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Review Article

Licensing Women into the Economy: A Gendered Review of Kenya National Trade Policy and Socio-economic Empowerment of Women Traders in Nairobi County

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Abstract

Globally, trade has proven to be a key promoter of Sustainable Development Goal number 5, which aims to achieve gender equality and women's empowerment. Women dominate the informal trade sector, through which they contribute to growth and development. While regional and national trade frameworks have adopted gender-responsive reforms, licensing practices remain poorly aligned with the lived realities of women. The interface between trade policies and the realities of women traders shows a critical gap in how licensing creates a systemic barrier to their formalization, decent work, and economic mobility. The World Trade Organisation (WTO) and the African Union's trade framework, African Continental Free Trade Area (AfCFTA), advocate for gender-responsive trade policies. Subsequently, Kenya National Trade Policy (KNTP), undertakes to mitigate gendered barriers to women traders. Despite progressive policy frameworks, licensing complexities continue to disadvantage women entrepreneurs and remain a critical hurdle to inclusive formal trade. This literature review examines the implications of trade licensing strategies under the KNTP on the socio-economic empowerment of women traders in Nairobi County. Anchored in feminist political economy, the review synthesizes empirical and policy literature on gendered informality in urban trade. Key themes include licensing as a structural and cultural barrier, informality as a rational livelihood strategy, the role of gender norms in shaping compliance, and the implications of weak inter-agency coordination. The review reveals a persistent gap between policy intent and implementation, underscoring the limitations of current formalization strategies. It argues for a shift toward simplified, localized, and gender-anchored licensing reforms that prioritize accessibility, care-sensitive infrastructure, and the inclusion of women's voices in trade governance. The study contributes to current policy debates on inclusive trade, institutional reform, and economic empowerment for women in the informal economy.

Keywords

Women Traders, Informal Economy, Trade Licensing, Socio-economic Empowerment, Gender-responsive Policy, Nairobi, Kenya

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1. Introduction

Globally, trade stands out as a key contributor to achieving SDG 5, which aims for gender equality and women's empowerment, essential for global growth and development. Hence, the need for gendered policies for inclusive trade to capture the contribution of all in a sustainable formal economy, leaving no one behind [30, 40]. Conversely, women form the majority of informal traders, contributing significantly to household livelihoods, urban economies, and regional food systems [14, 39]. Despite their centrality, many women remain excluded from the benefits of formal policy frameworks due to structural, regulatory, and normative constraints [14, 29, 34, 37, 38]. Specifically, licensing systems, designed as gateways to legal and economic recognition, often function as bottlenecks that reinforce gender disparities in access to markets and public support [13, 23, 33, 41].

The WTO plays a crucial role in advancing gender-inclusive trade policy. Through its 2017 Joint Declaration on Trade and Women's Economic Empowerment, it has taken steps toward mainstreaming gender in global trade governance. The declaration, endorsed by over 120 member and observer countries, encourages member states to adopt measures that enhance the participation of women in domestic and international markets [71]. These include improving access to finance, ensuring the collection of sex-disaggregated trade data, and promoting inclusive regulatory frameworks, among others. While the declaration is non-binding, it reflects growing consensus that gender equity is integral to sustainable economic development. Embedding WTO-aligned gender objectives into local trade governance is necessary for building inclusive and competitive economies [24, 32]. However, the translation of these principles into concrete national reforms remains limited [15, 24]. For countries like Kenya, aligning national licensing reforms with WTO principles offers a pathway to strengthen both policy credibility and international trade competitiveness, especially within informal sectors where women are disproportionately concentrated [15, 32].

The AfCFTA presents a landmark opportunity to foster inclusive trade and economic transformation across the continent. Its overarching objective-to eliminate intra-African trade barriers and harmonize policy environments-includes a growing recognition of gender equity as central to sustainable development. The AfCFTA Secretariat has emphasized this through its Protocol on Women and Youth in Trade, which seeks to institutionalize gender-responsive trade measures by addressing systemic constraints faced by women entrepreneurs [1]. Scholars argue that regional trade integration will be incomplete without targeted interventions for women in informal sectors, who remain marginalized from formal market structures despite their critical role in cross-border and domestic trade [16, 30, 46]. Yet, the translation of these gender-sensitive provisions into national policy and local administrative frameworks remains slow, hindered by capacity gaps and entrenched regulatory informality [7, 8, 50]. For Kenya, aligning trade licensing mechanisms with the gender mandate of AfCFTA is essential to bridging the policy divide and realizing more equitable outcomes for women traders [46].

The East African Community (EAC) has progressively integrated gender considerations into its regional trade and development agenda. Through instruments such as the EAC Gender Policy of 2018 and the EAC Elimination of Non-Tariff Barriers Act of 2017, the bloc underscores the importance of removing structural obstacles that disproportionately affect women traders in cross-border and informal markets. The EAC has also supported simplified trade regimes and gender desks at border points, intended to ease compliance for small-scale women traders [64]. Despite these advancements, challenges remain in translating regional commitments into domestic regulatory frameworks, such as licensing and business formalization processes [4]. For Kenya and other partner states, aligning national trade licensing procedures with this gender-responsive trade agenda of the EAC is critical for achieving meaningful inclusion and reducing the cost of doing business for women in the informal economy [4].

Immediately after independence in 1963, Kenya adopted an import-substitution industrialization strategy that relied heavily on protectionist trade policies [58]. Trade and enterprise were highly regulated, and licensing was centralized, often complex, and inaccessible to small-scale traders and, especially, women [5, 58]. The business environment suited large, male-dominated formal enterprises, while women were largely confined to informal trading spaces without recognition or legal protection [29, 47, 58]. During the 1990s, there were sweeping economic reforms under the Structural Adjustment Programs (SAPs) introduced by the World Bank and the International Monetary Fund. These reforms promoted trade liberalization, deregulation, and privatization, dismantling many of the protectionist mechanisms of the previous era [65]. Although these policies opened markets, they also weakened public institutions, reduced state support, and failed to address the specific needs of women in trade [29]. Many women entered informal trade as a survival strategy following widespread job losses, but licensing systems remained bureaucratic, gender-blind, and exclusionary [65].

The Business Licensing Reform Initiative (BLRI) was launched in 2004 as a response to the cumbersome nature of Kenya's licensing regime, which had grown to include more than 1,300 licenses [25]. The initiative, led by the Ministry of Finance and supported by international partners, sought to rationalize and streamline the licensing process to enhance the business climate. However, the reform prioritized efficiency over equity, and its impact on women traders was minimal, as it failed to integrate a gender perspective. From 2008 to 2010, Vision 2030 became the country's guiding development blueprint [17]. It emphasized economic modernization, regulatory efficiency, and private sector growth. Reforms such as the Companies Act of 2015 sought to modernize business registration and licensing laws. Nevertheless, these legal instruments remained largely technocratic and did not address gender-specific barriers to formalization, especially for informal women traders [51, 52]. In 2013, Kenya introduced the e-Citizen platform to digitize public services, including business registration and licensing. This innovation improved access and transparency for those with digital skills and access to infrastructure. However, many women traders, particularly those in low-income and informal settings, continued to face barriers due to limited digital literacy, lack of awareness, and challenges in meeting documentation requirements.

A significant milestone came in 2017 with the adoption of the KNTP, the first comprehensive national trade framework since independence [18]. The policy explicitly recognized the gendered nature of trade and committed to mainstreaming gender into trade and licensing systems. It proposed simplifying registration procedures, enhancing access to trade information, and promoting women's inclusion in formal markets. However, implementation has faced challenges, including limited institutional capacity, fragmented mandates across agencies, and persistent socio-cultural norms that hinder women's uptake of formal licensing. Additionally, in 2019, the National Gender and Development Policy was launched, reaffirming the government's commitment to gender equality across all sectors, including trade [19]. It emphasized the need for gender-responsive budgeting and institutional accountability mechanisms to close the gender gap in economic participation [19]. Despite this, integration of these principles into trade licensing procedures has been inconsistent.

From 2020 onward, Kenya's trade policy landscape has been influenced by two key developments: the ratification of the African Continental Free Trade Area (AfCFTA) and the economic fallout of the COVID-19 pandemic [46]. AfCFTA has renewed attention to harmonizing trade regulations and creating gender-responsive policy frameworks [1]. Meanwhile, the pandemic exacerbated the vulnerabilities of women traders and reignited debates around the accessibility and resilience of licensing systems. These developments have amplified calls for simplified, decentralized, and care-sensitive licensing approaches that are responsive to the realities of informal women traders [9].

Notably, Kenya's trade licensing history reflects a gradual shift from centralized control toward regulatory modernization, with an evolving, though uneven, recognition of gender equity [46, 47, 58]. While policy intent has become more inclusive over time, licensing systems continue to reflect structural and normative exclusions that disproportionately affect women in informal trade [43]. Gender-blind licensing regimes, institutional opacity, and bureaucratic overload often prevent women traders from transitioning to formal economic spaces [29, 42, 44]. As states strive for economic transformation through trade-driven growth, addressing these gendered gaps in licensing becomes not just a matter of inclusion but of economic justice and sustainability while aligning domestic licensing systems with broader commitments to women's economic empowerment [35, 45, 46]. Meaningful reform requires bridging the policy-practice gap and grounding licensing reforms in the lived realities of women at the margins of the formal economy [45, 50]. Therefore, this literature review aims to explore how trade licensing frameworks affect the economic inclusion of informal women traders in Kenya. It synthesizes existing academic, policy, and institutional literature to identify key barriers, conceptual gaps, and reform opportunities. Using a gender-sensitive policy lens, the review assesses the role of licensing in shaping women's agency, access to resources, and participation in the formal economy for their socio-economic empowerment.

2. Literature Review and Theoretical Framework

2.1. Theoretical Framework: Feminist Political Economy

This review is grounded on feminist political economy, which interrogates how economic policies, governance structures, and regulatory systems perpetuate gendered power relations. This lens is particularly relevant to understanding the institutional and cultural logics that structure exclusion of women from formal economic participation. Licensing, while often framed as a neutral administrative tool, is embedded within broader socio-economic systems that reflect and reproduce gender hierarchies. Through employing this framework, the review evaluates licensing not just as a technical mechanism but as a site of negotiation between state power, gender norms, and informal survival strategies. This approach allows for a deeper assessment of why reforms often fail to reach women and how alternative policy designs can promote structural inclusion and empowerment. Furthermore, the intersection between gender, informality, and trade policy has been widely documented in urban economies. Kabeer argues that women's empowerment must be understood through access to resources, the ability to exercise agency, and the achievement of outcomes they value [26]. Applying this lens to trade licensing, several studies have shown that formalization processes often disadvantage women due to bureaucratic complexity, high costs, and cultural norms. They highlights how informal economies in Africa are shaped by hybrid governance structures that often exclude women from decision-making and policy access [29, 38, 66].

2.2. Empirical Literature Review

This section reviews empirical studies that explore the intersection of trade licensing, gender norms, and women's economic empowerment. The review is organized under four themes that reflect the relationship between institutional barriers, gendered experiences, and empowerment outcomes.

2.2.1. Trade Licensing and the Socio-economic Empowerment of Women Traders

Trade licensing and the socio-economic empowerment of women traders is a critical but underexamined theme. Evidence shows that access to licensing can either enhance or distort economic security, business legitimacy, and access to credit and market spaces, culminating in the nature of participation in the formal economy. A doctoral dissertation by Wachira (2012), explores the role of micro and small enterprises (MSEs) in empowering women operating within Muthurwa Market in Nairobi [69]. The study investigated how engagement in informal business activities influences women's socio-economic status, decision-making power, and overall agency within households and the broader community. The qualitative research, employing in-depth interviews and observations with women traders actively involved in MSEs, established that participation in informal trade contributes to financial independence, increased confidence, and greater influence in household-level decisions. A study by Salguero-Huaman (2024), presents a collection of essays exploring the nexus between trade policy and gender equality in developing countries under the title "Making Trade Work for Gender Equality" [61]. The study, which is grounded in feminist economics and international political economy, examined how trade liberalization, policy design, and institutional arrangements affect women's participation in economic systems. The essays employing a mixed methodological approach, combining macro-level trade data analysis with case studies from Latin America, Sub-Saharan Africa, and South Asia, established that trade policy-particularly in developing countries-often fails to account for the gendered realities of informal markets, access to economic resources, and decision-making spaces. While the study spans multiple countries and trade regimes, its analytical depth on policy structures and gender outcomes makes it highly applicable to the Kenyan context under the KNTP.

According to Park and Shin (2023), empowered women can voice their concerns about gender provisions in trade policies, culminating in an increase in empowered women and inclusive trade [56]. They argue that women leaders may influence trade policy priorities directly and also shape public discourse on equity and inclusivity. In their study, where they explored the relationship between women's political representation and public support for gender-related provisions in international trade agreements, they established a positive association between women's representation and support for gender clauses in trade agreements, with particularly strong effects in countries with democratic governance structures. Using data from cross-national surveys and statistical analysis, the study examines whether the presence of women in legislative bodies correlates with greater public endorsement of gender-sensitive trade policies. The research is grounded in theories of descriptive representation and participatory legitimacy, suggesting that when women are visibly involved in policymaking, it strengthens both institutional credibility and public willingness to support inclusive reforms.

A study by Saha et al. (2021) offers empirical evidence that licensing reforms, when not deliberately gender-responsive, can reproduce existing inequalities [60]. The study examined the intersection of business environment reform and gender inclusion, using Indonesia's licensing reform as a case study. The study is situated within a gender and development framework, emphasizing how policy tools like licensing can either advance or hinder inclusive economic participation. Using a qualitative case study approach, the authors analyze government reports, conduct stakeholder interviews, and review relevant policy documents to assess how licensing reforms were designed and implemented. The findings reveal that although the reform sought to streamline business registration processes and reduce bureaucratic burdens, gender was largely treated as an afterthought. As a result, women entrepreneurs continued to face challenges such as limited information access, digital exclusion, and gendered assumptions embedded within the reform process. The study underscores the importance of embedding gender considerations into both the design and implementation stages of regulatory reforms to ensure they are truly inclusive by highlighting the disconnect between policy frameworks and the lived experiences of informal women traders. While the country context differs, the parallels in regulatory structures and exclusionary outcomes strengthen the case for the current study on licensing as a structural, inclusive support system to effectively empower women in the informal sector.

Other studies establish the importance of licensing in promoting the socio-economic empowerment of women traders. Panchol (2023) found that women-led initiatives in Kenya benefit from targeted licensing support and training, which boosts confidence and economic resilience [55]. Furthermore, women-led initiatives, including micro-enterprises and community-based organizations, significantly improve household income, decision-making autonomy, and social capital; hence, the need to reinforce the broader need for gender-sensitive licensing reforms that are accessible and supportive of informal women traders [55]. Saqfalhait et al. (2023) demonstrated that licensing reforms need to be grounded in structural transformation to yield empowerment outcomes [62]. Gugan et al. (2024) highlight that women's participation in the economy is often constrained by structural barriers such as discriminatory licensing regimes, lack of property rights, limited market access, and unpaid care responsibilities [23]. They argue that women's economic inclusion is not only a matter of social justice but also a catalyst for broader national development, especially when supported by gender-sensitive legal and policy frameworks [23]. Chirisa (2013) established that, despite their critical role in sustaining household and community economies, women face institutional neglect, particularly in the form of poorly structured licensing systems and weak policy support hindering their economic autonomy [13]. Hence, governance quality is essential in ensuring licensing leads to real gains for women's livelihoods and market integration.

However, the studies do not delve into the structural and regulatory dimensions of market participation, particularly the role of trade licensing or institutional frameworks such as the KNTP. This highlights a gap that the current study seeks to fill by examining how licensing processes shape women's empowerment in informal urban economies.

2.2.2. Regulatory and Institutional Constraints in Trade Licensing

Regulatory and institutional constraints in trade licensing have been widely documented as significant barriers to formal economic participation for women. Studies reveal that licensing procedures are often costly, opaque, and fragmented. For instance, a study by Wawire et al. (2022) assessed the effectiveness of the Women-in-Manufacturing Program in promoting economic empowerment for women entrepreneurs in Kenya's manufacturing sector [70]. Anchored in empowerment and capability frameworks, the study explored how targeted interventions like training, mentorship, and business development services impact the capacity of women to participate in formal industrial value chains. Using a mixed methods approach, the research gathered both qualitative and quantitative data through surveys, interviews, and focus group discussions with program beneficiaries across various regions in Kenya. The findings revealed that participants experienced improved access to finance, market linkages, and managerial skills. However, institutional and cultural barriers, including limited policy incentives and gendered industry norms, continued to constrain women's full participation. While the study offers valuable insights into formal sector empowerment strategies, it does not address the unique challenges faced by women in informal trade or the impact of regulatory frameworks such as trade licensing. Consequently, this study highlights a gap in understanding how informal women traders navigate legal and bureaucratic systems, a focus central to the present research on gendered licensing under the KNTP.

According to a study by Tekie and Getachew (2024) on the gendered challenges faced by street vendors in the Jemo-01 area of Nifas Silk Lafto Sub City, Addis Ababa, within the context of urbanization and market regulation, women vendors face systematic marginalization through police harassment, lack of secure vending spaces, and exclusion from formal consultation processes in urban planning [65]. To boot, gendered social norms further limit their ability to claim space and voice within the city's rapidly transforming market environments. The qualitative research, anchored in a gender and development perspective, explored how urban policy and municipal enforcement practices disproportionately disadvantage women street vendors. The study conducted interviews and field observations to document the lived experiences of women engaged in informal vending. While the study is geographically focused on Ethiopia, its thematic concerns resonate strongly with the experiences of informal women traders in Nairobi, Kenya. However, it does not specifically engage with the licensing process or national trade policy frameworks such as the KNTP. This presents a complementary gap that the present study addresses by focusing explicitly on how licensing functions as both a structural and symbolic mechanism of inclusion or exclusion for informal women traders.

Taneja et al. (2018) examine the role of trade facilitation in improving women's participation in cross-border trade within the BBIN (Bangladesh, Bhutan, India, and Nepal) subregion [64]. The study is framed by a gender and trade facilitation lens, emphasizing how simplifying border procedures, infrastructure access, and regulatory harmonization can improve women's access to formal trade channels. Employing a qualitative methodology, the study draws on interviews with women traders, border officials, and policy stakeholders, complemented by desk reviews of national trade policies and regulatory documents. The findings highlight several barriers faced by women traders, including poor awareness of trade procedures, physical harassment, lack of secure storage and transport, and institutional opacity at customs points. The authors advocate for specific trade facilitation measures such as gender-segregated customs queues, capacity-building for women traders, and streamlined documentation processes to improve participation and reduce informality. Although situated in the South Asian BBIN context, this study's insights are highly applicable to Kenya. However, the study does not specifically address national licensing systems or urban market regulation, making the Kenyan case of trade licensing under KNTP a necessary and context-specific contribution.

Nicita and Zarrilli (2010) present a foundational analysis of the interplay between trade policy and gender, offering both conceptual insights and empirical illustrations [49]. They examined how trade liberalization affects men and women differently, particularly in developing countries, and established the need for ex-ante gender impact assessments in trade policymaking. The authors argue that gender-neutral trade policies often have gender-differentiated outcomes due to existing structural inequalities and propose integrating gender considerations into national trade strategies through stakeholder engagement and institutional reform. Moreover, the study, which relied on international trade data and gender-disaggregated labour statistics, outlines how shifts in tariffs, export orientation, and import competition influence employment, wage structures, and sectoral participation by gender. Although the study does not focus on Kenya specifically, the call for gender mainstreaming in trade frameworks aligns with her commitments under the KNTP, hence the need for this study.

A study by Nguyen et al. (2025), although focused on Vietnam's formal financial sector, provides methodological insight for analyzing business performance across varying durations of operation, an angle relevant to evaluating the trajectories of women-owned informal enterprises in Kenya [48]. It highlights the importance of capacity-building and adaptive strategies, which are relevant to current discussions on licensing reform, where long-term engagement without institutional support may not yield equitable results. Moreover, Nguyen et al. (2025) emphasize that institutional inefficiency in licensing undermines business performance and erodes women's entrepreneurial capacity [48]. In the same vein, Akaezuwa et al. (2020) established that women often engage in informal practices not out of choice, but as adaptive responses to complex licensing requirements, inconsistent enforcement, and gender-biased treatment by officials [4]. Additionally, Ahmed et al. (2024) identified the need to eliminate entrenched bureaucratic cultures, rent-seeking practices, or users' mistrust in institutions else informal practices will persist and may even become more opaque making women entrepreneurs remain vulnerable to gatekeeping by intermediaries, due to digital illiteracy, lack of information, and limited access to support systems [2]. While the context differs, the findings lend support to arguments for tailored interventions that support newer women-led enterprises navigating licensing and market access under Kenya's evolving trade policy frameworks.

Other studies, like Kinyanjui (2014), highlight that women traders in Nairobi's informal economy navigate a convoluted and male-dominated licensing system with limited institutional support. Alila and Mitullah (2000) highlight the existence of regulatory and institutional challenges that constrain women's ability to operate freely and securely in urban informal markets. While Ahmed et al. (2024) show that in Bangladesh, digital reforms in trade licensing still suffer from entrenched informal practices, a challenge that mirrors the Kenyan context. Moreover, a study by Bergallo et al. (2021) examining the multifaceted impacts of the COVID-19 pandemic on women's economic autonomy across Latin America and the Caribbean underscore the failure of many national emergency responses to adequately integrate gender-sensitive support mechanisms, particularly in areas such as licensing renewals, access to credit, and digital market participation.

2.2.3. Gendered Social Norms and Informal Strategies Around Licensing

Gendered norms, informal strategies, and access dynamics shape women's interactions with licensing systems. Studies show that licensing is often perceived as a male domain, discouraging women from applying independently. Robertson (2018) explores the historical evolution of gendered power relations in Nairobi's informal trade economy during the colonial period, focusing on the period between 1920 and 1963 [59]. Situated within a feminist historical and political economy framework, the chapter traces how colonial urban policies and patriarchal administrative structures sought to control African women traders through regulation, spatial restriction, and licensing. Using archival records, colonial correspondence, and oral histories, the author shows how African women resisted formal constraints and negotiated spaces of economic autonomy despite exclusionary urban governance. The study underscores the long-standing tensions between informal economic participation and state control, revealing that licensing and urban policy were central instruments of patriarchal regulation. It also illustrates how women's presence in Nairobi's markets challenged colonial and post-colonial efforts to formalize and masculinize commerce. While the study does not address current institutional reforms, such as the Nairobi County licensing policies, it deepens the structural analysis of gendered market regulation and provides historical grounding for the continued marginalization of women in Kenya's urban informal trade, which is necessary for this current study [20-22].

Bishop and Hoskin's (2024) exploration of historical intersections between gender, licensing, and the law in 19th-century New South Wales, Victoria, and New Zealand demonstrates how licensing serves not only as a regulatory mechanism but also as a tool of gendered exclusion [10]. The authors argue that such legal precedents established long-standing institutional biases that continue to influence contemporary gender disparities in access to economic resources. In the same vein, Kinyanjui (2014) presents an in-depth analysis of women's participation in the informal economy in urban Africa, with a particular focus on Kenya [29]. Drawing on ethnographic research and critical feminist theory, the book argues that African women in informal trade are not peripheral economic actors but central contributors to urban livelihoods and development. Kinyanjui challenges dominant economic narratives that marginalize informal work, highlighting instead the creativity, resilience, and community-based organizing that define women's engagement in informal markets [29]. The study critiques regulatory regimes, including licensing and zoning laws, for reinforcing exclusion and argues that formal economic frameworks often ignore or undermine women's lived realities and economic strategies. However, the study was concluded before the ratification of the KNTP.

Racaud (2018) examines the dynamics of informal street trading in Kisumu, Kenya, with a focus on how state actors, local authorities, and traders negotiate the boundaries of legality and informality [58]. Using ethnographic fieldwork, spatial observation, and policy analysis, the study explores how informal trading is simultaneously tolerated, regulated, and contested by urban governance structures. The concept of informality is framed as an "ambiguous resource," revealing how street vendors adapt to shifting regulatory landscapes while local authorities selectively enforce or suspend rules based on political, economic, or social motivations. The study also highlights how traders-particularly women-employ strategic invisibility or negotiation to remain operational within contested public spaces. Rather than portraying informality as a static category, the study presents it as fluid and embedded within complex governance arrangements. The study provides empirical evidence from the Kenyan context on how licensing and enforcement are inconsistently applied, reinforcing institutional mistrust among informal traders. However, the study does not directly address the KNTP strategies.

Studies have identified patriarchal norms and institutional bias as underlying causes of women's underrepresentation in formal trade structures due to deeply entrenched gender norms that portray formal business ownership as a male domain [3, 13, 28, 30, 54]. This notwithstanding the fact that, women are central actors in informal economies and local development initiatives [30]. Hence, addressing gender inequality requires a comprehensive policy shift that includes targeted support for women entrepreneurs, legal reforms, and the dismantling of social norms that perpetuate exclusion. While some policy interventions exist to support women traders, implementation remains fragmented and poorly coordinated, making some women often rely on intermediaries or avoid formalization altogether to evade harassment and bureaucratic inefficiency [54]. Besides, Macharia (2006) and Ngesa (1996) trace the historical exclusion of women from regulated trade spaces in Nairobi, revealing a legacy of spatial and regulatory marginalization [36, 47]. Wachira (2012) found out that women traders at Muthurwa market avoid licensing due to the fear of being taxed or harassed, a rational choice shaped by socio-economic realities [69]. Langbid-Roda and Collantes (2024) similarly note that Filipino women vendors face gendered constraints that prevent formal registration, echoing experiences found in African markets [34]. Additionally, Osoro (2012) avers that traditional gender roles and care responsibilities restrict the time and mobility of women entrepreneurs, making it harder for them to engage with regulatory agencies or scale their operations [53].

2.2.4. Inclusive Licensing Pathways and Empowerment Enablers

Tripp (1989) examines the transformations in women’s economic roles within urban households in Tanzania, with a particular focus on how women navigate shifting economic conditions through informal enterprise [67]. The study is grounded in a feminist political economy perspective, analyzing how structural adjustment policies and economic liberalization in the 1980s disproportionately affected women and compelled them to engage in informal trading as a survival strategy. Drawing on ethnographic fieldwork and household interviews, the study reveals that women’s informal economic activities-though critical for household sustenance-remain undervalued and unsupported by formal institutions. Tripp highlights how state policies often overlook or marginalize informal work, leaving women vulnerable to harassment and regulatory exclusion [67]. The study illustrates the gendered nature of informality and underscores the resilience and adaptability of women in constrained economic environments. While the study is situated in the Tanzanian context and dates back several decades, its insights remain highly relevant for contemporary research on informal trade in urban Africa. It provides a foundational understanding of how gender, policy, and informality intersect in shaping women’s economic agency. However, it does not address recent developments such as digital licensing systems or gender mainstreaming within formal trade policy frameworks. The current study builds on these earlier insights by exploring how regulatory reforms-specifically trade licensing under the KNTP-mediate women’s empowerment in the informal economy.

Nganga and Kiriti (2023) critically assess the extent to which Kenya has incorporated gender considerations into its trade commitments under the AfCFTA [46]. Anchored in feminist economic theory and trade policy analysis, the study reviews Kenya's national trade documents, AfCFTA protocols, and stakeholder consultations to evaluate the country's approach to gender mainstreaming. The authors find that while Kenya has made explicit commitments to gender equality in its policy texts, actual implementation remains fragmented and under-resourced. The study identifies institutional gaps, limited representation of women in trade negotiations, and a lack of sex-disaggregated data as major barriers to effective mainstreaming. It recommends a multi-level strategy that includes capacity building, stakeholder engagement, and integration of gender analysis into every stage of the trade policy cycle. Reinforcing the argument that gender commitments in trade agreements must be backed by institutional reforms and inclusive governance. The study, however, does not advocate for aligning trade licensing reforms under the KNTP with the gender equity goals embedded in continental frameworks like the AfCFTA.

Murungu (2024) conducts a landscape analysis of how trade agreements affect women's participation in trade across Africa, with a particular emphasis on both continental and bilateral frameworks [44]. Drawing on feminist trade theory and policy content analysis, the study evaluated various agreements, including the AfCFTA, Economic Partnership Agreements (EPAs), and national-level trade frameworks. The research used secondary data to assess the extent to which gender considerations are integrated and implemented. Murungu avers that while gender equality is often referenced in trade agreements, implementation mechanisms are weak or non-existent [44]. The analysis highlights gaps in monitoring systems, limited stakeholder engagement with women's organizations, and insufficient domestic policy reforms that link trade agreements to the everyday realities of women traders. While the study spans multiple African contexts, its implications strongly reinforce the need for localized, gender-responsive licensing reforms in Kenya, as part of broader efforts to operationalize commitments made under frameworks like the AfCFTA and the KNTP, a gap which this study sought to fill.

Mwatu (2023) explores the determinants influencing gendered participation in domestic trade in Kenya, drawing on national survey data and structured interviews with men and women engaged in trade across urban and rural contexts [45].

Grounded in gender and development theory, the study applies a mixed-methods approach, combining logistic regression with qualitative analysis to examine how factors such as access to capital, legal awareness, education level, marital status, and regulatory environments shape participation outcomes. The findings show that women face disproportionately higher barriers due to limited access to trade-related information, cultural perceptions about women's roles, and a lack of supportive institutional frameworks. Furthermore, the study reveals that women's participation is more concentrated in lower-profit sectors, a pattern linked to both social norms and structural exclusion from formal trade channels. on gender disparities in trade participation and the structural barriers embedded in licensing systems. However, the study did not undertake a review of the KNTP, which this study sought to examine.

Der Boghossian (2019), in the WTO Staff Working Paper "*Trade Policies Supporting Women's Economic Empowerment: Trends in WTO Members"*, provides a detailed analysis of how WTO member States are integrating gender considerations into their trade policies [15]. Drawing on official notifications, policy documents, and member submissions, the paper identifies emerging trends in gender-responsive trade policy, including initiatives to enhance women's access to global markets, improve data collection on gender and trade, and promote inclusive trade facilitation. However, it also notes that most member-driven efforts remain non-binding and vary significantly in scope and ambition. The paper concludes that for trade to contribute meaningfully to women's economic empowerment, gender considerations must be mainstreamed across trade policy domains-not just in rhetoric but through enforceable commitments and accountability mechanisms, which this study sought to examine in relation to the KNTP licencing strategies.

Other studies show that formal policies must be backed by coherent, gender-aware implementation strategies, as well as various coping strategies such as collective organizing, reliance on family labour, and engagement with local women's associations, to ensure they effectively empower women traders [14, 30-34]. Nonetheless, Bahri and Amaral's (2024) critical analysis of trade policies avers that while gender-related provisions are becoming more common in trade frameworks, their formulation is often vague, non-binding, and reflective of the priorities of more powerful negotiating states [7]. Additionally, one-size-fits-all licensing models often exclude women due to their limited access to capital, legal knowledge, and decision-making platforms [6, 8]. Baloi (2019) critiques the disconnect between policy objectives and the lived realities of marginalized groups, particularly in terms of access to economic resources, formal markets, and regulatory systems such as business licensing [8]. However, while some policies have contributed to modest improvements in livelihoods, many suffer from weak implementation, limited institutional coordination, and inadequate gender integration, which this study seeks to examine concerning the KNTP.

3. Methodology

This study adopts a qualitative literature review methodology, relying exclusively on secondary data sources. It draws from academic journal articles, policy papers, doctoral dissertations, and institutional reports to examine the relationship between trade licensing systems and the socio-economic empowerment of women in Kenya's informal economy. The literature reviewed was sourced through Google Scholar, Scopus and JSTOR database searches. The search with combinations of keywords resulted in 79 materials. To strengthen the study's validity and reliability, an additional search employing the study question "implications of KNTP trade licencing strategies to socio-economic empowerment of women traders in Kenya" was carried out. This resulted in 37 materials, of which 21 were similar to those identified through the keyword search. Cumulatively, there were 95 related materials for the study, all in the English language. Before download, the materials were taken through topic and abstract scanning for relevance, which led to the exclusion of 43 materials.

The 52 documents reviewed in this study were analyzed using a manual thematic synthesis approach. This involved both deductive coding, based on the research objectives and feminist political economy framework, and inductive coding from emerging insights. Each document was read line-by-line, and key excerpts were coded using a structured codebook developed during analysis. A matrix in Excel was used to organize and track the coded data. For each document, relevant segments were entered alongside assigned codes, broader themes, and analytical notes. Iterative reading and refinement ensured consistency in theme development. The feminist political economy lens guided interpretation by focusing on how trade licensing practices reflect and reproduce gendered institutional arrangements. Although qualitative software such as NVivo was not used, the dataset size allowed for effective manual coding. Analytical rigor was maintained through systematic coding, theme validation, and documentation of audit trails in the coding matrix. This approach facilitated a nuanced and coherent understanding of how licensing systems interact with governance quality, normative expectations, and economic agency, particularly for women traders in Kenya.

4. Synthesis and Policy Discussion

This synthesis presents thematic insights drawn from the literature, reflecting the structural, normative, and institutional dimensions of trade licensing and its implications for women's economic participation. The discussion is organized around four intersecting themes: licensing and socio-economic empowerment, regulatory and institutional barriers, gendered norms and adaptive strategies, and inclusive licensing pathways and empowerment enablers.

4.1. Licensing and Socio-economic Empowerment of Women Traders

The reviewed literature established that licensing holds significant potential as an enabler of women's socio-economic empowerment. The potential of trade licensing to facilitate women's socio-economic empowerment is increasingly acknowledged in both policy and academic literature. When licensing systems are simplified, digitized, and responsive to local needs, they can provide a pathway to legal recognition, access to formal markets, and protection from exploitation. This agrees with studies by Wawire et al., (2022) and Suominen, (2017) which established that these instances, licensing functions not only as a regulatory tool but also as a mechanism of inclusion through such initiatives like enabling women to expand their businesses, secure financing, and claim public space in the urban economy [63, 70]. This was further corroborated by other studies which claim that when properly implemented, licensing systems act as a gateway to formal recognition, offering traders access to legal protections, financial services, and public procurement opportunities [37, 64]. On the contrary, other studies by Chen, (2012) and Kongar & Berik, (2021) argues that these benefits remain conditional, unevenly distributed and in need of complementary policy interventions-such as subsidized fees, mobile outreach services, or care infrastructure like childcare facilities in markets- else the empowering effects of licensing remain elusive for the most marginalized women [12, 31]. Thereby, the implication is that, without accompanying structural reforms, licensing often reinforces rather than alleviates gendered inequalities.

The literature further revealed that licensing does not guarantee empowerment unless it is embedded within broader redistributive strategies. Feminist political economy critiques caution against viewing formalization as inherently empowering. Some of the studies contend that formal mechanisms can reproduce exclusion if they are not grounded in equity, redistribution, and participatory governance [27, 31]. This is reinforced by findings by Chirisa, (2013) and Klaa, (2020), which established that while some women experience improved market security and increased bargaining power after formalization, others encounter exclusion when licensing systems are not designed with gender-sensitive considerations [13, 30]. In the same vein, studies by Kabeer, (2015) and Kinyanjui, (2014) show that empowerment does not only require formal market entry, but it also demands shifts in institutional culture, resource distribution, and the underlying gender norms that shape economic participation [27, 29]. In corroborations, Brenton et al. (2013) and Ahmed et al. (2024) highlight that licensing is often undermined by structural gaps, including poor coordination between agencies, outdated regulatory databases, and limited representation of women in trade governance [2, 11]. Therefore, this study reinforces this argument by showing that in the absence of supportive interventions-such as gender quotas in licensing authorities, childcare facilities in markets, or subsidized fees for low-income women-licensing can become another layer of bureaucracy that women must navigate without gaining actual control over their economic futures.

This study further revealed that trade licensing should not be interpreted as a neutral act of administrative registration but as a political process situated within broader systems of power, where gender, class, and access to information shape outcomes. This understanding is echoed by scholars like Kuhlmann (2021) and Der Boghossian (2019), who argue that licensing regimes must be reimagined as platforms for redistributive justice [15, 32]. Consequently, empowerment, in this sense, is not the automatic result of inclusion into existing systems but requires transformation of those systems to reflect women's lived realities and strategic interests. Furthermore, viewed through the lens of feminist political economy, as advanced by Kongar and Berik (2021) and Hannah et al. (2022), licensing emerges not as a neutral bureaucratic function but as a contested site of power where access, agency, and recognition are negotiated [24, 31]. Therefore, for women in informal economies, licensing must be more than an administrative exercise. Empowerment through licensing must include both material gains-such as increased income, mobility, and access to capital-and relational gains, including decision-making power and institutional trust. This dual lens moves the discourse beyond procedural reforms to question who benefits from licensing, under what conditions, and with what long-term consequences. Therefore, the need to ensure licensing fosters women traders' autonomy, enhances public trust, and ensures they are not only beneficiaries but also active participants in shaping trade reform as part of a broader strategy for inclusive development. This kind of a transformative approach is necessary to avoid the risks of licensing becoming yet another mechanism that preserves rather than disrupts entrenched inequalities.

In sum, licensing can serve as a gateway to empowerment, but only when embedded within a policy framework that prioritizes equity, care, and redistribution. Without these, licensing may simply formalize exclusion under the guise of reform.

4.2. Regulatory and Institutional Barriers in Trade Licensing

A dominant thread in the literature on gender and trade licensing is the persistence of regulatory and institutional barriers that disproportionately burden women in the informal economy. Studies have repeatedly shown that opaque, inconsistent, and fragmented licensing processes hinder formalization by increasing transaction costs, fostering confusion, and deterring compliance [2, 29, 57, 68]. In Kenya, licensing procedures often involve navigating multiple offices, unclear fee structures, and limited access to procedural information-barriers that are exacerbated for women with limited mobility, education, or institutional trust. This review echoes this finding, highlighting that such bureaucratic opacity not only obstructs access but also delegitimizes state institutions in the eyes of informal traders.

The review further established the financial burden of compliance-ranging from unofficial fees to opportunity costs of lost work time-as another significant barrier. This supports Taneja et al. (2018) and Suominen (2017) observations that these costs are especially prohibitive for women managing unpaid care duties or relying on precarious incomes [63, 64]. Consequently, when the cost of becoming formal exceeds its perceived benefit, many traders rationally opt to remain outside regulatory systems. This has created a vicious cycle in which informal women traders are excluded from protections and growth opportunities, reinforcing their marginalization in urban economies.

This synthesis also revealed that poor inter-agency coordination further undermines the impact of licensing reforms. While KNTP and broader regional frameworks like AfCFTA emphasize streamlined, gender-responsive trade governance, implementation at the local level is inconsistent and often poorly monitored. Studies such as Lamprinidis (2023) and Murungu (2024) confirm that disjointed institutional mandates and overlapping jurisdiction between national and county governments dilute accountability and confuse traders [33, 44, 50]. Thus, this study adds empirical weight to these previous observations by showing how weak vertical and horizontal coordination not only slows reform but actively discourages women's engagement with the system.

This study thus provides a detailed mapping of how institutional design flaws intersect with gendered structural exclusion. Unlike existing literature that often treats licensing as a technical issue, this study emphasizes how regulatory dysfunction is deeply politically embedded in legacies of bureaucratic elitism, limited decentralization, and gender-neutral policymaking. The failure to fully implement gender-specific provisions in trade licensing, despite their presence in national frameworks, signals a broader problem of policy inertia and symbolic compliance. Therefore, this synthesis argues that meaningful reform must focus on both policy architecture and delivery mechanisms. Simplification and digitization alone will not suffice unless supported by institutional accountability, staff training, and resource allocation aimed at closing the gender gap in licensing outcomes. Furthermore, embedding gender-disaggregated indicators in performance audits and involving women traders in policy feedback loops are essential steps toward making licensing systems more inclusive and effective.

4.3. Gendered Social Norms and Informal Strategies Around Licensing

Empirical studies across African and global contexts affirm that gendered social norms significantly influence women's engagement with trade licensing regimes [27, 29]. Hence, patriarchal attitudes within licensing institutions-such as preferential treatment for male applicants, scepticism toward women-led businesses, or bureaucratic intimidation-serve to delegitimize women's economic agency. These institutional biases often reflect broader social hierarchies that view formal entrepreneurship as a masculine pursuit, deterring women from initiating or completing licensing procedures. This review confirmed these patterns and further underscores that such biases are not only embedded in state structures but also internalized by women traders themselves.

This review identified that studies have documented how licensing is perceived as a male-dominated administrative domain requiring negotiation, confrontation, and legal literacy. This was confirmed by Chirisa, (2013), who established that the necessary skills for acquiring licenses are often associated with men due to gendered upbringing and socialization [13]. This perception was stated to be especially acute in urban informal markets where state presence is sporadic, ambiguous, or coercive. Moreover, this study found that many women traders opt to rely on male relatives or informal brokers to act on their behalf in dealing with licensing officers. While such strategies may enable short-term compliance, they also reinforce women's economic dependency and limit their ability to engage state institutions directly. This aligns with Kabeer's (1999) observation that agency is not merely about access to resources but about the capacity to make choices within a meaningful range of options [26].

Importantly, this review contributes new knowledge by situating informal market behaviours-such as avoidance of licensing, underreporting, or rotating stall ownership-as rational strategies in response to structural exclusion. As Wawire et al. (2022) and Macharia (2006) note, informality is often portrayed as deviant or inefficient in policy discourse [36, 70]. However, this review emphasizes that informal survival strategies are embedded in context-specific realities, including fear of harassment, over-taxation, and eviction. Women's decisions to remain unlicensed are, therefore, less a sign of non-compliance and more a reflection of lived insecurity and institutional mistrust.

Additionally, this thematic synthesis adds to the feminist political economy perspective by reframing informality not as a policy problem but as an adaptive response to gendered regulatory environments. It calls for a reconceptualization of licensing as not merely a legal or technical process but a site of social negotiation shaped by power, gender, and historical marginalization. By illuminating these dynamics, the review challenges technocratic reform models that overlook the deeper cultural and institutional logics sustaining women's exclusion.

In summary, addressing gendered norms and informal strategies around licensing requires more than awareness campaigns or incentives. It demands a systemic reimagining of licensing institutions, communication practices, and frontline staff training, all of which must be grounded in feminist understandings of power, care work, and economic justice.

4.4. Inclusive Licensing Pathways and Empowerment Enablers

Across multiple studies, simplifying and digitizing licensing systems emerge as a promising pathway toward improving women's access to formal markets [2, 63]. Digital reforms such as e-registration platforms, mobile license renewal, and online payments reduce the logistical and temporal burdens that disproportionately affect women traders, particularly those with caregiving responsibilities. However, these reforms are often implemented without complementary investments in digital literacy, localized user support, or gender-sensitive design. In the Kenyan context, women with limited education and income continue to face difficulties accessing and navigating digital licensing portals, echoing concerns raised by Chen (2012) that tech-driven reforms may inadvertently widen access gaps if not embedded in inclusive frameworks [12].

Trade associations have also been identified as both enablers and gatekeepers. Studies illustrate that when women are well-represented in trade associations, they gain access to regulatory information, peer learning, and institutional visibility [69, 70]. Yet, findings from Kinyanjui (2014) caution that many associations remain male-dominated or politically co-opted, limiting their effectiveness in championing women's interests [29]. This literature review adds to this discourse by revealing that associations with explicit gender mandates, community outreach programs, and partnerships with county governments are better positioned to mediate licensing access for informal women traders. This highlights the role of inclusive governance within intermediary institutions as a critical factor in licensing reform.

Gender-responsive licensing policies have been introduced in Kenya through initiatives like subsidized licensing fees for women-led microenterprises and affirmative quotas in market leadership [18]. However, the reviewed literature reveals limited evidence of systematic policy uptake, especially at the county level. While Lamprinidis (2023) shows that socially responsive procurement and licensing can empower marginalized groups, the Kenyan experience remains fragmented, with few county governments aligning local licensing practices with national gender commitments [33]. This review revealed that these policy gaps manifest in the disjointed implementation of licensing support programs, often due to capacity constraints and poor coordination.

Capacity-building efforts and care-sensitive infrastructure, such as child-friendly market spaces or training hubs, are mentioned across global and local studies [13, 64]. Yet, this dimension remains under-theorized in trade licensing discourse. This study, therefore, expands the discussion by explicitly linking care infrastructure with time poverty and economic agency, arguing that without such investments, women's licensing uptake will remain structurally constrained. Furthermore, this review reframes childcare not as a welfare add-on but as essential economic infrastructure that supports licensing compliance and entrepreneurial growth.

Ultimately, the literature affirms that inclusive licensing reform must move beyond administrative streamlining to embrace a holistic, gender-transformative model. This study contributes to this field by drawing together scattered evidence to show how bundling simplification, outreach, policy responsiveness, and care infrastructure can reshape licensing systems into meaningful instruments of empowerment for informal women traders. Moreover, it challenges the technocratic framing of licensing as a neutral tool for economic participation. Instead, it positions licensing as a political institution that reflects and reinforces unequal gender relations. To make it transformative, policy must go beyond procedural adjustments and confront the deeper political economy of informality, gender, and exclusion.

5. Conclusion and Recommendations

This literature review examined the implications of KNTP licensing strategies on socio-economic empowerment of women traders, with particular focus on urban informal economy. The study has demonstrated that trade licensing in Kenya, as currently practiced, reproduces institutional, social, and cultural exclusions that disproportionately impact women traders. The findings show that although licensing could facilitate economic security, formal protections, and entrepreneurial growth, its implementation often creates additional burdens, especially for low-income women navigating complex urban economies. As a result, some women traders have opted for informality as a rational choice for survival. The study established policy gaps not only in policy designs, which lack women's lived realities, but also in implementation through lapses in institutional coordination despite the gendered policy provision in the national as well as the international trade policies. This has resulted in trade formalisation not cumulating into empowerment but further entrenchment of patriarchal norms.

In conclusion, the findings indicate that to transform licensing into a tool of empowerment, policymakers must address both structural and cultural barriers. This includes: simplifying and decentralizing licensing procedures to enhance accessibility, digitizing registration with complementary training for low-income women traders, embedding gender quotas in trade leadership and decision-making structures, establishing care-sensitive infrastructure, such as market-based childcare, and strengthening data systems to ensure gender-responsive policy monitoring. The study findings conclude that by reframing licensing not as a bureaucratic hurdle but as a strategic instrument of inclusion, trade policies can better support women's agency, resilience, and economic participation. This shift is essential to the broader goals of gender equality and sustainable development under frameworks like the KNTP, AfCFTA, and the Sustainable Development Goals; thus, laying empirical foundation for scholarly work and future studies on the same. Furthermore, the findings support the arguments that inclusive trade is a key promoter of sustainable growth and development, particularly through gender equity and women's empowerment.

Abbreviations

AfCFTA	African Continental Free Trade Area
BLRI	Business Licensing Reform Initiative
EAC	East African Community
EPAs	Economic Partnership Agreements
KNTP	Kenya National Trade Policy
SAPs	Structural Adjustment Programs
WTO	World Trade Organisation

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Conflicts of Interest

The authors declare no conflicts of interest.

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