permission from her husband in order to obtain a passport and travel outside the country (Mungai, 1992). Moreover, Swazi women face a much higher tax rate for a married woman filing separately than for a married man (Martin and Hashi, 1992). Other authors have reported similar tax laws in other areas of Africa.
- In some African countries, town planning acts and other penal codes place small scale entrepreneurs in the informal sector into the "illegal" category; local militia harass market sellers under the guise of public health acts (although solicitation of bribes would appear to be the real intent). There is a movement among some African women to change legislation that affects the activities of market women and small entrepreneurs (Tripp, 1994).

- In some African countries, Muslim women must have the consent of a man to travel abroad, even for business or education; moreover, they often are unable to enter legally binding contracts. In some cases, married women face higher tax rates than married men (Martin and Hashi, 1992).
- In restrictive Islamic countries such as Saudi Arabia, and Pakistan to some extent, the legal or customary segregation of women prevents them from working in government offices and in business contexts that are dominated by men; in some cases, women may be unable to enter certain public institutions such as banks (Murphy 1993).

Spatial segregation by gender, as defined by *Shari'a* based *purdah* laws or customs, introduces major obstacles for women wanting to establish businesses or work in firms. Ibrahim (1989) notes that parallel institutions for banking, education, and health have often been developed for women in Islamic countries. In Bangladesh, because of *purdah* customs, women traditionally have been excluded from buying and selling in rural and town markets (see adjacent box).

The importance of gender-specific business regulations is a relatively new area in the literature, but one that seems to be generating interest among some donors. Currently, USAID is supporting an effort to identify regulatory constraints on businesswomen in Africa via the All-Africa Businesswomen's Association/Advisory Group. The primary objective of this group is to "improve women's access to information and services that they need to operate successful businesses of all scales" (USAID REDSO/ESA Memo, 1994). With USAID's support, this group will develop a ranked list of specific legal and regulatory constraints to women-owned businesses (both start-up and operational constraints). Once these are identified, a file of background material on each constraint will be compiled; in addition, strategies to address specific constraints will be developed.

#### **MARKET WOMEN IN BANGLADESH**

*In Bangladesh, Islamic-based customs regarding the seclusion of women (purdah) have excluded women from buying or selling in rural and town markets or obtaining access to a range of services such as those provided by banks or government offices. Rural and small town women have been confined to retailing produce or services in their homes or peddling goods door to door in their villages. In a bold project, USAID supported a pilot activity to support women in setting up businesses (e.g., market corners and restaurants) through credit and technical assistance inputs (Rashid, 1990). There was prior discussion with the male market leadership and local officials to gain their approval for women to enter the market domain. In this way, the ventures have been generally accepted by competing businesses, suppliers, consumers, public officials and the public. Most projects had a demonstration effect, even in the case of those that failed. Now, more women have opened their own businesses or have indicated an interest in doing so.*

#### **E. WOMEN'S ECONOMIC PARTICIPATION AND LABOR LAW**

In addressing the effect of legal systems on women's economic participation, one important area of the literature deals with women's access to jobs, the nature of women's work status and the

job protection afforded women workers by labor legislation -- in other words, the quantity and quality of women's work.

This section will examine the following four issues: (i) the changing nature of women's wage work; (ii) the representation of women workers in unions; (iii) the government's role in developing labor policy and enforcing quality work conditions for women wage workers; and (iv) specific labor law issues for women.

### 1. The Changing Nature of Work and Women's Wage Labor

Both Ibrahim (1989) and Mitter (1994)<sup>19</sup> discuss the changing context of women's wage labor in the formal sector. Understanding this larger context is necessary for understanding the relevance and limitations of labor legislation for supporting women's economic participation.

According to Ibrahim and Mitter, new trends in employment are changing the work conditions for many wage employees. Companies increasingly employ women in the formal sector using flexible or terminable contracts which give them irregular or temporary status, as described in the box to the right. These types of contracts enable employers to redefine jobs as "casual labor," and hence, avoid minimum wage and other legal entitlements for workers (Ibrahim, 1989; Standing, 1989; Mitter, 1994). "Employers, motivated by intense competition, have reacted quickly, restructuring jobs to respond to possibilities inherent in new technologies. More often than not, concerns with increasing productivity and output overshadow improving conditions on the job" (Ibrahim, 1989, p. 1097).

Some international companies are also beginning to "subcontract" their production. Mitter argues that this new way of organizing work through local subcontractors has been detrimental to women because the chain of subcontracting often ends in home-based production or "invisible sweatshops," characterized by women working long hours for very little pay and receiving no benefits, no job protection, and

#### **WOMEN IN THE GARMENT INDUSTRY IN BANGLADESH**

*In Bangladesh, new entrants (both male and female) into industrial employment are often appointed on the basis of verbal agreements. Men easily network with the mainly male members of trade union organizations, which enables them to learn about formal terms of employment and eventually negotiate a formal contract and fair wage. In contrast, women often do not network and either remain unaware of the importance of formal contracts, or are excluded from obtaining them.*

*While labor laws provide many rights and benefits for women, in reality, women enjoy few of these benefits. "A striking example is the garment factories where women workers, mostly employed on a casual or temporary basis, are forced to work overtime (and often in appalling conditions)" (World Bank, 1990, p. 21). Employers in the garment industry define the work status of their women workers as "casual" or "temporary." As a result, women are not entitled to many legislated benefits and their jobs can be terminated without notice (World Bank, 1990).*

<sup>19</sup> Barbara Ibrahim has worked for the Ford Foundation in Cairo and currently works for the Population Council in Cairo. Swasti Mitter is Deputy Director of UNU/INTECH in Maastrich, Holland.

no formal mechanisms for representation. In such situations, women are hesitant to demand their legal employment rights because of the stiff competition for jobs and the easy mobility of home-based subcontracting.

It is important to note that the impacts of subcontracting may not be uniformly detrimental to women producers. Studies of homeworkers in the Philippines estimate that approximately 20 percent of the nation's workforce is engaged in homework and that 90 percent of these persons are women (Norris, 1993). Of these studies, some found that the homeworkers are generally among the most vulnerable and exploited of workers. However, some of the research indicates that homeworkers are not necessarily worse off than their formal sector counterparts. There is a national federation of women homeworker associations in the Philippines, which has a membership of 80,000 women. Moreover, homeworkers are covered by social security (although "enforcement is difficult due to lack of information on employer-employee relationships and homeworkers' fear of losing their orders if they were to take legal action" (Norris, 1993, p. 6). Labor legislation for homeworkers and other casualized workers does exist in many other countries, such as Peru, the Dominican Republic, and India. However, again, it is very difficult to enforce it without organized action (Mitter, 1994). In Chapter IV, a few cases of successful organization of homeworkers, particularly in India, are presented.

In summary, it is difficult to assess the scope of these "trends" and their impacts on women at this time due to the lack of supporting data. However, the fact that women, rather than men, are more often hired in non-permanent and non-protected statuses in the formal wage sectors is a common theme in the literature.

- *Women's Work Status in Export Processing Zones*

Mitter and Ibrahim also point to export processing zones (EPZs) as an area where there may be reduced protection for wage workers in the formal sector. However, the overall picture appears to be quite mixed.

A report examining the literature on Latin American EPZs states that labor laws within EPZs are essentially identical as those outside the zone, and there is no evidence that firms locate in EPZs in order to avoid labor laws. Rather, they locate there in order to avoid tariff and non-tariff import barriers and because domestic wages are generally low in Latin America (Robbins, 1992).

With regard to working conditions, there is also no evidence to suggest that wages are lower than in the rest of the economy and, in fact, some evidence to suggest that wages and working conditions are better for women than in the rest of the economy in some countries. Robbins (1992) notes that although there is little information allowing comparison of wages inside and outside the EPZs for similar workers in similar industries and occupations, female wages in the Dominican EPZs seem to be roughly equal to the economy-wide minimum wage or slightly above it.

Nonetheless, the development of unions appears to be discouraged in many EPZs. Unions are not formally banned in EPZs in most countries, but may be discouraged through less explicit tactics such as blackballing union organizers. For instance, there have been accusations of anti-union policies and practices in the Dominican Republic; unions are virtually non-existent in the EPZs while present outside (Robbins, 1992). In the Caribbean, governments have often suspended the right to organize in EPZs (Deere et al., 1990). In Sri Lanka, there are no legal prohibitions of unions; however, in practice, the zone authorities aggressively discourage union organizing by recruiting all the unskilled workers themselves, reminding employees that unions would not be accepted, monitoring workers' activities in the zones, and preventing unions from holding meetings on EPZ premises (U.S. Department of Labor, 1990a). In contrast, in the Philippines, there is little evidence to suggest that trade unionists are prevented from organizing in the zones (U.S. Department of Labor, 1990b).

## 2. Representation of Women Workers in Unions

Historically, trade unions have represented workers' interests and mediated among workers, employers, and government regulatory bodies. "For a number of reasons, however, trade unions in developing countries have been relatively inactive in protecting women workers' rights" (Ibrahim, 1989, p. 1106). Generally, they have not expanded their membership to incorporate women workers; nor have they critically reviewed labor legislation and its enforcement to push for changes to meet women members' needs. For example:

- In Ecuador, a study of 27 industrial exporting firms and 23 non-traditional agricultural exporting firms (including several of each where women formed a majority of the work force), found that none of the 50 firms had unions (Mulhern and Mauzé, 1992, p. 24). Similarly, a study of female factory workers in Quito found that only a few women worked in unionized factories (Mauro, 1989, reported in Mulhern and Mauzé, 1992).
- In the Caribbean region, trade unions have failed to organize the increasing number of women workers in the export processing zones and the informal sector; the unions have close ties with political parties and governments and are reluctant to organize women workers (Deere et al., 1990).
- In Indonesia, there is only one officially sanctioned union, which is tightly controlled by the government. This union has also been reluctant to organize women workers in the formal sector (ILO/UNDP, 1993).
- In Egypt, with assistance from the African-American Labor Center, the Secretariat for Working Women within the Egyptian Trade Union Federation was expanding its programs for women union members, including educational exchanges, study tours and skills training centers. However, an evaluation of the project states, "[f]or reasons unknown, the women's secretariat has been dismantled" (Sullivan et al., 1992, p. 25).

- In South Africa, the picture is quite unique. Women have been successfully recruited into unions. The women are focused on attaining union leadership positions and providing input into union agendas; this case is described in Chapter IV.

Several factors help to explain the problem in developing countries: (i) trade unions in many countries are closely controlled by government and therefore not quick to respond to grassroots issues; (ii) male leadership, male membership and male issues dominate trade union agendas; and (iii) where unions are not allowed to meet on company premises, women are effectively prevented from participating due to their household responsibilities. Moreover, while laws regulating the creation of trade unions vary from country to country, many governments are not open to creation of new labor unions to meet the needs of the growing number of women wage workers and informal sector producers (Mitter, 1994). Nonetheless, new-style workers' movements that demonstrate greater sensitivity to gender problems in employment are emerging in Southern Africa and in some Asian and Latin American countries (Ibrahim, 1989).

### 3. The Role of Government in Improving Women's Work Status

Governments have also been slow to respond to the changing wage employment structure, particularly with regard to covering new women workers under the umbrella of labor legislation and, more importantly, actively in enforcing labor laws (Ibrahim, 1989). Ibrahim has discussed a number of reasons for this seeming inertia. First, some governments may not be aware of the problems for women wage workers. A second important reason is that governments

in developing countries have historically been a provider of public sector and parastatal jobs with legislated union rights and entitlements in an expanding labor scarce economy. Now, they must be an enforcer of workers' rights in the private sector in a labor surplus economy. Many governments have been unable to adopt to this necessary shift of roles. Furthermore, they may lack the capacity to control the behavior of private employers. Third, policy makers in most countries have focused on coping with immediate economic crises and delayed their reaction to

#### **WOMEN AND LABOR LAWS IN EGYPT**

*Egypt's progressive constitution of 1964 guaranteed jobs in the state sector for all holders of intermediate school diplomas and college degrees irrespective of gender; simultaneously, the country's labor laws were changed to protect women's equal standing in the labor force. The new labor laws provided women with job tenure and 50 days of paid maternity leave and obligated employers to provide daycare services where 100 or more women were employed. These reforms changed cultural attitudes toward women's employment and increased women in the workforce.*

*In the mid-1970s, when most male workers were interested in better paying jobs in the private sector and/or in the Gulf countries, more women entered the urban work force. Women workers preferred employment in the public sector because it offered benefits such as subsidized transportation, childcare, and maternity leave. Factory managers increasingly had to depend on women workers but considered them costly employees. In March 1987, the Minister of Industry passed a measure barring firms from hiring women to prevent the textile industry, a key sector of women's employment, from hiring women. Although the stated objective was to protect of women's health, the decision took place as many male migrant workers returned from the Gulf states and were available for employment in the factories. When a number of women's groups reacted quite strongly, the minister denied that any such measure was approved (Hatem, 1992).*

long-term employment trends. For example, Egypt emphasized "employment with dignity" while absorbing many women into the expanding public sector (see adjacent box). However, with increasing economic problems, the government has dropped the cause of women wage workers. This in turn may have led to reduced access to jobs and degradation of job quality for women in the formal sector.

The fourth and very important reason for the lack of government attention to women's labor issues is the macro-economic context. "Convincing governments to address problems of the quality of jobs for women in this economic climate is proving extremely difficult. Rather than introducing new legislation to protect workers, many developing nations are reversing existing legislation, in order to attract industrial investors who will create new jobs" (Ibrahim, 1989, p. 1100). In particular, Ibrahim notes, laws related to minimum wage, tenure on the job, and allowable night work have been reversed in recent years throughout Asia and Latin America. Countries where labor laws have not been loosened, such as Egypt, are often passed over by multinational companies seeking new production sites. In this macro-policy environment, "the laws designed to protect workers are taking on negative connotations, so that policy makers see them as 'rigidities' and obstacles to employment" (Ibrahim, 1989, p. 1100-1101).

#### 4. Specific Labor Law Issues for Women

##### a. Protective Legislation

Protective legislation requires employers to provide special benefits to female workers (e.g., paid maternity leave, nursing breaks, childcare facilities or assistance); different health, safety, and rest periods for female workers (e.g., limited hours, prohibition of nightwork, or prohibitions on dangerous, unhealthy, or arduous work); and a lower retirement age for women. Most protective regulation in developing countries has been initiated at the urging of the International Labor Organization and with the guidance of its international conventions. Some of the regulations presently in force, for example in many Latin American countries, date from the 1930s or from post-independence periods in other countries. The level of government enforcement varies across countries, public and private sectors, formal and informal sectors, and even in particular locations in countries.

The dialogue on protective legislation in Latin America illustrates the types of issues discussed in many countries. In a review of the literature on "The Relative Costs of Male and Female Labor to Employers in Latin America," the author examines the influence of protective labor legislation on employers' decisions to hire men and women. She notes that protective labor legislation is essentially a "trade-off between offering benefits which protect women in the labor force and creating incentives for firms to not hire women or to pay them a lesser wage" (Crummett, 1994, p. 1).

Regardless of the legislative intent to provide for socially desirable objectives, such protective laws can lead to discrimination against women in hiring and promotion. In fact, labor lawyers, economists, and women's rights advocates in Latin America now question the relative benefits

of protective legislation, arguing that it limits the demand for women workers and bars them from certain better-paid job categories (e.g., Ott, 1993 and Winter, 1993). They call for revision or updating of these laws.

Mulhern and Mauzé (1992) and Crummett (1994) point to two facets of the problem: (i) protective legislation may deter firms from employing women because female workers are perceived to be more costly and their benefits may result in disruptions in the firms' production; and (ii) protective laws may deter foreign firms from investing in regions with particularly onerous regulations. Some specific examples illustrate the potential costs associated with protective legislation:

- In a study of the employment impact of the labor code, Spinanger found that two-thirds of the employers interviewed believed that maternity legislation negatively influenced the number of women being employed (Spinanger, 1984, cited in Crummett, 1994). Increased wage costs were not the employers' primary concern (since the social security system covered a large share of the benefits). However, they were concerned about the cost associated with replacing workers during maternity leave and the disruption in the production process this entailed.
- A study among employers in Brazil, Colombia, Costa Rica, Mexico and Venezuela had similar findings (CEPAL, 1979, cited in ICRW, 1980). Specifically, in Brazil, many of the employers interviewed in Sao Paulo indicated that they have policies to dismiss women when they marry or become pregnant to avoid installing day care facilities and dealing with maternity benefits (FLACSO, 1993, cited in Crummett, 1994).
- In Indonesia, protective legislation often hinders employers in the private sector from hiring women (Wright and Crockett-Tellei, 1994).
- In Poland, the Labor Code is meant to be "protective." However, in many cases, the legislation makes women a financial liability with such entitlements as paid time for breast feeding and paid maternity leaves. This restricts women's access to many jobs (Weidemann and Finnegan, 1994). The box on the following page describes the problem in more detail.

While the studies cited above focus primarily on the costs of protective legislation, many researchers focus on its benefits. Maternity leave and childcare assistance can alleviate women's double burden in the workplace and household. Researchers supporting this view (e.g., Standing, 1989; Tokman, 1989 cited in Mulhern and Mauzé, 1989; and Ibrahim, 1989) caution that dismantling protective labor laws may widen the wage and employment gaps between women and men or result in "formal sector work conditions that resemble those in the informal sector" (Crummett, 1994, p. 11). Moreover, some countries may choose to retain maternity leave benefits because of cultural attitudes that place a high value on the reproductive role of women (Mulhern and Mauzé, 1992). Ibrahim (1989) argues that governments responding to pressure from employers to maintain a more "hands off" approach to labor should receive some

counterpressure from donors to look carefully at effects on women wage earners of such practices as relaxation of laws prohibiting outwork and reinstatement of night work.

It is clear that the impact of protective legislation is mixed and needs to be evaluated on a country by country basis to determine which regulations are justified. The following types of questions are critical to ask on a case by case basis: (i) Will the demand for women workers increase in response to lower costs? (ii) Will deregulation of protective legislation open areas of employment previously denied to women? (iii) Will fewer regulations increase role conflicts for women and actually reduce wage labor benefits? and (iv) With high male unemployment, how will organized labor and employers respond to increased female employment? (Crummett, 1994; Mulhern and Mauzé, 1992).

#### **PROTECTIVE LABOR LEGISLATION IN POLAND**

*In Poland, protective labor legislation banned women from about 90 types of jobs. Many of these jobs posed no apparent health or security risk; for example, women were barred from night work even though many women preferred night shift work. As unemployment emerged in the early 1990s, competition for jobs became increasingly intense, and women protested protective practices that excluded them from some of the better paying jobs.*

*The labor law also provided generous maternity and child-care benefits. For the newly emerging private sector, the high costs of these benefits often were a powerful disincentive to recruit women. Providing such benefits were equally difficult for companies that were being "rationalized" and privatized. As a result, the Council of Ministers voted to establish an exception to the labor laws which enabled companies that were in the process of rationalizing employment to lay off women on maternity or childcare leave (Coopers & Lybrand, 1991b).*

#### **b. Discrimination in the Workplace**

Several authors discuss cases of private sector employers openly violating existing laws prohibiting discrimination in hiring practices (e.g., Ibrahim, 1989; Wright and Crockett-Tellei, 1994). In many developing countries with such legislation, jobs are routinely and publicly advertised for males only. This is particularly a problem in areas such as Egypt where the revival of Islamic conservatism has emphasized traditional female roles and segregation of the sexes in the workplace (Murphy, 1993). Better enforcement of anti-discrimination laws is important to ensuring equal access to work opportunities, particularly in the private sector. Monitoring violations may assist in reducing the bias against women's access to certain jobs; however, it is equally important to change cultural values and biases that deny women equal opportunity in the labor market.

Ibrahim (1989) argues that governments should concentrate on enforcing a small core set of basic work rights that are critical to maintaining reasonable job quality and wider access to jobs for women wage laborers. Governments should resist deregulation of labor laws that protect such basic economic rights for women as the minimum wage, job tenure, prospects for job advancement, and access to jobs without gender discrimination. Governments should also resist deregulation of a limited number of work rights that allow women to meet their "double work burden" at home and work. These include reasonable work schedules and childcare services.

## **F. STRATEGIC INTERVENTIONS TO IMPROVE THE LEGAL POSITION OF WOMEN**

This section presents a review of frameworks for thinking systematically about strategic interventions to improve women's legal position and specific examples of strategic interventions.

### **1. Systematic Thinking About Action Strategies**

The first effort to facilitate systematic and strategic thinking by women from developing countries about gender-based legal issues and potential action strategies took place at the 1985 Nairobi Conference ending the U.N. Decade for Women (Schuler, 1986). This effort was led by OEF International (now the Institute for Women, Law, and Development), and other activists and involved the organization of a Third World Forum on Women, Law, and Development at the Nairobi Conference. Based on discussions at this meeting (with participants from over 60 women's organizations concerned with the field of women, law, and development), two regional Women, Law, and Development (WLD) networks were formed: the Asia Pacific Forum on Women, Law, and Development (APWLD) and the Latin American Committee for the Defense of Women's Rights (CLADEM). Additional preparation was needed to organize the African network, which has subsequently been organized under the name of the Women in Law and Development in Africa (WILDAF).

One of the objectives of this group of organizations was to develop a systematic framework for identifying WLD problems in legal systems and for choosing appropriate strategies to address these problems. A strategy matrix was developed as a device to aid professional and activist women in this process (Schuler, 1986, p. 28-31). These WLD strategies either challenge or use the legal system to empower women economically, politically, and socially. This matrix divides the interventions into 4 major categories of WLD strategies:

- **Strategies addressing the Content of the Law:** This includes legal advocacy and legal reform to create adequate and just legislation and eliminate discriminatory law and policies or ambiguous law.
- **Strategies addressing the Structure of the law:** This includes legal advocacy and legal assistance to make the legal system accessible, functional and accountable to those it is meant to serve.
- **Strategies addressing the Culture of the legal system:** This includes consciousness-raising, legal education, and legal literacy to empower women through increased awareness of their rights and development of resources to defend these rights.
- **Strategies addressing Application of the law:** This includes monitoring enforcement of the laws at administrative levels and in courts and systematically documenting discrimination in public and private sectors with the goal of ensuring women can use and apply the laws and policies meant to benefit them.

## 2. Input at Political and Economic "Transition Points"

In her summary report of the Women, Law, and Development (WLD) Forum at the Nairobi conference in 1985, Schuler emphasizes that it is critical to link the law to a political and economic analysis of particular states. She argues that the socioeconomic and political context defines the opportunities for action.

The literature points to several concrete examples of how important it is for women's groups to provide input at key transition points. Input by women stakeholders is critically needed during revision of constitutions, civil codes, or other legislation and when national and local government systems are redesigned. Without strong input into the process, elements of the legal system will be articulated solely by male stakeholders, who generally do not represent the legal interests of women in the country. The potential role of women's organizations at key transition points is illustrated in the case of South Africa, as described in the box below.

### **WOMEN IN SOUTH AFRICA**

*In the Women's League of the African National Congress, activists have insisted on raising gender issues during negotiations toward majority rule. Some of the key issues have been equal access to work and shared family resources and responsibilities.*

*The activists were influenced, in part, by international groups with a strong focus on women. In particular, several hundred South African women attended a conference in Holland in 1990 "to discuss the incorporation of gender issues into the anti-apartheid agenda." One of the key messages of the conference was "the importance of raising gender issues during the process of social transformation, rather than waiting until after attaining national liberation," (Seidman, 1993, p. 311).*

*The Women's League initiated a process to prepare a new "Women's Charter" through consultation with local women's groups. Through public meetings, the League aimed to create a broad consensus among women about issues such as property rights, gender oppression within family units, fertility rights, and maternity and childcare rights. The primary objective was to provide input into policy discussions as the constitution and new legislation were constructed. In 1992, the Women's League created a special committee to work with the ANC's negotiating team to ensure that gender issues were considered in proposals for new government structures. Also, several women's organizations worked jointly to review constitutional proposals (Seidman, 1993; ANC Women's League, 1994).*

There are other cases of women's organizations providing input at key strategic moments in order to influence new legislation. For example, the Brazilian National Council on Women's Rights was able to have significant input during the rewriting of the Brazilian constitution in the 1980s. The 3,000 member Council, formed in 1982, helped create a constitution that is very advanced on women's issues (Pimentel in Schuler, 1990). In Uganda, the government solicited women's input during the revision of the constitution. This process, called the Constitutional Consultation Project for Women, involved a national legal and constitutional literacy campaign for women; small meetings organized by teams of women lawyers were held all over rural and urban Uganda. The key points women wanted included in the constitution were: abolition of

the bride-price, greater democracy in household decision-making, the right of women to choose the number of children to have, the right to obtain a passport without seeking the consent of a spouse or male relative, and the right of women to share in property jointly accumulated during marriage (Butegwa, 1992).

### 3. Legal Literacy Programs

Legal aid programs have limited impact unless they are incorporated into a broader legal literacy program which truly empowers women to be able to identify legal problems and develop effective strategies to address them (Veneklasen, 1990). The concept of "legal literacy" has often been used to target indigent people at the grassroots level, but actually legal illiteracy plagues men and women from the highest levels of government to the media, the bar, business people, and organized labor. UNESCAP, sponsor of legal literacy programs in Bangladesh, India, Nepal, the Philippines and Sri Lanka, reports that a key lesson is that it is more effective to target all of the key players -- including both men and women -- if women are to avail themselves of their rights (UNESCAP, 1989).

#### **LEGAL LITERACY IN UGANDA**

*The women professionals who have been implementing the Ugandan women's legal literacy program have learned several lessons. First, they found they needed to target a wider audience than just women, because "... in a culture where men are equally ignorant of the law, and in a culture where men still hold the key to change," male opposition to women-only meetings meant some wives could not attend without their husbands. Also, there was male suspicion of FIDA's intentions in promoting women's rights. Second, the teams found they had to present more than legal information; they had to justify the laws or persuade people by discussing the benefits for families if the law were changed or enforcement was improved. Third, because the literacy teams were trying to cover many local communities, there was little opportunity for follow-up dialogue and legal services. Hence, they see a need to train local paralegal advisors to provide follow-up for women in rural communities. Fourth, the teams saw the need to provide pamphlets on women's legal rights (in the major local languages) to the local Resistance Council and Resistance Commission members who make up the lower courts and act as magistrates. Most of these are ordinary people without any special training for dispute settlement or the law. Fifth, it was useful for the teams to keep records of the responses of participants to present to the government with reform petitions and to help identify legal areas of interest to women (Butegwa, 1992).*

The Third World Forum on Women, Law and Development in Nairobi in 1985 is credited by Butegwa (1992) for sharpening the Ugandan representatives' awareness of women's legal status problems and possible action strategies to address these. The women lawyer representatives were stimulated to organize a Ugandan Women's Lawyers Association, which is a local chapter of the International Association of Women Lawyers (referred to as FIDA). At the same time, other Ugandan participants in the Nairobi conference organized Action for Development (ACFODE). Both organizations have been quite active in organizing legal literacy programs all over Uganda with the assistance of the Ministry of Women in Development and the Women's Desk of the National Resistance Movement. The FIDA legal literacy program has developed links with local level authorities, local women and their groups. In the box above Butegwa lists

some lessons learned from this effort. An example of a specific focus of a legal literacy program is the USAID grant to FIDA/Uganda for a Will Writing Project. In 1993, 8,153 people were trained and at least 650 wills were executed. "Reports from the project implementors noted that relatives of the women trainees were no longer grabbing property indiscriminately. And when they did, the widows and orphans knew where and how to seek redress" (Foster, 1994).

Schuler (1986) discusses the broader educational strategies of community-level legal education programs, media campaigns, public fora, and reform of law school curricula to raise general awareness about the legal status of women and how the law affects women. The objective is for women to collectively place political pressure on the system at structural points to change attitudes of judges, lawyers, and administrators and citizens.

There are many experiments with legal literacy programs concerning women's legal status in many countries. Some of these models -- such as the BRAC program in Bangladesh (Sobhan, 1992), the Peru *Mujer* model (Dasso, 1992), and the Pilipina Legal Resources Training Center (Quintillan, 1992) -- include significant training programs for community level paralegals. Other programs concentrate on educating professional members of the bar (Goonesekere, 1992). One useful model involving a broad program of legal literacy and policy-making dialogue is that of the Regional Women's Rights and the Law Project implemented in the Commonwealth countries of the Caribbean by the Inter-American Legal Services Association (ILSA) and the Caribbean Association for Feminist Research and Action (CAFRA) in the early 1990s. In this project, the implementors first carried out focus group research with women in each country to identify the key legal constraints. Then, background papers were prepared on each of these issues (e.g., property issues of common-law unions, other family law issues, sexual harassment at work and women working in sectors under-unionized such as hotels and sales). These papers on Women's Legal Status were then discussed at National Consultation meetings in each country involving a broad cross section of government, legal, business, NGO, and donor participants. In these consultations, action plans were developed for addressing selected issues (Clarke, 1992).

#### 4. Action-Oriented Research

It is important that legal research groups be closely related to the kinds of questions being asked by women's groups, donors, and the government and to actions being taken by all three. Research findings should be shared with activists who are developing strategies to address problems in women's legal status (VeneKlasen, 1990). Discussions about legal literacy interventions assume there is an action-oriented research program examining the operation of the legal system and modes of seeking legal redress in a particular country. This also implies a monitoring program to assess improvements or lack of improvements, what Schuler (1986) termed the "application component" in her matrix of strategic actions. This role is often taken by associations of women lawyers (e.g., FIDA branches) or women faculty and staff at

university departments (Boyd, 1989; Deere et al., 1990). Regional network support organizations such as FEMNET or WAND<sup>20</sup> also provide these research services.

## **5. Building Women's Constituencies for Legal Reform**

Schuler makes explicit the relationship between policy-making and empowerment at grassroots levels: "... no change in policy or legislation will lead to social transformation without the input and mobilization of the grassroots. Empowering strategies assume that the grassroots has the capacity to understand issues, develop the skills to articulate alternatives, and mobilize its resources to press for effective change. Empowering strategies, thus, use methods that catalyze this force ... they always include an educational component which progressively moves women from learning about rights and injustice toward an understanding of the causes of their inferior status, to the articulation of alternatives, and the development of organizing and political skills" (Schuler, 1986, p. 34).

To achieve legal changes that benefit women, demands must respond to women's real interests. This requires the active participation of a constituency of women in legal reform, implementation of the law, enforcement of the law, and ensuring women's access to appropriate legal structures. Women advocates in the regional networks of CLADEM, APWLD, and WILDAF with the support of the Institute for Women, Law and Development are working to bridge communication gaps between educated and uneducated women, and urban and rural women, to gradually build these critical constituencies (VeneKlasen, 1990).

## **6. Alliance Building and Dialogue**

### **a. Initiatives by Women's Advocacy Groups**

Pimentel (reported in VeneKlasen, 1990) reports that an important lesson learned from legal reform efforts in Brazil is that to be successful, women must build alliances with other interest groups. She talks of sensitizing trade unions to women members' concerns so they agreed to join in pressuring the government to support maternity leave for working women.

Ibrahim notes that "women's advocacy groups and others concerned about employment issues tend to avoid close contact with officials, thus losing a potential route for influencing national policy" (Ibrahim, 1989, p. 1104). She recommends that these groups should actively seek out government officials who may have concerns about the welfare of workers and share relevant statistics, research findings, and policy suggestions with them. She presents the case of this type of dialogue in Jordan (see box on the following page) in which there were "unexpectedly positive results."

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<sup>20</sup> WAND, the Women and Development Unit, is located at the University of West Indies in Barbados. FEMNET, the African Women Development and Communications Network, is a regional network for women's organizations.

b. Donor Initiatives

In her paper prepared for USAID, Freedman (1991) argues that donors should (i) conduct policy dialogue with lawmakers and other government officials about legal barriers laws to women's participation in the economy and the political structure and (ii) support local NGOs that are seeking to improve the status or freedom of choice of women from within their society. Their understanding of the legal systems and points of conflict in interpretation of the laws is critical for developing a strategy for government dialogue. Donors should work with men and women within the cultural and legal system to transform the role and rule of laws in ways that are more acceptable to large portions of the community.

Ibrahim (1989) sketches out several types of strategic interventions donors and women's advocacy groups can employ to improve the effectiveness of policy dialogue with governments and employers concerning the quality of wage work for women. Many of these strategies could also be usefully applied in addressing regulatory constraints on businesswomen. She argues first that because government officials receive mixed messages from their pro-women constituencies about some issues (e.g., protective legislation for women workers), they can respond in an *ad hoc* way and justify nearly any action or failure to act. She calls for "well-argued, consistent recommendations that acknowledge economic and political realities" and are supported by a good information base. She also stresses the importance of dialogue and collaboration between all of the stakeholders (i.e., the government, donors, women's organizations, unions and employers).

Ibrahim also discusses targeting various levels within the system. National level policies are crucial, but so are those at the local and regional government levels. Local authorities (including elected representatives and local branches of labor ministries) are frequently mandated to supervise employers and enforce existing laws. As a result, they can be effective partners in programs to monitor compliance with labor codes. In India and Egypt, local officials were involved as advisors on research into the conditions of work in their jurisdiction. In these specific cases, once local officials were fully aware of the economic contribution made by street vendors, they were prepared to ease licensing restrictions, improve uneven and over-zealous application of regulations and form a grievance procedure for street vendors.

Lastly, Ibrahim suggests that donors, working with labor and women's groups, may be more effective at helping governments establish monitoring units and strengthen existing enforcement

**WOMEN AND LEGAL REFORM IN JORDAN**

*When the codes for corporations and labor were undergoing revision in Jordan, a women's legal services organization instituted a series of public seminars. The participants and audience for these seminars were mainly activist groups. However, some organizers decided to invite ministry officials and parliamentarians to speak at the seminars. Although this move was criticized by some activist groups, it resulted in the start of a meaningful dialogue was initiated with public officials. This in turn led the government to invite their input to the committee responsible for drafting legislation. The women activists were able to persuade the drafters to include provision for employers to share the social responsibility for maternity provisions. The result: women workers won longer and more flexible maternity benefits in the final legislation. This case illustrates the importance of developing strong working relations between women activists and public officials concerned with labor issues (Ibrahim, 1989).*

mechanisms than getting labor legislation changed. If grievance procedures are readily accessible and workers are well informed about the law, abuses can generally be reduced. She recommends that local authorities be involved in monitoring, reporting, and redressing violations by employers.

Joekes (1987) and Rodriguez (1989) have also made recommendations on strategies to improve working conditions in Dominican EPZs through cooperative dialogue between donors, employee associations and agents that might effect change such as zone authorities, firms in the zones, firm associations, or the government. They argue that there are potential mutual benefits from the establishment of zone-based training facilities, savings and loan branches, medical clinics, and childcare facilities.

#### **7. Increase the Number of Women in the Legal System**

There is very little discussion in the literature concerning the number of women in legal positions or their impacts on the system. Murphy (1993) reports in Egypt the law forbids women from being judges or general prosecutors. Women can't do this work easily because of the necessity to travel to villages and also because they can not easily put themselves above men in decision-making. Women are also perceived by many Egyptian men as being too emotional to be judges. This attitude also explains why there is currently only one female cabinet minister and few female legislators. In contrast, Turkey is a secular state that has replaced the Islamic personal status laws with a civil law code. This has meant that the government could expand professional opportunities for women in the law. Unlike most Muslim countries, Turkey has women judges and magistrates. It is clear that women do take a more important role in the legal profession in Latin American countries with women law school graduates and women in judgeships ranging from one-quarter to one-half of all positions (Vargas, 1990; Said, Personal Communication, 1994). Factors that contribute to this include the higher education levels of middle and elite level women and the relatively lower pay for civil service legal positions in many countries compared to corporate positions. Some of these professional women are interested in organizing as a professional organization and some do not want to isolate themselves further from the non-gender specific professional associations (Said, 1994). This strategy of increasing the number of women in legal systems and their potential impact on legal interpretations and the rule of law requires further examination. Increased numbers of women will make little difference unless women understand the implications of applying equal rights laws and statutes for ensuring women's economic and political participation.

In the literature there is discussion of women lawyer associations and some of their activities. Many of these are organized as branches of FIDA or of the Women, Law, and Development Forum discussed above. Some of these activities have been discussed earlier in this Chapter.

**CHAPTER III**  
**BUSINESS DEVELOPMENT**

62a

## **CHAPTER III**

### **BUSINESS DEVELOPMENT**

The literature on women's participation in business concentrates overwhelmingly on small and microenterprises (SMEs) and the informal sector (Morris and Meyer, 1993; Rhyne and Holt, 1994; Levy, 1989; Holt and Ribe, 1991; Bennet and Goldberg, 1993; Downing, 1992; Berger and Buvinic, 1989). The literature mentions women-owned medium or larger scale enterprises only in passing, with the exception of a few specific donor-commissioned reports (Nkwe and Raile, 1992; Mungai, 1992). As microenterprise development is not a focus of this literature review, the bibliography excludes the majority of the voluminous writing on that subject.

Several explanations for the lack of research on women's participation beyond the micro, small and informal enterprise level exist. First, donor business development programs emphasize microenterprise development. Since donor programming guides a significant portion of the data and information available, little research exists on small- and medium-scale businesses. Second, women do not belong to many of the institutions that collect statistics on formal businesses, such as chambers of commerce. Finally, some observers contend that, in general, there is "missing middle" in the private sector of most developing countries. That is, the business community in most developing countries is characterized by a number of large companies (which are often foreign-owned or parastatals), a multitude of microenterprises, and, in many regions, a dynamic informal sector. In general, very few medium-scale businesses exist, and even fewer that are women-owned. Given the overall lack of information, there is a real need to collect more data in order to identify: trends; potential areas of assistance to help women-owned micro or informal enterprises "graduate" to the larger or formal sector; and the conditions that enable women to become owners of more profitable formal enterprises.

The following sections explore four major themes raised in the literature on women and enterprise development: why gender is important to the analysis of business and private enterprise development strategies; the participation of women in business; how women finance their enterprises; and interventions suggested by the literature.

#### **A. WHY GENDER MATTERS**

Why is gender important to the study of private sector development? The literature illustrates that it makes sense to support women's enterprises -- both economically and socially -- from the household to the national level. Moreover, one component of many economic reform programs entails decreasing the responsibility of the public sector to provide employment and services while enhancing the ability of the private sector to supply those needed goods and services. Women's role in and benefit from this transition in terms of their relative participation in the private sector must be examined.

## 1. Economic Rationale

- **Need for Additional Income:** Because few families in today's world can survive on only one income, women have become important contributors to household financial resources; small and informal businesses are important sources of their income. For instance, nearly forty percent of households surveyed in Egypt were dependent on women's income for survival (Weidemann, 1992). In Asia and the Near East, a decline in real wages has increased the importance of women's incomes (Mehra, et al., 1992). In other regions, such as Latin America and Africa, male migration leading to high and increasing numbers of female-headed households has increased household dependency on women's income for survival.

Moreover, Rhyne and Holt assert that even when women's businesses have lower profits and growth rates, "they make economic sense if they allow an income generating activity to be combined with child-rearing, so that women are in effect producing two products/services simultaneously" (Rhyne and Holt, 1994, p. 5).

- **Poverty Reduction Strategy:** Furthermore, many studies show that women entrepreneurs pursue a "self-directed poverty reduction strategy;" that is, they spend their enterprise earnings on and plan their business strategies around maintaining household well-being - - providing basic necessities such as education, food, and health care -- while men tend to reinvest their profits into their businesses or spend their profits on luxury items or entertainment (Rhyne and Holt, 1994, p. 13; Wickrama and Keith, 1993).
- **Contribution to National Economic Growth:** Though small on their own, women's enterprises -- both formal and informal -- make important contributions to national GDPs and employment. However, since many of these businesses are located in the informal sector, they are rarely included in national accounting statistics. It is estimated that industries with fewer than ten employees contribute 50% of manufacturing GDP in Bangladesh, and in India, Pakistan and Indonesia, industries with fewer than 10 employees supply jobs to over 50% of the manufacturing workforce (Mehra, 1992). Women own or are employed by many of these small industries.

Similarly, an Inter-American Development Bank (IDB) report on women and microenterprise in Latin America contends, "[t]heir [women's] earnings buy essential food and clothing for their families, making them front-line fighters in the battle against poverty. At the same time, the goods they produce and the services they provide make up a significant portion of the region's gross domestic product" (IDB, 1994, p. 1). Rhyne and Holt support the IDB's assertion, "[c]ontribution to the economic base is a third, though less comprehensive rationale for support of women's businesses. An important subset of women's businesses do become ongoing enterprises of some scale" (Rhyne and Holt, 1994, p. 13-14).

## 2. Socio-cultural Importance

- **Empowerment/confidence:** Women business-owners report being more confident after starting a business or taking out a loan than they were before; they also often report feeling "empowered" by their financial independence and access to and control over resources (Carrington, 1994; Mungai, 1992; Women's World Banking [WWB], 1994; Rhyne and Holt, 1994).
- **Changing Cultural Status of Women:** Successful women entrepreneurs show society that women can succeed in non-traditional areas. Even when women are forced to start businesses due to economic necessity, in some cases, they are becoming the sole or primary household provider, thus changing traditional socioeconomic relationships (Lewis and Russell, 1989).
- **Increased Decision-Making Authority:** Furthermore, the evaluation of USAID/Bangladesh's Women's Entrepreneurship Development Program explains that as a result of access to credit and training, women increased their influence in household decision-making, which in turn led to improvements in their material well-being and social status (Berenhach, et al. in Gold, 1991).

## 3. Increased Efficiency of Donor Projects

In their study of gender and development in Asia and the Near East, Mehra, et al., point out the important relationship between the consideration of gender roles and the success of donor private sector development strategies:

Increased reliance on the private rather than the public sector to produce and deliver goods and services is a cornerstone of A.I.D.'s policy in the region. Since women play a significant role in the private sector of many countries in the region, their integration into programs could help ensure the success of A.I.D.'s strategy (Mehra, et al., 1992, p. 27).

## B. THE PARTICIPATION OF WOMEN IN BUSINESS

Women participate in business in a variety of ways: as owners of their own businesses, as employees, and as managers in the private sector. The businesses they are involved in range from informal road-side stalls to law firms to textile mills. The literature shows, however, that their participation is highest in small and micro enterprises and informal sector activities. The following sections explore these issues in more detail.

## 1. Overview of Enterprise Development: Basic Terms and Definitions

To understand how and where women's enterprises fit into the private sector, it is necessary to first review the framework donors and scholars use to describe the indigenous business community in developing countries.

### a. Classifying Enterprises

Businesses, including women-owned firms, can be classified in several ways, for example by: size (micro, small, medium, or large -- usually determined by number of employees, but sometimes by gross revenues), degree of formality (formal or informal), stage of development (subsistence, new, growth-oriented, and mature), or motivation (survival or entrepreneurial). While each of these classifications has its merits, they are also subject to many different interpretations -- particularly with regard to the literature on business development in developing countries. The definitions of "formal" and "informal" sector are especially controversial, coupled with the fact that many enterprises in developing countries, including women-owned firms, fall into a "grey area" between formal and informal, possessing some characteristics of each.

USAID's approach to characterizing enterprises combines elements of size and motivation.<sup>21</sup> First, there are the "*survival activities of the poor* ... those struggling to eke out a living through whatever means possible" (Boomgard, 1989, p. 8). Several characteristics distinguish micro from small enterprises, including size -- *microenterprises* are generally those with less than ten employees, while *small enterprises* employ between ten and fifty people. However, "[i]f there is a single most critical distinction between the two, it results from relative ease of starting a microenterprise compared with a larger scale enterprise" (Boomgard, 1989, p. 9). The creation of a larger scale enterprise requires higher levels of skill, capital, and inputs, as well as a deeper understanding of markets.

Boomgard's definition, however, omits the important discussion of the location of these enterprises within the economy -- that is, whether they operate in the informal or formal economy. Mezzera (1989) explains that *the informal sector* emerges when there is an excess supply of labor. Unlike formal businesses, informal sector businesses are not legally licensed or registered. Within the informal sector, two types of operators generally are found: those with experience in the modern wage sector, having some access to savings and skills; and those that have been excluded from formal employment -- with limited human and financial resources, and thus limited options for income generating opportunities (Mezzera, 1989). Thus, size and informality are not necessarily correlated. Rather, the classification of informal may imply more about the characteristics of the owner and the orientation of the business.

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<sup>21</sup> USAID's approach is described by economist James J. Boomgard in "A.I.D. Microenterprise Stocktaking: Synthesis Report," December 1989.

Women-owned businesses are found in all four of these categories -- micro and small, and in both components of the informal sector. The ability to classify women's businesses is, however, complicated by the fact that the literature on women and enterprise development frequently uses the terms "microenterprise" and "informal sector enterprise" interchangeably. To be clear, this chapter will generally employ Rhyne and Holt's (1994) definition. They define *women's enterprises* as any income-generating activity owned by women, excluding piecework, wage or agricultural labor, and domestic service. Thus, this definition transcends the size and formality distinctions discussed above.

## b. Definition of Entrepreneur

What exactly is an entrepreneur? The term implies something more than simply engaging in an income-generating activity. During a USAID-sponsored meeting of African businesswomen<sup>22</sup>, one African woman used the following definition: "one who gets an idea (her's or someone else's), develops it and organizes resources to implement, with a view to making a profit ... Entrepreneurship is alertness to business opportunities, the ability to organize, as well as a willingness to take risks" (Macharia in Mungai, 1992). According to this definition, many informal sector operators and microenterprise owners would not be considered "entrepreneurs" due their survival, rather than true business, orientation. The box to the right offers a similar view based on women's ventures in Latin America. This discussion is important not to exclude a group of enterprises from potential assistance, but to show again, the various ways to define businesses, particularly women's businesses.

## 2. Why Women Start Businesses

The literature suggests several reasons as to why women start their own businesses. Some women go into business *as a matter of choice*, whereas other women are forced into self-employment in the informal sector *as a matter of survival*.

Those women that start businesses by *choice* -

### **DEFINING WOMEN'S ENTERPRISES IN LATIN AMERICA**

*Writing about women's enterprises in Latin America, economist Marguerite Berger corroborates Macharia's perspective stating that:*

*"[n]or are many of them [women entrepreneurs] true entrepreneurs, at least in the classical sense of the term. Some of the most common types of women-owned businesses in Latin America (such as selling) are openly operated on the same streets where government and international agency offices are located. These activities and others undertaken by women are not considered to be 'entrepreneurial' by many observers, even though women are risking their own capital - limited though it may be - and creating new jobs in the process. Their businesses are often survival activities with modest prospects for growth or a dynamic effect on the macroeconomy." She goes on to say that "the term 'microentrepreneur' itself, used here to refer to the owner/operator of a microbusiness, evokes the Schumpeterian vision of the dynamic entrepreneur, a vision not applicable to a large portion of the business owner/operators in the microenterprise sector" (Berger and Buvinic, 1989, pp. 1 and 11).*

<sup>22</sup> Evelyn Mungai, a Kenyan businesswoman, coordinated the meeting, which brought twelve African women from ten African countries together to discuss the constraints and opportunities for women entrepreneurs in Africa.

- the *entrepreneurs* -- do so for various reasons: they want economic independence, have an idea they want to capitalize on or see a market niche, want a challenge or change from another job, want or need a better or additional income, or want to be their own bosses (Mungai, 1992; Lewis and Russell, 1989). In some cases, dramatic political events have opened up business opportunities for women. Aili Marie Tripp, professor of political science at the University of Wisconsin/Madison, has conducted extensive field research on women in Uganda and Tanzania. She explains that in Uganda, women took over most of retail trade after the expulsion of the Asians in the early 1970s (Tripp, 1994b).

The impacts of economic crisis and reform have, in many instances, "pushed" women into the private sector, often the informal sector. In some cases the shift has been due to public sector lay-offs or wage cuts, in others to new opportunities created by the transition. Tripp (1992) explains that in urban Tanzania, a decrease in wages during the period of economic adjustment in the 1980s induced many women to leave formal wage employment -- jobs as teachers, nurses, and factory workers -- to become self-employed in the informal sector. Referring to Mezzera's definition of the informal sector, these businesses fit into the first type: these women have some formal work experience, and thus may be well-positioned to "graduate" into the formal sector. Likewise, Weidemann and Finnegan (1994), consultants to USAID's GEMINI<sup>23</sup> project, explain in their report on gender and small business development in Poland that job loss or fear of job loss created by the transition to a market economy has caused many women in Poland to start their own businesses.

In other instances, there has been more of a "pull" effect -- women go into business because urbanization (Asia and Near East) or economic transition (Ghana, Poland, Hungary) have actually opened new opportunities or markets in the private sector (Mehra, 1992; Morris and Adams, 1994; Coopers & Lybrand, 1991 a and b).<sup>24</sup> See the box on page seventy for a case of women taking advantage of the opportunities created by economic reform in Poland.

On the other hand, as described in the box on the following page, lay-offs, wage cuts, inflation, and price increases resulting from economic reform measures have also "pushed" women to seek out work in the informal sector *as a matter of survival*: needing an income and unable to find employment in the formal wage sector, they are forced to create their own jobs. Unlike the women described above, these women fit into Mezzera's second category -- they seldom have any of the skills, training, or knowledge needed to create viable businesses. In overcrowded cities and other areas that suffer from rapid population growth, high unemployment rates have also forced people, especially women, into the informal or unregulated sector of the economy (Lewis and Russell, 1989). Women's informal activities have actually served to "cushion" some

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<sup>23</sup> GEMINI, Growth and Equity Through Microenterprise Investments and Institutions, is a USAID project implemented by Development Alternatives, Inc.

<sup>24</sup> Gayle Morris, an agricultural economist at Penn State/Erie's Business School, and Dale Adams and Richard Meyer, members of the Rural Finance Program at Ohio State University, have received support for their research from USAID's Women in Development Office and Office of Economic and Institutional Development.

of the negative impacts of economic crisis and reform, providing income and employment during times of economic hardship.

Other reasons women are likely to turn to the informal sector rather than the formal wage sector for employment is because by engaging in informal activities, they are able to structure their labor time around their domestic responsibilities. Furthermore, there are few barriers to entry and low capital requirements in the informal sector.

### 3. Characteristics of Businesswomen and Their Businesses

#### **WOMEN'S INFORMAL BUSINESSES IN TANZANIA**

*The economic crisis in the late 1970s placed new burdens on urban women to contribute to the household economy. They responded by creating "projects" or miradi in Swahili – income-generating activities ranging from food preparation and vending to tailoring to agricultural production. Similarly, the economic reforms adopted in the mid-1980s "perpetuated women's new economic responsibilities through measures that led to increased layoffs and a continuing decline in real wages. These developments made urban women even more important to the economic well-being of the household" (Tripp, 1992, p. 159). Not surprisingly, their participation in informal and microenterprises has consistently increased.*

The literature states that, throughout the developing world, women's enterprises are smaller than men's, even when they are formally registered and licensed. Moreover, formal, informal, large or small, most women-owned firms are found in the commerce and services sectors, with few women found as owners of manufacturing enterprises. This may be due in part to the fact that women are most likely to start businesses in times of economic hardship, when the demand for services is more stable than the demand for production, or because there are fewer barriers to entry in the commerce and services sectors.

The strategies women business owners pursue also distinguish their enterprises from men's. Women's business strategies are usually more oriented toward survival and stability rather than expansion. According to the literature, women are more risk averse and tend to employ approaches that relax constraints as opposed to those that directly encourage growth. Furthermore, women have a tendency to increase the number, not size, of their business, to spread the risks of their activity (Rhyne and Holt, 1994). However, the same authors note that women's businesses do appear to be as stable and long-lasting as men's.

The women who do own larger, formal business are, in general, more educated than the average woman, and often have some technical or management experience from the public sector or a previous job, whereas women microentrepreneurs frequently lack even the most basic literacy and numeracy skills. Moreover, research from Poland and Hungary found that businesswomen tend to be over 35, an age when domestic and child rearing responsibilities have usually decreased, freeing up time for other activities. Rhyne and Holt (1994) also report that women business owners who are past child-bearing age, and thus have fewer household responsibilities, appear to have a stronger growth orientation.

Women owners of larger enterprises enter into business with some market research and/or product analysis and knowledge of basic business principles. In contrast, women's microenterprises are often located in less dynamic subsectors (Downing, 1992; Nkwe and Raile, 1992), "dead-end product groups" and saturated markets (WWB, 1994) that employ traditional manufacturing methods, such as handicrafts and weaving, food processing, etc. (Mungai, 1992; Downing, 1992; Morris and Adams, 1994; Rhyne and Holt, 1994). These are often low-growth and/or very competitive subsectors, resulting in lower profit margins (Mehra, et al., 1992 and Boomgard, 1989). Their firms are more frequently labor-intensive, home-based, and dependent on informal sources of finance.

#### 4. Data on Women's Participation

As previously mentioned, women participate in business primarily as owners of small, micro, and informal sector enterprises. In many regions, women's participation as enterprise owners is a relatively recent phenomenon, due in part to the world-wide economic crisis and urban migration. Economist Marguerite Berger explains that in Latin America, women's economic participation -- primarily as owners of micro or informal enterprises -- has risen due to male migration and the increased need for additional income at the household level in both the growing number of female-headed households and in traditional nuclear families. Similarly, in Asia and the Near East, "the strongest growth in women's economic activity has been in small and microenterprises, the majority of which are in the informal sector" (Mehra, et al., 1992, p. 28).

#### **"NANA BENZ" AND "MARKET MOMMY"**

*These terms describe the emerging class of African women entrepreneurs who are "staging their own economic emancipation" (Singletary, 1994). In her recent article in The Washington Post, Singletary describes a trend that is evident across sub-Saharan Africa: African women are participating in business outside of the informal sector and beyond microenterprise level. They are creating national trade associations, helping each other move into the formal sector, and making important contributions to the global economy in increasing numbers.*

While data on women's participation as owners of larger-scale formal enterprises is scarce, it is evident from the literature that women's participation at this level is rising, particularly in Africa, as illustrated by the box above. In Uganda, for instance, a growing class of large-scale women entrepreneurs exists, popularly known as the "Dubai traders," who are either engaged in trade with the Gulf States and other neighboring countries or owners of large factories. These women are part of a new *bourgeoisie* in Africa: private sector operators whose success is not a result of patronage or personalistic networks tied to the state (Tripp, 1994b). A USAID study on semi-formal finance in Uganda reports similar findings. The authors refer to a "business dynamism" amongst survey respondents, over half of which were women, and conclude that "a growing entrepreneurial class of women and men is emerging" despite years of civil war and economic instability (Morris, et al., 1994, p. 34).

Similarly in Tanzania and Zaire, women's participation as owners of larger, formal businesses has increased since the mid-1980s. Women have established large tailoring businesses, dry cleaning companies, flour mills, secretarial service companies, hair salons, import/export businesses, bakeries, and other small manufacturing and service enterprises (Tripp, 1994b). Evidence from Botswana also indicates that the numbers of women in larger, non-traditional enterprises are growing (Nkwe and Raile, 1992).<sup>25</sup> However generalizations cannot always be made, even within regions. In Mali, for instance, Lewis and Russell (1989) report only an estimated 35-40 women business owners exist in the formal sector.

In Saudi Arabia, a country where popular belief is that women are not economically active, women hold nearly 20% of the licenses registered with the Jeddah Chamber of Commerce (Mehra, 1992); in Poland, women make up 20-25% of small business owners (Weidemann and Finnegan, 1994). Even in rural areas of Bangladesh, where the Bangla term *bajarer meye*, or "woman of the market" is synonymous with a woman of loose morals, "a few determined women are looking beyond traditional work" (Rashid, 1990, p. 6). Women in Bangladesh are now setting up small shops, and running a variety of businesses from photographic studios to grocery stores.

**TAKING ADVANTAGE OF ECONOMIC REFORM:  
WOMEN IN BUSINESS IN POLAND**

*"Regina and Jolanta's firm is a good example of how the private sector can step in once the state has stepped out. For the past forty-five years, a central agency of the state provided all of the patterns and colors for clothes to be manufactured in Poland. While clothing manufacturers relied on the agency for all designs, the operations of the agency were nonetheless heavily subsidized by the Ministry of Industry. The agency employed about 170 people, nearly all women — except top management.*

*About two years ago, the Ministry of Industry cut subsidies to the central agency; simultaneously, markets began to dry up for many of Poland's textile companies. The agency was forced to close its doors and lay off its employees, many of whom were skilled designers. Indeed, one of them was Jolanta, a textile engineer with 13 years of experience in the central agency. Regina had 15 years of experience working for state-owned clothing manufacturers that used the agency's services. Jointly, they recognized that whatever problems the central agency might have had, it provided a service that was still in demand among many Polish enterprises: fashion design. They decided to tackle that market niche" (Coopers & Lybrand, 1991b, Annex 3, p. 3).*

Despite these achievements, most women's enterprises throughout the developing world continue to be micro in size, and remain in the informal sector, where economic activities are unregulated, unlicensed, and unrecorded. In fact, in some developing countries, women are the majority of microenterprise owners, and the majority of women are engaged in microenterprise activities. In India, for example, 99% of working class women work in the informal sector (Working Women's Forum, 1992); in Southern Africa, women own on average nearly 75% of

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<sup>25</sup> Tebogo Nkwe and Jamie Raile prepared a report for USAID/Botswana on businesswomen in Botswana.

small businesses (Downing, 1992; Nkwe and Raile, 1992); in Latin America, an average of one-third to one-half of microentrepreneurs and their employees are women (Berger and Buvinic, 1989; IDB, 1994); in urban areas of South East Asia, women are nearly fifty percent of informal sector operators (Mehra, et al., 1992); and in Botswana, Tanzania and Nepal, more than 80% of the total female labor force is self-employed in the informal sector (Gold, 1991).<sup>26</sup>

- Women as Managers

Few women in developing countries reach high level management in private companies. Reasons offered for the scarcity of women in top positions include the following: (i) most women are concentrated in occupations and sectors that offer little opportunity for advancement (Adler and Izraeli, 1994); (ii) they lack the relevant experience, education, skills, and training needed for management; and (iii) they have domestic responsibilities that prohibit them from travelling, working late, or transferring, thus making them less desirable candidates for management positions (Abdoolcarim, 1993). However, Zoher Abdoolcarim, economics editor of *Asian Business*, points out that the number of women managers and executives in most Asian countries has doubled over the last ten years.

Staudt believes that cultural values embedded in societies that "prize male presence and culture at the institutional helm" may prevent even major organizational and structural changes from increasing the numbers of women in managerial positions (Staudt, 1993, p. 137). When women do reach higher levels of management, they are usually subject to extraordinary performance pressures and bear the burden of being the lone woman; moreover, their mistakes or failures are perceived as being symbolic of women's potential as a whole (Staudt, 1993). The literature also suggests that institutions are not gender-neutral, but are in fact male-biased according to stereotypical male-female gender roles. That is, that the elements for success in the corporate world are inherently biased against women's participation (e.g., praise for working late, disapproval of leave to care for family) (Adler and Izraeli, 1994).

In the former Soviet bloc, quotas for women in local-level management existed, but women were under-represented in more senior and national positions, a factor which may impede their participation in such positions in the new market economies. Further inhibiting their participation as managers in the new economy is the revision of the previous, formally egalitarian Communist laws to ones that take a more traditional view of women by eliminating some of the protective and equitable legislation that was previously in place (Adler and Izraeli, 1994).

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<sup>26</sup> Elizabeth Gold, consultant to The Future's Group International, reviewed and compiled lessons learned from sixteen PPC/WID documents on private enterprise.

## 5. Constraints to Women Entrepreneurs

Examining the constraints to women's businesses will help to understand why women's businesses possess the qualities they do -- small, low-growth, survival-oriented, in stagnant markets. While both men and women entrepreneurs confront many barriers to business creation and expansion -- including small domestic markets, unskilled labor markets, cumbersome business registration procedures, high interest rates, and poor macroeconomic conditions -- the literature maintains that some constraints are heightened for women. This is due in large part to discriminatory legal and social systems that have prevented women from having equal access to finance, education, and training. In other words, gender itself is not necessarily the constraint to business development; the impediments are more closely linked to the social and economic roles, responsibilities, and structures that societies designate to men and women (Morris and Meyer, 1993).

It is important to note, however, that in some of the former Soviet bloc countries, such as Poland and Hungary, mandated equality between the sexes has resulted in fewer gender-related differences amongst opportunities and constraints in the new market economy. Coopers & Lybrand reports that in both countries "there are no major legal or structural impediments to women in business;" rather, all new entrepreneurs, be they men or women, face major hurdles to business development (Coopers & Lybrand, 1991a, p. 29 and 1991b, p. 24).

Muller<sup>27</sup> has developed a framework that separates the factors affecting women's participation in business and management into three categories (Muller, 1994, p. 362):

- Public policy and legal mandates: These affect women's equality in political and economic life and their ability to actively participate in the labor force and in decision-making;
- Organizational attributes: Both structural and behavioral characteristics of organizations influence women's ability to advance in business and management;
- Socio-cultural traditions and expectations: These are factors that determine women's roles inside and outside of the family, as well as shape women's and men's expectations of themselves and what is considered acceptable behavior.

More specifically, key constraints are found in the areas of finance, skills/training, market information, illiteracy/numeracy, institutional support, law, and society and culture. Each of these constraints is outlined below:

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<sup>27</sup> Helen J. Muller is an associate professor and coordinator of the Organizational Behavior Program at the Anderson School of Management, University of New Mexico.

a. **Finance**

Although most entrepreneurs, male and female alike, cite inadequate financing as a major business constraint, women in particular face difficulty in meeting collateral requirements, filling out loan applications, and developing viable business plans. See Section C for more details on women and finance.

b. **Skills/Training**

Women are typically underserved by existing management, technical, vocational, and business training programs. The only training that women do receive often reflects stereotypes about women's capacities and social roles. Training offered to women is usually highly specialized for industry jobs or in "traditional" skills such as sewing or other handicrafts. This approach keeps most women-owned businesses concentrated in "traditional" or "domestic" industries that face limited, saturated, or stagnant markets (Gordon, 1991; Rhyne and Holt, 1994) and greatly hinders women's career mobility and opportunities for advancement (Mehra, 1992).

Furthermore, women usually enter business with less experience than men. Most male entrepreneurs have practical experience from a public sector or formal sector job; since fewer women are employed at those levels, they have fewer opportunities to gain relevant training and experience (Mungai, 1992). As governments are cutting training and retraining programs across the board due to demands by structural adjustment programs to reduce public expenditures, women have access to even fewer training opportunities (Commonwealth Secretariat, 1989).

c. **Low Levels of Education**

Lack of basic education, especially literacy and numeracy, is a major obstacle to women's economic participation in general. With regard to women's participation in business, it limits the ability of many women to apply for loans, participate in training programs, keep accounting records, access market and business information, and write business plans. However, for many women in the informal sector, lack of formal education is less of a constraint, as they interact less with formal institutions and structures. Mezzera (1989) found that the relationship between education/skills and profits is less pronounced in the informal sector.

d. **Lack of Institutional Support**

Although some women's business associations have been created, they generally have insufficient financial resources and political clout to be effective. Few women join traditional support institutions such as chambers of commerce or professional associations because those organizations rarely commit to or serve the specific needs of women. As a result, women may be isolated from the important connections in the business community that lead to career advancement and business success, as well as valuable market information (Mungai, 1992; Nkwe and Raile, 1992; Lewis and Russell, 1989; Staudt, 1993; Adler and Izraeli, 1994). See Chapter

**IV, Institutional Support and Representation, for more information on women's participation in and benefit from institutions.**

**e. Legal Constraints**

**In most developing countries, discriminatory or ambiguous legal systems severely restrict women's economic participation. Many of these laws are rooted in religious and cultural attitudes toward women. Laws preventing women from owning property are of particular concern as they hinder women's access to credit. Marriage and divorce laws, which affect inheritance and control over income, are also of concern to women entrepreneurs.**

**In some countries, married women's legal status as minors prevents them from engaging in common activities required of most entrepreneurs -- applying for loans, signing contracts, and travelling -- without permission from their husbands. In Botswana, for example, the Community-in-Property Law gives husbands the final decision-making power over family assets, legally allowing him to decide to close his wife's business at any time and recover the assets. This law was raised by over 80% of women surveyed in Botswana as the key legal constraint to owning a business (Nkwe and Raile, 1992).**

**Rhyne and Holt (1994) argue that legal issues are more serious for formal sector businesswomen, of which there are relatively few, because only formal sector businesswomen can access formal financial institutions. However, if one takes the view that integrating women into formal financial markets is important, legal restrictions must be lifted in order to allow equal access for all women. Moreover, laws such as the Community-in-Property Law and laws that prevent women from owning property affect women at all levels of business. For more details on the legal issues related to women's economic participation, see Chapter II, Legal and Regulatory Issues.**

**f. Social and Cultural Constraints**

**Discriminatory social and cultural attitudes often prevent women from entering or succeeding in the private sector, particularly in management (Mungai, 1992; Rainey, 1993). These attitudes often stem from religious systems that promote certain notions of women's status, such as Islam in the Middle East and parts of Asia, and Catholicism in Poland. In Bangladesh, for example, religion-based customary law forbids women in rural areas from operating in public markets, thus restricting their access to income-generating opportunities (Rashid, 1990).**

**Traditional perceptions of gender roles in society have resulted in some other problems: some husbands fear their wives' financial independence and even demand a portion of the profits (Lewis and Russell, 1989; Levy, 1989; Muller, 1994); some women believe they are not taken seriously by public officials, bankers, suppliers, or sometimes even their customers and employees (Nkwe and Raile, 1992; Lewis and Russell, 1989); and women may face sexual harassment on the job (Muller, 1994). In other cases, women lack the assertiveness and confidence needed to be a successful entrepreneur (Mungai, 1992) or manager (Adler and Izraeli, 1994), or even approach a bank for a loan (Duval, 1991).**

The literature also reports that in all parts of the world, the burden of time-consuming domestic responsibilities is a major constraint to women's ability to succeed in business. Unlike men, women have "dual roles" in the household -- a *reproductive role* which includes most household-related and child-rearing duties, as well as a *productive role* which entails engaging in some form of income-generating work. With a long list of household obligations, women have little time to spend on their businesses or attend training classes. Furthermore, due to these domestic responsibilities and cultural restrictions, more women's businesses are home-based than men's. By locating their businesses in their homes, women's access to markets and market information is extremely limited.

## 6. Graduation

As mentioned in an earlier section, women-owned informal and microenterprises tend to be oriented more toward stability and survival than expansion (Gold, 1991; Berger and Buvinic, 1989; Rhyne and Holt, 1994). They rarely graduate to the formal sector for several reasons: they are not created on sound business principles, are typically in non-growth and less lucrative subsectors, and are aimed at improving household welfare rather than increasing profits (Rhyne and Holt, 1994). Women microentrepreneurs tend to spend their business profits on household necessities rather than reinvest the money in their businesses. While the household level benefits of this strategy are obvious, the practice prevents women's businesses from growing. Furthermore, research shows that women tend to increase the number, rather than the size, of the enterprises in which they are engaged. This strategy of diversification as opposed to specialization of economic activities is based on the need for security; with meager resources and primary responsibility for supporting the household, women are less free or willing to take risks (Gold, 1991).

Women also have more difficulty "graduating" because, as described in the previous section, the constraints women face in the business community and market place are often more acute than those their male counterparts face. Referring to women in Africa, Tripp explains that "[e]ven though some women have managed to enter into more lucrative enterprises, most women, for whom access to capital is a serious problem, have little hope of expanding beyond a small microenterprise" (Tripp, 1992, p. 176).

In addition, while the trend is changing, in many regions of Africa and the former Soviet bloc, business opportunities are still closely linked to access to state power and resources. As few women have such access, they are rarely able to transcend the limited business opportunities of the informal sector (Gordon, 1991).

However, in their study of women entrepreneurs in Mali, Lewis and Russell point out the advantages of remaining informal, rather than attempting to graduate: many informal sector operators choose to stay in that sector where they can be more responsive to market fluctuations and demand while avoiding the administrative procedures and high transaction costs of the formal sector (Lewis and Russell, 1989). On the other hand, there are important reasons for women in particular to move their businesses into the formal sector. In Michelle Singletary's

(1994) recent article on African businesswomen in *The Washington Post*, Lucia Quachey, president of the Ghana Association of Women Entrepreneurs, suggests two reasons: first, by joining the formal economy, women's contributions to national GNPs will be officially recognized; and second, as owners of formal businesses, women can leverage and influence government policies and change the obstacles that hinder the growth of their enterprises.

### **C. FINANCIAL SERVICES FOR WOMEN ENTREPRENEURS**

Providing credit to women continues to be a donor strategy to improve women's economic status. Women's World Banking<sup>28</sup> agrees that credit is an important component of women's economic empowerment: "[a] major means to improve the status of women is to open women's access to financing" (WWB, 1994, p. 13). This section reviews the range of financial services that are available to women, the types they most often utilize, as well as the financial policy issues related to women's access to credit and the development of women's enterprises.

#### **1. How Women Finance Their Businesses**

This section briefly describes the types of financial services women utilize to finance their enterprises, as well as some of the limitations of these sources. While this is the same range of services available to men, women make different financial decisions based on their personal constraints and the obstacles related to the type of service offered. Like men, women borrow to expand their businesses, purchase equipment and inputs, and pay employees. Women also utilize financial services for savings. Savings are important for investment funds, and are especially important for women as they help women build financial histories and increase their financial literacy.

##### **a. Personal Savings or Loans from Friends or Family**

The literature claims that for business start-ups, women are more likely than men to use personal savings or loans from friends or relatives, often simply because they feel they have fewer options. Personal savings can come from a pension, inheritance, retirement fund, or other bonus; these sources often serve as the initial impetus for women to go into business.

##### **b. Informal Sources**

Many entrepreneurs throughout the world prefer to use informal sources of credit even when formal financial services are available. Some prefer to use informal sources because they involve people they know and trust (Morris and Adams, 1994), while others turn to them for lack of other options (Lewis and Russell, 1989). Informal credit sources take many forms, ranging from money-lenders to suppliers' credit to group rotating savings and credit associations

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<sup>28</sup> This quote is from the Women's World Banking report of the United Nations Expert Group on Women and Finance.

(commonly known as ROSCAs). Women are more likely than men to borrow from the informal sector because the characteristics of informal borrowing are very appealing to women: informal lenders offer small loans, flexible repayment rates, and quick turn-around of money. A study of women microentrepreneurs in Egypt reports that ninety percent of women used personal savings or ROSCAs to start their businesses (Weidemann, 1992).

While these informal mechanisms often serve an entrepreneur's immediate needs, they generally cannot provide the long-term capital required to expand a business. Moreover, money-lenders often charge very high interest rates, causing indebtedness which puts women and other microentrepreneurs in a weak bargaining position with suppliers and traders (Chatterjee, 1993; Wickrama and Keith, 1994). ROSCAs can be a sufficient source of start-up capital, but since members only receive funds on a rotating basis, the arrangement is not adequate for long-term business financing or emergency needs.

### c. Formal Banks

The literature explains that women's access to formal banks is limited by a combination of bank policies and products and women's perceived or actual personal limitations. Few women use formal banks for loans, as formal banks cannot afford to make the small, short-term loans women usually demand. Even though time and time again women are described as more creditworthy and better managers of resources than men, women are often denied loans simply on the basis of gender stereotypes (e.g., women cannot manage money or they do not have adequate business skills).

On the supply side, commercial banks are often hesitant to lend to groups -- such as women -- that they consider "risky" due to the high transaction costs of small loans, the banks perception that the clients are inexperienced, and credit ceilings<sup>29</sup> (Morris and Adams, 1994; Lewis and Russell, 1989). On the demand side, women borrowers can rarely meet banks' collateral requirements (e.g., physical collateral such as a land title); cannot read or fill out loan applications; and often do not have a track record, formal accounting records, well-written business plans or feasibility studies, or references (Mungai, 1992; Mehra, 1992). In sum, formal financial institutions do not offer financial products adapted to the needs of women borrowers (Morris and Adams, 1994).

In some countries, such as Botswana and Swaziland, legal issues hinder women's ability to obtain formal bank loans; a woman cannot obtain a loan, open a savings account, or enter into a contract without her husband's authorization. In Uganda, banks also require a husband's signature before lending to a woman, not for legal reasons, but because they want to ensure that "increasing her financial independence would not contribute to dissension within the family" (Duval, 1991, p. 18). These restrictions limit women's freedom and independence with their businesses and finances. Even where women do not face legal impediments to using formal

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<sup>29</sup> "Credit ceilings" determine a bank's total lending capacity. It is assumed that with limited funds for lending, banks will choose to make a few larger loans to "safe" clients, rather than several small loans to "risky" clients.

banks, women are often not aware of their ability to obtain formal financing independently, and thus secure their husbands' signatures anyway.

In Uganda, even though the Uganda Commercial Bank expressed the belief that women control a large share of the country's businesses, only 9% of development finance loans has gone to women, and only 1% of loans through the Bank of Uganda's Rehabilitation of Productive Enterprises project has gone to women. Ugandan bankers claim that women simply do not approach them for loans (Duval, 1991).

In light of these circumstances, donor and bank support for loan guarantee programs is particularly important for women entrepreneurs because these programs encourage commercial banks to lend to smaller "riskier" businesses and also allow banks to gain experience working with women clients (Mehra, 1992).

#### d. Semi-formal Financial Institutions

Semi-formal financial institutions combine characteristics of formal lending (deposit security, regular delivery of services, interest payments on savings) and informal lending (use of non-traditional collateral, decentralized delivery systems, small, short-term loans) (Morris, et al., 1994). These institutions include co-operatives and NGOs. NGOs are often established by international donors to serve as a channel for donor funds to reach small and micro entrepreneurs.

Women's World Banking (WWB), a U.S.-based non-profit financial institution, is an important proponent of this strategy. WWB has created affiliated NGOs in over forty countries worldwide that provide financial services to over half a million low-income women entrepreneurs. Another effective credit model, employed by the Indian NGO Women's World Forum, has been successful because its staff and clientele are from the same background and because the whole system is based on social responsibility (Working Women's Forum, 1992).

By not registering as banks, these institutions have several advantages. They are not regulated by formal financial regulations and, thus, can charge varying interest rates and set their own lending and collection policies. By charging higher interest rates than commercial banks, semi-formal financial institutions are able to handle the transaction costs of administering a higher volume of smaller loans. In addition, semi-formal financial institutions are often willing to lend based on group accountability and responsibility or character, which is very important for women, who rarely have access to the physical collateral that formal banks require. They also have simple loan applications and repayment schemes (Mehra, 1992). Semi-formal financing also provides women with the important banking experience they need to "graduate" into the formal banking system. The biggest drawback of these institutions is that, as non-bank financial institutions, they are rarely allowed to accept deposits, an important financial service for women entrepreneurs.

## **2. New Views on Financing Women's Enterprises**

The current literature places great emphasis on the relationship between macro-level financial and economic reforms and financial services for women (WWB, 1994; Rhyne and Holt, 1994; Morris and Adams, 1994; Mehra, et al., 1992). While trends in the literature have been moving toward this approach for some time, earlier works focussed more on designing appropriate programs for women borrowers.

### **a. Strengthening the Financial Sector in General**

The latest thinking on women and finance is that donors should not necessarily emphasize the design of business support projects that target women; rather, by creating stronger and more competitive financial markets and reforming banking policies, institutions and the instruments banks offer will evolve to serve client demand and need (WWB, 1994). Important reforms include deregulation of interest rates and decentralization of the banking industry (Mehra, et al., 1992). Morris and Adams, in their recent USAID-funded study on women and finance in Ghana, Egypt and Uganda, are particularly strong advocates of this view: "[w]e conclude that a thriving economy and an evolving system of financial markets that is competing for deposits and creditworthy borrowers will do more for women than will targeted credit programs" (Morris and Adams, 1994, p. 36). Creating a financial policy framework conducive to the development and expansion of semi-formal financial markets is one way governments can broaden and deepen access to financial services in general and women's access in particular (Morris, et al., 1994). Privatization of indigenous banks could also stimulate more competitive financial markets, possibly resulting in the increased provision of financial services to groups traditionally excluded from formal banking services (Morris, et al., 1994). Moreover, availability of money alone does not create economic opportunities; macroeconomic and other market conditions affect the impact credit has on women entrepreneurs (Rhyne and Holt, 1994).

### **b. Integrating Women into Formal Financial Markets**

Some of the literature reviewed argues that women entrepreneurs should be viewed as clients of financial markets, as opposed to recipients or beneficiaries of donor programs. Some authors recommend that more work needs to be done in the areas of legal and banking reform to allow women to benefit more equitably from formal financial and business-related technical services, as well as to integrate women into formal financial markets. For instance, bank reforms such as the acceptance of non-traditional collateral could go a long way toward bringing financial markets to women. Integrating women into formal financial markets is also important for giving women access to the resources they need to "graduate" from the micro or informal level to the formal sector.

### **c. Appropriate Instruments versus Targeting**

Furthermore, according to much of the recent literature, several authors feel that women entrepreneurs do not need targeted loan programs, rather they need access to appropriate

services, such as small, short-term, renewable, market-interest loans. Donors and governments should enact policies that encourage existing banks and other financial institutions to respond to women entrepreneurs' demands and needs, rather than establish separate programs (Rhyne and Holt, 1994; Morris and Adams, 1994; Morris and Meyer, 1993; WWB, 1994).

Moreover, women's businesses, as a target group, are difficult to assist with a specific package or program since they are extremely diverse, and often are found in saturated markets where real gains in productivity are difficult to achieve (Rhyne and Holt, 1994).

#### **d. Linkages Between Banks and Non-Bank Financial Institutions**

In order to reach women, many donors have supported linkages between banks and non-bank financial intermediaries. However, the literature cautions that several factors must be considered before employing this approach. In her analysis of women and the private sector in Asia and the Near East, Rekha Mehra points out that while linkages between banks and NGOs may seem a good idea, "intermediary credit organizations that link poor borrowers with commercial banks confront red tape and bureaucratic hassles that slow disbursement and weaken the effectiveness of their loan programs" (Mehra, 1992, p. 36). Morris and Adams (1994) question the sustainability of donor-inspired NGO financial intermediaries, with particular concern regarding their ability to operate when donor funds are discontinued. However, others still argue that commercial bank linkages with intermediaries and local NGOs are important for reaching low-income clients, especially women, as well as transferring capital from the informal to the formal financial sector (WWB, 1994; Rhyne and Holt, 1994). The linkages are also important channels for NGOs to disseminate information to commercial banks on effective approaches to small enterprise lending (UNIFEM, 1994).

### **D. INTERVENTIONS SUGGESTED BY THE LITERATURE**

It is important for donors to support women's enterprises -- be they large or small, formal or informal -- for their contributions to household welfare, women's empowerment, overall economic growth, and improved private sector development strategies. In light of this, the literature has identified several areas for donor intervention.

In addition to establishing and improving savings and credit programs, the literature describes several strategies for increasing women's participation in formal business. They include: research, a wide range of training programs, institutional development, legal and policy reform, and development of new financial instruments for women. However, the literature does not present many examples of interventions for women in business beyond the microenterprise level. It should be noted that these are interventions mentioned by the literature and are not necessarily recommendations for POWER activities.

In terms of "model mechanisms" for promoting women's businesses, the examples in the literature are limited to microenterprise program. Gold (1991) summarizes a few of the key design issues related to women and microenterprise development projects. Some of her conclusions and recommendations include: projects that assist women in creating new enterprises have, in general, been costly and have enjoyed limited success; projects should address some of the external constraints to business success such as women's limited participation in formal private sector organizations and legal and policy issues; and projects that identify more dynamic sectors of the economy or non-traditional areas of production for women may be one strategy for bringing women into the formal sector.

The informal sector and microenterprises hold varying degrees of opportunity for increasing quality economic participation by women, depending on the qualifications of the enterprise owner and the subsector of the business. Thus, assisting women's businesses to "graduate" from the informal to the formal sector, or from micro to small scale, may be an effective donor strategy when enterprise and owner characteristics are carefully considered.

- *Additional Research and Data Collection*

The lack of data and literature on women's participation in the formal private sector clearly indicates that additional research is needed to improve women's participation in business, especially beyond the microenterprise level. New research should build on and complement existing information -- such as the key constraints to women's participation in business -- and develop action-oriented recommendations and strategies on how to alleviate those constraints. Writing about Egypt, Weidemann (1992) recommends increasing women's awareness of more remunerative markets as one component of a strategy to assist women entrepreneurs. Analysis of the conditions that encourage and enable women's participation in the formal private sector is also needed. Another aspect of research could include documenting case studies of successful women entrepreneurs to provide women with role models in the business community.

- *Training*

With more women starting their own enterprises, business-related training is more important than ever. The literature recommends that training emphasize management and business skills, with a focus on reorienting women's firms toward more profitable sub-sectors -- a key component of "graduation" strategies -- as well as providing technical and vocational training. In particular, women need training in sectors such as manufacturing that offer more opportunities for growth (Oldham, 1990; Rhyne and Holt, 1994). However, programs must be designed so that women can balance them with domestic responsibilities. Training programs should also make follow-up placement services available (Lycette, 1986) or provide follow-up technical assistance, preferably on-site (Lewis and Russell, 1989). Training is also a service for which most entrepreneurs are willing to pay a fee -- ninety-four percent of Ugandan business-owners, male and female, indicated that they would be willing to pay at least a small amount for training (Morris, et al., 1994).

Retraining is particularly important for women in the former Soviet bloc of Eastern and Central Europe and the Newly Independent States. Women in these regions are generally well-educated, and training in new areas may strengthen the private sector and increase the likelihood that women can advance in their careers (Weidemann and Finnegan, 1994). In particular, donors should try to help governments determine how this highly skilled and educated work force can best be utilized for economic efficiency.

Provision of career advisory services for women at universities and employment centers, including training of career counselors or establishing career centers at universities is another type of training women cite as important.

- ***Institutional Development***

Increasing women's participation in and benefit from institutions -- both financial and professional -- is also a key strategy to improving women's success in business. With regard to women and business development, Rhyne and Holt (1994) recommend that the World Bank focus on strengthening and developing financial institutions, including NGOs, that can effectively and sustainably provide financial services for women. Women's groups are also important institutions for women entrepreneurs. A recent UNIFEM study on women and credit in Kenya showed that "a major factor in the success of the women's enterprise was membership in a women's group" (UNIFEM, 1994, p. 40). Women's groups provide important support services to women entrepreneurs such as motivation, confidence-building, financial and physical resources (such as sharing of premises), and pressure to repay loans on time.

- ***Legal and Policy Reforms***

External factors often beyond the control of the entrepreneur, such as policies, laws and regulations, are important ingredients for success in business for all entrepreneurs, male and female alike. However, as discussed in Chapter I, in many cases, economic policies affect women differently than they do men. Encouraging policy reform, especially financial sector reform, could have broad impacts on women's economic participation, particularly for women entrepreneurs in terms of availability of resources and services (Morris and Adams, 1994; Rhyne and Holt, 1994). Suggested policy reforms include restructuring development finance institutions to better serve women clients (Rhyne and Holt, 1994), deregulating interest rates, creating decentralized networks of banks in rural and urban areas, permitting semi-formal financial institutions to accept deposits, and allowing banks to accept non-traditional forms of collateral.

Legal reform is necessary to change laws that prevent women from functioning as independent private sector actors. Particularly important are property laws and other laws that impede women's access to credit. Governments can help increase the participation of women in economic activities by making reforms in civil codes, banking laws, and labor laws (Gold, 1991). Donors can facilitate this process through the support of action-oriented research and women's advocacy groups.

Donors can also promote development policies that encourage women's economic participation. For example, USAID/Zimbabwe has tied part of its development assistance program to conditions meant to enhance women's participation and advancement in employment. One-third of all private sector training activities must address women's needs, and for USAID to purchase capital equipment for the Zimbabwean railroads, women must be targeted for advancement to management (Muller, 1994).

- **Development of Innovative Financial Products for Women**

Along with banking reform, donors could work with banks to develop new financial products to serve the needs of women entrepreneurs. Donors can also help increase the participation of women in the formal private sector by promoting joint ventures with women-owned businesses (Rhyne and Holt, 1994) and establishing loan guarantee facilities for women. For example, USAID/Thailand and a local bank jointly operate a loan guarantee program for rural small and medium-sized enterprises that has successfully reached women entrepreneurs. The program has enabled women's businesses to hire more employees, diversify production, and increase sales (Mehra, et al., 1992).

**CHAPTER IV**  
**INSTITUTIONAL SUPPORT AND REPRESENTATION**

84a

## CHAPTER IV

### INSTITUTIONAL SUPPORT AND REPRESENTATION

#### A. WHY GENDER MATTERS

Complex political and economic changes taking place throughout the world have focussed attention on developing the institutional<sup>30</sup> capacity, both on the donor and recipient sides, to adapt to and benefit from those changes. Understanding the structure of gender relations within these institutions is "central to developing the institutional capacity to benefit from the broader changes in society" (Parker and Friedman, 1993, p. 114). The literature on women's groups in developing countries overwhelmingly supports the concept of women organizing and mobilizing for change as an important part of women's access to technical, political, and economic resources. In particular, the literature stresses the importance of women's organizations from two broad perspectives: (i) their contribution to the democratization process and (ii) their role in empowering women.

- *Contribution to the Democratization Process*

Women's groups and women's participation in various organizations have contributed to the democratization process directly, by influencing party agendas and gaining a voice in legislative and bureaucratic bodies, and indirectly, by adding to the groups that comprise civil society. As women's groups flourish, they bring new issues into public policy discussions and represent new sets of interests, contributing to the development of civil society. The proliferation of women's groups has brought issues that are of particular concern to women out of the "private" household-level and into the more "public" agendas of bureaucracies, political parties, and donors, both nationally and internationally. Women's groups also serve as the foundation for giving women a greater voice in political processes and making a real contribution to the process of political decentralization (Joekes, 1991).

In many cases, women's groups may appear to have had few tangible impacts on politics and policies. However, in many instances, they have indeed transformed political culture in significant ways. Specifically, women's groups have mobilized many who have never actively participated in politics, challenged state policies and practices for the first time, helped to delink NC from particular political parties, created competition amongst political parties for constituencies, and initiated community action to improve the effectiveness of government.

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<sup>30</sup> It is important to note that the term "institution" in this section refers to organizations, including professional associations, trade unions, labor organizations, and government bodies. The authors of the literature review recognize that a broader definition of the term "institution" is frequently used to encompass policies, customs, laws, regulations, and organizations. While policies, laws and regulations are the main subjects of other chapters, institutions, more narrowly defined as organizations, are the primary focus of this chapter.

Even though women may not yet hold an equitable percentage of leadership positions in developing countries, women's groups will hopefully continue to pressure for representation and prevent women from being further marginalized (Tripp, 1994a and Joekes, 1991). The question remains, however, whether or not women will be able to sustain the levels of participation they are achieving without real gains in higher level private sector management, civil service, and legislative, executive, and judicial positions. Moreover, the correlation between women's presence in top decision-making positions and improvements in women's status is unclear.

- ***Empowerment***

The literature as a whole agrees that women's groups and women's participation in various organizations have also played an important role in promoting women's empowerment; that is, they have helped increase women's confidence, independence, optimism, and competence (Levy, 1988; Chatterjee, 1993; Wickrama and Keith, 1994). In fact, some would argue that in Africa, the greatest impact women's organizations have had is in "empowering" women. When governments realize the importance of women's groups, they acknowledge the significance of women's opinions and voices about what is needed, especially at the local level, and recognize the legitimacy of women's groups as viable institutions that can make important contributions to economic development. This is a significant development in Africa where women were for a long time, and still are in many places, treated as children or minors whose voices are not considered important at any level of decision-making (Trager and Osinulu, 1991).

However, for women's empowerment to have real meaning, it must exist at all levels of society. That is, it is not enough to have grassroots organizations representing women, or to have women appointed or elected to key government positions. For real empowerment to occur, both conditions are necessary as well as a meaningful linkage between the two. Women need mechanisms to translate their participation into policy-making, and policy-makers need mechanisms to reach the majority of women.

While the proliferation of women's groups has obvious benefits to women and societies as a whole, it has also intensified demands on women's time; membership or leadership in an organization is usually in addition to a long day of home and work responsibilities, making Third World women's "dual role" a "triple role" (Commonwealth Secretariat, 1989). Despite the benefits described above, Elson explains that women's self-help groups "perpetuate the idea that unpaid labor for the benefit of others is 'women's work'" and construct women's role in community organizing as an extension of their domestic role (Elson, 1992, p. 40).

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The following sections discuss four major themes presented in the literature: why women organize, women's participation in organizations, factors affecting women's influence on policy, and interventions suggested by the literature. For several reasons, these sections also address women's participation in political movements and institutions as well as women's contributions to the policy process outside the economic realm. First, the literature does not clearly address

the extent to which women do participate in economic policy-making *per se*. Second, participation in other areas of policy and decision-making may give women the entré, clout, skills and leadership experience to participate more extensively in economic policy-making. Finally, by examining women's contributions to the policy process in general, the fora which women have effectively utilized to influence policy discussions become apparent.

## **B. WHY WOMEN ORGANIZE OR FAIL TO ORGANIZE**

Women organize for a variety of reasons. In some cases, they organize because they can organize, due to political liberalization. In other cases, they organize for mutual self-help in response to economic crisis, and in others, simply to bring women with common interests together to share experiences and ideas. According to the Commonwealth Secretariat (1989), women have shown a marked preference for working in groups to solve their problems.

In responding to these motivating forces, women's groups tend to cross class, political, religious, regional and ethnic barriers, even when these differences are acute (Tripp, Africa; Heyzer, Southeast Asia; Chatterjee, India; Safa and Antrobus, Caribbean). Tripp explains that "[w]omen of all backgrounds face discrimination in employment, business, politics, and education and can therefore find common cause" (Tripp, 1994a). The pluralistic nature of women's groups may set an example for other private associations in emerging democracies (Tripp, 1994a).

The literature clearly shows that the number of NGOs in general, and women's organizations in particular, has grown rapidly since the 1970s for several reasons that will be discussed in detail in the following sections. In the Philippines alone, there are an estimated 60,000 indigenous NGOs, many of which are women-oriented (Bloom, 1993); in Kenya there were as many as 15,000 women's groups by 1984 (Levy, 1988); in Uganda, it is estimated that at least half a million women are involved with NGOs (Management Systems International, 1992); and in Peru, nearly fifteen hundred women's groups exist (Escobar, 1994). However, unlike the women's movements in the west that were founded on "visionary ideals," women in developing countries have often organized out of economic necessity or in defiance of cultural and religious traditions (Moore and Anderson, 1994).

This section examines selected conditions discussed in the literature that encourage or restrict the formation of women's organizations or the mobilization of women. These conditions include: economic crisis and reform, unmet or unrepresented needs, outside catalysts, and changes in the political climate.

### **1. Economic Crisis and Reform**

Women throughout the world have created coping mechanisms -- self-help groups and other community-based groups -- in response to the conditions created by economic reform or crisis. These groups employ collective means to provide emergency and social services that governments can no longer afford to supply, such as childcare, health care, education, family

planning, and transportation. Women also pool resources for mutual benefit (e.g., to obtain something for the community or start an income-generating project) and personal/emergency use (e.g., burial fees or school fees). In some regions, such as urban areas in Africa, women's new, more extensive involvement in income-generating activities has, in turn, caused the emergence of new informal savings societies (Tripp, 1994b).

Trager and Osinulu argue that in Africa "the economic crisis in general and structural adjustment in particular have affected the formation and activities of these [women's] organizations" (Trager and Osinulu, 1991, p. 340). Tripp supports this assertion with her experience and research in Uganda. She explains that the deepening economic crisis beginning in the late 1970s placed heavier burdens on women to be key providers in the household, forcing women to seek collective means of coping with new economic pressures and resulting in new organizational strategies for women. Economic crisis has had similar impacts in some Latin American countries, as illustrated in the box below.

#### **WOMEN'S GROUPS AND ECONOMIC CRISIS IN NICARAGUA**

*Paola Pérez-Alemán cites several examples of women in Nicaragua organizing in response to economic crisis and reform, ranging from increased participation in trade unions to the creation of community organizations, such as communal gardens, to respond to immediate, practical needs. "The consequences of the economic crisis meant that women faced greater demands on their time and were forced to confront more contradictions in their lives. They now had to face the tensions generated by combining increased labor-force participation with their daily house-hold responsibilities and the reality of oppressive gender relations in the public and private realms. Yet, the crisis also allowed possibilities for change. It contributed to the raising of women's individual and collective gender consciousness and to increasing their desire to organize in order to confront oppressive gender relations ... Under conditions of war and crisis, women from diverse sectors began to discuss their subordination and to make public a formulation of gender-specific issues – such as domestic violence, discrimination at work and in unions, reproductive choices – thus beginning the process of collective strategies to achieve gender equality" (Pérez-Alemán, 1992, p. 250 and 252-253).*

Trager and Osinulu (1991) suggest another theory related to the increasing number of women's groups working for economic betterment in Africa. They explain that although the 1980s brought about a rapid proliferation of women's groups, such groups have a long history in Africa, especially in the area of social development. However, as a result of structural adjustment and economic crisis, some of the older women's groups have taken on distinctly new roles and functions and become more active in economic development activities.

## **2. Unmet or Unrepresented Needs**

Women also create new organizations because existing organizations or programs do not adequately represent their needs and concerns, or because they see no possibilities for change through the existing social and political structures. For example, seldom do traditionally male-dominated organizations such as chambers of commerce and trade unions adequately address or

represent women's issues or allow women to obtain leadership positions; sometimes they are even hostile to women's participation. As a result, women have created their own independent business associations or labor organizations (Nkwe and Raile, 1992; Mungai, 1992; Bloom, 1992). In other cases, women have formed new organizations because government is slow or unresponsive to women's needs and issues (Heyzer, 1986).

In the Caribbean, for example, women's groups and movements emerged in the mid-1980s to fill a void created by weakening trade unions. Deere, et al. (1990) explain that structural adjustment and trade liberalization policies severely reduced state subsidies and re-oriented the economy toward production of non-traditional exports in the Caribbean states. During this period of social and economic dislocation, traditional organizations such as political parties and trade unions were unable to serve the needs of many people. Moreover, trade unions were opposed to organizing in the rapidly-growing export processing zones and the mushrooming informal sector where the majority of the workers were women. This failure to represent or meet women's needs resulted in an organizational vacuum that encouraged the creation of new organizations at the local level. These organizations included women's income generating projects, street vendor associations, and various action research and political mobilization organizations.

### 3. Responses to External Catalysts

The availability of donor support also influences the development of women's groups and other non-governmental organizations (NGOs). The literature points to the United Nations (U.N.) Decade for Women (1975 - 1985) in particular as an important catalyst in the emergence of women's organizations. This international campaign provided several opportunities for women activists world-wide to meet in public fora to discuss issues such as women's inequality and lack of access to policy-making positions, and to devise action plans to address specific issues. Many women's organizations were born or strengthened during this period of intense discussion and strong international support.

For example, the Scandinavian donors supported CIM, the Inter-American Commission of Women, during the U.N. Decade. Through training and research, CIM helped create and strengthen local advocacy groups to lobby for the creation of government offices on women as well as legal changes to ensure women's equality. In the Caribbean, the U.N. Decade inspired the formation of a number of NGOs as a result of the international call to incorporate women into development (Deere, et al, 1990). Two notable examples, WAND and MUDE,<sup>31</sup> are NGOs devoted to improving the participation of women in development through research and dissemination of information.

Private international women's organizations also act as catalysts, facilitating the establishment of new women's groups. Professional associations such as the International Federation of

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<sup>31</sup> WAND, the Women and Development Unit, is located at the University of the West Indies in Barbados, and MUDE, *Mujer y Desarrollo* is a USAID-supported organization in the Dominican Republic.

Women Lawyers (FIDA), the Medical Women's International Association, and Zonta International have created affiliates throughout the developing world, as have international NGOs such as Women's World Banking.

#### 4. Changes in the Political Climate

The literature indicates that changes in the political climate strongly influence the formation of women's groups and women's participation in organizations. Significant factors include the type of state regime, the associated type of civil society, and the readiness of women's organizations to take advantage of changes in the political climate. Private organizations have developed during periods of both state encouragement and repression of civil society, but women's groups in particular found "space" in the 1980s -- a period in which governments and political parties began to reduce their control over and co-optation of women's organizations and programs. The examples presented below illustrate how the relationship between political space and formation of women's organizations is played out in different ways in various country contexts.

In Latin America, a significant factor in the emergence of women's groups in the 1980s was the "political space" authoritarian governments afforded women. Military governments exerted tight control over the activities of traditional organizations such as trade unions and political parties; however, women's activities were not considered dangerous enough to warrant severe repression. As a result, women found "space" to mobilize. The movements women created often comprised the first organized and open opposition to authoritarian governments, starting a process that eventually resulted in the breakdown of old state regimes and the transition to more democratic systems<sup>32</sup> (Waylen, 1994 and Alvarez, 1990).

Kusterer (1993) argues that the organizations created by women in Latin America were truly original types of civic organizations, independent of the traditional closed patronage political systems. However, he also notes that with democratization and the return of conventional party politics, some women's groups now may be crowded out of the public sphere. Alvarez (1990) and Waylen (1994) point out that gender has become politicized, with many political parties vying for women's support by placing women's issues on their political agendas. Hence, women's groups are faced with a dilemma: to continue as outside, cross-cutting pressure groups and run the risk of marginalization, or to become active members of parties, trying to influence major party agendas, and risk co-optation.

It is interesting to note that the return to democracy in nations such as Peru and Brazil has increased women's political organization and participation (Bourque, 1989). In Peru, women

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<sup>32</sup> Three new types of women's organizations emerged during the 1980s to make demands on the state. One movement was the Mothers of Plaza de Mayo in Argentina and similar groups in Chile and Brazil that made human rights demands on the military regimes. A second type was the urban-based movements that focussed on consumption issues rising out of the economic crisis, such as the communal soup kitchen groups in Chile and Peru and the day-care movement in Brazil. A third type was composed of middle class women who made demands concerning gender inequality and women's subordination (Waylen, 1994 and Alvarez, 1990).

have created many independent, non-partisan organizations. These organizations range from women's grassroots organizations influencing patterns of urbanization and migration to feminist lawyers helping to rewrite the civil code to rid it of discrimination.

The opening of political space in Central and Eastern Europe has had a markedly different impact on the creation of women's groups. During the Communist era, there was virtually no opportunity for women to develop independent organizations. The Communist Party sponsored and controlled the women's organizations that did exist, and often made participation in them compulsory. Even by 1991, a little over a year after political liberalization, a study for USAID reported that only a small percentage of businesswomen in Poland belonged to associations, and most were members of existing, male-dominated associations (Coopers & Lybrand, 1991b). But by 1993, Polish women had begun to realize the benefits of organizing and were starting to form gender-based associations and networks (Weidemann and Finnegan, 1994). Although

women initially organized around the abortion debate, today a diversity of women's groups exists in Poland. However, the role of women's groups in Polish society has yet to be determined, for two reasons: (i) the growing number of political parties seems to be limiting the influence of other private groups, and (ii) many women are still hesitant to join women-only groups because such groups are identified with the women's organizations imposed by the Communist Party and because of the perception that gender inequalities simply are not a major issue.

Lastly, Africa presents yet another example of how changes in the political climate affect the development of women's organizations. During the severe economic crisis in sub-Saharan Africa in the 1980s, financially strapped governments began to loosen restrictions on non-government organizations because they were forced to seek and encourage other sources to meet the need for social services such as health and education. This provided an "opening" for the emergence of independent women's organizations (Tripp, 1994 a and b). In Tanzania, for example, several women's professional associations were formed (e.g., Media Women, Medical Women, Women Lawyers, and Women Artists), as well as a number of informal organizations.

#### **WOMEN'S GROUPS IN INDONESIA**

*In Indonesia, the government maintains significant control over private organizations, potentially restricting the formation of independent women's groups. One of the largest women's group in Indonesia is Dharma Wanita, a government-sponsored organization which promotes social welfare activities that all wives of civil servants must belong to. Of the women's professional associations, about one-third are actually wives' auxiliaries of men's professional groups (Wright and Crockett-Tellei, 1994). While other women's groups do exist, compulsory participation in the government-sponsored organizations consumes the organizational energy of many women and may essentially preempt the formation of independent women's groups. Also important is the Ormas Law which controls most NGOs by requiring: government registration; affiliation with a government-approved umbrella organization; official permission for foreign aid of any kind; and state supervision. Moreover, control may be strongest at the lower administrative levels where NGOs are "often viewed as disruptors of the status quo and as a potential threat to the authority and decision-making powers of the local officials" (Berninghausen and Kerstan, 1992, p. 199). The development of associations is further restricted by the requirement that groups must receive government approval for any gathering of more than five people.*

By 1992, there were so many groups that the Tanzania Gender Networking Programme was created to coordinate strategies around legal reform, policy change and public education.

### **C. WOMEN'S PARTICIPATION IN ORGANIZATIONS**

Women have created and participate in a variety of formal and informal organizations to promote mutual support and empowerment, voice their concerns, obtain training, and exchange information and ideas. Governments have also created institutions, most importantly women's ministries, to work toward improving the status of women. The literature discusses a wide range of women's groups, from formal associations of business and professional women who are active in lobbying and advocacy work, to self-help groups of poor women who pool resources for income-generating activities. Although many women's groups are committed to specific causes, it is common to find women's groups with multiple purposes that often shift their emphasis with government, donor, and other political and economic priorities.

The following sections describe several types of organizations that represent women: professional associations, trade unions, alternative labor organizations, non-governmental organizations, government bodies, and political parties.

#### **1. Professional Associations**

This is probably the youngest group of women's organizations in the developing world; thus little literature on their existence and effectiveness exists. It is, perhaps, even too soon to assess their impacts. However, the literature indicates that in some regions, women are creating such organizations rapidly.

##### **a. Women's Business Associations**

Businesswomen organize to expand their contacts and business possibilities ("network") (Nkwe and Raile, 1992), to access training opportunities and other resources, and to address gender-specific legal and policy constraints to business development that other organizations, such as chambers of commerce, typically will not. The box on the following page illustrates one example from Sri Lanka.

African women's business associations have only been created in the last five years, but one now exists in almost every country in Southern and East Africa (Nkwe and Raile, 1992). In fact, in 1993, the Preferential Trade Area Secretariat organized a new network, the Federation of Women in Business in Eastern and Southern Africa (FEMCOM), to formally link the national groups. This group plans to establish a revolving fund and strengthen existing national women in business associations through networking.

In Poland, 20% of the women's organizations listed with the Warsaw Center for the Advancement of Women are business or employment related. These groups provide retraining,

business training, assistance with resume preparation and job searches, and courses in "positive thinking." While providing important services, they have not been very coordinated in advocacy or political representation of women's business and employment issues (Weidemann and Finnegan, 1994).

In Nepal, there are two important businesswomen's associations, the Women Entrepreneurs Association of Nepal and the Professional and Business Women's Association. The latter in particular has provided some important services to the community, branching out from its original purpose of providing a networking forum for professional women. Some of its activities include the establishment of day care centers in industrial estates, which have demonstrated to industrialists a way of reducing the high turn-over in their female workforce; a literacy program in the day care centers; a scholarship fund for young girls; and the operation of a job placement service for women (Magil, et al., 1992).

Women-only business groups and networks may be effective in serving members' needs as business "women" and providing women with leadership opportunities; however, they are often criticized for not addressing "business" issues. This is due in part to the fact that, in some countries, women's business associations may be isolated from important business and commercial markets and networks (Nkwe and Raile, 1992; Mungai, 1992). At a conference of African businesswomen, some participants explained that neither chambers of commerce nor associations of businesswomen served their needs: chambers overlooked the gender-specific constraints to business, while the women-only groups concentrated too much on the gender aspects. They sought a forum that would provide them with both access to business opportunities and market information, as well as a group that would address their needs as women entrepreneurs. Furthermore, it is not evident from the literature whether women's business associations address employee issues such as workplace conditions, wages, and sectoral training.

#### **WOMEN'S CHAMBER OF INDUSTRY AND COMMERCE (WCIC) IN SRI LANKA**

*WCIC was formed by 100 businesswomen who had been part of the Sri Lankan Chambers of Commerce, but "were tired of sitting in the back row at meetings." Believing that they would never have a real voice or be able to take a lead in this male-dominated organization, the women formed their own organization which now provides important business services to its Colombo-based members. To extend its impact outside of the capital city, WCIC sponsored its first Agromart Trade Fair in 1985. The response from rural women producers who came to learn more about marketing their products was overwhelming, and WCIC demonstrated that it was addressing a real need of Sri Lankan women. By 1992, the fair had attracted up to 200,000 people. In 1988, WCIC decided to create a separate organization, the Agromart Outreach Foundation, which was granted NGO status in 1989. This NGO has received several donor grants to implement an enterprise development program targeted at Sri Lankan women.*

*This case supports the argument that at an early stage of women's participation in economic development activities, it is important that women have a separate forum to develop their ideas, leadership and management skills, and confidence before they work with and compete with men in a joint organizational framework (Bloom, 1992).*

b. Chambers of Commerce

Although chambers of commerce are an important source of contacts and market information for most businesspeople, in general, they have not been a strong source of institutional support for women in the developing world. Women generally view them as "old-boy" networks (Lewis and Russell, 1989; Raile and Nkwe, 1992). An alternative to creating a separate women's business organization is to establish a "women's wing" within an existing organization, as is the case in Botswana, where businesswomen have formed their own arm of the national chamber. However, a consultant team assessing the progress of the Botswana women's group reported that the women spent so much time establishing their group within the organization (that is, lobbying to be represented on the executive council) that they may have been side-tracked from business issues (Nkwe and Raile, 1992).

In Islamic countries, since women are perceived as having little or no economic power, most business and professional organizations ignore women. This impedes the flow of information to women, who are, in reality, an important part of the business community. In an attempt to improve the situation, the Jeddah Chamber of Commerce in Saudi Arabia has made special efforts to make information available to women entrepreneurs by reserving the library for women one day a week and holding special meetings for them (Mehra, 1992).

c. University and Action  
Research Institutes

The literature also discusses the importance of university affiliated groups and research institutes as a type of organization that supports and represents women's interests. Throughout the developing world, but particularly in Latin America and Africa, research institutes have been created to provide research, analytical, and advocacy support to women's groups and initiatives. Such institutes are often connected to universities and focus on data collection and dissemination of information on women. They also serve as capacity-building centers for women's movements as they bring researchers and activists together and train more people in gender analysis and gender aware research. In Uganda, the British Council supports links between the Institute of Development Studies and Makerere

**RESEARCH INSTITUTES IN THE CARIBBEAN**

*Deere, et al. (1990) give credit to Development Alternatives with Women for a New Era (DAWN), an international research and networking organization, for starting a new women's initiative in the Caribbean and other areas. DAWN is a group of Third World women who first met in preparation for the Nairobi U.N. meetings in 1985. Their objective was to set an agenda for analyzing the impact of global issues such as debt, food insecurity, religious fundamentalism, and environmental degradation, on women. In turn, DAWN spurred alliances between a number of women's organizations, political parties, unions, and research institutes. Several of these groups support action research on issues such as working conditions in export-processing zones, translate the research into policy demands, and provide support to grassroots groups. For example, the Caribbean Association for Feminist Research and Action (CAFRA) has conducted extensive research on the conditions of women in free trade zones (FTZs) and called for government implementation of a policy that would force factories to guarantee certain health and safety conditions in FTZs (Deere, et al., 1990).*

University's Department of Women Studies to increase the capacity of the Department's staff to utilize gender-based research techniques (MSI, 1992).

Generally, the literature does not describe any women's groups that specifically address the impact of economic policies on women. However, Mulhern and Mauzé's "Institutions Working in Gender Issues in Latin America and the Caribbean" does list several organizations in Latin America that have been involved in research on the effects of structural adjustment and economic crisis on women. For example, the *Facultad Latinoamericana de Ciencias Sociales* in Costa Rica coordinated a comprehensive regional survey and analysis of the effects of the economic crisis on women in Latin America. A development research firm *Uno Mas Uno* is conducting an impact evaluation of the effects of economic crisis on women in Honduras.

## 2. Trade Unions

The literature concludes that throughout the developing world, trade unions have seldom been effective at mobilizing women or representing women's interests, even in areas where there are growing numbers of women workers, such as free trade zones (FTZs), also known as export-processing zones (EPZs). In some cases this has been because the majority of women have not worked in unionized sectors, or because government has suspended the right to organize in certain sectors, such as FTZs.

However, even when women are the majority of laborers and constitute a majority of trade union membership, they are rarely able to improve their working conditions through unions as they seldom participate in decision-making (Ahmad, 1984) and are rarely represented in leadership positions (Mehra, 1992; Mauro in Mulhern and Mauzé, 1992). Women's participation in trade unions is also hindered because: they are reluctant to speak out when men are present; cannot attend meetings because of domestic responsibilities; they risk losing their jobs for doing something "non-traditional;" and they may face attitudinal barriers and problems with sexual harassment within trade unions (Boyd, 1989). Boyd (1989) points out that in Uganda, for example, ten of fifteen unions within the National Organization of Trade Unions have women's wings, but women still report having limited resources for organizing effective workplace actions.

The literature on gender and trade and investment in Latin America and the Caribbean points out that sometimes union strategies can actually be detrimental to women. For example, when wages rise in response to union pressure, women may face added competition for jobs (Mulhern and Mauzé, 1992). However, group mobilization and organization is, in general, an important means of empowerment for women workers, as the case examples below illustrate.

### • Nicaragua

In Nicaragua, women agricultural and industrial workers began to increase their demands through unions in the 1980s as they began to feel the impacts of economic crisis and reform. Women in the Agricultural Workers' Union (ATC) lobbied and gained increased representation

in leadership, as well as provisions for maternity leave, laundry, and childcare services. Through the Urban Workers Union, women successfully demanded an end to pregnancy test requirements for employment and access to technical and organizational training. This increased participation in unions "proved to be very effective in raising women's gender consciousness and in moving them from individual survival strategies to 'transformational strategies' within a context of economic crisis" (Pérez-Alemán, 1992, p. 253).

- *Caribbean*

Deere et al. (1990) describe the Women in the Trade Unions Project in the Caribbean<sup>33</sup> as an important strategic intervention to develop women's consciousness as women, workers, and trade unionists and to improve their organizational, planning, and leadership skills. By the end of the project, about 4,000 women had been trained in gender issues, labor issues, and leadership skills and more women were running for trade union positions.

- *South Africa*

Seidman (1993) discusses the participation of African women in South Africa's unions and their success in influencing union agendas. Due to: (i) male out-migration patterns that resulted in the inclusion, and sometimes preference for, African women in the expanding industrial and commercial sectors, as well as an increase in the number of female-headed households, and (ii) difficult economic conditions that pushed women, particularly female heads of households, to seek paid employment, by 1980, over one third of black South African women were employed in the formal labor force. During the 1980s, their employment increased in the commercial and manufacturing sectors. With their increased participation in the labor force, African women began to push for more power in the unions. In 1985, the Congress of South African Trade Unions (COSATU) prepared a Resolution on Women, recognizing the equal right of men and women to work. However, in reality, labor leadership had little sympathy for women's problems and made no efforts to address gender segregation in the labor market and sexual harassment on the job. In fact, union leaders believed women threatened the unity of the labor movement.

Seidman attributes women's increased involvement in trade unions to their participation in new forms of women's community organizations. These groups provided women with opportunities to articulate their demands and tap outside support. This new strength resulted in a COSATU-sponsored women's conference in 1988, where participants passed resolutions on several issues including: equal pay, maternity leave, health care, day care, and an end to sexual harassment. The conference also demanded that COSATU provide a structure to organize women workers separately so that women could discuss and articulate their needs in an atmosphere less dominated by male unionists (Seidman, 1993).

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<sup>33</sup> The Women in the Trade Unions Project, which ran from 1982 to 1985 was supported by the International Labor Organization (ILO), the Scandinavian donor agencies, the Inter-American Foundation, and the Caribbean Congress of Labour.

As a result of the women's demands, COSATU hired a women's coordinator to organize Women's Forums in several unions and to conduct research on problems facing women workers. The Women's Forums helped women understand important labor issues and gain the confidence to begin speaking out in front of men. One woman organizer stated: "[t]he fact of the matter is, so long as there are not women's structures, women's issues are marginalized to the extent that they are not even put on any agenda" (Shefer, 1991, p. 55 quoted in Seidman, 1993). COSATU officers noted, however, that union leaders were more amenable to addressing women's demands because of donor concern for women's labor issues and availability of donor funding for programs geared primarily toward women.

• *Indonesia*

A detailed analysis by ILO/UNDP (1993) reports that in Indonesia, there are no large, politically strong organizations implementing activities that clearly benefit women workers. The only legal trade union in Indonesia is the All Indonesian Workers' Union (SPSI), which has approximately one million members spread over 13 sectors; women comprise almost 47 percent of its members. However, only a minority of women wage workers are active members of the SPSI because of: women's limited time for union activities, their frequent status as temporary workers, and discrimination by SPSI men. The general weakness of organized labor in Indonesia, the result of tight government control, combined with the lack of women in SPSI leadership, has resulted in poor representation for women workers (Grijns, et al., 1992).

3. Alternative Labor Organizations

The literature cites several examples where women have formed their own unions to gain better representation of their interests. Alternatively structured labor organizations that represent women workers at the grassroots level have proven effective in empowering women to act collectively to improve employment conditions, deliver services, and provide credit. In fact, the Working Women's Forum in India and the United Vendors Association in Jamaica have, by some accounts, proven more effective than traditional trade unions in getting women to bring pressure for improvement in wages, working conditions, and facilities (Joekes, 1991).

Alternative labor organizations are particularly important for women because they have helped them overcome some of the negative characteristics of informal sector employment that have risen sharply as a result of economic crisis and reform. Elson asserts that "collective organization is the vital ingredient that may move female participation in paid labor from a survival strategy to a transformation strategy" (Elson, 1992, p. 40).<sup>34</sup> In her article on organizing women in casualized work, Mitter (1994) calls for a survey of the success and failure of these grassroots labor organizations to document their viability as a model for improving the status of women workers. For instance, the importance of charismatic leadership and

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<sup>34</sup> However, in some countries, such as Chile, formation of informal organizations has not been a feasible option as companies with fewer than eight employees (a sizeable percentage of the population and women's enterprises) are prohibited from forming company unions and collective bargaining (Mulhern and Mauz6, 1992).

dependence on aid from external and internal donor agencies must be evaluated to determine if this model is replicable in other contexts. Three examples of alternative labor organizations are described below.

- *Indonesia*

Recognizing that women have little access to formal union organizations, an ILO/UNDP team identified women's pre-cooperative credit and income-generating groups (KUBs) in the informal sector as a potential mechanism for improving women's work status. They recommended that these informal community-based self-help groups "be used to train women in decision-making and management skills and particularly introduce innovative behavior patterns such as making representation to the government or negotiating with employers or middlemen" (ILO, 1994, p. 118). One survey among homeworkers in various areas indicated that most women had not learned to organize for collective bargaining with employers or contractors for improved piece rates. Hence, the ILO/UNDP team recommended exploring the potential for strengthening the bargaining skills of groups of homeworkers outside of the formal SPSI union structure. This is a model similar to that of the two organizations in India described below.

- *India*

Another type of alternative labor organization includes women's self-help organizations that are registered as independent trade unions. Two examples in India are the Working Women's Forum (WWF), which has recruited nearly 85,000 women workers, and the Self-Employed Women's Association (SEWA), which has organized 46,000 workers. Besides home-based workers, their members are vendors, petty traders and hawkers, and specialized laborers selling services such as catering or laundering.

SEWA, started in 1972, has been particularly successful in bringing the plight of casualized workers to national and international attention. SEWA's specific mechanism for empowering women worker groups is to develop producers' co-operatives, which create alternative production systems, credit facilities and better bargaining power for its economically vulnerable members. According to Mitter, the main achievements of SEWA and WWF have been "making the hidden workers of the industrial sector visible to the national and international policy-makers" and devising models for "forming powerful organisations of women workers" (Mitter, 1993, p. 33). Mitter also states that an important lesson from the experience of women's labor organizations in India is that, for such groups to be effective, a strong trade union base is necessary to monitor compliance with labor legislation.

- *Mexico*

In contrast to SEWA's success in achieving gains at the national level, the experience of the Mexican Women's Garment Workers Union, an independent union with 95% female membership, shows different results. While drawing great strength from its strong identity as

a women's union, it has had difficulty translating this strength into union-related gains such as new work contracts and improved working conditions (Carillo in Mulhern and Mauzé, 1992).

#### 4. Non-Governmental and Grassroots Organizations

Women organize in the community for self-help, both formally through non-governmental organizations (NGOs) and informally through grassroots organizations, most often in response to immediate, practical needs; rarely do their initiatives promote longer-term strategic objectives (Pérez-Alemán, 1992; Elson, 1992). Grassroots organizations and NGOs in general, and women's groups in particular, are also important for "empowerment;" even informal groups provide women with important opportunities for networking, education and confidence building.

As mentioned in Section B, the number of NGOs in the developing world has increased rapidly since the 1980s. As formal, registered organizations, indigenous NGOs serve the important role of providing a channel for donor and government funds to reach women (Carrington, 1994). For example, Heyzer (1986) explains that donor funds and other assistance have stimulated the formation of many women's NGOs in Southeast Asia. In turn, these NGOs act as agents for the implementation of official programs such as income-generating, family planning, nutrition, literacy and education projects.

Women's NGOs also comprise a strong organizational base for the political liberalization process. For example, women's NGOs in Latin America have served to "broaden, deepen, and strengthen Latin America's network of community-based organizations ... Women-oriented NGOs deepen civil society by simultaneously forging stronger connections with the lives of the members (extending civil society's influence down into the communal life of individuals) and having a greater impact on higher levels of state authority (extending civil society up into higher levels of national and international policy-making" (Kusterer, 1993, p. 189).

Many of the organizations previously discussed, for example women's business associations and some alternative labor organizations, are officially registered as NGOs. In contrast, other forms of collective action are less formal; many women's self-help groups and grassroots organizations, for example, are not officially registered. Many women's groups fit into these categories, which are discussed in more detail below.

- Non-Bank Financial Institutions

Donors have created many NGOs and use NGOs to deliver financial and business-related services to women, the poor, and small-scale entrepreneurs under the premise that NGOs know their client-base better and have more extensive outreach capacities than their formal sector counter-parts (Rhyne and Holt, 1994; Trager and Osinulu, 1991). In addition, in some cases, such as the Uganda Women's Credit and Finance Trust, NGO credit and finance institutions are active in lobbying to change prohibitive tax laws and make banking procedures more accessible to women (Tripp, 1994a). While these NGOs have in general been effective in delivering financial services, there is some question concerning their sustainability in the absence of donor

assistance and their real contribution to financial market development (Morris and Adams, 1994). For a full discussion of financial services for women, see Chapter III, Section D.

- *Grassroots and Self-Help Organizations*

A "grassroots" organization is not a group whose members are necessarily rural or poor, but an organization that is built up from local bases of activity (Kusterer, 1993). As discussed in an earlier section, economic reform and crisis often prompt women to organize. The less formal of these groups are often called "self-help" groups -- female support networks that provide services such as training, assistance in starting income-generating projects, and the opportunity to share contacts and exchange ideas (Tripp, 1994b). They can take many forms and serve a variety of purposes. For example, "community kitchens" (Kusterer, 1993) or "popular canteens" (Daines and Seddon, 1993) in Latin America are self-help groups in which members pool their resources and buy in bulk to provide one healthy meal a day to members; these groups have also become a channel for international donors to distribute emergency food. In Nicaragua, women have organized communal gardens and other neighborhood associations; by cooking a meal using one's own vegetables "you feel the inflation a little less" (Pérez-Alemán, 1992, p. 246).

Other self-help groups are organized to provide informal financial services. Called "upato" in Tanzania, "tontines" in West Africa, and "shamba" in Uganda, these informal, rotating savings and credit schemes provide informal savings and lending services to women, serving as a means to save money for reinvestment, business creation, or major purchases.

Self-help or relief-oriented groups in the West Bank/Gaza area are involved in income-generating activities. The literature argues that since these activities revolve around traditional skills such as sewing and piece-work arrangements, they may have positive short-term impacts. However, in the long term, women are not empowered in any real economic sense because they are not receiving marketable training or learning any real business practices (Oldham, 1990). Furthermore, these activities and trainings are often designed without realistic assessment of women's needs or abilities, market surveys or available resources (Rein and Winkler in Gold, 1991).

Grassroots organizations can, however, be very important for empowerment: mobilizing women to work together and take collective action can result in both community and personal improvements (Wickrama and Keith, 1994). For example, while not its primary focus, the Self-Employed Women's Association in India mobilizes women around social issues of concern to women such as health care or sanitation, when they are reluctant to organize around labor issues. This type of organization makes women more than just "recipients of social services," but participants in an ongoing dialogue with government and NGOs. Becoming a "participant" is an important part of empowerment (Chatterjee, 1993).

## 5. Government Institutions

The literature suggests that governments can also play an important role in supporting women's participation. They can: set gender-sensitive policies; enact legislation conducive to women's participation; act as a catalyst for more actively involving women in decision-making by hiring more women in financial and sectoral ministries; make the necessary changes in their processes to allow women and women's groups to participate in policy discussion and formulation; provide a forum for women to discuss their concerns with government officials; and disseminate information on the status of women's participation (Women's World Banking, 1994). Uganda is a case in point: "The relative success of the women's movement in Uganda in negotiating a space for women in the political system shows that governments can make a difference when they begin to tackle the many political constraints women face" (Tripp, 1994a, p. 5). The discussion below centers on two means through which governments have or can incorporate women and gender issues into their programs and policies: the creation of women's ministries and the appointment of women to key positions.

### a. The Role and Effectiveness of Women's Ministries

In the first part of the U.N. Decade for Women, the U.N. called upon all governments to establish a women's bureau or special wings in government departments to address women's concerns and participation in government programs. This represented a top-down government approach to promoting equity. Governments throughout the world responded to this call in a variety of ways; some bureaus or wings have worked successfully to promote women's issues and participation, while others have struggled to exist or are merely symbolic entities.

However, the literature contends that, overall, the performance of these state entities has been unsatisfactory. Several authors describe such offices as largely symbolic. Typically, they are under-funded and under-staffed, lack the status and vision to be effective, and are not fully incorporated into broader policy and decision-making processes. In Latin America and the Caribbean, the poor performance of these bodies has caused development thinkers to question the need for a separate bureaucratic entity devoted to women's issues. In Guatemala, for example, the government-created agency to coordinate women in development efforts, the *Oficina Nacional de la Mujer (ONAM)*, has been ineffective because it lacks the human and financial resources -- as well as the political clout -- to carry out its mission (Gold, 1991).<sup>35</sup>

In addition, women's ministries generally are not implementing agencies. Moreover, according to the literature, many governments are unwilling to implement the policies they propose because they believe the recommendations are too costly for poor countries, do not fit with custom, or deal with family matters in which the state has no right to interfere. Indonesia provides an example that demonstrates the difficulty of having a mandate to develop, but not implement,

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<sup>35</sup> Elizabeth Gold's report is a summary of sixteen documents prepared on women and private enterprise development. This example is from her review of Judy Rein and Caren Winkler's report titled, "A Survey of Women's Organizations and Projects and Activities in Women in Development in Guatemala," March 1990.

policy. Although the Minister's Office for the Role of Women (UPW) has responsibility for policy formulation, coordination and advocacy, it relies on sectoral departments and regional governments to implement programs it supports. It does not have an operational budget. "The lack of 'financial clout' and implementation capacity means that the UPW has to depend heavily on goodwill and the right mind-set toward gender concerns on the part of the functional departments and regional authorities" (ILO/UNDP, 1993, p. 9). Despite many hurdles, some women's ministries have been effective in promoting women's economic and political participation. This is illustrated in the case example provided below.

#### **UGANDA: INCORPORATING WOMEN'S ISSUES AT THE NATIONAL LEVEL**

*Discussing the case of Uganda, Boyd (1989) describes a successful government effort to promote women's issues at the national level. President Museveni's unwavering support for the full inclusion of women at all levels included upgrading the Women's Desk within the National Resistance Movement Secretariat to the Directorate for Women's Affairs, creating a Ministry for Women in Development in 1988, and maintaining a ministerial position for women during the 1991 cabinet restructuring (now called the Ministry of Women, Youth, Culture and Sports). Part of Boyd's optimism regarding the sustainability of these actions stems from the fact that Museveni has appointed several women who have very good credentials, strong organizational skills, and access to key government decision-makers to key posts.*

*Uganda's Ministry of Women in Development demonstrated its effectiveness during the rewriting of the Constitution. In 1991, the Ministry held a national discussion – 113 seminars in 25 districts (over two-thirds of the country) with over four thousand women – to discuss the new constitution. The Ministry then drafted a memo to the constitutional convention with their recommendations (Tripp, 1994b). The Management Committee of the Constitutional Consultation Program endorsed their report with few changes.*

*The case of Uganda shows that women's ministries can be effective if they have the right political and bureaucratic support and clout. Boyd (1989) claims that the success of Uganda's Ministry of Women in Development is due in part to its full separate status, giving clear and formal recognition to its efforts to rectify gender imbalances and consolidate resources for women, and also to the reserved seat for women in the Resistance Councils, local government bodies. This structure has facilitated the integration of women in decision-making and enhanced the mobilization of women around various policy issues.*

#### **b. Women Appointed to Key Positions**

Little of the scholarship on political leadership focuses on gender, and virtually none of the women in development literature examines women as national leaders. While it is true that some of the women who have reached high-level executive positions have challenged gender bias, their positions as prime minister or president do not signify a high level of routine representation of women in policy-making. Those few women who have reached positions of high authority have usually done so through inheritance (Joekes, 1991; Genovese and Thompson, 1992).

Access to power is determined less by behavior, perception, and attitude, and more by knowledge of the organizations that have power and how they function. Thus, exclusion of

women from top management positions in both the public and private sector hinders their knowledge of how bureaucracies and corporations operate, further perpetuating their distance from decision-making positions (Vianello and Siemienska, 1990). Other theories suggested by the literature on why women are under-represented in public office are: political socialization, situation/structural factors, active discrimination against women, and lack of time to devote to political careers (Genovese and Thompson, 1993).

A United Nations summary of statistics concerning women's participation in public life reports that in 1987-88 there were 30 countries in Asia and the Pacific where women held no ministerial-level (including deputy level) positions; 24 countries in Latin America and the Caribbean; and 31 countries in Africa (U.N., 1991). In those countries where women do hold such positions, they are primarily in areas deemed "appropriate" for women, such as education, culture, social welfare and women's affairs.

Some countries have mandated women's participation in government and politics: in India, 33% of those elected to Parliament must be women; in the Philippines, the local government code mandates the inclusion of women in village, municipal, city and regional development councils; in Taiwan, the reserved seat system since the 1970s has brought the number of women elected to levels of OECD countries; and in Zimbabwe, the government's commitment to advancing women in public service included a stipulation that women should hold 30% of civil service management positions (Joeke, 1991; Bloom, 1993; Muller, 1994). However, a UNESCO report on Indonesia stated that many positions occupied by women in public life are dead end and "hollow positions" for qualified women.

The literature does not fully address the extent to which women in key positions have actually promoted women's economic participation or influenced economic policies that affect women. Joeke (1991) notes that women in elected or appointed positions do not necessarily represent women's interests. In her recent article on women in politics in Asia, Moore (1994) explains that, "[t]hroughout the region, the presence of women in the highest elective offices has not trickled down to the middle and lower levels of government, and female prime ministers have not had any measurable impact on the low education and literacy rates, poor health and economic status of women" (Moore, 1994, p. A34).

The literature also does not provide a thorough assessment of the effectiveness of quotas in achieving greater representation of women's interests at the national level. Thus, caution and additional research is required to determine whether larger numbers of women in appointed and elected positions indicate that women's interests are being represented. Following are three examples of the role of government in appointing women to key national positions.

• Costa Rica

According to Saint-Germain (1993) and Franzqay, et al. (1989), Costa Rica's emphasis on education has produced a new generation of "femocrats," politically aware and capable women who control many state bureaus. Because of their experience, these women in high level posts

can move easily to public office. The Arias government elected in 1986 began a real "feminist offensive" including naming women to high level positions and putting women's issues on the national agenda. This is one of the most progressive examples of top-down appointments and changes discussed in the literature.

- *Malawi*

Hirschmann (1992) presents a more negative assessment of women and political participation based on his research in Malawi and his review of the literature. In Malawi, outside of a key woman who has a close relationship to President Banda, very few women hold policy-making positions. Those that do are mainly in traditional "women's" areas of home economics, adult literacy, social welfare, health and education. Even the women in the Inter-Ministerial Committee on Women's Affairs have limited impact because they are always outnumbered and outranked -- few women hold positions in key policy-making agencies. In 1981, President Banda announced his dissatisfaction about the low number of women in parliament and proceeded to appoint another 24, resulting in 32 women out of 96 members. Nevertheless, because the parliament in Malawi is a peripheral institution, these appointments had little real effect on women's participation in policy-making.

- *Uganda*

Uganda is a more positive example of a top-down effort to bring women into important government positions. Through direct pressure from women's groups and President Museveni's recognition of the important economic and social roles of women, four women have been placed in Ministerial positions. In fact, Museveni appointed a woman to the key post of Minister of Agriculture, an office that received 16% of the national budget in 1989. He felt the designation of a woman to that position was very important as agriculture is a sector where women in particular are affected by policy -- women account for 80% of food producers and 60% of agricultural labor (Boyd, 1989).

- *Egypt*

Despite Nasser's policy of "state feminism" and some efforts to support women's issues under Sadat and Mubarak, Hatem (1992) emphasizes that only a few women hold policy-making positions. In 1979, Sadat had signed a presidential decree that gave Egyptian women 30 seats in the People's Assembly and 20% of the seats in the local People's Councils. However, with increasing criticism of state authoritarianism by all opposition parties, the Mubarak regime began a process of political liberalization. In 1987, the more independent judiciary struck down the 1979 decree on the grounds that it gave preferential treatment to women. As a result of this turnabout in legislation, the number of women in the People's Assembly dropped from 33 to 18 of the total 448 seats; the number of women fell to 10 in 1990.

## 6. Political Parties

Until recently, women's participation in politics has been severely constrained by single-party systems. These systems generally relied on cronyism and "old-boy" networks, which in turn generally exclude women (Foster, 1993). The growing strength of women's associations has opened a new channel for women to exert influence in political matters outside of the formal political sphere. Annie Foster, consultant to USAID's Office of Women in Development, explains that as a result of the negative effects of structural adjustment in Africa, government actions "have become of increased concern for women, prompting them to become more involved in national politics" (Foster, 1993, p. 113). The literature reviews a variety of ways women participate in and are represented by political parties. Examples from Africa and Latin America follow.

### a. Africa

In Africa, women's participation in political parties has been constrained by many factors such as their lack of education and time constraints, cultural and religious restrictions on women's public activities (particularly in Muslim areas), and objections from male public officials and politicians (Tripp, 1994a). Tripp (1994) quotes a leading Sudanese activist, Dr. Fatima Babiker Mahmoud, who states that African political parties have "failed to democratize their internal structures to involve women;" and the continuing patriarchal structure does not allow the recruitment of women to high party offices. Hirschmann (1991) notes that, in Malawi, despite a campaign by the Malawi Congress Party to encourage the election of women at the urban and district council level, very little headway had been made. Women appointed to the councils said they had limited impact because of prejudice and lack of experience.

Recently, women have developed a more independent and gender-based advocacy approach (Tripp, 1994). Women's movements in Sudan, Tanzania, Kenya, Zambia and Niger have criticized new political parties for not incorporating women's demands into their agendas and for not bringing more women into leadership positions. In the Muslim country of Niger, several thousand women unexpectedly protested the exclusion of women from the preparatory committee for the 1991 national conference. Tripp (1994) concludes that some women's movements in Africa have indeed begun to see gaining access to political power as their top priority.

### **WOMEN IN POLITICS IN BRAZIL**

*"During the 1980s, women in Brazil succeeded in translating gender concerns into an impressive number of policy changes.*

*As early as 1982, when the Brazilian Democratic Movement Party won a number of gubernatorial elections, the party's female membership pressured the new government of Sao Paulo to create an official State Council for Women's Issues to 'open a space for women' in the new administration.*

*The Sao Paulo council was followed with the creation of 10 additional state councils as well as 35 municipal agencies to promote women's rights. Special women's police stations were established throughout the country and today number 152. In 1985, the National Council for Women's Rights was created. Its work in organizing the women's lobby in the 1986-88 constituent assembly led to a number of gains for women in the country's new constitution" (Inter-American Development Bank, 1994, p. 7). They include: equal rights for men and women, equal rights for husbands and wives within marriage, property rights for women in agrarian reform, a ban on sex discrimination in employment and work relations, and labor rights for domestic workers.*

b. Latin America

Costa Rica and Nicaragua serve as interesting models for increasing the proportion of women in national legislatures (Saint-Germain, 1993). During the U.N. Decade for Women, the Inter-American Commission on Women (CIM) developed an ambitious action plan to increase the number of women parliamentarians proportional to the female population in the CIM states. CIM worked with women's groups to lobby the governments and parties to achieve the following reforms: (i) prohibition of discrimination against women in party structures and lists of nominations; (ii) incentives for parties to fully incorporate women into party decision-making structures through affirmative action; (iii) wide diffusion of information on women's rights and political opportunities; (iv) training programs to prepare women for holding public office; and (v) encouragement of political activity among younger women. The box on the previous page points to the success of women in Brazil in achieving a voice through a political party.

**D. FACTORS AFFECTING WOMEN'S INFLUENCE ON POLICY**

Women's groups throughout the world have encountered varying degrees of success in influencing national policy. This section describes some of the factors that affect the ability of women to influence national policy, as well as some examples where women have enjoyed success. The factors discussed in this section include: access to political, government, and donor officials; credentials gained from participation in national armed struggles; competing national priorities; strengths and weaknesses of women's organizations; coordination amongst women's groups; and tools and strategies for change.

1. Access to Political, Government and Donor Officials

Access to key government officials and representation on national committees (private and public) are important for leveraging policy, as is support from international organizations and donor agencies. Groups like SEWA and WWF, for example, have been effective at the national and international levels because they are often represented at donor meetings and on international NGO boards. Several service organizations in Latin America and the Caribbean have boards of directors that are well regarded in the community, bringing credibility to the organization, and thus well-positioning them to lobby and influence policy (Yudelman, 1987). In essence, an organization's political clout can be the determining factor in its effectiveness at the policy level. The importance of political clout is illustrated in part by examples of government refusal to implement the policy recommendations of women's groups and women's ministries (Deere, et al., 1990; Yudelman, 1987).

From various examples discussed in this literature review, it is evident that there are certain "windows of opportunity" for women advocates to work with government bodies, political parties, trade unions, and donors to improve women's legal, political, and economic positions. These windows occur when key decision-makers invite women to join in policy dialogue and when they respond to gender-specific appeals and arguments. This openness may be due to the work of

women's groups convincing government leaders of the fairness or necessity of reforms; that is, women's advocacy organizations can "build" these windows of opportunity through skillful and effective dialogue with government and union leaders about needed policy changes. On the other hand, governments may see it as politically expeditious to push certain reforms or include women in policy discussions.

An example of a political leader's attention to women's issues is the open and positive dialogue between women's organizations and President Arias's administration in Costa Rica which resulted in significant reforms for women through legislation and political appointments (Saint-Germain, 1993). Women can also create their own windows by "latching on" to other social movements. For example, in Latin America, the crusade against human rights abuses opened a door for the participation of women's groups in advocacy, activism and policy dialogue. Consequently, the human rights movement in Latin America has brought women into the political process and expanded the boundaries in which it is "appropriate" for women to participate (Bourque, 1989).

Furthermore, the U.N. Decade for Women campaign framework also enhanced joint lobbying efforts by international organizations, donor agencies, and local women's advocacy groups to bring pressure on governments to respond to demands for legal and policy reform. For instance, in the 1980s, aid to Central American countries increased from countries with higher proportions of women in politics, such as Denmark and other Scandinavian countries (Seidman, 1993). As this aid increased, so did its impact on policies promoting equality for women. The donors supported training, action research projects on gender consciousness, and the use of legislation to achieve equality. During this period women in Costa Rica and Nicaragua increased their presence in the labor force, politics, government positions, and the military (Seidman, 1993).

## 2. Credentials from Participation in National Armed Struggles

Through participation in armed struggles and liberation movements, women have gained experience and legitimacy as important participants in the public domain. Women's demonstration of their equal capacity and commitment has "earned" them appointments to key positions in new power structures, and enabled them to provide significant input into policy agendas. The process of including women in policy-making positions in the Sandinista administration and in the FSLN party in Nicaragua demonstrates the importance of such credentials (Saint-Germain, 1993).

In Uganda and Zimbabwe, women gained new roles as a result of their participation in national liberation struggles, ultimately changing the position of women in these societies. In Zimbabwe, the common spirit and emergent roles of women and men as liberation leaders helped shape the new state's egalitarian policies and programs (Muller, 1994). The three women ministers in the Zimbabwean government today all played important roles in the liberation struggle. In Uganda, pressure from women's groups that gained legitimacy after the armed struggle of the 1980s has caused the Museveni government to adopt a more pro-active policy to promote women in political leadership, including appointing a woman as Minister of Agriculture, and guaranteeing

a seat for women in each Resistance Council. At least in the case of Uganda, it does appear that women have gained a permanent place in politics.

However, for various reasons, influence gained as a result of participation in national liberation struggles may provide only a narrow window of influence that is soon closed by post-independence governments; women must therefore be organized and poised to take advantage of such windows and work to keep them open. In many post-colonial situations, women who became members of new governments as a result of a liberation struggle are treated as the exception rather than a precedent (Adler and Izraeli, 1994). Southeast Asia represents an example where women's participation in national struggles has not led to long-term political participation. While working class women in Southeast Asia have played important roles in labor movements, strikes, and independent struggles, "women's public participation is in almost all cases short-term and sporadic rather than one in which the long-term becomes institutionalized so as to sustain women's participation in the shaping of new alternatives and social formations" (Heyzer, 1986, p. 131).

### 3. Competing National Priorities

Although there are apparent windows of opportunity for women to increase their participation in political and economic systems, these may be closed by competing agendas or "overriding" concerns in a society such as national development priorities and religious fundamentalism.

Over-riding national concerns such as maintaining national unity or reinforcing traditional family or household relations often form the basis for new governments to renege on promises to improve the status of women. For example in Mozambique, the post-independence government backed away from gender-based reforms stating, "[w]omen's concerns have been taken off the immediate agenda, and replaced by the concerns of the nation as a whole." FRELIMO, the ruling party, further stated, "[w]hile class struggle is called for as a constructive force, women's struggle is seen as divisive" (Urdang quoted in Seidman, 1993, p. 218). Nationalist leaders often face a dilemma: even if they want to challenge the subordination of women in their society, they have to keep a popular base of support which means meeting demands primarily articulated by men with little interest in the women's agenda (Stacey, 1983).

In other cases the conflict between general national interest and specific women's priorities is more subtle, with a country's attention and resources devoted to other matters of national importance or emergency, such as AIDS in Africa, recovery from a natural disaster, ethnic conflict, economic reform or development of political parties. In many developing countries, the emphasis on attracting international investment to create jobs currently outweighs the issues of protecting workers' rights in the labor force, particularly those of women.

Another example of a strong competing agenda is the revival of Islamic conservatism in several countries such as Egypt, and Islamic fundamentalists' efforts to reverse the progressive definition that state feminism gave to women's status (Hatem, 1992, and Murphy, 1993). The Islamic fundamentalists emphasize the return to traditional female roles, as defined by their interpretation

of *Shari'a* religious law, with greater separation of women to the domestic sphere and reduction of their economic and political participation in the public sphere. Because of the political strength of the Islamic parties, the current position of Egyptian women is extremely precarious. In Bangladesh, fundamentalists have strongly criticized and harassed some NGOs for undermining Islamic law and local tradition by bringing women into public economic and political domains (Moore and Anderson, 1994).

#### 4. Strengths and Weaknesses of Women's Organizations

Some women's organizations have not been influential at the policy level due to factors related to leadership and management practices. Strong leadership is important for women's groups to be successful; the most effective organizations are those that have leaders with vision, charisma, and political clout. However, some organizations have become too dependent on strong leaders, and have lost strength when their leaders resign and adequate succession procedures are not in place (Yudelman, 1987). Moreover, internal conflicts that can stunt the growth and effectiveness of women's organizations arise when leaders fail to share power.

Good management practices are also important to the success of any organization. In particular, women's groups are often accused of lacking clear goals and taking on more objectives than they can realistically handle. As a result, the literature notes that in some regions, women's groups are subject to unrealistically high expectations to solve, single-handedly, a multitude of problems in a short amount of time (Trager and Osinulu, 1991). While the multi-purpose nature of many women's groups enables them to tackle many issues at once, it often inhibits their ability to focus and successfully implement activities. Moreover, women's groups started during the U.N. Decade for Women had very broad, international agendas; now they are trying to narrow their priorities and serve more limited interests by focussing on national or local issues.

#### 5. Coordination Amongst Women's Groups

Strong and effective umbrella organizations or coordinating bodies are needed for women's groups to share ideas and information, reduce duplication of projects, minimize competition between groups, prevent isolation of women's groups from political and economic activities, and combine forces for a strong foundation (Ahmad, 1984; Mungai, 1992). Lack of and competition for resources are problems for women's groups, supporting the need for enhanced coordination amongst women's organizations. The rapid proliferation of women's groups coupled with current donor strategies that advocate "participatory development" and working with NGOs have created fierce competition for resources (Heyzer, 1986; Oldham, 1990; Trager and Osinulu, 1991). Also, internal (i.e., government and local private sector) sources of funding are severely limited.

## 6. Tools and Strategies for Change

The strategies that women's groups employ are another factor affecting their ability to influence policy. The following sections discuss women's use of various organizing strategies, as well as the advantages and disadvantages of gender-specific and integrated organizations.

### a. Organizing Strategies

The literature describes several tools and strategies that women's organizations employ to mobilize public support and organize members, such as "struggle" and "development" strategies, popular protests and strikes, and lobbying and advocacy.

**Difference between "Struggle" and "Development" Strategies:** According to the literature, "struggle" is an emotional basis for building a movement and paving the way for change, enabling leaders to mobilize large numbers of members. However, this approach alone is rarely effective as the target group has little bargaining power and faces severe economic pressures. Struggle efforts tend to fluctuate with the emergence of issues and are usually not long-term initiatives. In contrast, "development" efforts impart practical knowledge and create an organizational base for longer-term effectiveness, but rarely do they reach the large numbers of people that "struggles" do. The joint approach employs principles of each: struggle, or advocacy and unionizing through trade unions, and development, or creating alternative economic organizations, through co-operatives. This approach is particularly important for casual workers, in that it provides both social and economic benefits (Chatterjee, 1993; Mitter, 1994). India's Self-Employed Women's Association (SEWA) is an example of a women's group that employs an approach that combines both the "struggle" and "development" strategies of organizing.

**Popular Protests and Strikes:** Protest is a common form of women's participation in reform efforts; however, references to women's participation, even in popular protests where women were active participants (such as bread riots) are rare, and analysis of their role in such activities is even more rare (Daines and Seddon, 1993). The literature does cite several examples where women's groups have successfully used protest to reach decision-makers. In Thailand, street traders successfully protested a government attempt to relocate their stalls (Heyzer, 1986), and in a separate effort, 800 textile workers, mostly women, came out on strike for twenty days against poor working conditions, won their demands, and created their own trade union. In India, women took to the streets to protest high rates of alcoholism amongst their husbands (Moore and Anderson, 1994). Women also use petitions and marches to express their concerns and bring about change (Working Women's Forum, 1992; Yudelman, 1987).

**Advocacy, Lobbying, and Creation of Alternative Resource Institutions:** While many women's groups are actively engaged in lobbying and advocacy activities, many operate with little or no interaction with the government (Tripp, 1994a and 1994b). In fact, few actual "lobbying" groups exist; most use lobbying as one strategy. In addition, as previously discussed, the U.N.

Decade for Women inspired the creation of many women's resource and research institutions that, with international support, became influential regional and national voices.

Creating networks and pressure groups by linking women's groups with larger organizations is mentioned frequently in the literature as a strategy for mobilization, change, and improving women's tools for influence (Mungai, 1992; Women's World Banking, 1994; Trager and Osinulu, 1991). For instance, Women's Working Forum in India has set up a regional network in South Asia as well as a global network for women to share experiences and training across borders (Women's Working Forum, 1992).

b. Women-only and Integrated Organizations

Few would dispute the assertion that ultimately, the integration of women into national programs and structures is both necessary and desirable if women are to gain equal access to resources and more equitable benefits from political and economic processes. Unfortunately, women take on this challenge with unequal access to resources. In terms of short-term programming, the literature is inconclusive: equally strong arguments exist for both maintenance of separate women's groups and for integration. Yudelman (1987) recommends that women's groups form some sort of alliance with male-run organizations, but control their own funds and manage their own programs.

• Benefits of Women-Only Organizations

Some women claim they need separate organizations and projects because in traditionally male-run organizations, such as trade unions, chambers of commerce, credit unions, or agricultural associations, they: are often treated as second-class citizens; are subject to discriminatory programs, policies, or stereotypes; and are rarely given real opportunities to participate, manage, or develop leadership skills. Furthermore, the leadership of male-dominated organizations rarely subscribes to the views of women's groups, even on basic issues like women's right to own land (Yudelman, 1987). Also, due to cultural or social constraints in some societies women are more comfortable and productive working in women-only settings.

For example, in the West Bank/Gaza region, new business development support centers do not serve the needs of women entrepreneurs; they are highly male-oriented with little confidence that women's economic development programs can have any real impact. Thus, "it is not suitable to embed a program for women's entrepreneurship in existing institutions which serve both male and female clientele, as it is believed that this would mean male dominance of women's interests and inhibit the development of female leadership" (Oldham, 1990, p. 10). However, associations that only support women entrepreneurs in the region are not very effective because they are isolated from the commercial and industrial sectors of society and have little linkage with the business support institutions that are forming (Oldham, 1990).

- **Arguments for Integration**

A simple argument for integration is that separation is divisive; it divides technical and financial resources, as well as solidarity. The worker's movement argues for integration, maintaining that while some level of independent organization is vital for true achievement of women's demands, women's special interests need to be addressed within the framework of joint organization in order not to divide workers' solidarity (Ahmad, 1984). While sometimes separation provides the opportunity for mustering strength, in other cases, especially with government women's ministries, it pushes women's causes and programs into a corner that is more easily ignored.

Moreover, some women want to disassociate themselves with "women in development" (WID) programs altogether because they believe that WID implies social welfare programs, informal sector and household level activity, and that because of this perception, many governments and donors fail to fully incorporate women into productive and sustainable employment, education, and private sector development programs (Mungai, 1992).

While the arguments for separate women's organizations are strong, women's groups must be careful not to become isolated from the broader economy, business community, national decision-making bodies, or potential sources of funding and support. Women should be included in political and economic activities and processes, not isolated from them. For example, when related to another organization like a chamber of commerce or trade union, women's groups are often seen as "appendages," removed from mainstream policy and decision-making (Mungai, 1992). Not wanting to be isolated from the general business community, women entrepreneurs in Mali requested that training sessions be with men (Lewis and Russell, 1989). Furthermore, framing issues in a "gender-neutral" way can be more effective in achieving progress at the national policy level (Bourque, 1989).

#### **E. INTERVENTIONS SUGGESTED BY THE LITERATURE**

Donors and governments can promote the participation of women in economic decision-making and contribute to the improvement of women's economic status by assisting organizations that support women's economic empowerment. They can do so in three ways: through direct support, such as training or technical assistance to groups that support women's economic empowerment; by supporting linkages between women's groups, both regionally and internationally; and through additional research and dissemination. A discussion of the literature's recommendations follows.

- **Providing Direct Support**

Donors can promote women's economic empowerment by providing direct support to women's associations. Support could be in the form of training (e.g., management, leadership, or lobbying and advocacy), technical assistance (e.g., organizational and strategy development), or

direct financial support (e.g., operating budget or preferably, targeted assistance for specific activities or programs).

- **Supporting Linkages**

Linkages with other women are very important to women's groups. Donors can facilitate and support linkages, or networks of women's groups, at the national, regional, and international levels. Through these networks, women's groups can strengthen their advocacy base, share ideas and strategies, and reduce competition for resources and duplication of activities. Donors can also facilitate exchanges between women and organizations, again at the regional or international level, for activities such as training or internships.

- **Research and Dissemination**

Donors can also assist women's organizations with research and dissemination of research findings. For example, assistance is needed in translating research on women's issues into documents that policy-makers can easily understand and use. Donors can also work to strengthen national statistical offices to help them produce reliable and timely data for policy-making on women's issues.

**CHAPTER V**  
**TARGET AREAS AND TOPICS FOR**  
**FURTHER EXPLORATION**

113a

## **CHAPTER V**

### **TARGET AREAS AND TOPICS FOR FURTHER EXPLORATION**

The purpose of this literature review is three-fold: (i) to increase USAID's knowledge regarding the interplay between gender, economics, and political reform; (ii) to identify broad areas within which interventions may be developed during the concept paper and project design stages; and (iii) to identify unanswered or partially answered questions to be explored. All of these objectives will continue to be pursued during preparation of the concept paper and field work.

With respect to the first purpose, as the preceding chapters indicate, the literature reveals that the topics of economic policy, legal and regulatory issues, business development, and institutional support and representation are complex, inter-related, and contextual (that is, significantly affected by country conditions, leaders and other actors). The report's executive summary outlines the key issues of the review, but because of its brevity, does not capture the richness of the cases and analyses presented.

This chapter addresses the latter two purposes of the review: to identify broad categories that "stand out" in the literature as critical to women's participation in the economy and therefore may be target areas for POWER; and to highlight key questions that require further examination in the POWER field work. It should be noted that the broad areas identified below and the additional questions described are reflections of the literature, not necessarily reflections of all of the areas or questions that the team believes may ultimately be pursued by the POWER project.

#### **A. TARGET AREAS**

The following sections describe in broad terms the areas that may be targeted for POWER activities. According to the literature, these areas are critically linked to women's participation in and benefit from economic policies and political reform. Specific activities in these areas are not described, mainly because the concept paper, rather than this literature review, is intended to outline specific interventions, and also because the literature did not always provide detailed information regarding potential interventions.

## **1. Improving the Quality of Women's Work**

As indicated in Chapter I of the literature review, women participate actively in the workforce of developing countries and countries in transition. However, their opportunities for "quality"<sup>36</sup> employment or participation are often limited. As described throughout the literature, women are typically concentrated in certain jobs or enterprises within sectors, particularly those with lower pay, lower growth opportunities, and low job security. Accordingly, a central consideration is how to improve the quality of women's employment in some of the sectors where women already work.

The literature identified five areas where women comprise large proportions or numbers of the workforce: the services sector, export-oriented industries, agriculture, the informal sector, and the civil service. By targeting these sectors, large numbers of women would be reached. However, as emphasized in the literature, these areas hold varying degrees of promise for women.

The literature gathered and analyzed for this review did not focus on the last two areas, the informal sector and the civil service, because these sectors were not identified in the "Five-In, Five-out Exercise" as central areas for POWER. Accordingly, opportunities for improving the quality of women's participation in these sectors were not developed fully in this review. However, women in both sectors could potentially be incorporated into efforts to diversify women's occupations and to develop leadership capacity, both of which are described in the following sections.

The remaining three areas -- the services sector, export-oriented industries, and agriculture -- represent areas prominently identified in the literature that might be considered for project activities. While the characteristics of these sectors, along with the participation of women within them, vary, the literature cites a number of positive aspects that may serve as a foundation for activities to improve women's work in those areas. For instance, the service sector (though often low wage) is a growing sector around the world. Because women are already found in the sector, opportunities may exist for both bolstering women's current position and alleviating negative characteristics of employment. Likewise, the literature reveals that export-oriented industries entail both positive and negative repercussions for women; therefore, activities in this area could endeavor to promote the positive and mitigate the negative in order to improve the overall economic participation of women and to improve the overall efficiency of the sector.

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<sup>36</sup> What "quality" employment means is open to interpretation. The term "quality" here means the potential for growth and advancement, for wages above subsistence level (at a minimum), benefits befitting the circumstances of employment, safe working conditions, and some degree of job security.

## **2. Diversifying Women's Occupations**

The literature identifies three ways in which women's economic participation is narrowly concentrated: (i) the sectors in which they are employed as workers; (ii) the jobs that they hold within these sectors; and (iii) the sectors in which they run their businesses. As indicated above and in Chapter I, women generally are concentrated in the informal sector, civil service, agriculture, export-oriented industries and the services sector. Furthermore, within these sectors, women are also concentrated at the subsector level. For example, within the industrial sector, women are found primarily in electronics, semiconductors, toys and sporting goods, textiles, etc. Examining and addressing demand-side factors (such as the perception that women are more costly due to childcare responsibilities and absenteeism) that contribute to this concentration may assist in efforts to diversify women's participation among sectors and subsectors. In terms of agriculture, for instance, activities might promote women's involvement in agricultural processing enterprises.

Cutting across the sectoral divisions that characterize female work, the literature reveals that women generally are also concentrated in certain types of positions. These positions, as described in the literature, are typically lower level, lower skill, and less influential. Women's range of occupational choice could be expanded and diversified through many means. If women's skill levels were improved, they could enter more technical (and often more highly paid) positions; if women's management skills were bolstered, they might advance to managerial or supervisory positions. Equally importantly, achievement of managerial and supervisory positions may increase women's voice at the company policy-making level.

Moreover, as suggested in the literature, opportunity exists for encouraging women as entrepreneurs and for encouraging women business owners' entry into nontraditional business sectors. As indicated in Chapter III, increasing women entrepreneurs' technical and management skill levels and their access to credit may encourage entrepreneurship and strengthen women-owned small businesses. A majority of women's businesses, whether formal or informal, are in petty trade, commerce, services and certain branches of manufacturing. Efforts could be made to expand the realm of sectors or subsectors that women enter as businesspeople. In addition, such efforts might open the possibility of moving some women microentrepreneurs into more promising areas.

## **3. Developing Women's Leadership Positions and Capacity**

As the literature indicates, there is a great need to ensure women's input at all levels -- whether national, regional or local -- where policy decisions are made and where programs and policies are designed and implemented. Such input is important in all fora that influence decisions and policies, whether in government legislative, executive or judicial branches or in non-governmental organizations such as chambers of commerce, professional associations, or labor organizations. Moreover, as noted in Chapter IV, it is critical that women participate in the

arenas that have real, not symbolic, influence over policy-making, and that they participate in a variety of roles, whether as mid- or high-level government employees, elected officials, lobbyists, or members or leaders of private organizations.

In order for women to obtain positions and be effective in such arenas, the literature suggests that women's leadership capacity must be developed. Women must be able to persuasively articulate their agenda, and they must have solid technical abilities and knowledge of the issues, including exposure to gender dimensions. Moreover, to be "heard" by often hostile, indifferent or uninformed audiences, women also must possess advocacy skills and the ability to lobby effectively. Thus, to permit their potential range of occupations to include policy-making and -implementing positions, developing women's leadership capacity may be a key area to address.

#### 4. Mitigating Constraints to Women's Economic Participation

The literature cites many constraints to women's economic participation and to improving the quality and nature of women's work. The literature highlights four constraints that significantly impede women's participation and which POWER may be designed to address effectively. Crossing the sectoral and occupational divisions mentioned above, these constraints are found in the areas of: financial services; laws and regulations, along with their interpretation and enforcement; information, knowledge and skills; and institutional support. The relationship between these constraints and women's participation in the economy is summarized briefly below.

- **Financial Services:** As described in Chapter III, women face constraints to obtaining finance (particularly from formal financial institutions) for many reasons, e.g., lack of collateral, insufficient accounting records, and inadequate business plans. While donors often develop programs that target women as loan recipients, the literature suggests that broad reforms in financial services may prove to be a more sustainable way of ensuring that all businesspeople, including women, have access to funds on reasonable and affordable terms.
- **Laws and Regulations:** As emphasized in Chapter II, a variety of laws and regulations and the interplay of dual legal systems affect women's participation in the economy. Various means to mitigate legal and regulatory constraints are mentioned in the literature, including, for instance, improving the knowledge of persons who interpret and implement laws and regulations and of women affected by such laws and regulations (i.e., enhancing legal literacy) and encouraging the participation of women in interpreting and implementing laws and regulations (i.e., expanding women's roles in areas that broadly affect their participation).
- **Information, Knowledge and Skills:** According to the literature, increasing women's access to information, knowledge and skills can affect women's participation in countless circumstances. For instance, with market information, a woman may be able to expand her small business. With legal information, women may successfully gain control of

property to which they are legally entitled. Likewise, with technical background, knowledge of gender dimensions, and advocacy skills, women have the capacity to participate more effectively in policy-making and implementation.

- ***Institutional Support:*** The literature emphasizes that women's participation in the economy can be improved by effective organizations. Similar to increasing women's access to information, knowledge and skills, improving institutional support has broad repercussions. For instance, as described in Chapter IV, organizations can: act as a voice for women at policy levels; offer services to improve women's knowledge base, skills, and the operation of their businesses; provide training to increase women's organizational, lobbying and advocacy skills; and improve women's understanding of the legal system.

## **B. TOPICS FOR FURTHER EXPLORATION**

The literature not only addresses many of the issues that are critical to POWER and reveals target areas for possible interventions, but also provokes additional questions. The questions that the team believes to be most relevant for POWER (particularly for the POWER field work) are summarized below.

### **1. Economic Policy**

- ***Opportunities that Arise from Economic Policies:*** Other than the quantity of jobs produced by export promotion strategies and labor market deregulation, the gender specific literature remains virtually silent regarding opportunities that arise for women, in both developing and transitional economies, as a result of changes in economic policy. This "silence" raises an important question: is the lack of information regarding positive implications for women of economic policies -- ranging from social service spending to privatization -- a "gap" in the literature, or does the lack of information reflect a true disparity between the benefits of many economic policy changes on the broader economy versus their effects on women? Furthermore, what are the medium to long term effects of such economic policies on women? Will women over time be able to take advantage of the economic opportunities that are being created? If not, what will enable them to do so?
- ***Sectors not Addressed by the Literature:*** As mentioned in Chapter I, the literature on economic policy provides little information concerning gender specific effects of financial sector reforms. However, as described in Chapter III, the literature hypothesizes that banking sector reforms hold great promise for improving women's access to credit. Accordingly, two central questions arise: do such policies have different impacts on women than men?; and is there evidence to support the literature's hypothesis that such reforms will benefit women, or is it too early in the process to tell?

Similarly, the literature provides few details regarding the effects on women of policies oriented towards or affecting the services sector. Because women are highly represented in this sector, it is important to ascertain how women have been affected by economic reforms that affect the services sector.

- **Effects of Economic Policies on Women's Businesses:** The gender specific literature regarding economic policies focuses mainly on women as workers. It does not specifically address another key issue, namely, the effects of economic policies on women-owned businesses. Nevertheless, since women's businesses tend to be clustered in different sectors and subsectors than men's (as women workers are concentrated in different sectors than men), then the businesses and their viability may be affected differently, especially since policies often take a sectoral approach. Hence, the question arises: do economic policies affect women's businesses differently than men's?

## 2. Legal and Regulatory Issues

- **Country-Specific Information:** The literature reveals that a number of types of laws -- for example, personal status laws and protective legislation -- have broad impacts on women's participation in economic life around the world. However, the literature review also reveals the difficulty of making analytically-sound, cross-country generalizations regarding legal and regulatory issues. Instead, it appears from the literature that analysis of laws and regulations, their implementation and enforcement, and women's knowledge of their rights lends itself better to a country-specific approach. Thus, the field work will be particularly important to develop possible POWER interventions in the legal and regulatory arena.
- **Business and Market Regulations and Laws:** The literature provides little information about the impacts on businesswomen of government regulations and procedures governing business. Thus, a key question for the field is: do such regulations and procedures affect women differently than men?

## 3. Business Development

- **Women in the Formal Sector:** As noted in Chapter III, the literature presents voluminous information regarding women in microenterprises and the informal sector. Less information is provided about women in the formal sector, women in small-scale business (as owners, operators, or workers) and even less regarding women in medium- or large-scale business (except as workers in export processing zones). The literature may reflect donors' efforts in the informal sector and microenterprise (because a portion of the literature is donor-funded or -driven) as well as women's significant presence in microenterprises and the informal sector. However, several inter-related questions regarding women in business remain: to what extent do women participate in the formal sector and in small-, medium- and large-scale businesses?; does the lack of documentation of their participation in such areas accurately reflect women's

participation, or does it instead reflect the interests of researchers and donors?; if the lack of documentation is a result of the latter (rather than a reflection of women's true involvement), what are the factors that propel women toward or enable women to enter more formal or larger enterprises?

- **Appropriate Business and Management Training:** One of the literature's recommendations concerns improving women's access to and participation in business and management training as well as career advisory and job placement services. Given that at the same time the literature notes that the training offered often does not address or improve skills demanded by the market, an important avenue to identify is business training that has been developed in light of local economic conditions (perhaps, for example, in collaboration with local businesses) as well as in response to women's needs. If such training exists in the four countries targeted for fieldwork, what are the factors that promoted its development and can similar training be replicated elsewhere?

#### 4. Institutional Support and Representation

- **Women's Organizations and Economic Policy-Making:** The literature provides evidence that women participate as actors and founders in a wide variety of organizations, although their influence and extent of involvement varies greatly by type of organization and by country. One issue particularly pertinent to POWER is the degree to which women's organizations -- the fledgling professional and business groups, the alternative labor organizations, and the government and political institutions in which women are active and influential -- are involved in the economic policy-making process. Have any of these groups developed advocacy or lobbying strategies to reach economic policy-makers or to ensure that organizations that recognize gender concerns are included when key economic and business policies are discussed, developed, and implemented? If so, what factors have contributed to effective representation in the policy-making process?
- **Services Provided by Organizations:** The literature notes that the organizations in which women participate provide a number of services, including, for example, training, finance, and social services. However, detailed examples of the types of services provided are rare. Accordingly, key questions to be pursued in the POWER field work are: what specific types of support services do organizations supply?; what additional types of support do businesswomen need?; and what support, if any, will organizations need in order to supply such services?

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As mentioned at the beginning of this chapter, the potential target areas and questions identified above do not represent the universe within which POWER might operate or which POWER might address. Instead, with this knowledge base, delineation of key areas for intervention that are emphasized in the literature, and identification of unanswered questions, we hope to spark a dialogue that will feed into the concept paper, field work, and later stages of project design.

**ANNEX A:**  
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120 w

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**ANNEX B:**

**FIVE-IN, FIVE-OUT EXERCISE: SUMMARY OF RESULTS**

## **FIVE-IN, FIVE-OUT EXERCISE: SUMMARY OF RESULTS**

The summary below synthesizes the results of the "Five-In, Five-Out" exercise conducted to gather ideas regarding topics that should and should not be addressed in the POWER literature review. As described below, the exercise produced consensus on some issues that should be included or excluded from the literature review, and noted additional issues that would not be central to the POWER literature review but that would be addressed as related to the four main issues.

### **TOPICS TO BE ADDRESSED IN THE POWER LITERATURE REVIEW**

#### **1. Economic Policy Reform**

- Gender-specific impacts of economic reform (including privatization) and structural adjustment.
- Women's participation in and impact on economic policy making entities.
- Economic policy reform frameworks or strategies that are most compatible with women's participation in the economy.

#### **2. Legal and Regulatory Issues**

- Key types of laws and regulations (both statutory and customary) that directly affect women's participation in the economy, e.g., property law, inheritance law, contract law.
- Interpretation and enforcement of such laws and regulations.
- Gender-specific labor legislation or practices (e.g., maternity leave policy, night shifts, gender-specific job announcements, etc.) that constrain or promote women's participation in the economy.
- Model legal and juridical frameworks and environments.

#### **3. Business Development**

- Opportunities and constraints to women in business, including:
  - Access to, participation in, and availability of business and management training and other career development opportunities.
  - Access to credit to start, operate or expand business.

-- Status of women within businesses (e.g., owner, manager, employee) as related to opportunities for full participation.

- Model mechanisms for promoting women-owned businesses.

#### 4. Institutional Support and Representation

- Women's participation and benefit from women's and non-gender-specific organizations, including trade and professional associations, chambers of commerce, labor organizations, government agencies, non-governmental and grassroots organizations, and political parties and interest groups.
- Availability of support services (such as training, networking opportunities, financial resources, job listings, market information, etc.) from such organizations.
- Benefits provided through women's organizations in comparison to those offered through non-gender-specific organizations.
- Ability of such organizations to influence policies affecting women in the economy.

<p style="text-align: center;"><b>ISSUES THAT WILL NOT BE ADDRESSED IN THE POWER LITERATURE REVIEW</b></p>
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#### 1. Microenterprise

Microenterprise issues will not be addressed because other projects and other resources are devoted to this issue. However, if desired, the literature review could address ways to encourage formalization and growth of microenterprises.

#### 2. Population and Fertility

These issues are handled primarily by other programs and offices, so will not be addressed in the POWER literature review.

## **ISSUES TO BE ADDRESSED IN RELATION TO THE FOUR MAIN ISSUES**

### **1. Cultural Constraints to Women's Participation**

- Women's domestic responsibilities and roles and their effect on employment outside the home.

### **2. Political Representation and Participation**

- Women's representation in executive, judicial and legislative bodies.
- Effective mechanisms for promoting representation.
- Women's participation in the political process as voters and as active representatives in interest groups that affect the political process.

### **3. Success Stories**

- Success of programs (e.g., of donors, NGOs, etc.) in promoting women's participation and opportunities.
- Success of countries in establishing policies that promote women's participation and opportunities.

### **4. Work/Labor Force Issues**

- Occupational segmentation (i.e., concentration of women in certain sectors or sub-sectors) and its causes.
- Wage differentials.
- Distribution of labor by public versus private sectors.
- Mobility and advancement.