Reimagining Gender Equity through Legislation: A Discourse Analysis on Post-Colonial Feminist Critique of the 2024 Affirmative Action Bill

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Abstract

This study examines the 2024 Affirmative Action Bill through a post-colonial feminist lens, critically evaluating its potential to confront and address systemic gender inequities embedded within Ghana's Fourth Republic's political and socio-cultural structures. Drawing on post-colonial feminist theory, the research situates the bill within broader historical and ideological continuities of gendered marginalization, contending that meaningful equity demands the dismantling of both colonial legacies and entrenched patriarchal norms. Employing qualitative methods comprising textual analysis and content analysis, the study interrogates policy texts, historical documents, and feminist scholarship to uncover the bill's transformative possibilities and limitations. The analysis is grounded in a qualitative study, employing textual analyses. Postcolonial feminist theory, Critical Discourse Analysis, and Indexicality, are employed as blueprints in navigating the textual analyses, focusing on how the bill's legal language, cultural references, and policy metaphors encode ideological assumptions about gender, power, and identity. The primary data corpus is the 2024 Affirmative Action Bill itself, while the feminine class in Ghana serves as the implied population whose experiences, representation, and structural positioning the study seeks to evaluate. The findings reveal that while the 2024 bill marks a progressive legislative milestone, its long-term success depends on sustained investment in female education, civic engagement, and the reshaping of national gender narratives. The study recommends a multi-pronged approach to gender equity—one that integrates inclusive policy implementation, public education, and institutional reform as core strategies for embedding lasting transformation within Ghana's democratic development. The study's findings urge policymakers to adopt targeted gender-responsive frameworks that not only legislate equity but actively transform entrenched socio-cultural biases through sustained educational and legal reforms.

Keywords: Gender equity; Discourse analysis; Post-colonial feminist; Affirmative action bill

INTRODUCTION

The Socio-cultural divide before the dawn of the fourth estate has reckoned the greatest gender disparity against feminism in the history of Ghana. The Patriarchal dominance in the social, political, religious, educational and industrial sectors has been deeply alarming. Commenting on the cause of gender disparity in developing countries like Ghana, Ayentimi et al. (2019) say that sovereign states operating with older constitutions often exhibit weak gender disparity rights. According to Nartey et al. (2023) however, a significant barrier to achieving gender equality is gendered cultural norms. The researchers' view of gender issues in Ghana is centred on achieving equality. From an ecological perspective, they went further to employ Bronfenbrenner's ecological systems multilevel approach to examine the impact of these cultural gender norms on women's lives at the different system levels in Ghana.

Following the report of Ghana News Agency (2024), data from the 2023 Annual Household Income and Expenditure Survey (AHIES) indicates that out of 11.39 million employed Ghanaians by the third quarter of 2023, 6.44 million were females, surpassing the 5.52 million employed males. Despite this, the unemployment rate among females increased from 17.5% in the second quarter to 17.7% in the third quarter of 2023, while the rate for males remained stable at 10.9%. Additionally, a significant proportion of employed females (77.8%) were engaged in vulnerable employment, compared to 57.7% of employed males. The AHIES data from the first quarter of 2022 reveals that among paid workers, women earned 34.2% less than men. This wage gap varies by education level, being lowest among those with tertiary education (12.7%) and highest among workers with basic education (60.1%). Sector-wise, the gap is most pronounced in the private informal sector, where women are paid 58.7% less than men. In the table that follows, women's representation on the political forum of Ghana's fourth Republican dispensation is demonstrated:

Here's the updated table of women's representation in Ghanaian politics, including data for 1992 to 2024.

Table 1. Women Representation in Ghanaian Politics (1992 -2024)

Election Year	Total Seats in Parliament	Seats Held by Women	Percentage of Women
1992	200	16	8.0%
1996	200	18	9.0%
2000	200	19	9.5%
2004	230	25	10.9%
2008	230	20	8.7%
2012	275	30	10.9%
2016	275	35	12.7%
2020	275	40	14.5%
2024	275	44	16.0%

Table 2. Presidential and Vice-Presidential Candidates

Election Year	Female Presidential Candidates	Female Vice-Presidential Candidates
1992	0	1
1996	0	1
2000	0	2
2004	0	2
2008	0	2
2012	0	2
2016	1	1
2020	3	2
2024	2	2

Women's representation in Parliament increased from 40 (14.5%) in 2020 to 44 (16%) in 2024. In the 2020 elections, three women contested as presidential candidates, while two ran as vice-presidential candidates (United Nations Development Program, 2025).

In September 2024, Ghana's Parliament unanimously passed the Affirmative Action Gender Bill 2024, aiming to achieve 50:50 gender parity in public posts and Parliament by 2030. Currently, women constitute 16% of Parliament, below the UN's 30% target. The new law also proposes quotas for women in the private sector, offering tax incentives in return (Graphic Online, 2023). Before the passage of this bill Tsikata (2009) in the quest to enact an affirmative action strategy posited that presentation of women in government does also not reach the declared goal of 40%. These numbers he added, demanded that action needed to be

taken. Nevertheless, examples around the world show, that in all countries in which the female-male ratio in political representation has improved, explicit measures of affirmative action have been employed. It is a worrying concern that in the literary space, the quest to ensure female rights and prevent abuse and disparities in gender, the focus has mostly been on misogyny instead of philogyny. This study *uniquely* contributes by integrating postcolonial feminist theory with the analysis of a contemporary legislative measure **(**the 2024 Affirmative Action Bill). In doing so, it diverges from more common legalistic or policy-based critiques and instead interrogates how power, gender, and cultural narratives intersect within the postcolonial Ghanaian state. This angle not only sheds light on the embedded patriarchal and neocolonial structures within the bill itself but also uncovers how Ghanaian women's political agency is framed in public discourse.

Gender equity is the process of ensuring fairness by recognizing that men and women, as well as other genders, may face different barriers and challenges. It requires that measures be taken to address these differences and compensate for historical disadvantages so that everyone can have equal opportunities and outcomes. It focuses on providing resources and opportunities based on the specific needs of individuals to ensure that everyone has a fair chance to succeed. Implementing affirmative action policies that support women in traditionally male-dominated industries or providing maternity and paternity leave to allow both parents equal participation in child-rearing is an example of gender equity. Gender equality, on the other hand, refers to the end goal where individuals of all genders have the same rights, responsibilities, and opportunities. It seeks to ensure that gender does not determine one's access to resources, opportunities, or treatment in society. It emphasizes equal treatment and the elimination of gender-based discrimination. Juliet Mitchell (1966) argues that achieving gender equality requires dismantling existing societal structures that perpetuate traditional gender roles. Admittedly gender inequality is ingrained in the economic, social, and political domains, and this is largely because of the quest for equality instead of equity in gender representation. *The Second Sex* by Simone de Beauvoir (1949) explores how gender is culturally and socially constructed, examining the unequal treatment of women. De Beauvoir contends that women have historically been treated as the "other" in relation to men, resulting in their oppression and restricted opportunities. Her book challenges conventional ideas of femininity and emphasizes the need for women to gain autonomy and self-determination. The primary argument however is that gender equality and equity in the Affirmative Action Bill has largely remained under-explored, particularly in the literary space. According to Adichie (2013) in her book; *We should all be feminist*; she disagrees with the natural laws narrative and posits:

The person more likely to lead is not the physically stronger person, it is the more creative person, the more intelligent person, the more innovative person, and there are no hormones for those attributes. A man is as likely as a woman to be intelligent, to be creative, to be innovative. We have evolved; but it seems to me that our ideas of gender have not evolved.

Adichie's assertion challenges traditional conceptions of gender roles, offering a pointed critique of the "natural law" of male and female distinctions. Her argument deconstructs the notion that leadership and societal roles should be determined by physical strength, which historically aligned with traditional views of gender as rooted in biological determinism. Adichie's words can be read as a banter against the rigid and outdated constructs that tie gender roles to natural law. Her choice of language is deliberate and provocative, beginning with the dismissal of physical strength as the primary determinant of leadership. The text "the

person more likely to lead is not the physically stronger person" immediately subverts traditional gender narratives, particularly those that have historically justified male dominance based on superior physicality. By doing so, she reframes the conversation around leadership qualities that are not rooted in the body but in the mind—creativity, intelligence, and innovation. Her repeated use of "the more creative person, the more intelligent person, the more innovative person" emphasizes a progression toward mental and intellectual attributes, qualities that are universally accessible and not confined to one gender.

Adichie's argument gains further weight through her assertion that "there are no hormones for those attributes." This statement dismantles the pseudo-scientific rationale often used to claim inherent male or female superiority in certain domains. Stating that intelligence, creativity, and innovation are not hormonally driven, she levels the playing field and invalidates any biological basis for gender inequality. This declaration is an implicit rejection of essentialist arguments that tether capability and leadership to biological sex, aligning instead with a worldview that values individual potential over predetermined roles.

The second part of the passage, "A man is as likely as a woman to be intelligent, to be creative, to be innovative," challenges the binary thinking inherent in traditional gender roles. The symmetrical structure of this text promotes equality and rejects the idea that one gender has a natural predisposition for leadership or ingenuity. Here, Adichie appeals to logic and evidence of human capacity rather than adherence to tradition. Adichie's conviction lies finally in the texts, "We have evolved; but it seems to me that our ideas of gender have not evolved,". She critiques the stagnation in gender ideology and juxtaposes humanity's evolution with the lack of progress in gender perceptions. "Evolved" carries connotations of progress, adaptation, and growth, and indicates that humanity has outgrown the need for traditional constructs of gender roles. Adichie's tone is both analytical and persuasive; she logically dismantles gender myths while appealing to a sense of fairness and reason. The absence of rhetorical embellishment ensures that her message remains clear and accessible. This study therefore seeks to answer the following research questions that emerge from its objectives. How can the 2024 Affirmative Action Bill help reduce gender inequality in Ghana from a postcolonial feminist point of view? How does female education influence public opinion and support the success of the 2024 Affirmative Action Bill in Ghana?

Objectives of the Study

The objectives of the study are to critically analyze the 2024 Affirmative Action Bill through a postcolonial feminist lens, indicating its potential to address systemic gender inequities within the framework of Ghana's Fourth Republic. The study also seeks to examine the role of Female education in shaping public discourse and influencing the success of the Affirmative Action Bill.

Post-colonial Feminism

Postcolonial feminism is a theoretical framework that examines the intersections of gender, colonialism, culture, and power in the context of societies that have experienced colonization. It critiques both traditional Western feminism and postcolonial theory for their limitations in addressing the unique challenges faced by women in postcolonial settings. Western feminism often focuses on universalizing the experiences of women; however, postcolonial feminism focuses on the diverse, localized, and historically specific experiences of women in formerly colonized societies. White feminism suggests that equality is a universal concept that appears the same across all contexts. Postcolonial feminism, however, reminds us that while Western feminism might focus on issues like equal leadership roles, such concerns may not be as central for women outside of Europe and America. As noted by Naoual (2019), postcolonial Feminism falls within the third Wave. Admittedly, it can also be

used interchangeably with "Third World Feminism". Leading proponents of postcolonial feminism have written about women in this third wave. Gayatri Spivak in her book, "Can the Subaltern Speak?" called attention to the 'double colonization,' of women in the third wave, which was further explained by Ashcroft et al. (1980) as colonization both by imperial powers and patriarchal ideologies. Owing to this regard, Postcolonial feminism interrogates how Western feminism has sometimes imposed its values and assumptions on non-Western women, disregarding their cultural and historical realities, and seeks to reclaim the voices and experiences of marginalized women and to challenge dominant narratives that homogenize their struggles. The key concerns of postcolonial feminism include; the impact of colonialism on gender relations and women's lives, the role of race, ethnicity, class, and religion in shaping women's experiences, resistance to neo-colonial ideologies that perpetuate global gender hierarchies, and advocacy for indigenous knowledge systems and gender-equitable practices rooted in local cultures.

Struckmann (2017), in employing the postcolonial feminist approach to analyze the United Nations Sustainable Development Goals 2030, posits that postcolonial feminism recognizes that gender inequality has interconnected economic, political and social dimensions in which power inequalities and discriminatory norms are embedded. He further contends that corporate interests have taken precedence over feminist critiques demanding systemic transformation. Weedon (2019) agrees with Struckman, arguing that, in considering the bias against the feminine gender, one risks focusing on the work of white, middle-class, Western, heterosexual women, and this leads to the silencing or marginalization of issues of class, heterosexism, racism and the colonial legacy as they affect women's cultural production.

Preceding the third-world feminism, the second-wave feminism was called the White Women's Movement, and insisted on organizing along the binary gender division of male/female alone, even as to ignore differences of race, culture, or class. The United States third-world feminists were no doubt conscious of the idea that one's race or class often determined access to privileges regardless of one's gender. Sojourner Truth, a women's rights activist confronts the white women with the question, "Ain't I a woman?" Sandoval (2003) refers to this approach as a form of "historical consciousness" that enables a different way of conceptualizing feminist consciousness and becomes a counter to Western feminism.

It is in line with with Mishra (2013) along the line of thought that Feminism within a postcolonial context starts by focusing on the experiences of the everyday woman in a specific setting, while also connecting her experiences to larger issues to strengthen her sense of collective empowerment. Aligning feminism with gender will far outweigh the purpose and intent of female consciousness in the face of a patriarchal-dominated society. it is therefore stringent that postcolonial feminism specifically within the third-world milieu of the African woman be given careful attention.

Literature Review

The global pursuit of gender equity in political participation continues to gather momentum, with various campaigns and legislative proposals seeking to redress historical disparities. A notable initiative in this regard is the 50/50 Campaign, which champions equal representation of men and women in governance structures (Adatutu, 2017). While countries like Rwanda, Uganda, and South Africa have recorded significant strides, Ghana still lags, with women occupying just 13.5% of the 275 seats in Parliament.

According to Odimegbu et al. (2017), Nigeria's failed attempt to pass the Gender and Equal Opportunities Bill was deeply influenced by entrenched socio-religious ideologies. This highlights how cultural and spiritual dynamics often override legislative intentions in many African contexts. Feminist advocacy in the Anglophone Caribbean, as Rowley (2010)

explains, often unfolds within contested socio-political landscapes, where local customs and gender rights must be carefully negotiated. These insights offer valuable parallels for Ghana, where Western gender ideals sometimes clash with indigenous cultural expectations. Mcfadden (2007) contends that post-colonial feminism must break free from Western ideological prescriptions by rooting its agenda in the historical, political, and cultural specificities of African women's lives. In Ghana, this call for decolonised feminist frameworks is especially crucial in pushing for effective implementation of the 2024 Affirmative Action Bill.

The recent passage of Ghana's Affirmative Action Bill in 2024 aims to address gender disparities and increase women's participation in governance, sparking both celebration and skepticism. Akapule and Naaikuur (2024) present a discourse analysis of the Bill, which was passed by Parliament on July 30, 2024, and signed into law by the President on September 19, 2024. Drawing on Critical Discourse Analysis (CDA) and Feminist Theory, their study explored how the public and media responded to the legislation. It uncovered recurring themes such as celebration, doubt, political intent, cultural pushback, and economic consequences. Their analysis is framed within global gender equality initiatives, notably the United Nations Sustainable Development Goals (SDGs), with a focus on gender parity.

This legislation, while significant, also exemplifies broader global efforts such as the UN SDGs. Yet, postcolonial feminist critiques argue that such international agendas often fall short in addressing local power dynamics and indigenous knowledge (Struckmann, 2018). The intersection of postcolonialism and feminism offers a more nuanced understanding of gendered experiences and multiple sites of oppression (Parashar, 2016). In postcolonial contexts, global gender equality discourses tend to overlook the colonial legacy's impact on modern education systems and societal structures (Durrani & Halai, 2020). Effective implementation of gender equity policies, therefore, requires more than legal frameworks—it demands sustained political will, public education, and context-specific engagement (Akapule & Naaikuur, 2024; Struckmann, 2018).

In culturally conservative societies, like Indonesia, women themselves sometimes become gatekeepers of patriarchal norms. Fitriyah (2022) illustrates how this internalised conservatism, often framed by religious teachings, can stall progress towards gender parity. However, the interplay between religion and gender is not always regressive. In Ghana, Christianity has functioned both as a stabilising force and a site for feminist reinterpretation. This duality, as Bawa (2017) notes, creates opportunities for subverting patriarchal power from within the very institutions that sustain it.

Bawa and Sanyare (2013) argue that the underrepresentation of Ghanaian women in politics is not due to disinterest but is rooted in systemic socio-cultural and political constraints. Thus, the focus should shift from motivating women to dismantling the barriers that exclude them.

Poststructural feminist frameworks, according to Shaw (2006), have the capacity to disrupt static gender hierarchies within bureaucratic and political organisations. These frameworks create room for fluid interpretations of power, authority, and leadership in post-colonial spaces.

The experiences of civil society in Ghana affirm that legal reforms are more effective when propelled by persistent grassroots activism. Ampofo (2008) shows that such community-driven efforts were central to the passage of Ghana's Domestic Violence Act, suggesting a similar model could help actualise the goals of the 2024 Affirmative Action Bill. Women's economic empowerment through digital financial inclusion is often cited as a key enabler of political voice. Yet, Ojo (2022) warns that without targeted policies and support systems, the benefits of digital economies often bypass those most in need—particularly rural women.

Ihejirika (2005) identifies ideological and structural barriers within educational systems that marginalise women and reduce their capacity to participate in leadership. These educational inequities ultimately feed into broader political exclusion. Macro-economic policies, though often gender-neutral on the surface, carry hidden consequences for equity. Roonblom (2009) notes that frameworks like the EU's Lisbon Strategy, while not explicitly gendered, create economic environments that either uplift or sideline women.

Faith-based feminist movements like the Kongres Ulama Perempuan Indonesia (KUPI) have shown that religious reinterpretation can be a powerful tool for promoting gender equity (Time, 2022). For Ghana, similar faith-grounded interventions could be pivotal in shifting narratives around the Affirmative Action Bill. According to Axios (2019), global financial institutions increasingly view gender equity not just as a moral imperative but an economic strategy with the potential to add billions to GDPs. This economic logic can help persuade skeptical policymakers, although ethical and cultural arguments remain central. Apusigah (2017) cautions that without strong political will and adequate funding, gender equity policies in Ghana risk becoming symbolic rather than transformative. Her research recommends learning from African countries where the 50/50 Campaign has yielded real results. In reaffirming this position, Bawa and Sanyare (2013) argue that Ghana's affirmative action measures must go beyond legislative quotas to address the structural and attitudinal dimensions of gender inequality. The call is for systemic reform, not tokenism.

This literature makes it clear that gender equity in political participation is not merely a legislative task. It requires a reimagining of the post-colonial state, an alignment with African feminist philosophies, and the restructuring of cultural, institutional, and religious systems that have long reinforced patriarchy. However, the question still remains, "How can gender equity be reimagined through a post-colonial feminist lens in relation to Ghana's 2024 Affirmative Action Bill in the Fourth Republic?" The research that ensues delves into solving the gab identified.

RESEARCH METHOD

This study employs a qualitative, interpretive research design to critically examine the 2024 Affirmative Action Bill in Ghana, focusing on gender justice, postcolonial feminist theory, and legal discourse. The research centers on how legislative texts encode and reproduce ideological assumptions about gender equity, power, and cultural identity by applying a literary and discourse analytical approach to explore the language, metaphors, and cultural narratives that underpin gender equity within legal and socio-cultural frameworks. The study is grounded primarily in Postcolonial Feminism, supplemented by Critical Discourse Analysis (CDA) and Indexicality Theory, which together provide a nuanced lens to interrogate how gender, power, and ideology are constructed, maintained, and challenged in the Affirmative Action Bill and related texts. Postcolonial Feminism critiques the imposition of Western feminist ideals and advocates for a contextualized understanding of gender relations in African societies shaped by colonial and patriarchal histories. Critical Discourse Analysis, following Fairclough and van Dijk, is utilized to examine how the language of the bill reflects and perpetuates power relations, institutional control, and hegemonic ideologies. Indexicality facilitates analysis of how specific legal terms and phrases—such as "progressive targets" and "international obligations"—index broader ideological frameworks, including neocolonial power structures and tensions within local governance. Additionally, Feminist Theory and Intersectionality are employed as tools to explore the bill's engagement with compounded socio-economic and gender-based disadvantages, particularly its provisions for "brilliant but needy female students," thus highlighting the layered nature of marginalization and the necessity for targeted legislative support to address intersecting inequalities.

Data Sources and Sampling

The research relies on purposive sampling of textual data, including primary legal documents such as the 2024 Affirmative Action Bill with emphasis on clauses related to female education and scholarships; international conventions referenced in the bill, including CEDAW, SDG 5, and the Beijing Platform for Action; scholarly critiques and feminist literature from scholars like Abass, Çoban-Döşkaya, Jahan, Spivak, Mohanty, Amina Mama, and Arinze, which provide contextualization of feminist and postcolonial perspectives; historical and cultural texts that illustrate indigenous African gender systems and traditional roles, including references to Queen Mothers and Igbo dual-gender systems; and empirical and secondary data drawn from studies such as Born et al. (2018) on women's leadership in male-dominated environments, as well as Martin (2025), which employed purposive sampling and in-depth interviews with women to offer qualitative insights into gendered experiences.

Data Collection and Analyses

The data collection is document-based, focusing on textual and secondary empirical sources. In addition to legislative texts and scholarly literature, the study draws on in-depth interviews from secondary sources, such as Martin (2025), which offer rich qualitative data on women's lived experiences in challenging socio-economic contexts, as well as secondary quantitative and qualitative findings used for triangulation, including studies on leadership and gender dynamics in workplace settings. The analysis is qualitative and interpretive, employing multiple complementary techniques: thematic analysis is used to identify and extract key themes such as "progressive realization," "hegemonic control," "postcolonial resistance," and "intersectional disadvantage"; critical discourse analysis examines how language in the bill constructs social realities, focusing on legal diction, ideological underpinnings, and power relations; indexical analysis interprets how specific legal phrases signal institutional affiliations and tensions between global norms and local traditions; and grounded theory is applied to the interview data from secondary sources, allowing emergent themes to develop inductively based on participant narratives related to gender bias, empowerment, and structural barriers.

Analytical Framework

The analytical framework combines feminist theoretical perspectives with legal and cultural-historical analysis to interrogate the structural and systemic gender inequities encoded in legislation, the intersection of legal enforcement mechanisms and traditional gender roles shaped by historical and cultural legacies, and the tensions between legislative idealism and practical enforcement challenges in postcolonial Ghana. This study focuses exclusively on the Ghanaian 2024 Affirmative Action Bill and its socio-political context within the Fourth Republic. While international conventions and African cultural systems are referenced to provide context, the primary analysis remains centered on Ghanaian legislative and feminist discourses. The study does not involve original fieldwork or statistical data collection, relying instead on interpretive textual and secondary qualitative data.

Ethical Considerations

Given the document-based and theoretical nature of the research, there are no direct ethical risks involving human subjects. Nonetheless, the study adheres to strict ethical academic practices, ensuring proper attribution, respectful engagement with cultural narratives, and sensitivity to the lived experiences of marginalized groups, particularly girls and female students from low-income backgrounds. Interpretations are grounded in feminist principles of equity, justice, and representational fairness.

FINDINGS AND DISCUSSION
Affirmative Action for Gender Equality and Equity

The first objective of the study was to critically analyze the 2024 Affirmative Action Bill through a postcolonial feminist lens, highlighting its potential to address systemic gender inequities within the framework of Ghana's Fourth Republic. In response to the objective, the research ensues: The success of the Affirmative Action bill hinges on two objectives; to ensure the achievement of gender equality in the political, social, economic, educational and cultural spheres of the society, and as a second objective, reiterates that the implementation of this Act and the achievement of the targets shall be progressive and subject to evaluation in accordance with the First Schedule.

Two key measures call for attention: *Implementation* and *achievement.* The bill poses that these key measures will be *progressive*. It is undeniable that the Affirmative Action Bill comes at the beckon of a sweet age, where joy and hope sour for the ultimate task. Ahead written about is the patriarchal dominance in the fourth industrial Revolution. The 2025 population index indicates 50.9% of males as against 49.1% of females. According to Abass and Çoban-Döşkaya (2017), male political actors hold privileged positions of power over females, allowing them to shape institutional rules, norms, and conventions in ways that influence gender power dynamics. Owing to this wide gap, the Bill will be progressive.

The term "progressive" in the context of the Affirmative Action Bill signifies a gradual yet determined approach toward achieving gender equality and equity, particularly in women's representation in governance, employment, and decision-making. The bill recognizes that achieving gender parity is not an overnight process but requires continuous, strategic, and adaptive measures to dismantle deeply entrenched social, cultural, and institutional barriers. This progressive realization ensures that the affirmative action bill is systematic, sustainable, and irreversible, leading to long-term transformation rather than temporary tokenism. The progressive nature of implementation aligns with the principle of progressive realization, often referenced in human rights and policy enforcement. Gender equality, as a fundamental human right, cannot be achieved instantly, particularly in developing societies like Ghana where historical and structural inequalities have sidelined women from key positions of power. A progressive approach mandates that governments take deliberate and consistent steps toward meeting affirmative action targets, ensuring that once progress is made, it is not undone. This also reflects the state's obligation under international legal frameworks such as CEDAW (Convention on the Elimination of All Forms of Discrimination Against Women) and SDG Goal 5 (Gender Equality), which require states to advance gender representation in leadership and governance.

A progressive approach allows for the phased implementation of gender representation targets, ensuring that institutions gradually adjust to inclusive policies without abrupt disruptions. This means setting realistic quotas and benchmarks that can be achieved incrementally, rather than imposing immediate mandates that may be met with institutional resistance. Gender equity cannot be enforced by decree alone; it requires a steady transformation of the structures and mindsets that have historically excluded women. Therefore, progressive implementation ensures that policies are workable, adaptable, and reinforced over time, leading to a systemic shift rather than a superficial increase in female representation.

This goes to acknowledge the structural challenges that have historically hindered women from attaining equal representation in governance and leadership. Women have faced barriers such as limited access to education, economic dependency, sociocultural biases, and discriminatory laws that have prevented them from rising to leadership positions. A progressive implementation ensures that affirmative action does not just open doors for women but also provides the necessary support systems to help them thrive in those spaces.

This includes leadership training, mentorship programs, financial empowerment, legal protections, and workplace reforms that create an environment where women's participation is not just symbolic but impactful. A rushed or forced approach could lead to women being placed in leadership roles without the necessary institutional backing, making their success unsustainable. Therefore, a progressive realization ensures that gender equity is not just about meeting numerical targets but about building a foundation where women can excel on merit, free from systemic disadvantages.

A progressive approach to gender representation mitigates resistance and backlash from entrenched power structures. Many societies have historically favored male-dominated leadership, and abrupt shifts can trigger opposition from those who perceive affirmative action as a threat rather than an opportunity for inclusive governance. A gradual approach allows for engagement with key stakeholders, including political parties, traditional leaders, and civil society, ensuring that affirmative action policies are not only legally binding but also socially accepted. This helps to normalize women's participation in leadership, making it a standard expectation rather than an exception.

The human rights perspective of progressive implementation is particularly crucial because it underscores equity over mere equality. Gender equality in representation is not just about having an equal number of men and women in governance but about ensuring fairness in access, opportunities, and resources. Progressive realization ensures that the historical injustices and disadvantages faced by women are actively corrected over time, rather than simply expecting them to compete on an uneven playing field. This means that affirmative action policies should address the root causes of gender disparity, such as education gaps, economic dependency, workplace discrimination, and lack of political support, and gradually eliminate them to level the playing field.

Practically, a progressive approach means setting short-term, medium-term, and long-term goals for increasing women's representation. Governments and institutions must establish clear mechanisms for monitoring progress, identifying challenges, and making necessary adjustments. Financial and logistical resources should also be allocated incrementally to ensure effective implementation. A well-structured, progressive plan includes capacity-building programs, legal reforms, institutional changes, and public awareness campaigns that collectively shift the gender dynamics in leadership and governance.

Advancing on incorporating gender equality perspectives within existing systems, Jahan (1995) distinguishes between two key models of gender mainstreaming: the integrationist and the transformative (or agenda-setting) approaches. The integrationist model incorporates gender equality perspectives within existing systems, while the transformative model focuses on comprehensive institutional change, placing gender equality and women's issues at the forefront. The integrationist model incorporates gender equality perspectives within existing systems by embedding gender-sensitive considerations into laws, policies, and institutional frameworks. It ensures that gender is not treated as a separate issue but as an essential component of all sectors, including education, healthcare, governance, and economic planning. This approach often involves revising legislation to remove gender biases, adopting affirmative action measures to enhance women's participation, and integrating gender impact assessments into policy formulation. By working within established structures, the integrationist model seeks to make gender equality a standard practice rather than an isolated initiative.

The Affirmative Action Bill provides a directive principle that carries significant implications:

"The Government shall set progressive targets for the achievement of gender equality: in accordance with international conventions and regional agreements to which Ghana is signatory"

This directive principle of the bill, projects Ghana's neocolonial dependence on international conventions regarding gender equality and equity. These postcolonial conventions including the Sustainable Development Goal five (5) have been criticized by Chandra Mohanty and Gayatri Spivak for imposing Western-centric ideals of feminism on postcolonial societies. Historically, African societies had dynamic gender roles that were disrupted by colonial rule, which imposed rigid patriarchal structures. Postcolonial feminists argue that gender equality should not merely be a response to external pressures but should also revitalize indigenous egalitarian traditions, such as the roles of Queen Mothers in Akan societies or the dual-gender systems in Igbo culture amongst others.

According to Jumanne (2021), modern perceptions of gender inequalities among Africans stem from Western reinterpretations influenced by liberalism and Western democratic ideals, which often contradict deeply rooted African traditions. As a result, some Africans have embraced these foreign perspectives, leading to economic, political, and socio-cultural disruptions across the continent. These new interpretations of African gender relations have significantly undermined traditional African ways of life, which were historically based on mutual respect and consensus between genders. The bill positions the government as the agent responsible for achieving gender equality, and in that indicates the state's hegemonic control over women's issues. However, Postcolonial feminism warns against state-led feminism that often serves elite women and urban populations while sidelining rural and working-class women.

Furthermore, African feminist scholars like Amina Mama argue that gender policies should not merely be bureaucratic obligations tied to international agreements but should be rooted in grassroots activism and everyday struggles of women in Ghana. The use of the phrase *"progressive targets"*, which reflects a developmentalist discourse often associated with international organizations like the UN and World Bank is critiqued by Postcolonial feminists as linear model of progress, arguing that it presents the Global South as *"backward"* and in need of Western intervention. The use of the term *"achievement of gender equality"* implies a fixed, measurable goal, rather than recognizing gender justice as an ongoing, fluid process influenced by historical and cultural complexities. While the Act acknowledges *"regional agreements"*, suggesting some level of African agency, it remains unclear whether these agreements prioritize local feminist struggles or merely echo international frameworks. The African Union's Maputo Protocol, for instance, is a regional document promoting women's rights, but its effectiveness depends on local implementation and adaptation. Postcolonial feminism calls for a critical interrogation of whether these regional agreements genuinely reflect African feminist priorities or if they serve as extensions of global policies. The table below gives an overview of the differences established between the content of the bill, public perception and scholarly interpretation.

Table 3. Differentiating Legislative Content, Public Perception, and Scholarly Interpretation of the 2024 Affirmative Action Bill

Aspect	Legislative Content	Public Perception	Scholarly Interpretation
Main Objective	Achieve gender equality in political, social, economic, educational, and cultural spheres through progressive targets.	Mixed hope and skepticism; recognition of patriarchal dominance and slow progress towards true gender equality.	Seen as necessary but inherently limited by patriarchy and structural barriers; "progressive" seen as gradual but essential.

Aspect	Legislative Content	Public Perception	Scholarly Interpretation
Implementation Approach	Progressive realization: phased, adaptable, and sustainable to avoid abrupt institutional resistance and tokenism.	Some view gradual change as frustratingly slow; others see it as practical to avoid backlash.	Emphasized as a deliberate strategy to transform structures and mindsets; supports sustainable gender equity over tokenism.
Government Role	Government mandated to set progressive targets aligned with international and regional agreements (e.g., CEDAW, SDG 5).	Public may see this as reliance on international pressure or bureaucratic obligation.	Critiqued for neo-colonial overtones; potential state hegemonic control that may favor elite women, sidelining grassroots.
Cultural Context	Acknowledges regional agreements but does not explicitly address indigenous gender roles or traditions.	Some express concern that traditional African gender systems are overlooked or undermined.	Postcolonial feminism stresses the need to revive indigenous egalitarian traditions (e.g., Queen Mothers, Igbo dual-gender).
Terminology: "Progressive"	Signifies gradual achievement and long-term transformation of gender equality.	Seen as hopeful but also vague; ambiguity in timeframe and scope of progress.	Critiqued for developmentalist linearity; "progressive targets" imply Western-centric developmental models.
Challenges Addressed	Structural barriers including education gaps, economic dependency, sociocultural biases, and discriminatory laws.	General awareness of ongoing challenges, especially patriarchal dominance in leadership roles.	Recognizes deep-rooted barriers; progressive approach helps build institutional backing and support systems for women.
Human Rights Framing	Aligns with international human rights frameworks mandating state obligation to advance gender equality.	Seen as legitimizing gender equity efforts but sometimes disconnected from local realities.	International frameworks necessary but may impose Western feminist ideals, risking marginalization of local contexts.
Gender Mainstreaming Models	Incorporates gender perspectives within existing legal and policy frameworks (integrationist model).	Some stakeholders perceive policy changes as top-down with limited grassroots engagement.	Jahan's distinction highlights need for transformative change beyond integrationist approaches for real institutional shift.
Risks and Critiques	Risk of tokenism if implementation is rushed; possible resistance from entrenched male power structures.	Concern over backlash from traditional leaders and male-dominated institutions.	Postcolonial and African feminist scholars warn against state-led feminism that neglects rural and working-class women.
Quotes / Key Phrases	"The Government shall set progressive targets... in accordance with international conventions and regional agreements."	"A sweet age where joy and hope sour for the ultimate task."	"Western-centric ideals of feminism imposed on postcolonial societies" (Mohanty & Spivak); "gender justice as an ongoing process."

The international obligation of the Affirmative Action Bill reads as follows:

"*International obligations on gender equality and equity as set out in the first column of the Second Schedule are enforceable to the extent that they are applicable to the Republic and consistent with the Constitution*"

Deducing from the clause, *"International obligations on gender equality and equity"* immediately indexes (or points to) global feminist frameworks, such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Beijing Platform for Action. The indexical nature of *"international obligations"* suggests an external authority dictating gender policies, reinforcing a top-down approach rather than grassroots or indigenous feminist movements shaping gender reforms in Ghana. This aligns with neocolonial power structures, where Western institutions and organizations continue to shape African gender policies under the guise of global development.

The clause qualifies enforceability with the texts, *"…to the extent that they are applicable to the Republic"* and, *"…and consistent with the Constitution"* These conditional clauses are highly indexical, as they tie gender obligations to two reference points: (1) their "applicability" to Ghana, and (2) their alignment with the Constitution. This dual restriction reflects a strategic negotiation between global feminism and national sovereignty. The text, *"applicable to the Republic"* signals a selective approach, where Ghana determines which aspects of international gender frameworks it will integrate. This indexically invokes historical struggles over legal and political autonomy in postcolonial African states, where Western influence has often clashed with local governance structures. Arinze (2006) opines that cultural dynamism takes place alongside acculturation, which is the emulation of the objects of one culture by another culture. In the spirit of the Affirmative Action Bill, the West becomes a standard of measure of achieving gender equity and equality, this is not healthy. Furtherance to that, the *"consistent with the Constitution"* indexes Ghanaian legal traditions, which are deeply shaped by both colonial legacies and indigenous customary law. This phrase can be read as a buffer against external imposition, ensuring that gender policies are not blindly adopted but rather reconciled with Ghana's own legal and cultural landscape. However, postcolonial feminists might argue that this legal clause can also be used to resist progressive gender reforms, especially in societies where patriarchal interpretations of the Constitution prevail.

The use of *"gender equality and equity"* is an index of competing feminist discourses. Western liberal feminism reflects absolute equality—treating men and women identically—while many African feminist scholars, such as Filomina Steady and Oyeronke Oyewumi, argue for a more relational and context-based approach that considers African communal structures. The phrase *"gender equity"* is particularly significant because it acknowledges differential treatment based on context, which aligns with African feminist perspectives that recognize gender roles as interdependent rather than adversarial. By including both *equality* and *equity*, the bill indexically navigates between Western legalistic interpretations of gender justice and more Afrocentric, culturally sensitive approaches.

The constitutional clause, *"enforceable to the extent that…"* introduces an index of legal conditionality, signaling that gender equality is not an absolute, self-evident right but rather one that must be negotiated within the legal and cultural framework of Ghana. This qualification reveals the political fragility of gender justice in postcolonial states, where the implementation of gender policies is often subject to power struggles between the state, religious institutions, and international actors. Additionally, the word *"enforceable"* is an index of state power and governance. It implies that gender justice is not an organic, community-driven process but rather something that requires legal sanction and institutional oversight. Postcolonial feminists might critique this reliance on state-led feminism, arguing that it often

serves elite women while excluding rural, working-class, and indigenous African women from shaping the discourse.

Another postcolonial feminist concern revolves around who determines whether an international obligation is "applicable" to Ghana. The term *"applicable"* is highly indexical because its meaning depends on who holds the power to define what is relevant or irrelevant to Ghanaian society. If the government determines applicability, then gender justice could become a political tool, enforced selectively based on ruling party ideologies. In like manner, if traditional or religious leaders influence this decision, it could mean a conservative pushback against feminist reforms, particularly those challenging patriarchal structures. If then, international bodies hold sway, Ghana's gender policies could become extensions of Western feminist agendas, sidelining local feminist movements.

The ambiguity therefore surrounding *"applicability"* thus indexes the contested nature of gender discourse in postcolonial African states, where competing forces—local, national, and international—seek to define what gender equality should look like.

Sub-clause fifteen (15) under independent constitutional bodies directs:

Independent Constitutional Bodies shall, in accordance with their respective roles and functions (a) promote respect for, protection for and the attainment of gender equality in public and private institutions; (b) facilitate the implementation of this Act and other gender equality policies and programmes;

The clause under analysis establishes a framework through which Independent Constitutional Bodies are mandated to uphold gender equality within both public and private institutions. It recognizes that systemic interventions are necessary to dismantle entrenched biases and create equitable opportunities across all sectors.

A significant strength of this provision is its institutionalized approach to gender equality. Explicitly assigning responsibility to constitutional bodies, the clause ensures that gender equity is not merely aspirational but embedded within governance structures. Fiattor (2024), laments in the paper, *Constitutional Rights of Women in Ghana: An Expansion of the Legal Framework*; according to Fiattor: "despite its aim (the Affirmative Action Bill) to advance female representation in politics and governance, women occupy 14.5 per cent of parliamentary seats, six decades after independence. Fiattor added that the government's inaction to promote women's participation in politics and governance hinders inclusivity. I couldn't have agreed more with Fiattor in saying that, the governments lack the political will to implement and enforce gender equality and equity, hence independent constitutional bodies are in the right direction to render assistance.

This institutional oversight fosters accountability, compelling entities to actively work towards gender-responsive policies rather than treating them as optional add-ons. Furthermore, the clause's emphasis on both public and private institutions ensures a comprehensive reach, acknowledging that gender disparities exist beyond government structures and permeate private enterprises, education, and social organizations.

Another advantage lies in its directive to facilitate the implementation of gender equality policies and programs. This acknowledges that legislation alone is insufficient in achieving gender equity. The facilitation of programs and policies ensures that proactive measures—such as capacity-building initiatives, gender-sensitive training, and affirmative action mechanisms—are consistently applied to transform societal norms. This results in a holistic approach that not only promotes legal compliance but also nurtures attitudinal shifts towards gender equity. According to Duncan (2016), under the subsection: *the role of constitutional jurisprudence in advancing gender equality,* as enshrined in the policy brief number eight (8) of the UN Women, "Constitutions are the most authoritative expressions of States'

systems of governance and accountability and therefore pose potential opportunities for and threats to the advancement of gender equality".

Another concern is the potential resistance from private institutions, particularly in sectors where patriarchal norms are deeply embedded. While the clause mandates gender equality in both public and private spaces, its practical enforcement in private institutions may prove challenging. Industries that have historically been male-dominated, such as construction, technology, and finance, may resist gender equality interventions, citing economic concerns or perceived meritocratic principles. Born et al. (2018) discovered that women who are randomly placed in teams where men are the majority are less inclined to take on leadership roles compared to those in female-majority teams. Further analysis of possible factors reveals that women in male-dominated teams exhibit lower confidence in their comparative performance, have less influence, and are more easily persuaded by others during team discussions. Additionally, they correctly anticipate receiving less support from their teammates.

Martin (2025) agrees with Duncan, in his paper: *The Experiences of Women in Male-Dominated Professions and Environments In South Africa;* he took a purposive sampling of five women working in identified male-dominated professions and environments. He conducted in-depth interviews and analyzed the data using grounded theory and discovered that the central issue for women in these environments revolves around the challenges inherent in their workplaces. The main challenges he identified include discrimination and bias, physical and health-related difficulties, negative emotions resulting from working in male-dominated spaces, a lack of real transformation, and struggles with work-life balance. These poses significant challenges in achieving gender equity and equality in such institutions.

The phrase "facilitate the implementation of this Act and other gender equality policies and programs" suggests a broad scope but lacks specificity regarding how facilitation should occur. The ambiguity in the clause could lead to varied interpretations, allowing some institutions to exploit loopholes and evade substantive action. Without clear indicators of success, monitoring the progress of gender equality initiatives may become inconsistent and subjective. Afisi (2010) identified the women's role in traditional Africa as a sine qua non to societal development; In tandem, Hafkin and Hanson (1976: 59-60) reiterate that:

> *Women were treated with unparalleled respect because they were seen to be closer to the creator than men ever had the potential of being. This is because women themselves had the ability to create due to the fact that they were able to give birth. As creation of life, they were charged with the sacred responsibility of caring for the needs of the next generation, and because of this, they can be regarded as the originations of the idea that is now known as sustainable developments.*

The extract from Hafkin and Hanson presents a powerful yet complex portrayal of gender equity and equality by situating women at the center of creation and sustainability, one that aligns with the spirit of the Affirmative Action Bill. It asserts that women were treated with "unparalleled respect" due to their perceived proximity to the creator, a position justified by their biological ability to give birth. This reverence, however, warrants critical interrogation, particularly in the context of feminist discourse, as it simultaneously elevates and confines women within the domain of reproduction and caregiving. The language of the extract, with phrases such as "charged with the sacred responsibility," suggests both an honor and an obligation—an imposed societal expectation that can either empower or restrict.

Influence of Formal Education on the success of the Affirmative Action Bill

The second objective of the study was to examine the role of female education in shaping public discourse and influencing the success of the Affirmative Action Bill. Pursuance to the objective, the research ensues:

Education is a powerful force in shaping society, molding perceptions, and driving change. In the fight for gender equality and equity, it is not just a tool but a catalyst that challenges biases, empowers voices, and fosters informed discourse. Education has become the bridge between awareness and action, ensuring that the call for equality is not just heard but answered. On page 28, under the section, "Strategies in Relation to Education," the bill ensues: The Ministry of Education shall take steps to (a) ensure that there is gender balance in access and opportunity to education at all levels; (h) address harmful and negative religious, cultural and traditional practices that affect the education of girls; (i) strengthen guidance and counselling for girls in educational establishments; (j) promote parental care for children until they reach adulthood and avoid early weaning by adolescent girls; Ensuring that there is gender balance in access and opportunity to education at all levels carries both legal weight and moral urgency. It is not just a policy directive but a commitment to breaking long-standing barriers that hinder fair educational access.

In the clause, the text *"shall take steps"* conveys obligation, not mere suggestion. The use of the modal *"shall"* make it legally binding, reinforcing the Ministry of Education's responsibility to act rather than leaving the issue to chance. It further directs to *"take steps"* suggesting a process—an active, deliberate approach rather than a passive acknowledgement of inequality. Thus, achieving gender balance will not happen overnight but requires concrete measures, policies, and consistent effort.

Towards, *"gender balance",* the clause introduces the core principle of fairness. Balance does not simply mean numerical equality but ensuring that both genders have the same footing, free from the invisible weights of discrimination. Maintaining *"balance"* evokes the image of a scale, symbolizing fairness in opportunity and outcome. Education should not favor one gender over another but should instead provide an equal platform where all individuals can thrive regardless of societal expectations. According to Sahin (2014) many women are either unaware of their rights or lack a full understanding of their role in society. Educating women and more especially, girls not only strengthen families and communities by nurturing intelligent children but also brings numerous social and economic benefits. As a result, women and girls will be empowered to stand on equal footing with men and boys.

"Access and opportunity" are two distinct yet interconnected ideas. *"Access"* implies entry—the ability to be admitted into schools without bias. This tackles issues like enrollment gaps, where girls in some communities face cultural and economic restrictions. However, access alone is not enough. *"Opportunity"* ensures that students, once admitted, are given the necessary support, resources, and environment to succeed. A girl who enters school but lacks proper learning materials, mentorship, or a safe space to study does not truly have the opportunity. The dual mention of access and opportunity in the clause recognizes this and highlights the importance of not just opening doors but ensuring that those who walk through them can move forward without unnecessary hurdles. However, Aikman and Rao (2012) identify an increasing body of research that critiques schools and formal education for sidelining or displacing local and indigenous women's knowledge. It also challenges the tendency to impose universalized concepts of the "Third World woman," the "girl child," and "development" itself (Aikman, 2002; Fennell & Arnot, 2008; Hickling-Hudson et al., 2004; Sieder & Macleod, 2012). Additionally, studies examine how teachers and educational discourses assign varying levels of value to different identities or contribute to the

stigmatization of certain expressions of femininity and masculinity (Chege, 2004; Khandekar et al., 2008; Rao, 2010).

While Aikman and Rao (2012) raise valid concerns about formal education sidelining indigenous women's knowledge and imposing rigid gendered constructs, this critique does not fully account for the transformative potential of education in light of gender equality policies such as the Affirmative Action Bill. Education systems are not static entities that merely reinforce existing hierarchies; they are evolving mechanisms for social change, increasingly guided by legislative frameworks that promote gender equity and inclusivity. The Affirmative Action Bill, directly challenges the marginalization of women by institutionalizing policies that ensure equitable access to education, leadership, and economic opportunities.

In like manner, the notion that formal education inherently stigmatizes certain gender identities ignores the strides made in policy-driven gender-sensitive curricula. The Affirmative Action Bill mandates the recognition and protection of diverse identities, ensuring that education does not just reproduce inequalities but actively works to dismantle them. Embedding gender equity into national policy, moves Education beyond theoretical critique to tangible reform, creating a system that acknowledges, values, and uplifts diverse expressions of femininity and masculinity. Rather than dismissing formal education as a vehicle for marginalization, the focus should be on strengthening affirmative action policies and gender-responsive strategies that bridge the gap between local knowledge and global opportunities. The challenge is not in rejecting formal education but in harnessing its transformative power to foster a more inclusive and equitable society.

Addressing harmful and negative religious, cultural and traditional practices that affect the education of girls; is crucial as enshrined in the bill. Addressing harmful and negative religious, cultural, and traditional practices that affect the education of girls requires a strategic and determined effort to dismantle systemic barriers that prevent equal educational opportunities. Many girls in Ghana face deeply ingrained societal norms that devalue their education, forcing them into roles that limit their potential. These barriers include child marriage, early pregnancy, household labor burdens, menstrual stigma, and discriminatory religious and cultural beliefs that prioritize boys' education over girls'. Without a deliberate intervention, these practices will continue to deprive countless girls of their right to quality education and future empowerment.

Child marriage remains one of the most significant threats to girls' education. In many communities, girls are married off at a young age, often as a means of economic survival for their families. This not only disrupts their education but also exposes them to early pregnancies, health complications, and lifelong economic dependency. The practice continues despite existing laws against child marriage, largely due to cultural traditions and religious beliefs that see marriage as a higher priority for girls than education. The chart below presents such prevalence:

Regional Prevalence of Early Marriage in Ghana (Ahinkora et al., 2024)
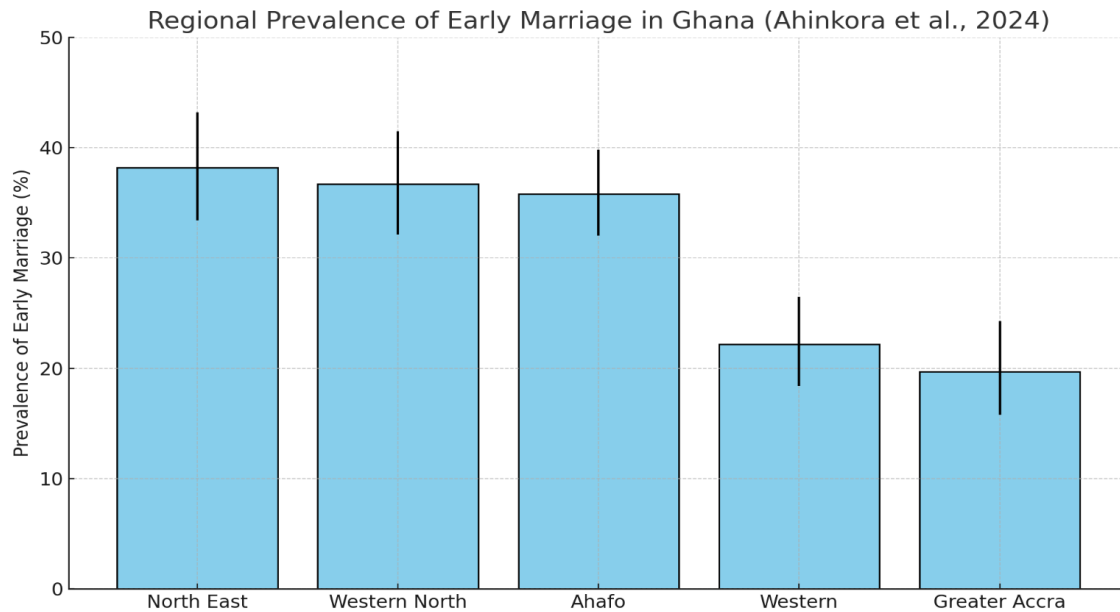
The data reveals that early marriage is most prevalent in the North East (38.2%), Western North (36.7%), and Ahafo (35.8%) regions, reflecting significant socio-cultural and economic vulnerabilities in these areas. In contrast, the Western (22.2%) and Greater Accra (19.7%) regions recorded the lowest rates, likely due to greater urbanization, better access to education, and stronger child protection structures.

Addressing this issue requires strict enforcement of child protection laws, as well as community engagement to shift mindsets. Traditional and religious leaders, who wield significant influence, must be involved in advocacy efforts to promote the importance of keeping girls in school rather than forcing them into marriage. In addition, parents must be supported with economic empowerment programs to reduce the financial incentives that drive child marriage.

Closely tied to child marriage is the issue of early pregnancy, another major factor that leads to school dropouts among girls. When girls become pregnant, they often face stigma and discrimination that make it difficult for them to return to school. Many communities view teenage mothers as having no place in formal education, reinforcing the idea that their future is solely tied to motherhood and domestic responsibilities. To counter this, schools must implement clear re-entry policies that allow young mothers to continue their education without fear of judgment or exclusion. Support services such as daycare centers and counseling programs should be integrated into schools to help young mothers balance their education and parental responsibilities. Additionally, comprehensive reproductive health education must be provided to equip girls with the knowledge they need to make informed choices about their bodies and futures.

Religious and cultural beliefs play a powerful role in shaping attitudes toward girls' education (Frimpong, 2022). In some communities, religious doctrines are misinterpreted to justify the exclusion of girls from schooling, often reinforcing the notion that their primary duty is to become obedient wives and mothers. Similarly, certain cultural practices prioritize boys' education while limiting girls' opportunities to learn. Overcoming these harmful perspectives requires collaborative efforts between policymakers, educators, religious leaders, and cultural custodians. Religious institutions should be encouraged to promote gender equality through their teachings, emphasizing the value of education for both boys and girls. Likewise, cultural norms that limit girls' educational opportunities must be challenged through widespread

awareness campaigns that highlight the long-term benefits of educating girls not just for their own futures but for entire communities.

The burden of household labor is another significant barrier that keeps many girls out of school. Unlike their male counterparts, girls are often expected to handle domestic chores such as cooking, cleaning, and caring for younger siblings. These responsibilities take up valuable time that could be spent studying or participating in school activities. If society is serious about gender equity in education, there must be deliberate efforts to redistribute household duties more equitably. Families should be encouraged to share responsibilities between boys and girls so that domestic work does not disproportionately fall on one gender. Schools and community organizations can also play a role by providing after-school programs that allow girls to complete their homework in a supportive environment free from household distractions.

Menstrual stigma and inadequate sanitation facilities in schools present additional challenges that hinder girls' education. Many girls miss school during their periods due to a lack of access to sanitary products and private restroom facilities. This affects the girl child greatly (Aseweh Abor, 2022).

In some cases, societal taboos surrounding menstruation make girls feel ashamed or unclean, further discouraging them from attending school. Addressing this issue requires practical interventions such as the provision of free sanitary pads in schools and the construction of gender-sensitive sanitation facilities. Additionally, menstrual health education should be incorporated into school curricula to normalize menstruation and break the stigma surrounding it. By ensuring that girls can manage their periods with dignity, schools can reduce absenteeism and promote a healthier learning environment.

Economic barriers also play a crucial role in limiting girls' educational opportunities. Many families living in poverty prioritize boys' education over girls' because they believe that investing in a son's education yields better financial returns. This happens more often in deprived areas in Ghana (Priscilla Adomako Gyasi et al., 2023). This perception must be dismantled through targeted financial interventions that support girls' education. Scholarship programs, conditional cash transfers, and other financial incentives should be implemented to encourage families to keep their daughters in school. Additionally, vocational training and skill development programs should be introduced to empower girls with economic opportunities beyond traditional education. When families see the direct benefits of educating their daughters, they are more likely to invest in their schooling rather than view it as a financial burden.

Gender discrimination within the school environment itself further compounds the problem. Many girls face subtle yet harmful biases from teachers, peers, and educational materials that reinforce gender stereotypes (Vahide Yigit-Gencten et al., 2024). Girls are often discouraged from pursuing subjects such as science and technology, while boys are encouraged to take on leadership roles. Schools must be intentional in creating gender-responsive environments that foster equality. This includes training teachers to challenge gender biases in their classrooms, revising school curricula to reflect more inclusive narratives, and implementing strict policies against sexual harassment and gender-based violence within school settings. When girls feel safe and valued in their learning environments, they are more likely to thrive academically.

The phrase *"at all levels"* as read in the analyzing clause, expands the vision beyond just primary education. Gender equity is not achieved if girls can attend school at lower levels but are forced out at higher stages due to financial difficulties, early marriage, or societal pressures. The clause demands a lifelong approach—from basic education to tertiary

institutions—ensuring that no stage of learning becomes a bottleneck for gender progress. The inclusivity of *"all levels"* also speaks to professional education and leadership training, shaping a society where gender equity is embedded from childhood to adulthood.

Strengthening guidance and counselling for girls in educational establishments as a facet of the Affirmative Action Bill is crucial for attaining gender equity and equality. The text is structured as an imperative, conveying both urgency and a directive tone. The verb "strengthen" implies that guidance and counselling services for girls already exist but are currently inadequate, either in scope, quality, or inclusivity. Rather than merely acknowledging their presence, the phrase demands their reinforcement to ensure they effectively address gender-related challenges in education. It suggests an awareness of systemic obstacles that hinder girls' educational progress and seeks to rectify these disparities through targeted support. Arfasa and Weldmeskel (2020) observes that, the absence of adequately trained counselors and necessary facilities impacts guidance and counseling services, and significantly affects secondary school students' learning and overall well-being. Hence the need for well trained and structural systems in place to fulfill the clause of the Affirmative Action Bill.

The text "for girls" serves as a direct object, explicitly identifying the target group. By specifying girls instead of using a more general term like "students," the clause highlights gender-based vulnerabilities in educational settings in Ghana. , This could be analyzed as an interventionist approach, aimed at redressing historical injustices—much like how feminist literature often calls for institutional reforms to dismantle patriarchal structures. It reflects an understanding that girls, in particular, face unique social, economic, and cultural barriers in accessing quality education, ranging from gender stereotypes to discriminatory policies and harassment within educational institutions.

"In educational establishments" anchors the intervention within formal institutions, recognizing the critical role of schools in shaping gender roles. Educational settings are often double-edged spaces, capable of either challenging or reinforcing gender biases. Without conscious, deliberate efforts, education systems may inadvertently perpetuate inequalities rather than dismantle them. Strengthened counseling, therefore, must go beyond surface-level solutions and actively work to transform gender norms within these institutions. The question arises as to whether institutional support alone is sufficient. If gender inequalities in education are rooted in deep-seated socio-cultural factors, then counselling must be complemented by broader policies—such as curriculum reforms to eliminate gender bias, increased access to STEM education for girls, and stronger protections against gender-based violence. Without these systemic changes, counselling alone risks functioning as a superficial remedy rather than a transformative intervention.

Another important consideration is that the clause does not account for the diversity of girls' experiences, failing to differentiate between urban and rural students, economically privileged and disadvantaged girls, or those facing multiple layers of marginalization, such as girls with disabilities. Feminist literary critics like Bell Hooks and Chimamanda Ngozi Adichie caution against one-size-fits-all approaches to gender advocacy, emphasizing that oppression manifests differently based on class, geography, ethnicity, and ability. A more nuanced interpretation of the phrase would consider intersectionality, ensuring that interventions address the unique challenges faced by various subgroups of girls.

The Bill inherently acknowledges an imbalance in power dynamics, positioning girls as a group that requires special attention in education. This aligns with feminist literary themes that critique how knowledge, authority, and institutional power have historically been structured to disadvantage women and girls. Strengthening guidance and counseling,

therefore, is not just a service-oriented reform but a potential tool for empowerment and agency. It represents an effort to challenge entrenched power structures within education, enabling girls to navigate social expectations, build resilience, and gain access to traditionally denied opportunities.

The bill ensues that: *Brilliant but needy female students shall be supported with scholarships.* According to Kuranchie et al. (2020), formal education plays a crucial role in enhancing individuals' skills and abilities, which collectively boosts the nation's overall productivity, driving economic growth and development. It is the quality of human resources, rather than material assets, that shapes the speed and nature of a country's economic and social progress.

CONCLUSION

In reimagining gender equity through the prism of postcolonial feminist thought, this paper has critically interrogated the 2024 Affirmative Action Bill within the socio-political and historical contours of Ghana's Fourth Republic. Situating the bill within a postcolonial feminist framework has revealed its transformative potential—not merely as a legislative instrument but as a catalyst for dismantling entrenched systems of gendered marginalization inherited from both colonial legacies and patriarchal post-independence governance structures. The analysis has highlighted the indispensable role of female education as both a tool of empowerment and a means of reshaping public discourse. Education fosters the intellectual agency of women and equips them to challenge normative biases, enabling active participation in policy formulation and implementation. This synergy between education and policy reform amplifies the chances of success for affirmative action initiatives.

To translate these findings into actionable change, policymakers must prioritize gender-sensitive educational reforms, including the integration of feminist thought into civic and social studies curricula at both basic and tertiary levels. Scholarships and mentorship programs specifically targeting girls in rural and marginalized communities should be expanded to bridge longstanding educational gaps. Additionally, capacity-building workshops on gender equity for public officials and community leaders can facilitate more inclusive policy design and implementation. Educators, meanwhile, play a vital role in cultivating classrooms as spaces for critical engagement with gender norms. Training teachers in gender-responsive pedagogy and encouraging the use of inclusive learning materials can challenge deep-seated stereotypes and inspire both girls and boys to envision equitable futures.

Through this study, the 2024 Affirmative Action Bill emerges as a significant step toward achieving substantive equality. However, its success hinges not only on sustained political will but also on educational reform, inclusive policy design, and the reimagining of societal structures through gender-conscious lenses. The journey to gender equity thus demands legislative action, pedagogical transformation, and a collective reawakening to the echoes of history, identity, and the lived experiences of Ghanaian women.

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