

## Women Participation in Kenyan Politics: 1963-2017

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### Abstract

Women in Kenya comprise more than half of the population and are actively involved in both economic and social spheres. However, this potential has not been exploited fully in the political arena where women remain marginalised. This paper analyses the genesis of marginalisation of women in Kenyan politics, their role (or a lack of it thereof), and decision making, especially during and after the colonial period. The paper argues that the genesis of marginalisation of women in politics began during the colonial and continued into the post-colonial era, in spite of their active role during the struggle for independence. Furthermore, the paper notes that the democratic transitions to multi-party politics and the Constitution of Kenya in 2010 paved the way for women's participation in Kenyan politics. The paper concludes that increased participation of women in politics leads to social development in Kenya.

**Keywords:** Politics, Kenyan Women, Multi-party, Constitution

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### Introduction

Women in Kenya comprise more than half of the population and are actively involved in the economic and social spheres of the nation. The population census carried out in 2019 revealed that women stood at 24 million against men who were at 23.6 million (Kenya National Bureau of Statistics, 2019). Women play a significant role in perpetuating society and, like men, contribute to the social, political and economic development of the nation. However, rarely is this contribution acknowledged because a majority of women operate within the informal sector whose contribution is difficult to quantify. In most indigenous societies, women's roles were matched with their responsibilities in the social, economic and political spheres. Women also wielded power in areas regarded exclusively feminine, which guaranteed them some leverage in the political space (M. Aboge, personal communication, August 2006). Apart from this feminine domain, there were instances whereby women became chiefs, wielding power over the whole community, for example, Chief Mang'ana of Kadem in Migori County and Chief Wangu Makeri in Murang'a County (Ayot, 1990; Nyakwea, 1994).

During the colonial period (1920-1963), women's power and spheres of influence largely diminished. The colonial administrators, who were exclusively men, undermined the women's traditional base of power. In the advent of Kenya's struggle for independence, women joined their male counterparts—for example, Field Marshal Muthoni Kirima in Central Kenya and Magdalene Aboge in Kisumu (Kanogo, 1987; M. Aboge, personal communication, August 2006). The marginalisation of women in politics during the colonial period extended into an independent Kenya; despite the fact that women were active participants in the struggle for independence attained in 1963. Therefore, this paper examines the role of women in indigenous Kenyan communities and their marginalisation during and after the colonial era. Additionally, it outlines women's role in Kenya's struggle for independence and their participation in politics in the post-colonial era. Finally,

it analyses challenges faced by women in their struggle to gain political space given that the multi-party era and the 2010 Constitution opened up space for their engagement in politics.

### **Overview of women in indigenous communities and colonial Kenya**

A sizeable number of studies have examined the political, social, cultural and economic positions of women in Africa ( Boserup, 1970; Hafkin & Bay, 1976; Hay & Stichter, 1991; Khasiani & Njiro, 1993; Nzomo, 1993; Kabira et al., 1993; Mama, 1996; Kanogo, 2005; Nasongo & Ayot, 2007). These studies demonstrated that the role of women in indigenous communities in Africa varied extensively and, in some, they exercised extensive authority (Hay & Stichter, 1991). While in the area of leadership, scholars argue that women in some societies were leaders, councillors, and spiritual figures (O'Barr, 1995; Amadiume, 1987).

In the pre-colonial period, Kenyan women were political actors (Ndeda, 1997; O'Barr, 1995). Waiyego (2004) indicates that the Kenyan people assigned economic, social and political roles and positions to both men and women based on gerontocracy. For instance, elderly women among the Kikuyu and Meru formed women's councils, which dictated behaviour patterns for their members and enforced sanctions as necessary (Nyakwea, 1994; Waiyego, 2004). This provided women with a forum to participate in societal matters, even though formal political power was vested exclusively to male councils (Nyakwea, 1994; Waiyego, 2004). Therefore, in some cases, women had influence over decision-making in the community although they had no formal political rights.

Among the Luo community, elders governed at various levels. There were sub-clans, clans and councils of elders and at the highest level, the chief (M. Aboge, personal communication, August 2006). There were also other centres of authority that included spiritual leaders, prophets and prophetesses, medicine women and men, and wise women and men (J. Opiyo, personal communication, September 2006). Similarly, Luo women had their space within the political structure. For instance, the elderly women were often consulted on marital conflicts within families. A few women even won leadership positions in the councils of elders, especially the medicine women, the warriors and the prophetesses (Ndeda, 1997; Ayot, 1990; M. Aboge, personal communication, August 2006). Luo women also derived political power through the roles they played in production and social life. These roles were in farming, marketing, trading and family household affairs. The Luo recognized individual contribution not according to the contributor's gender, but according to one's ability. An example is Mang'ana nyar Ugwe of Kadem, a famous medicine woman who later became a chief on the eve of colonial rule (Ayot, 1990; Ndeda & Nyakwaka, 2013). Furthermore, political leadership also depended largely on religion; therefore, women were involved in leadership through divine guidance (Ayot, 1990; Ndeda, 1997; Nyakwaka, 2013). Elders led the Abagusii community (Kabira & Nzioki, 1993). The person to occupy this position had to be a man of wisdom, ability and bravery. The elders settled all social, political, and land disputes. However, within this community, there were powerful women such as Prophetess Moraa who prophesied the coming of the European colonialists to Gusiiland. Prophetess Moraa warned her people that if they permitted colonialists to their land, they would be colonised.

In 1895, the British government annexed East Africa Protectorate, which later became Kenya Colony in 1920. The British used violence on an unprecedented scale with singleness of mind to colonise Kenya (Lonsdale, 1989). The violence of conquest was repeatedly used in Kenya's subsequent history to crush resistances. Ultimately, the colonial period, in many parts of Africa, altered the status of women and reduced their power through the imposition of western conceptions of state and society. The colonial administrative, economic and social systems introduced a western notion of state and society with distinction between public and private spheres and its complimentary ideas about women. Colonial administration, therefore, undermined women's traditional bases of

influence, authority and power. The administrators who were exclusively male, set out to make African women more like their European counterparts who were housewives (O’Barr, 1995).

The colonial administrators also governed through indigenous male authorities thereby formalizing male institutions at the expense of their female counterparts (Ndeda, 2002; M. Aboge, personal communication, August 2006). The marginalisation of women in most institutions was perpetuated through colonial policies such as education, forced and migrant labour, and taxation (Kenya National Archives, 1950; Kenya National Archives, 1949-1957; Ndeda, 1994; Nyakwaka, 1999; M. Aboge, personal communication, August 2006). The colonialists did not believe in female involvement in the public arena and created a system that led to the deterioration of their status in society (Rodney, 1972). Exclusively, men occupied the colonial political structure since the colonial state was a man’s world (Ndeda, 2002). Colonialism left Kenyan women more politically disoriented and disempowered. Thus, as colonialism undermined their role in politics, women protested against the imposition of colonial rule over their communities. For instance, there were protests led by *Menyaziwa wa Menza* also known as *Mekatilili* of the *Giriama* community at the coast (Ndeda, 1994). Protests were also led by *Syotune* among the *Kamba* in eastern Kenya (Nyakwaka, 1999), and by *Prophetess Moraa* among the *Kisii* people in western Kenya (Kabira & Nzioki, 1993).

When the struggle for independence against the colonialists began, women were not left behind. They fought side by side with the men starting with the riots of the 1920s to the *Mau Mau* Rebellion of 1952-1960. Some of the women risked their lives as they were used as couriers under the watchful eyes of security forces and home guards. Women ferried food, medicine, and smuggled guns needed by the freedom fighters into the forest. Others, like *Muthoni Ngatha*, rose to the senior position of Field Marshall. Through their participation in these covert operations, women demonstrated a willingness to challenge the violation of their rights and independence (Kanogo, 1987; Kabira & Nzioki, 1993; M. Aboge, personal communication, August 2006). In 1958, *Jemima Gecaga* was nominated by the colonial state to sit in the Legislative Council, thus giving women a voice at the state level (Ndeda, 2002).

Many female grassroots voices such as *Magdalene Aboge* were instrumental in the struggle for political change. Aboge, also known as “*Mama Uhuru*,” mobilised women in *Kisumu* in 1959 to protest colonial discrimination against female traders (M. Aboge, personal communication, August 2006; Nyakwaka, 2013). She worked closely with Luo male politicians, like *Oruko Makasembo* and *Otieno Oyoo*, to influence change. These men recruited her into the *African District Association (ADA)* that was fighting against the colonial state (M. Aboge, personal communication, August 2006). During the writing of the constitution for independence at the *Lancaster House Conference* in 1962, *Priscilla Abwao*, the only female delegate, argued for Kenyan women’s rights and not individual special positions. Women wanted equal treatment and partnership in the new society (Abwao, 2002).

### **Women in Politics Since 1963**

When Kenya gained its independence in 1963, women were elated that the struggles against colonialism had been won and were ready to celebrate and participate in the country’s leadership. Unfortunately, despite all their contributions in the struggle for independence, they did not become political equals to men (M. Aboge, personal communication, August 2006). Instead, Kenyan men inherited colonial power and policies and proceeded to govern the country without initiating structural changes that would have opened opportunities for women’s political engagement. Independence did not change their status in politics (Kabira & Gituto, 1998). For example, *Parpart and Staudt* (1989) argue that African states like Kenya, in the post-colonial era, perpetuated male elitist interests and leadership over women, offering women limited access to ownership of the means of production and less political power. *Nzomo* (1993) and *Khasiani and Njiro* (1993) make a similar

observation; that despite their high numerical numbers, women have remained marginalised in politics and decision-making. Women did not fare well despite Kenya's Constitution rejecting racial, ethnic, class or sexual discrimination (Nzomo, 1993). The Government *Sessional Paper* No 10 on African Socialism stated that participation by men and women was to be on equal terms, including vying for elective offices (Ndeda, 2002). Ironically, male political elites that comprised members of the ruling party, Kenya African National Union (KANU), did not recognize the role women had played in the struggle for independence; instead, for women, independence simply meant a shift from one form of marginalisation to another. There was no woman in Kenya's first elected parliament in 1963 (Kenya National Archives, 1967). However, this changed in 1969 when Grace Onyango became the first and only elected woman in parliament (G. Onyango, personal communication, September 2006; Nzomo, 2003).

The first President of Kenya, Mzee Jomo Kenyatta, and the state retained the British system of governance. This meant the post-colonial state offered minimal political opportunities and democratic space for individual initiatives and participation (G. Onyango, personal communication, September 2006). Women were denied opportunities to actively participate in politics. Violence, intimidation, detention and police harassment constituted Kenya's political culture during the 1960s and 1970s (Choti, 2005; J. Opiyo, personal communication, September 2006; Kenya National Archives, 1976). Due to this harsh environment, most women refrained from politics and were relegated to the periphery even though they formed more than half of the Kenyan population (Kabira, 1998). Majority of women only participated as voters, dancers and mobilizers during elections (Kabira, 1998).

In the 1970s, there was a rise in public awareness globally of the importance of women's issues. This was fostered by the United Nations International Women's Decade from 1975-1985. The United Nations Decade for Women Conference, which had 157 member states, was held in Kenya at Kenyatta International Conference Centre in Nairobi from 15<sup>th</sup> to 26<sup>th</sup> July 1985. In total, there were 2000 delegates. Running side by side with this Conference was Forum 85 held at the University of Nairobi from 10<sup>th</sup> to 19<sup>th</sup> July. Over 17,000 women from over 170 countries attended (Ogot, 2012). At the opening ceremony of the Conference, Miss Margaret Kenyatta, the leader of the Kenya delegation, was elected the President of the Conference.

The hosting of the global Conference in Kenya was a major achievement for women. The success of the Conference put women's issues in Kenya on the global limelight. During the United Nations Decade for Women, the number of women members of parliament (MPs) slightly increased with the election of Grace Onyango, Phoebe Asiyo and Grace Ogot (G. Onyango, personal communication, September 2006). In addition, Julia Ojiambo was appointed the first Assistant Minister for Culture and Social Services. This was the highest office in the government held by a woman since independence (G. Onyango, personal communication, September 2006). During this Decade for Women, governments were required to establish ministries of women affairs or bureaus to institutionalize and legitimize women issues (Nzomo, 1997). In 1976, the Kenyan government established the Women's Bureau whose mandate was to focus on the development and integration of women in national development.

However, to this day, a number of constraints have led to the continued marginalisation of women in politics up from the 1970s. These include socio-cultural beliefs and myths, finances, education and the political culture in Kenya (N'gweno, 1979, 1985; Association of African Women in Research and Development [AAWORD], 1998; Nzomo, 1991). Traditional cultures place women at a disadvantage over men in political participation and engagement. Many Kenyan societies are patriarchal in nature, characterised by male domination, especially in decision-making. Thus, once socialised with this male dominance mind-set, many people hardly visualise women as leaders

(J. Opiyo, personal communication, September 2006). Another challenge is the triple-roles of women as producers, maintainers, and reproducers. Women bear children, care for the sick and the elderly in the family, and maintain the family in all its aspects (J. Opiyo, personal communication, September 2006; AAWORD, 1998). All these roles consume a lot of time, leaving little to no time for women's involvement in public activities. Furthermore, the culture of violence in Kenyan politics has kept women away (J. Opiyo, personal communication, September 2006). Finally, a major obstacle for women is lack resources, especially finances, which are vital for political activities (M. Aboge, personal communication, August 2006).

The cultural bias and colonial legacy have contributed to women having less access to resources such as land, credit and formal employment in comparison to men (G. Onyango, personal communication, September 2006). Lack of formal education is another challenge for women interested in politics. Because of prioritization of the male child's education, majority of illiterate citizens in Kenya are women (Nzomo, 1993). This illiteracy limits their participation in political leadership roles since they are unable to read any political manifestos and literature. Unfortunately, many women in rural areas depend on their husbands, fathers, brothers and other male relatives to decide for them, including for whom to vote (M. Aboge, personal communication, August 2006). These challenges negatively affected women's engagement at the political level. Despite these challenges, Kenyan women continued to intensify their struggle for basic freedoms and rights. In particular, the wave of democratization and political transition in the 1990s paved way for their participation in politics. Kenyan women seized this political opening to ensure their gender concerns were front and centre of the new democratic agenda.

### **Women and Multi-Party Politics, 1990-2010**

The political democratic transition in Kenya in the 1990s operated on two fronts: internal and external (Oluoch, 2013). Internally, the people in civil society and clergymen started to demand for political reforms and a new constitution. In July 1991, former cabinet ministers, Kenneth Matiba, Charles Rubia, and Raila Odinga, a political activist, were arrested by the government and detained on 4<sup>th</sup> July 1991 for demanding a multi-party democratic system in Kenya. The arrest of these three politicians was to stop the planned *Saba Saba* rally by the opposition in Nairobi on 7 July 1991. The rally was to be held among others, by Jaramogi Oginga Odinga, Masinde Muliro, James Orengo, Timothy Njoya, Paul Muite and Gitobu Imanyara. Kenyan women who were part of the multi-party movement leadership included Martha Karua, Wangari Maathai and Jael Mbogo.

The government banned the meeting; however, in defiance, thousands of Kenyans marched to the Kamukunji grounds where the banned meeting was scheduled to take place (Oluoch, 2013). This meeting marked the defiance against President Moi's government, resulting in the genesis of democratic reforms. It was the largest political movement since independence. The demonstrations led to hundreds of civilian deaths and injuries (Oluoch, 2013). In August 1991, the multi-party supporters formed a political association known as Forum for the Restoration of Democracy (FORD). All its six founding members were men: Martin Shikuku, Jaramogi Oginga Odinga, Ahmed Bahmariz, Philip Gachoka, George Nthenge and Masinde Muliro. Their supporters included women such as Martha Karua and Jael Mbogo (among others), and men saw them as a vehicle to remove the government from power (M. Aboge, personal communication, August 2006; Oluoch, 2013). In December 1991, President Moi gave in to pressure and ordered Parliament to repeal Section 2A of the Constitution that stated Kenya was a one-party state.

Interestingly, democratic reforms in Kenya were influenced by a new world order and ideological landscape following the end of the Cold War (Osamba, 2005). The Berlin Wall had collapsed signalling the end of the Cold War era. This collapse meant that there was now one centre

of power, the United States of America, which was pro-democratization (Osamba, 2005). African countries like Kenya were forced, because of the changing international order, to move away from one-party autocracy. More specifically, Kenya's development partners condemned the government's repression and threatened to withdraw financial support (Osamba, 2005). Kenyan women, therefore, became active participants in multi-party struggles for the second liberation of the country. Many watched as their sons and husbands were killed or sent to jail. In 1991, women, wives, daughters and mothers of political prisoners gathered at Freedom Corner at Uhuru Park in Nairobi and stripped naked to curse the government for refusing to release their kin. The police beat the women while the whole world watched on cable television networks (Ogot, 2012). Eventually, President Moi yielded to pressure and embarrassment, releasing the prisoners. In this case, Kenyan women resorted to using a traditional practice of cursing an offender by stripping naked and showing their nakedness as a weapon. Because it was a taboo for a mother to show her nakedness in public, government officials had no option, but yielded to pressure from the women and the public to introduce a multi-party system of governance. The multi-party system created a political space for freedom of expression, association and assembly for civil society and women groups. These groups gave women opportunities to engage in politics. They included the National Commission on the Status of Women (NCSW), League of Kenya Women Voters (LKWV), Anti-Rape Organization, Kenya Medical Women's Association, Kenya Business and Professional Women's Club, Coalition on Violence against Women. Also included were: Education Centre for Women in Democracy (ECWD), Collaborative Centre for Gender and Development, Kenya Women Finance Trust (KWFT), Association of African Women for Research and Development (AAWORD) and the Kenya Women's Political Caucus (KWPC). These groups were formed by women elites and politicians led by Phoebe Asiyo. There was also the Forum for African Women Education (FAWE) whose major concern was promotion of education of women particularly the girl child (Nzomo, 1997; Choti, 2005).

At the same time, some of the existing groups and organization such as the International Federation of Women Lawyers (FIDA-K), the National Council of Women of Kenya (NCWK), and the Young Women's Christian Association (YWCA), which had never focused on any political agenda before, became vocal and critical of the undemocratic status quo (Choti, 2005). All these organizations and associations were a testimony of the active engagement of women in the democratic space during the multi-party era. The women lobbied political parties to integrate gender issues in their democratic agenda and programmes as they prepared for the first multi-party election in 1992. In the genesis of 1992, women associations embarked on a mobilizing and strategizing campaign to ensure that women candidates would win the maximum number of parliamentary and civic seats in the first multi-party elections in December 1992.

The women's focus was on political empowerment as a means of achieving goals associated with the advancement of women in society (Nzomo, 1994). The basic strategy was to sensitize, mobilize and conscientize women to vote for women and other gender sensitive men. Secondly, they encouraged and built confidence on those women with political will to contest for political office during the elections. To realize this strategy, a number of workshops, trainings and seminars were organized by women groups and civil society. For instance, in July 1992, the NCSW organized a national training workshop for about sixty women candidates (Nzomo, 1994). The NCSW also gave moral and material support to women candidates during the campaign process until completion of the elections. Apart from these roles, the NCSW also monitored elections as an accredited observer body (AAWORD, 1998). Unfortunately, for women, the multi-party politics was characterized by ethnicity as many Kenyans approached voting as tribal solidarity groups (Choti, 2005). Women candidates had hoped that gender block voting would beat tribal block voting, especially in the

cosmopolitan areas, but this never happened (J. Ochieng, personal communication, September 2006; C. Akumu, personal communication, August 2006).

The first multi-party election in 1992 did not result in a critical mass of elected women. However, it reflected the efforts of the women movement to empower female voters and candidates. For instance, for the first time in Kenya's election history, 250 women candidates stood for civic parliamentary seats (Weru, 1995). According to an assessment report of the status of women in Kenya, the multi-party system contributed to a larger representation of women at the local government level as well as the national assembly. The report states that over forty women were elected as councillors in 1992 as compared to twenty in 1983, while six women were elected to parliament compared to two in 1983 (Weru, 1995). Thus, the numbers show a marginal increase in the number of women politicians.

The women MPs included Phoebe Asiyo and Nyiva Mwendwa. The latter was appointed the first female cabinet minister in independent Kenya in May 1995. She was to head the stereotyped female Ministry of Culture and Social Services (Ogot, 2012). Phoebe Asiyo made it in the general elections and regained a seat she lost in 1988. She was the first Luo woman to be elected in Nyanza in the era of multi-party politics. Once in Parliament, she exhibited rare acumen and art in parliamentary business and the gender platform became one of her main reference points. One of her achievements was the formation of the Kenya Women's Political Caucus. As Chairperson of the Caucus, Asiyo brought to the House the Affirmative Action Motion (also called the Asiyo Motion) of 1997 (M. Aboge, personal communication, August 2006; Ogot, 2012). This Bill sought one-third of all parliamentary seats be reserved for women; however, the Bill was thrown out by parliament. Grace Ogot, one of the pioneer women MPs in Kenya and who lost her seat in Gem Constituency in Siaya during the first multi-party election, asserted that:

It had been a terrible nightmare during the campaign period. Stones were thrown at our vehicle by militia youths and young girls sang insulting songs against us, some priests compared me with Judas, and the police and the provincial administration turned a blind eye to all this. Some of my supporters were killed or maimed, and the police declined to record any statements from us, saying that they did not wish to be involved in politics. (Ogot, 2012)

Indeed, the multi-party era was marked with violence as stated by Ogot. The violence, among other factors such as lack of funds and cultural stereotypes, made many women to shy away from politics. A year after the first multi-party elections, the government established the National Coordinating Committee (NCC) to prepare for the country's participation in the Fourth World Women Conference in Beijing in 1995. The Fourth World Conference on Women in Beijing was held at the Beijing International Conference Centre from 4<sup>th</sup> to 15<sup>th</sup> September, 1995. Kenya sent a large delegation comprising 175 Government delegates and about 300 non-governmental organisation (NGO) delegates to the NGO Forum 1995 held at the same time with the Conference. The delegation was led by the then new Minister Nyiva Mwendwa and Grace Ogot, her Assistant Minister as the deputy leader (Ogot, 2012). The Beijing Platform called for the inclusion of women in all sectors of society and supported affirmative action. Governments adopted and committed themselves to implementing the Platform of Action by mainstreaming gender in all policies and programmes (Ogot, 2012).

However, when the Kenyan delegation returned from Beijing, President Moi dismissed the Conference resolutions and warned women not to have anything to do with the Platform of Action. The President ignored the issues such as affirmative action and gender mainstreaming, but focused

on homosexuality he deemed foreign to Africa. Therefore, it was clear that Moi's government was not ready to integrate the Platform commitments into policies, reforms and legislations, which would have expanded women's political space in the country.

The second multi-party elections were held in 1997 and women were more prepared than they had been in the first multi-party elections. For instance, 150 women declared their interest in parliamentary seats; however, the political parties nominated only forty-seven. During the elections, for the first time in Kenya's history, two women, Charity Ngilu and Nobel Peace Winner Wangari Maathai, joined the field of 15 presidential candidates (Choti, 2005). In addition, for the first time, women articulated their issues in the Women's Election Manifesto referred to as 'Critical Areas of Concern.' One of the areas of concern was marginalisation of women in politics and decision-making (Choti, 2005). The women argued that they were the majority, yet their role in politics was hardly appreciated. They recommended affirmative action be adopted to ensure equal representation of women in government.

Despite civic education by civil societies and NGOs, only four women were elected to parliament, while five were nominated, translating to 4 percent representation (Choti, 2005). Among the Luo, Phoebe Asiyu made it back to Parliament as a member for Karachuonyo Constituency, regaining the seat she had lost in 1988. Among the many motions she brought to the House, the most outstanding was the 'Affirmative Action Motion of 1997.' The motion failed, but it was a major landmark in the political space. The Affirmative Principle would be later incorporated in Kenya's new constitution in 2010.

The dismal performance of women was blamed on a number of endemic problems discussed earlier including a.) party politics whereby the main parties are owned and dominated by men who make decisions on whom to nominate for various seats. As argued by J. Opiyo (personal communication, September 2006) and M. Aboge (personal communication, August 2006), the patriarchal societies always favour men over women, b.) cultural beliefs mark men as natural born leaders, while women are homemakers, c.) women lack resources for running for political office. Politics is expensive as expenses range from nomination fees, printing fliers, handbills, agent fees, and the like. Many women do not have such funds for campaigns (Ogot, 2012), and d.) elections are prone to violence. Women vying for political seats faced a lot of hostility, harassment, violence both physical and psychological (Ogot, 2012). Apart from all these challenges, women had to deal with tribal clashes that perennially rocked the country during elections since 1992.

The third multi-party elections were held in 2002. These elections were significant and highly contested because, according to the Constitution, the incumbent President Moi was retiring from politics. The two main political parties were KANU and the opposition party, the National Rainbow Coalition (NARC). Women organizations and associations lobbied and negotiated with parties to be more visible in the political space. The main objective for the women was to secure more parliamentary and civic seats. The women wrote their manifesto in which they articulated their political agenda in areas they wanted the government to set standards on policy, practice and action (Choti, 2005).

During the elections, 130 women declared their interest in running for parliamentary seats. Out of those, only forty-four women were nominated to participate in the elections (Ogot, 2012). At the local authority level, a large number of women, totalling 380, showed interest in contesting for seats. In some cases, however, their political parties opted in favour of male candidates who were more likely to win because of their gender and dropped women nominees at the last minute. Despite the violence against women, as was in previous multi-party elections, ten were elected MPs. This was the largest number of women ever elected in Kenya since independence.

The fourth multi-party elections were held in 2007. Women faced the same challenges as in the previous elections. Again, the number of elected women increased both at the national and local levels. Twenty-two women representatives in parliament were either elected or nominated (Ogot, 2012). A coalition government was formed because of the post-election violence that followed the elections. Three years later, the coalition government delivered a new constitution that was expected to unify the country and implement affirmative action.

### **Women and the New Constitution, 2010-2017**

As discussed earlier, during the 1990s, Kenyans started a journey towards the second liberation with demands for multi-party democracy and a new constitution. It was not until May 2001 that the Constitution Review Commission of Kenya Act was passed with a membership of twenty-seven, chaired by Yash Pal Ghai (Ogot, 2012). Between May 2001 and October 2002, the commission travelled throughout the country collecting views of Kenyans on a new draft constitution. By September 2002, a draft constitution was ready. A constitutional conference to discuss the draft was held at Bomas of Kenya in Nairobi. The conference comprised of women's organizations, professional organization and special interest groups. Grace Ogot, a former assistant minister and member of parliament, was elected as a member of the steering committee to guide the conference proceedings (Ogot, 2012). At the review conference held on 15<sup>th</sup> March 2004, two-thirds of the members present voted to adopt all the articles of the Constitution. This draft came to be known as the Bomas Draft Constitution (Ogot, 2012). Amongst other things, it attempted to address the question of gender imbalances in national institutions. This was partly achieved because over 25 percent of the delegates were women. Ogot asserted, "The Bomas Draft Constitution was gender responsive. It enhanced women's property rights, prohibited cultural practices that discriminated against women, and entrenched affirmative action principles to ensure gender balance in Parliament" (Ogot, 2012). Unfortunately, these gains for women were rejected in the second draft constitution (Wako Draft) proposed by Parliament. The male dominated House was not ready to ensure gender balance in Parliament. In 2005, a national referendum was conducted on the Wako Draft and it was defeated. On 27<sup>th</sup> August 2010, President Mwai Kibaki, at Uhuru Park in Nairobi, promulgated the New Constitution.

The 2010 Constitution integrated women's rights and affirmative action principles. It also created two Houses: Parliament and the Senate. Article 8(b) stated that no more than two-thirds of the members of elective public bodies shall be of the same gender. For instance, the National Assembly has 290 elected members, each representing a constituency; forty-seven women were to be elected from each of the forty-seven counties and twelve nominated members to represent women, youth and the marginalized. In total, there would be 349 members. The Senate would comprise forty-seven elected senators from each county, sixteen nominated women for gender balance and four representatives of the youth and the disabled, totalling sixty-seven members. Indeed, the new constitution increased the numbers of women in the governance organs in Kenya (Ogot, 2012).

During the fifth multi-party elections held under the 2010 Constitution in 2013, sixteen women were elected as MPs, forty-seven as representatives and five were nominated. This totalled sixty-eight women in Parliament. In the Senate, there were eighteen women nominated. The women's performance in the elections accounts for 25 per cent of women who have been elected to Parliament since 1963 (Kweyu, 2013). Notably, at the same time, there was no woman elected in the high-profile positions of governor or senator. The number of women elected in the local county assemblies, however, increased to eighty-four. In the Cabinet, six women were appointed as cabinet secretaries.

In the elections of 2017, three women were elected governors, the late Dr. Joyce Laboso in Bomet County, Charity Ngilu in Kitui County and Ann Waiguru in Kirinyaga County. At the same time, three women senators were also elected, Susan Kihika in Nakuru County, Margaret Kamar in Uasin Gishu County and Fatuma Dallo in Isiolo County (Ali, 2017). The elected MPs were twenty-three, up from sixteen in 2013. There were also 47 elected women representatives and six nominated bringing the total number of women in parliament to seventy-six, forty-one less than the one third constitutional threshold (Ali, 2017). The number of women elected by the conservative pastoral communities also increased. For example, Naisula Lesuda was elected as the MP for Samburu West, Sarah Korere in Laikipia North and Peris Tobiko was elected for a second term in Kajiado East. Winfred Lichuma, the Chairperson of Gender Commission in Kenya, asserted, “We are excited that women from the pastoral communities that have been practising negotiated democracy came out against all odds and won. We are calling upon women not to let culture hold them back” (Ali, 2017). Indeed, women from pastoral communities were not left out of the new political space created for women by the new constitution. In 2017, the number of women in county assemblies also increased from eighty-four in 2013 to ninety-six with Bungoma County electing eleven women (Ali, 2007). In the political arena, democratic transition has had a significant positive impact towards gender equity. The numbers of women in the Cabinet and the Senate has also increased to two-thirds. However, despite the increased number of women in Parliament, Kenya has not met the Constitutional threshold of having not more than two-thirds of the members being of the same gender.

Political achievements also go hand-in-hand with environmental sustainability when both genders are involved. Sustainability relies on ending marginalisation and providing equal opportunities for education, political participation and employment. Gender equality in all areas has shown to stimulate economic growth, which is crucial for Kenya. For example, opening political space for women has had far-reaching effects on people’s lifestyle. It has led to faster access to technology, improved communication and innovation. Political space has also brought people of different cultures together, ushered a new era in economic prosperity and opened vast channels for development that is beneficial to both men and women (Ali, 2007). Increased women participation in politics would lead to more economic, social and political achievements in Kenya.

## **Conclusion**

As noted above, women were actors in politics and decision-making in their indigenous communities; however, their role in public spheres was diminished during the colonial era. In a post-colonial Kenya, specifically, their marginalisation was an outcome of the colonial legacy. In spite of this, women have and continue to face many challenges, which hinder their participation in politics and public arenas. Although the 1990s showed an upsurge in the number of women engaged in politics, partly because of the transition to the multi-party system, credit goes to the pressure from international organizations and foreign partners that pressed domestic Kenyan actors for the integration of women in politics. The 2010 Constitution, which led to the implementation of affirmative action principles, also contributed to increased participation of women in politics and decision-making organs. This trend indicates that women are strongly emerging in arenas once dominated by men. Therefore, by providing women with adequate political opportunities in society, a sure path towards sustainable development is created. It will also end most, if not all, of its forms of discrimination and marginalisation in society. Empowerment of women through political engagement must be addressed as a human rights issue and key to social development.

### Acknowledgement:

We would like to thank Egerton University for giving us time off to conduct this research. Our special gratitude to: Kenya National Archive Assistants, and oral informants; Grace Onyango, Magdelene Aboge, Jane Opiyo and Catherine Akumu for all the information availed.

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