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DIVERSE PATHS TO EQUALITY: NATIONALITY LAW REFORM IN LIBERIA AND MADAGASCAR

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Abstract. This article provides a comprehensive analysis of recent reforms aimed at abolishing gender discrimination in nationality laws in Liberia and Madagascar. Historically, both countries' citizenship laws contained patriarchal provisions that prevented women from conferring nationality on the same terms as men, leading to human rights concerns and risk of statelessness. Drawing on feminist legal theory and international norms, the study examines the distinct legal and political contexts that shaped these discriminatory laws and the subsequent reform processes. Liberia's amendment in 2022, intertwined with debates on dual citizenship and a longstanding "Negro descent" clause, and Madagascar's amendment in 2016–2017, emerging from post-colonial legal legacies, are compared to highlight how different domestic pathways converged toward a common goal of gender-equal citizenship. The influence of international human rights frameworks CEDAW and norm diffusion is assessed in driving these changes. Implementation challenges – from administrative capacity to social attitudes – are critically discussed through the lens of state capacity and gender equality theory. While both nations have significantly improved compliance with international standards by enabling mothers to pass citizenship to their children, gaps remain (such as Liberia's racial restriction and Madagascar's inequality in spousal transmission). The article concludes with recommendations for further legal and policy measures to consolidate equal nationality rights, emphasizing that legal reform must be complemented by broader societal change to achieve substantive gender equality in citizenship.

Keywords: Nationality Law, Gender Discrimination, Citizenship Reform, Liberia, Madagascar

Introduction

Nationality laws determine who is recognised as a citizen of a state, fundamentally shaping individuals' identity, rights, and sense of belonging (Huddleston, 2020). For much of the twentieth century, many countries' nationality laws were explicitly gender-discriminatory, reflecting patriarchal legal traditions that treated women as adjuncts of their husbands or fathers (Beninger & Manjoo, 2023). Under these norms, women often could not share their nationality with their children or foreign spouses on an equal basis with men. Such provisions not only contravened emerging principles of gender equality but also had severe practical consequences: if a child cannot acquire the father's nationality and the mother is legally barred from passing on hers, the child may be left stateless, devoid of the protective bond of citizenship (Orsi, 2023). The denial of a mother's right to confer citizenship, in other words, can produce generations of stateless individuals, violating the fundamental human right to a nationality and causing intergenerational harm.

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Over the past few decades, there has been a global trend toward reforming nationality laws to eliminate gender discrimination, driven by both domestic advocacy and international pressure. Feminist legal theory has increasingly challenged the notion that citizenship transmission should follow patrilineal lines, arguing that such rules stem from outdated patriarchal conceptions of women's roles (Beninger & Manjoo, 2023). International human rights instruments have reinforced these arguments: the Convention on the Elimination of All Forms of Discrimination Against Women (1979) requires states to grant women equal rights with men in respect to the nationality of their children, and the Convention on the Rights of the Child (1989) affirms every child's right to acquire a nationality (Raday, 2012). Campaigns by the United Nations and civil society – notably UNHCR's #IBelong Campaign to End Statelessness – have cast gender-equal nationality laws as an urgent and "straightforward" step to reduce statelessness and uphold women's rights. From a theoretical perspective, these changes exemplify a "norm cascade" in which international norms of gender equality are internalised into domestic law (Finnemore & Sikkink, 1998). Scholars of international relations note that as global norms gain momentum, states often come under increasing diplomatic and moral pressure to conform (Finnemore & Sikkink, 1998). In the realm of citizenship, this has led to three-quarters of countries worldwide achieving gender neutrality in their nationality laws, although as of the early 2020s roughly two dozen still had discriminatory provisions (Beninger & Manjoo, 2023).

Liberia's reform, enacted in 2022, and Madagascar's reform, enacted in 2016–2017, unfolded in markedly different political landscapes and were propelled by distinct combinations of factors from domestic movements for gender justice to international human rights advocacy (Gbatu, 2023). A comparative analysis of these "diverse paths to equality" offers insights into the interplay between global norms and local politics, as well as the challenges of implementing reforms in practice. Ultimately, understanding the experiences of Liberia and Madagascar in abolishing gender discrimination in nationality law sheds light on broader principles for achieving equal citizenship, and highlights remaining gaps where further reform is needed to ensure no citizen is left behind due to gender or other status (Elhoushy et al., 2024).

This article pursues three interrelated objectives. First, it examines the distinct legal and political contexts that produced gender-discriminatory nationality laws in Liberia and Madagascar, tracing their origins in colonial legal frameworks and post-independence state-building. Second, it analyses the reform processes in each country, identifying the domestic and international factors that drove legislative change. Third, it evaluates the outcomes and remaining gaps of those reforms, assessing the extent to which each country has achieved compliance with international human rights standards. Methodologically, the article employs a qualitative comparative legal analysis. Primary legal sources — including Liberia's 2022 Aliens and Nationality Law Amendment and Madagascar's 2017 Nationality Code Amendment — are read alongside treaty obligations under CEDAW, the CRC, and regional instruments. These are analysed through the theoretical lenses of feminist legal theory, norm diffusion theory (Finnemore & Sikkink, 1998), and intersectionality, drawing on secondary literature from legal scholarship, human rights reports, and country-specific academic studies. The comparative method is used to identify convergences and divergences in the two reform pathways, yielding generalisable insights into how international norms interact with domestic legal and political conditions to produce — or fail to produce — gender-equal citizenship. The selection of Liberia and Madagascar as the two cases for this comparative study is deliberate and analytically justified. These two countries represent a particularly instructive pairing precisely because they differ along nearly every structural dimension, legal tradition, colonial history, political geography, and demographic composition, yet they arrived at broadly convergent reforms within a decade of each other. Liberia, founded in 1847 by formerly enslaved Americans, operates within a hybrid common law and constitutional tradition shaped by its unique founding narrative, including a historically race-based definition of citizenship. Madagascar, a former French colony, operates within a civil law tradition inherited from the French Nationality Code, with a post-independence legal architecture that reflected Francophone post-colonial norm-diffusion. Across the African continent, nationality law reform has proceeded unevenly: while North African states such as Algeria (2005) and Morocco (2007) amended their laws relatively

early, and East African states such as Kenya reformed theirs in 2010, sub-Saharan Africa — particularly West and island states — have seen a more protracted trajectory. Liberia and Madagascar sit within this slower-moving cluster yet managed to achieve reform, making them valuable cases for understanding what combination of domestic and international pressures can produce legal change even in resistant political environments. Their diverse paths one driven substantially by diaspora advocacy and the politics of dual citizenship, the other by civil society coalitions and UN engagement offer comparative leverage for understanding how the same international norm can be internalised through very different domestic mechanisms.

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1. Legal and Political Context in Liberia

Liberia's citizenship law has been uniquely shaped by the nation's history and founding ideals, established in 1847 by formerly enslaved Black people from the United States, Liberia was conceived as a Black republic a vision enshrined in its laws through a racial definition of citizenship ("Making Citizenship and Blackness in Liberia," 2019). For over a century, Liberian nationality was constitutionally restricted to persons of Negro descent, barring non-Black persons from obtaining citizenship by birth or naturalisation (Ludwig, 2016). This racial clause, while intended to protect the identity of the first Black-led republic in Africa, became one of the world's most exclusionary citizenship rules, In practice it meant, for example, that sizable minority communities (such as people of Lebanese descent in Liberia) were categorically denied the possibility of naturalizing, regardless of their length of residence or contributions to society (Ludwig, 2016). The Liberian case thus illustrates how concepts of national identity and race can become tightly interwoven in law, reflecting what critical race theory would describe as a legal encoding of racial boundaries into the very definition of the polity. Alongside its racial criteria, Liberia's nationality law historically contained gender-discriminatory provisions. The Aliens and Nationality Law of 1973, which governed Liberian citizenship for decades, privileged patrilineal descent: a child born outside Liberia was automatically a Liberian citizen only if the father was a Liberian citizen (subject to certain residency conditions), whereas children born abroad to Liberian mothers had no such automatic right (Pailey, 2016). In effect, Liberian women could not pass their citizenship to children born abroad, a restriction that put those children at risk of statelessness if the father's nationality was not available. At birth, the only way for a child to acquire Liberian citizenship from a Liberian mother was if the child was born on Liberian soil (jus soli) and even that right was circumscribed by the racial clause limiting citizenship to those of Negro descent (Pailey, 2016). Such rules exemplified a patriarchal assumption that family nationality should follow the male line. They also mirrored colonial-era notions common in many legal systems that a woman's citizenship status, and that of her children, would flow from the man's status, effectively rendering the mother's legal nationality irrelevant in determining her offspring's citizenship. Although Liberia did, by the late 20th century, repeal some explicitly sexist provisions (for instance, earlier laws had stripped women of their Liberian citizenship upon marriage to a foreign man; this was changed so that women could retain their nationality after marriage), core inequalities remained in the transmission of citizenship to children (Bruey, 2024).

Politically, Liberia's nationality laws became a subject of growing debate in the 2000s and 2010s, a period when the country was rebuilding after prolonged civil conflicts. Two issues came to the forefront. First, the gender discrimination in citizenship transmission was increasingly seen as an embarrassment on the international stage, inconsistent with Liberia's obligations under treaties like CEDAW and the African Charter on the Rights and Welfare of the Child. Liberian civil society groups (Bility, 2024), including women's rights organisations, began to campaign for reform, often invoking the stories of Liberian mothers who could not secure citizenship for their own children born abroad. Second, a heated domestic debate emerged around the question of dual citizenship for the Liberian diaspora (Durodola, 2025). Liberia historically banned dual citizenship; any Liberian who became a naturalised citizen of another country was deemed to have lost Liberian citizenship. With a large diaspora community (including many who fled during the wars) and an interest in encouraging their engagement

and investment, pressure mounted to relax this restriction. However, the dual citizenship debate was intertwined with the country's identity politics: some opponents argued that allowing dual nationality, especially for non Negro people, could dilute Liberia's identity or allow outsiders undue influence. Reformers countered that the existing laws were outdated and harmful, both in terms of human rights and national development (Wonnawon, 2025). This domestic push for dual citizenship and equal gender rights in nationality set the stage for a major overhaul of Liberia's citizenship law in 2022, as discussed later in the reform process section. Notably, these debates in Liberia highlight how legal reforms can become a crucible for deeper questions about national identity, belonging, and the legacy of a country's founding principles (Ryan, 2025).

2. Legal and Political Context in Madagascar

Madagascar's nationality law has its roots in the country's colonial history and post-independence nation-building, which together created a legacy of both gender and ethnic discrimination in citizenship. Formerly a French colony (1896–1960), Madagascar inherited many legal principles from the French civil-law tradition. Upon independence in 1960, the newly sovereign state enacted Ordonnance No. 60-064 (the Nationality Code) which defined who would be a citizen of Madagascar (Orsi, 2023). This code adopted a primarily jus sanguinis (bloodline) approach, meaning citizenship was transmitted by descent rather than by birth on the territory. Crucially, the 1960 code contained explicitly unequal provisions: it denied women the right to confer nationality to their children on the same basis as men, and also denied Malagasy women the ability to pass citizenship to a foreign spouse, whereas Malagasy men marrying a foreign woman could confer citizenship to the wife or have a facilitated path for her naturalisation (Yan, 2025).

In essence, an independent Madagascar maintained the patriarchal framework common in many former French colonies, wherein nationality was treated as something that men confer and women (and their children) receive conditionally (Petrozziello, 2025). This reflected what scholars often note about post-colonial legal systems despite independence, many new states preserved discriminatory aspects of the colonial codes, either due to inertia or because such rules aligned with pre-existing patriarchal social norms. Ethnicity further complicated Madagascar's citizenship regime. The Nationality Code as originally written not only distinguished based on gender but also had elements that differentiated between citizens by descent and those who might acquire citizenship through naturalisation, with implications for ethnic minority groups. One notable case is that of the Karana, a community of Indo-Pakistani origin long settled in Madagascar. Under the post-independence laws, many Karana people despite having been born and lived their whole lives in Madagascar found it difficult or impossible to obtain Malagasy nationality due to ethnic and religious biases that were informally at play in documentation and enforcement (Orsi, 2023). The Karana were often treated as outsiders and left stateless, illustrating how laws and administrative practices can discriminate not only by gender but also by ethnicity (Orsi, 2023). In theoretical terms, this reflects an intersectionality problem: legal discrimination in nationality law intersected with social perceptions of ethnic otherness, producing compounded exclusion for minority women and their families.

By the early 21st century, Madagascar's discriminatory nationality laws were coming under increased scrutiny, both domestically and internationally. Local women's rights groups, along with international NGOs, highlighted cases of Malagasy women unable to pass citizenship to children who, if the father was foreign or unknown, could end up stateless. International human rights bodies added pressure: for example, Madagascar's reports to the CEDAW Committee and the Universal Periodic Review repeatedly received recommendations to amend the nationality law to achieve gender equality (Orsi, 2023). The African Union's campaign to promote women's rights (including the Maputo Protocol of 2003, which Madagascar eventually ratified also created a normative expectation that gender discrimination in any law should be eliminated (Hefez et al., 2024). Politically, there was recognition among some Malagasy legislators that the nationality code, dating from the 1960s, was antiquated and did not reflect the country's current values or its constitutional commitments to equality.

However, progress was slow, likely due to the relatively low political salience of the issue for male-dominated parliaments and the fact that those most affected (stateless women and children, and minorities like the Karana) had limited political voice. It wasn't until the mid-2010s that a combination of factors including a democratic transition, lobbying by civil society coalitions, and Madagascar's engagement with global initiatives to end statelessness created momentum for reform (Karanika, Tantimonaco, & van Waas, 2025). This culminated in legislative changes in 2016 and 2017 that, for the first time, granted Malagasy mothers equal rights to confer nationality to their children.

3. International Obligations and Normative Framework

Both Liberia and Madagascar's reform efforts unfolded under the umbrella of international legal obligations that call for gender equality in citizenship. Understanding these obligations is key to analysing why reform became imperative and how international norms influenced domestic change. Under international human rights law, the principle of non-discrimination based on sex is firmly established. Specifically, Article 9 of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) obliges States Parties to ensure women have equal rights with men to acquire, change, or retain their nationality and, crucially, equal rights regarding the nationality of their children (Finnemore & Sikkink, 1998). Liberia ratified CEDAW in 1984 and Madagascar in 1989, meaning both had long-standing treaty commitments to remove gender discrimination from their nationality laws. However, like many countries, they initially lagged in implementing these commitments, revealing a gap between international norm adoption and domestic law reform. The CEDAW Committee, in its reviews of state compliance, repeatedly highlighted the nationality law issue in both countries, pressing for amendment of laws that prevented women from conferring citizenship. These reviews and recommendations functioned as a form of international social pressure, consistent with what Finnemore and Sikkink's norm life-cycle theory would predict: international bodies acting as norm entrepreneurs or enforcers, trying to generate a "cascade" of norm adoption (Finnemore & Sikkink, 1998).

Another pertinent instrument is the Convention on the Rights of the Child (CRC), which both Liberia and Madagascar have ratified. The CRC in Article 7 guarantees the child's right to be registered immediately after birth and to have nationality. When mothers are denied the ability to pass on nationality, children born in certain circumstances (such as out of wedlock, or to a foreign father who cannot confer his nationality) may be left without any nationality, directly clashing with CRC obligations. International advocacy around childhood statelessness, led by UN agencies like UNICEF and UNHCR, emphasised that gender-discriminatory nationality laws were a significant cause of childhood statelessness (Orsi, 2023). These agencies and allied NGOs often provide data, case studies, and moral arguments linking reform to the prevention of statelessness and protection of children's rights.

Regionally, Africa's normative frameworks also exerted influence. The African Charter on the Rights and Welfare of the Child (ACRWC, 1990) echoes the CRC's stance on children's right to a nationality, and the Protocol on the Rights of Women in Africa (Díaz Pabón, 2025), explicitly calls on States to ensure that women and men enjoy equal rights in terms of nationality and the nationality of their children. Madagascar, for instance, ratified the Maputo Protocol in 2014, which added impetus to address the glaring inconsistency between its regional commitment and its domestic law (Liberia signed but has not ratified the Protocol, yet the very existence of a regional norm could still have some persuasive effect). The African Commission on Human and Peoples' Rights in 2015 issued a robust declaration on the right to nationality in Africa, condemning gender discrimination in citizenship laws and urging states to reform such laws. These regional pressures form part of what might be termed a pan-African normative shift: as more African countries reformed their nationality laws such as in Algeria, Morocco, Senegal, Kenya all took steps in the 2000s to 2010s (Mbeva, 2024), it created a peer influence environment where countries like Liberia and Madagascar did not want to be left behind on what was increasingly seen as a standard of good governance and human rights compliance.

From a theoretical standpoint, the engagement of Liberia and Madagascar with these international obligations illustrates the dynamic of transnational legal process the way in which international norms become internalised into domestic law through interaction, interpretation, and internalisation. Initially, there may have been resistance or inertia, but continuous interaction with international institutions, treaty bodies, UPR, and transnational advocacy networks kept the issue alive (Williams, 2025). Activists often leveraged international forums to shame or persuade their governments: for example, Malagasy activists could return from a U.N. forum armed with specific recommendations to change the nationality law, lending their domestic campaign greater legitimacy and urgency. This reflects the "boomerang pattern" described by Keck and Sikkink (1998), where domestic groups unable to achieve change at home use international channels to put pressure on their own governments. In both countries, the convergence of bottom-up pressure (from civil society and affected families) with top-down pressure (from international human rights law and global advocacy) created a normative and political tipping point. By the mid-2010s, gender discrimination in nationality laws was widely understood at least among elites and policymakers aware of international discourse – as an indefensible anachronism that had to be rectified (Williams, 2025).

It's also worth noting that international development partners tied reform to broader development agendas. Ensuring legal identity for all, including birth registration and nationality rights, is part of Sustainable Development Goal 16.9. Gender equality in legal rights is a facet of Sustainable Development Goal 5. Both Liberia and Madagascar, reliant on international aid and keen to demonstrate progress, were cognisant that reforming their nationality laws would send a positive signal in line with these global goals. Indeed, UN agencies and donors often couched support for nationality law reform as part of promoting rule of law, women's empowerment, and development.

4. Reform Process in Liberia

The reform of Liberia's nationality law was a protracted journey that reflected both the country's internal sociopolitical dynamics and the external normative pressures discussed above. In the early 2010s, Liberia's government began to acknowledge the need for revising its outdated citizenship laws. President Ellen Johnson Sirleaf's administration (2006–2018), while historically significant as Africa's first elected female head of state, did not manage to pass a nationality law reform despite expressing support in principle for gender equality. Nonetheless, under Sirleaf, Liberia undertook a constitutional review process (around 2015–2016) that brought citizenship issues into public debate. Women's groups took this opportunity to highlight the injustice of the existing law, and diaspora Liberians lobbied vigorously for dual citizenship rights. Although the constitutional reform initiative stalled (a 2019 referendum on constitutional changes failed to remove the "Negro descent" clause due to low turnout and some public resistance), the momentum for statutory change kept building (Ryan, 2025).

A breakthrough came with the administration of President George Weah, who took office in 2018. Weah, a former international football star, framed himself as a champion of the Liberian diaspora and of women's empowerment. In 2019, President Weah publicly endorsed removing the gender discrimination in the nationality law and supported dual citizenship, signalling commitment from the executive. Meanwhile, legislators who are sympathetic to reform worked on draft amendments to the 1973 Aliens and Nationality Law. Notably, Liberia's reform process was influenced by advocacy from the Liberian diaspora communities and organisations like the European-based "Liberians in the Diaspora for Dual Citizenship" as well as legal empowerment groups at home. This demonstrates how a network of actors, from local NGOs to diaspora associations, can form an advocacy coalition that keeps an issue on the policy agenda. Their arguments combined practical appeals (e.g., children of Liberian mothers being denied opportunities, or diaspora investment being hampered by lack of dual citizenship) with rights-based framing equality and non-discrimination (Vaughan, 2025).

By 2021, draft legislation to amend the nationality law had made its way into the Liberian legislature. The proposal had two main components: (1) to allow dual citizenship for Liberian citizens and those of Liberian descent, and (2) to eliminate gender-based restrictions, thereby allowing Liberian women to confer citizenship to their children and also potentially to foreign spouses, although in practice Liberian law required naturalisation for foreign spouses regardless of gender, so spousal transmission was less of an issue (Ryan, 2025). These reforms were packaged together in part because they both required amendments to the same law and because politically, supporters of one often supported the other under the banner of "modernizing" Liberia's citizenship regime. There was still opposition from some quarters a faction in the legislature and society remained wary that dual citizenship could weaken the Negro nation ethos or allow wealthy foreigners (including non-Blacks) to claim Liberian nationality. However, the gender equality aspect was harder to openly oppose, since it was framed as correcting a human rights wrong. As Vaughan (2025) notes, the diaspora's advocacy was crucial in this phase, with expatriate Liberians lobbying legislators and using social media to shape public opinion in favor of the dual citizenship and gender equality amendments (Vaughan, 2025). This reflects a theoretical point: diaspora communities can act as agents of norm diffusion, bringing ideas of equal rights from abroad and pushing for change in their home country, often leveraging their unique position as insiders-outsiders in national politics.

In July 2022, Liberia reached a historic milestone. The National Legislature passed and President Weah signed into law, "An Act to Amend the Aliens and Nationality Law". This Amendment Law, effective as of August 2022, removed the clause that had restricted transmission of citizenship to children of Liberian mothers. For the first time, Liberian women were explicitly granted the same right as men to pass their citizenship to their children born anywhere. Additionally, the law affirmed that Liberians who acquire another nationality do not lose their Liberian citizenship, thereby formally permitting dual citizenship (with certain conditions, such as a notification requirement). At the signing ceremony, President Weah and supporters hailed the reform as a victory for equality and a means to strengthen Liberia by embracing all its citizens – those by blood, irrespective of gender, and those abroad who wish to retain ties. UNHCR and other international actors quickly applauded Liberia for "joining the 21st century" in its nationality laws, underlining how Liberia's move was seen as part of a global progression towards gender-equal citizenship (Pailey, 2024). It is important to note that the 2022 reform did not directly alter the constitutional Negro descent requirement that is a clause in Liberia's 1986 Constitution, which can only be changed by referendum. As a compromise of sorts, the new law allowed dual citizenship but still limited it to people of Liberian origin (essentially maintaining that non-Black foreigners cannot naturalize as Liberian easily, except potentially through special laws for long-term residents which were not addressed in this reform). Thus, Liberia tackled the gender discrimination and dual nationality issues at the statutory level, while sidestepping the more sensitive racial provision. In effect, Liberia achieved a significant portion of the reform goals by statute, even though the constitutional racial clause remained a lingering challenge for the future.

The passage of the law reform was the culmination of years of advocacy and negotiation, and it represented the alignment of political will with normative principle. Theoretically, one could argue that Liberia's case shows a two-level game in operation: the government had to satisfy domestic constituencies women's groups, diaspora, and progressive legislators, while also responding to international expectations. The result was a legal change that satisfied the immediate demands of those constituencies and brought Liberia into better alignment with international norms, even if one aspect racial exclusivity was deferred (Bility, 2024).

5. Reform Process in Madagascar

Madagascar's journey to reform its nationality law was somewhat different in tempo and triggers, reflecting its distinct context. Whereas Liberia's reform came in one sweep in 2022, Madagascar's came in stages and earlier. By the mid-2010s, Madagascar faced mounting criticism for being one of the few countries still denying women

equal nationality rights for their children. Internally, a consortium of civil society organisations – including women's associations, human rights NGOs, and groups working with stateless populations campaigned for change. One key player was the local chapter of the Global Campaign for Equal Nationality Rights, which worked with Malagasy activists to raise awareness among policymakers about the real human impact of the discriminatory law, highlighting cases of children who could not go to school or get medical care because they lacked Malagasy papers. The campaign gained an audience with influential figures in government, some of whom acknowledged that the nationality code was a relic of a bygone era and an embarrassment in a country that otherwise prided itself on progress in women's education and empowerment (Burnod, Bouquet, & Rakotomalala, 2025).

External influences also played a decisive role. Madagascar had undergone a period of political instability following a 2009 coup, but by 2014 a new democratically elected government was in place, seeking to rebuild international partnerships. As part of re-engaging with the international community (Razafindrakoto, Roubaud, & Wachsberger, 2024), Madagascar underwent the Universal Periodic Review (UPR) at the UN Human Rights Council in 2014 and again in 2019. In these forums, numerous states recommended that Madagascar amend its nationality law to ensure women could pass citizenship to their children and spouses. The government initially responded by indicating willingness to act on the issue. In parallel, UNHCR, which identified Madagascar as having a significant stateless population partly due to gender-discriminatory laws, provided technical assistance and encouragement (Etone, Nazir, & Storey, 2024).

The specific reform came via legislative amendment. In late 2016, the Malagasy Parliament debated changes to the Nationality Code. By this time, momentum had been bolstered by regional examples: Tunisia (2010) and Senegal (2013) had recently enacted gender-equal nationality laws, and Algeria and Morocco had done so a decade earlier, showing that predominantly Muslim countries and civil-law jurisdictions could make such changes. Malagasy lawmakers in favor of reform cited these examples, as well as Madagascar's own constitutional principle of gender equality (Ralalaharimiadana, Rakotondralambo, & Rakotoniary, 2025). Finally, in January 2017, an amendment to the Nationality Code was passed and promulgated. This amendment's most significant clause stated that a Malagasy mother has the same right as a Malagasy father to transmit her nationality to her child, effective from birth. Consequently, children born to Malagasy women and foreign fathers (or fathers of unknown or stateless status) would thenceforth be recognised as Malagasy by descent. This was a landmark shift that corrected a decades-old injustice. Notably, the law was made retroactive in the sense that those who were born before its passage, under the old discriminatory regime, could now claim Malagasy nationality through their mothers.

However, the 2017 reform in Madagascar was partial. It addressed the issue of children, but it did not fully equalise the ability of women to confer nationality to spouses. Malagasy men married to foreign women continued to enjoy a provision whereby the foreign wife could acquire Malagasy nationality with relative ease (essentially, through a declaration after a certain period of marriage), whereas Malagasy women married to foreign men still did not have an equivalent privilege for their husbands (Zo et al., 2024). Efforts to include spousal equality in the 2017 amendment met resistance; lawmakers were more reluctant to extend nationality to more adults (perhaps fearing scenarios of opportunistic marriages or just holding biases that a foreign husband should not gain nationality through marriage). International advocates and some Malagasy reformists recognised this as an unfinished piece of business but accepted a step-by-step approach get the children's issue done first, then tackle the spouses later. Indeed, Madagascar thus joined a handful of countries at the time that had achieved mother-to-child equality but not spousal equality, highlighting how gender reforms can sometimes advance in increments rather than all at once (Zeelie, 2024).

Another aspect that Madagascar's reform did not directly tackle was the situation of long-term stateless residents like the Karana. Although not the focus of gender-equality campaigns, it was an intertwined nationality issue.

In the years following 2017, Madagascar drafted separate legislation in 2019 aimed at addressing statelessness, which included provisions to facilitate naturalisation for people who had been historically excluded. As of the mid-2020s, however, that statelessness-specific legislation was still pending. What this indicates is that while gender discrimination in law was rectified, other forms of discrimination or gaps in nationality law (ethnic, historical, etc.) require their own political will and advocacy to be resolved.

From a policy process theory perspective, Madagascar's case can be seen through John Kingdon's streams model: by 2016, the problem gender statelessness was recognised, viable policy solutions were drafted and amend the code, and the politics were favourable a new government wanting to signal reformist credentials in other words, the problem, policy, and politics streams came together to open a window of opportunity for reform (Baumgartner, 2025).

6. Comparative Analysis of the Two Reform Pathways

Comparing the reform pathways of Liberia and Madagascar reveals both convergences due to global normative influences and divergences due to local context. The most striking commonality is that both countries ultimately responded to a universal human rights norm: that women and men should have equal citizenship rights, particularly in conferring nationality to their children. Despite vastly different histories and political environments, Liberia and Madagascar aligned their laws with this norm within a decade of each other (Rasolonaivo, 2024). This is evidence of the potency of international human rights standards and the transnational movement against gender discrimination – a testament to what world society theorists would call the isomorphic effects of global norms on national policies, even in disparate settings. Each country's journey affirms that what was once seen as a domestic matter of citizenship has been internationalised as a matter of human rights, leaving few places for explicitly gender-biased laws to hide from scrutiny (Beninger & Manjoo, 2023). However, the differences in context led to different emphases and challenges in the reform process. One key difference lies in the legal tradition and legislative approach. Madagascar, with a civil law tradition, handled reform through specific amendments to the code, and had to navigate issues like retroactivity and consistency of the code's framework. Liberia, with a common law influence and a written constitution overlay, had to consider not just statutory change but also constitutional constraints. This meant Liberia's reform could not immediately purge all discriminatory aspects (the racial clause remained), whereas Madagascar, not having a racial clause in its constitution, could fully legislatively address gender though it left spousal discrimination.

Another difference was the political salience of the issue. In Liberia, citizenship questions were politically charged, connecting to diaspora voting rights, concepts of Liberian identity, and even election politics some politicians attempted to use the dual citizenship debate to rally nationalist sentiment. In Madagascar, by contrast, nationality law reform was a relatively technical issue that did not become a populist battleground; it was mostly discussed within policy circles, and the general public's attention to it was limited. The lower salience in Madagascar possibly made it easier to enact change without arousing opposition, whereas in Liberia the reform had to be coupled with significant political negotiation and public persuasion.

The role of domestic advocacy and civil society also took different forms. Liberia's case featured a vocal diaspora lobby and prominent women's rights advocates domestically (some of whom had global visibility, given Liberia's fame for women's activism in other domains like the peace movement). Madagascar's civil society activism, while crucial, operated more behind the scenes and in partnership with international organisations. This can partly be attributed to differences in civic space and government receptiveness: Liberia's post-conflict democracy has a vibrant civil society and media environment where debates play out publicly, whereas Madagascar's political scene has at times been more closed or elitist, with reforms percolating through government ministries with input from experts.

Despite these differences, both countries ultimately illustrate a pattern of norm convergence with variation in pace and sequencing. Each addressed gender discrimination in nationality for children as a priority, which aligns with the international consensus that a child's right to nationality is paramount. Both have not yet fully addressed other discriminatory facets Liberia racial exclusion; Madagascar spousal inequality and certain minority statelessness issues, indicating that norm internalisation is not an overnight transformation but a gradual process where certain aspects are tackled in phases. In both, one can observe the phenomenon of path dependency tempered by critical junctures: their past laws set them on exclusionary paths, but international and domestic pressures created a critical juncture around the 2010s where a departure from the old path became possible and they took it for gender equality, while leaving some path-dependent elements like Liberia's racial clause intact for now.

It is also instructive to compare how international actors engaged in each case. International celebration and reinforcement followed both reforms: UNHCR publicly praised each country when the laws were changed, and both were heralded as positive examples in global forums (Vaughan, 2025). Yet, before the reform, the strategies differed. In Liberia, we saw direct engagement by diaspora and likely quiet diplomacy by Western partners encouraging dual citizenship for development reasons; in Madagascar, UN agencies and international NGOs directly supported drafting and offered model provisions and took advantage of UPR and treaty bodies to apply pressure. This difference underscores that international influence can manifest external pressure, technical assistance, or empowerment of local voices, depending on what is most effective in the local context.

From a broader perspective, the experiences of Liberia and Madagascar suggest that there is no one-size-fits-all model for achieving legal reform, even when the end goals align. Liberia's reforms were entangled with a broader overhaul of its citizenship regime including the emotional issue of dual nationality in a historically emigrant-producing country. Madagascar's were narrower, correcting a specific set of injustices without overhauling the entire citizenship framework. Each path had pros and cons: Liberia's comprehensive approach means the major gender issue and dual nationality were solved together, but tackling multiple issues at once required more complex compromises, leaving the racial rule in place. Madagascar's incremental approach achieved an immediate fix for children's nationality rights, arguably the most urgent matter, but left other issues unresolved, meaning further reforms are needed and the momentum could dissipate (Vaughan, 2025).

In terms of outcomes, which the next section will explore in detail, both countries have moved closer to compliance with international standards, yet their remaining gaps are telling of their initial conditions. Liberia's remaining gap in racial restriction is not one faced by Madagascar; conversely, Madagascar's remaining gap in spousal citizenship inequality and stateless minorities is not an issue in Liberia which, for all its other faults, did not have a comparable stateless minority population, and already had gender-neutral spousal naturalisation requirements, albeit onerous for all. This highlights how reforms solve the problems they target, but also how comprehensive equality requires addressing all forms of discrimination gender, race, ethnicity in nationality law. It also reflects intersectional theory in practice: different axes of identity gender, race, ethnicity can independently be sources of inequality in law, and a reform can remove one axis of discrimination while others persist (Gbatu, 2023; Ludwig, 2016).

In conclusion, the comparative lesson from Liberia and Madagascar is twofold. Firstly, global norms and moral imperatives have significant influence even very different societies moved in parallel to change similar laws, affirming the universality of the push for gender-equal citizenship. Secondly, the path to that end is mediated by local politics, history, and social forces, resulting in reforms that, while normatively convergent, are tailored to local realities. Recognising these variations is important for any theoretical understanding of how international human rights norms are implemented: it's not a simple top-down imposition, but a negotiated process where local conditions shape the strategy and extent of change.

7. Implementation Challenges Post-Reform

Passing a law, as challenging as that may be, is only the first step; the real measure of reform is whether the new provisions are effectively implemented. Both Liberia and Madagascar, after their respective reforms, have encountered obstacles in translating legal equality into lived reality. Implementation challenges can stem from institutional capacity deficits, lack of public awareness, bureaucratic inertia, or even subtle resistance by officials, all of which have been observed to varying degrees in these two cases. Engaging a theoretical lens, one might view these challenges through the framework of legal transplant effectiveness and street-level bureaucracy, how well a change in written law can be absorbed by institutions, and how do the individuals who deliver government services interpret and enforce the change (Zafitsara & Velo, 2026; Wonnawon, 2025).
In Liberia, one immediate challenge following the 2022 amendment was bureaucratic preparedness. The reform meant that potentially thousands of children of Liberian women, many residing abroad with their mothers or in refugee communities became eligible for Liberian citizenship. However, Liberia's administrative infrastructure for civil registration and documentation is relatively weak. The country had to ensure that embassies, immigration offices, and passport authorities were aware of the change and had procedures in place to process applications from mothers for their children. Early reports indicated gaps in awareness, some officials still asked for father's documents when a mother tried to secure citizenship documents for her child (Orsi, 2023), simply because that was the ingrained habit and forms were not immediately updated. Training sessions and new guidelines had to be rolled out by the Liberian government to inform officials that the law had changed. This kind of challenge is common in many legal reforms – the inertia of old forms and routines can inadvertently perpetuate the old rule unless proactively corrected. Liberia's case underscores the importance of administrative directives and capacity-building as part of implementing a law. Theoretical discussions on state capacity suggest that without investment in institutions, even well-intended laws can fail. In the context of Liberia, decades of civil war and limited resources mean the state apparatus needs bolstering to carry out its new citizenship duties effectively.

Another Liberian challenge has been the interplay with the constitution on dual citizenship. The 2022 law allows dual citizenship, but Liberia's constitution still contains a clause that has been interpreted to mean that upon reaching adulthood, a person with dual citizenship must renounce one or automatically loses Liberian citizenship. This has created legal ambiguity: does the new law implicitly override the constitutional clause, or could a future court ruling or government enforce the constitutional text? The Liberian government needs to reconcile this, possibly through a constitutional amendment or a judicial interpretation that harmonises the two. Until resolved, some Liberian diaspora individuals remain cautious, uncertain whether they are truly secure in holding dual status or if their Liberian nationality is at risk. This situation illustrates how partial reform statutory without constitutional change can leave unsettled questions that may undermine full implementation. Essentially, a law on paper granting a right might not fully guarantee that right if higher-order legal provisions conflict; it's a classic example of legal hierarchy issues in implementation (Sumaworo, 2022).

Public awareness is yet another facet. Laws do not automatically change mindsets. Many Liberian women, especially in rural areas or those with less education, might not even know that they now have the right to pass citizenship to their children. Without awareness, rights can go unclaimed. The government and NGOs have a task to spread the information – via radio programmes, community meetings, etc. – that "if you are a Liberian mother, you can now ensure your child is a citizen; here's how." Similarly, diaspora Liberians who lost citizenship or assume they are not citizens might not know they can reclaim status. Each unregistered eligible child or unrecognised dual national is an implementation shortfall. The theoretical concept of substantive equality comes to mind: the law provides formal equality now, but to achieve substantive equality (in outcomes), supportive measures like outreach and perhaps fee waivers or legal aid might be needed so that those affected can truly benefit from the change (Beninger & Manjoo, 2023), discuss how socio-economic barriers can still impede women's ability to secure documents even after laws change).

In Madagascar, the implementation story has its own challenges. After the 2017 amendment, one pressing task was to issue documents or adjust status for children who were previously non-citizens but now entitled to citizenship through their mothers. Madagascar's civil registration system, especially in remote areas, is underdeveloped, with many births unregistered. Without a birth certificate listing the mother and father, if known, proving eligibility can be cumbersome. The government, with support from UNICEF and others, has been working on improving birth registration rates. One idea has been to ensure that maternity clinics and local administrators understand that a child of a Malagasy mother born either in Madagascar or abroad is Malagasy by law, so they issue the birth certificate or nationality certificate accordingly. However, in practice, bureaucratic delays and occasional ignorance of the new law have led to reports of mothers still struggling to get officials to acknowledge their child's citizenship. This echoes the point that laws must be accompanied by clear implementing regulations something as simple as updated nationality certificate application forms and guidance in the official gazette can make a big difference.

A second issue is that Madagascar's reform did not cover spousal transmission of nationality. Thus, a Malagasy woman with a foreign husband still cannot facilitate his naturalisation, whereas a Malagasy man can facilitate it for his foreign wife after a period of marriage. This continued inequality might not affect large numbers of people, but it is an implementation gap in achieving full gender equality. Women's rights advocates in Madagascar have continued to push for a follow-up amendment to address this, essentially arguing that the spirit of the reform, gender equal nationality rights is not fully realised until spouses are included. Until that is done, Madagascar is not in full compliance with CEDAW which covers spouses as well. This is less an implementation problem than a legislative gap, but it becomes manifest in individual women's lives, a Malagasy woman's foreign husband may find it much harder to get residency or citizenship compared to a foreign wife of a Malagasy man, affecting family unity and stability (Petrozziello, 2025).

Additionally, Madagascar faces the ongoing challenge of stateless populations like the Karana, something that the 2017 reform did not solve. While separate from gender discrimination per se, this issue complicates the overall implementation of equal nationality rights. From a human rights perspective, one could argue that true equality in nationality law in Madagascar will require not only gender equality but also addressing historical ethnic exclusions. Efforts such as the draft law to grant nationality to long-term stateless residents are part of the implementation of the broader principle of equality and prevention of statelessness. The delay in passing such measures means that, despite progress on gender, Madagascar still has tens of thousands of people including women and their children in minority groups who remain without nationality (Orsi, 2023). This highlights an important concept: declaratory vs. remedial implementation. The 2017 law declaratively fixed forward-looking gender discrimination from that point on, mothers confer nationality. But remedial implementation would require fixing past cases which the law allows, to an extent, for past children and addressing parallel issues that cause statelessness. The full benefits of the reform, in terms of reducing statelessness, will only be realised if these complementary actions are taken. In both countries, resource constraints pose practical implementation barriers. Processing potentially large numbers of new applications for citizenship documentation can overwhelm agencies that are understaffed and underfunded. In Liberia, digitisation of records and streamlining of processes have been suggested as measures that are required to cope with increased demand (Orsi, 2023; Raday, 2012). In Madagascar, outreach to remote communities and simplifying evidence requirements (for instance, accepting alternative evidence of maternal lineage if formal documents are missing) are important so that the law benefits all intended, not just those who can navigate bureaucratic procedures easily. International technical assistance, such as funding for civil registry upgrades and training programmes, can greatly aid implementation. Indeed, post-reform, UNHCR often transitions its role to support these technical aspects essentially to ensure the letter of the new law becomes reality on the ground.

In sum, while Liberia and Madagascar have leaped over the major hurdle of changing discriminatory laws, they now face the marathon of implementation. Challenges in both highlight that legal equality doesn't automatically

equate to equality in practice. Effective implementation requires administrative readiness, clarity in legal frameworks (resolving any remaining inconsistencies), active dissemination of information, and societal acceptance. Each country's experience reinforces a lesson in governance: reforms aimed at greater equality must be accompanied by concrete measures (education, capacity-building, monitoring) to ensure that people can exercise their new rights. The next section will evaluate what outcomes have been observed so far from the reforms, and what gaps remain, building on this understanding of implementation hurdles.

8. Outcomes of Reform and Remaining Gaps

The nationality law reforms in Liberia and Madagascar have had significant positive outcomes, even as both countries continue to face gaps and ongoing challenges in achieving full equality and eliminating statelessness. Evaluating these outcomes through a human rights lens, one can appreciate how the reforms have brought each country closer to compliance with international standards such as CEDAW and the CRC. At the same time, a critical analysis reveals that "formal equality" in law has not yet translated into complete substantive equality in all respects – a distinction often emphasised in legal theory that changing the law, while necessary, may not be sufficient to address all dimensions of inequality.

In Liberia, the immediate outcome of the 2022 amendment was the removal of a clear injustice: women gained the legal right to confer citizenship to their children on equal terms as men. Practically, this means that a child born abroad to a Liberian mother is now recognised as Liberian from birth, just as if their father were Liberian. This closes a long-standing loophole that produced stateless children and broken families. Already, anecdotal accounts suggest that Liberian mothers in the diaspora have begun securing Liberian passports or certificates of citizenship for their children – something impossible before. There is also symbolic impact: the reform is seen as affirming women's equal status as citizens and contributors to the nation, correcting a patriarchal bias in the law. Such symbolic recognition can have ripple effects on gender norms in society, reinforcing women's equal standing in realms beyond nationality. Additionally, by allowing dual citizenship, Liberia has arguably strengthened ties with its diaspora, with dozens of expatriate Liberians reportedly reclaiming citizenship or expressing plans to invest in or return to Liberia now that they can do so without renouncing their other nationality (Vaughan, 2025). This could have socio-economic benefits, as diaspora remittances and engagement often contribute to development a point diaspora advocates stressed by framing dual citizenship as a tool for national unity and growth (Vaughan, 2025).

However, Liberia's remaining gaps temper these successes. Most prominently, the Negro descent racial restriction remains enshrined in the constitution and indirectly still limits aspects of the law. The new statute did not and could not override that constitutional clause. As a result, while a Liberian woman can pass citizenship to her child irrespective of the child's place of birth, that child (and indeed any citizen) must still be of Negro descent effectively excluding any scenario where a Liberian citizen might wish to confer nationality to a child who is not considered Black. In practice, this might rarely block children (since typically if the mother is Liberian and of Black African descent, the child would be too), but it underscores an official inequality: race-based citizenship is antithetical to modern non-discrimination norms (Ludwig, 2016). It also means non-Black residents in Liberia, no matter how long their families have been in the country, remain barred from naturalizing, keeping a segment of the population like people of Lebanese or Asian heritage perpetually foreign. Thus, Liberia has addressed gender discrimination but not racial discrimination in its nationality regime. From an international law perspective, this violates obligations under the Convention on the Elimination of Racial Discrimination (CERD), and it leaves Liberia among a tiny handful of states with an overt racial criterion for citizenship. The gap is glaring when measured against the ideal of equality: a Liberian woman married to a non-Black foreigner can pass citizenship to their child now, but that child might be considered ineligible if not Negro under a strict reading of the constitution, or the foreign husband still cannot naturalise, etc. The resolution of this will likely require another significant legal change (constitutional amendment) which is politically sensitive and was

intentionally not tackled in 2022. Therefore, one outcome of the reform is that it has thrown into sharp relief this remaining racial inequity. Liberian policymakers and civil society are now increasingly confronted with the question of having fixed gender discrimination, what can be done about racial discrimination – a question that cannot be dodged indefinitely if Liberia is to fully modernise its citizenship laws.

Another outcome to examine is whether the reforms have reduced the risk of statelessness in Liberia. For children, certainly the risk is reduced: previously, a child of a Liberian mother born outside Liberia could be stateless if the father's nationality was not transmitted; now that child is Liberian, closing that statelessness loophole. However, statelessness was not widespread among children of Liberian mothers prior to the reform largely because many such children could often obtain another nationality, if born in a country with jus soli, or via the father's nationality if legally possible (Orsi, 2023). So, the direct impact of statelessness, while positive for those individual cases that did occur, may not have been mass in scale. Liberia's statelessness issues are more tied to documentation and the status of certain communities like descendants of migrants from West Africa who were not clearly citizens issues that are beyond gender and which remain. But by ensuring all children of Liberian women are citizens, Liberia did comply with the 1961 Convention on the Reduction of Statelessness which it hasn't ratified, but the convention and customary norms encourage granting nationality to avoid childhood statelessness. The dual citizenship aspect might also indirectly reduce statelessness among Liberian refugees or exiles who lost citizenship under the old dual ban; now they can retain or regain Liberian citizenship even if they naturalised elsewhere. This could help individuals who effectively became stateless when Liberia revoked their citizenship for taking another, though again that may be a limited number of cases.

Turning to Madagascar, the outcomes of its 2016–2017 reforms are likewise significant. The most immediate result was that Malagasy women achieved equality with men in conferring nationality to their children. Thousands of children who would have been ineligible for Malagasy nationality under the old law are now unquestionably citizens. This has tangible benefits: these children can obtain Malagasy passports, go to public schools as citizens, inherit property, and generally enjoy the full rights of belonging to the only country many of them have ever known. In a broader sense, Madagascar's reform was part of a wave of changes that, as of the late 2010s, reduced the number of countries worldwide with gender-discriminatory nationality laws to an all-time low, a milestone frequently cited by UNHCR and Equality Now. Madagascar was celebrated as having joined the community of nations upholding gender-equal nationality rights to paraphrase UNHCR's press briefing in 2017. Such recognition boosts the country's international standing on human rights issues, which can have positive diplomatic and perhaps economic implications, smoother relations with donors who emphasize governance and rights. Internally, the reform has been cited by women's groups as a victory that energizes further advocacy on women's legal equality in other domains like matrimonial property or political participation. This suggests an outcome where success in one area's nationality law builds momentum and confidence to tackle other gender equality issues, reflecting how legal reforms can have normative spillover effects in society ("Making Citizenship and Blackness in Liberia," 2019).

The benefits also extend to family unity and welfare. Under the old law, families with a Malagasy mother and foreign father had to worry about their children's status, and in cases of marital breakdown or if the father abandoned the family, the children could be left with precarious status. Now, the mother's nationality is sufficient to secure the child's citizenship, which can enhance the stability and security of such families. This aligns with feminist legal arguments that empowering women with equal rights strengthens families and communities, as women are often primary caregivers and their ability to secure legal status for their children is fundamental to the children's well-being (Huddleston, 2020).

Yet, Madagascar's reform left some gaps. The most clear-cut legal gap is the one regarding foreign spouses of Malagasy women. These spouses remain unable to gain citizenship through marriage, while foreign wives of Malagasy men can. This not only contravenes CEDAW's requirement of equality in marriage and family

relations, but it also has human implications: some families in Madagascar still experience gender-based legal disparities, a French man married to a Malagasy woman must go through a lengthy naturalisation, whereas a French woman married to a Malagasy man can become Malagasy relatively quickly (Orta, 2025). Such disparities, while perhaps affecting a smaller population than the children issue, perpetuate a notion that women are second-class in the family realm. It's an outstanding reform agenda item. On the positive side, now that the more controversial children's issue is resolved, there are signs that Madagascar might address the spousal issue next. Continued advocacy around it, frames it as completing what we started in 2017.

The other major gap is the statelessness of certain minority groups, principally the Karana. Despite not being directly about gender, this issue is connected to how inclusive and equal Madagascar's nationality laws are. (d'Orsi, 2023) notes that while Madagascar has made progress on gender discrimination, the plight of the Karana and some Chinese-origin families remains a half step back in the fight against statelessness (Orsi, 2023). These people, often generations removed from their ancestor's country, remain without any nationality because Malagasy law did not grant it at independence (due to ethnic distinctions) and they had no other citizenship. The continued lack of a legal solution for them means Madagascar cannot claim to have achieved full equality in nationality. True equality would mean that all those with genuine links to the country, regardless of gender or ethnicity, have access to citizenship. The draft proposed which would perhaps allow facilitated naturalisation for such groups is critical. As of 2025, UNHCR reports still call on Madagascar to accede to the Statelessness Conventions and implement procedures to recognize and reduce statelessness among these populations. Therefore, an outcome of the gender-focused reform, somewhat unintentionally, is that it threw the remaining exclusions into starker relief: Madagascar solved one piece of the puzzle, making the unsolved pieces more conspicuous both domestically and internationally (Orta, 2025).

Another angle is to ask about the impact on international obligations compliance. Both countries improved their compliance with CEDAW and CRC by reforming. However, Liberia will still face criticism under CERD for the racial clause, and Madagascar under human rights reviews will still be asked about stateless minorities and the spousal issue. So, while they cleared one major item off their human rights to-do list, others remain. It will be interesting to observe if these reforms change how the countries are approached in international dialogues likely, they'll be commended for progress and then pushed on the remaining issues which is indeed what happened, UN human rights council commended Madagascar for the 2017 change but noted the need to address the Karana statelessness (Orsi, 2023).

Conclusion

The nationality law reforms enacted in Liberia in 2022 and in Madagascar in 2016–2017 offer a compelling comparative study in how international human rights norms are internalised into domestic legal systems under conditions of structural difference. Both countries arrived at a common destination, gender-equal citizenship rights for children via markedly distinct pathways, and this divergence is as analytically significant as the convergence itself.

Liberia's reform was a sweeping statutory overhaul driven by the confluence of diaspora advocacy, executive political will, and a longstanding domestic debate about national identity that extended well beyond gender. The bundling of gender equality with dual citizenship reform in a single legislative act reflects the political economy of change in Liberia: progress on sensitive issues often requires a coalition of interests broad enough to overcome entrenched opposition. The result was a landmark reform that addressed gender discrimination and enabled diaspora re-engagement yet deliberately deferred the most politically fraught issue the constitutional Negro descent clause to a future moment of political readiness. Madagascar's reform, by contrast, was narrower in scope and more incremental in character, addressing the children's nationality issue through a targeted amendment to the Nationality Code while leaving spousal equality and the statelessness of minority groups like

the Karana unresolved. The reform was catalysed by a convergence of UPR pressures, civil society advocacy, and the political opportunity created by a post-transition government seeking to signal reformist credentials. Both cases, read through the lens of Finnemore and Sikkink's norm life cycle, confirm that international norm cascades do not produce uniform or simultaneous domestic responses; rather, they create conditions under which change becomes possible, with local actors determining when and how that possibility is seized.

The comparative analysis also reveals a pattern of partial norm internalisation that is arguably characteristic of nationality law reform more broadly. Neither country achieved comprehensive equality in a single reform cycle. Liberia cleared the gender barrier for children while preserving a racial exclusion that violates CERD obligations and continues to render a segment of its population categorically ineligible for citizenship. Madagascar equalised mothers' and fathers' rights to transmit nationality to children while leaving foreign husbands of Malagasy women in a legally inferior position relative to foreign wives of Malagasy men and leaving tens of thousands of stateless minority residents without a legal pathway to belonging. These remaining gaps are not incidental, they reflect the path-dependent weight of founding narratives and colonial legal inheritances that were not neutralised by the same political momentum that drove gender reform. In theoretical terms, they illustrate that norm internalisation is not a binary achievement but a spectrum, and that the depth of internalisation is shaped by the political costs attached to each specific discriminatory element.

From the standpoint of international human rights law, both reforms represent meaningful advances in compliance with CEDAW and the CRC, reducing the risk of childhood statelessness and affirming women's status as full legal transmitters of national belonging. However, full compliance with CEDAW's Article 9 requirements on spousal nationality, with CERD's non-discrimination obligations, and with the 1961 Convention on the Reduction of Statelessness remains incomplete in both jurisdictions. This gap between progress and full compliance is not merely a technical matter; it has real consequences for individuals whose citizenship status remains precarious or whose capacity to transmit nationality to a spouse is legally curtailed by their gender. Effective implementation of the reforms that have been enacted further conditions outcomes: bureaucratic preparedness, civil registration infrastructure, and public awareness each mediate whether a legal change produces substantive equality or remains largely aspirational.

In the broader landscape of African nationality law reform, Liberia and Madagascar serve as evidence that change is achievable even in legal systems historically shaped by exclusionary founding myths and colonial residue. Their experiences affirm that the combination of bottom-up advocacy, international engagement, and political opportunity can produce genuine legal progress. They equally demonstrate, however, that the horizon of equal citizenship extends beyond any single reform, and that the remaining discriminations whether racial, ethnic, or gender-based in the domain of spousal rights demand continued political commitment and civil society pressure to dismantle. The diverse paths that Liberia and Madagascar have travelled toward equality are instructive precisely because they are unfinished: they illuminate not only what has been accomplished, but what remains to be done for citizenship to be fully equal in law and in practice.

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