

**THE ROLE OF THE NEW CONSTITUTION IN INFLUENCING WOMEN TO VIE
FOR THE NATIONAL ASSEMBLY SEATS: A CASE OF WOMEN ELECTORATE IN
NAIROBI COUNTY**

BY

EMMA CHITERE

C50/73915/2012

**A Research Project Submitted in Partial Fulfilment for the Requirements of the Award of
the Degree of Master of Arts in Sociology (Rural Sociology and Community Development),
University of Nairobi**

NOVEMBER, 2013

DECLARATION

This research project is my original work and has not been presented for the award of a degree in any other university.

Emma Chitere

Signed Date

This research project has been submitted for examination with my approval as the University Supervisor.

Prof: E.K. Mburugu

Signed Date.....

DEDICATION

I dedicate this work to my family for the sacrifice they made for me to complete this proposal. Their love, care, concern, support, encouragement and enthusiasm inspired me to achieve this goal.

ACKNOWLEDGEMENTS

I would like to thank, praise and worship the Almighty God for granting me wisdom, knowledge, understanding, finances and good health to pursue this course. Secondly I would like to acknowledge my family for encouraging me all through my course.

I wish to acknowledge my supervisor for the great insight, encouragement and guidance throughout the research process. I would also like to acknowledge the encouragement from all my colleagues and people of good will who tirelessly contributed to this study in terms of time, insights, moral support throughout the project work. Your remarkable devotion and dedication was incredible. God bless you abundantly.

TABLE OF CONTENTS

| | |
|--------------------------------------|----------|
| DECLARATION | i |
| DEDICATION | ii |
| ACKNOWLEDGEMENTS | iii |
| LIST OF TABLES | ix |
| LIST OF FIGURES | x |
| ABSTRACT | xi |
| | |
| CHAPTER ONE | 1 |
| INTRODUCTION..... | 1 |
| 1.1 Background of the study | 1 |
| 1.2 Statement of the Problem..... | 4 |
| 1.3 Research Questions | 5 |
| 1.4 Objectives of the study..... | 6 |
| 1.5 Study justification | 6 |
| 1.6 Scope and Limitations..... | 7 |
| 1.7 Definition of key concepts | 7 |

| | |
|--|-----------|
| CHAPTER TWO | 8 |
| LITERATURE REVIEW AND THEORETICAL FRAMEWORK | 8 |
| 2.1 Introduction..... | 8 |
| 2.2 Provisions for Women Participation in Various Constitutions around the World | 8 |
| 2.2.1 Women and Political Representation | 8 |
| 2.2.2 Gender Representation as Provided for by the Kenyan Constitution..... | 10 |
| 2.3 The Two-third Gender Rule..... | 11 |
| 2.5 Gender Equality in Political Parties | 15 |
| 2.6 Theoretical Framework..... | 18 |
| 2.6.1 Critical Mass Theory | 18 |
| 2.6.2 The Developmental Theory..... | 19 |
| 2.6.3 Feminist theory..... | 20 |
| 2.7 Conceptual Framework..... | 21 |
| | |
| CHAPTER THREE | 23 |
| RESEARCH METHODOLOGY | 23 |
| 3.1 Introduction..... | 23 |
| 3.2 Research Design..... | 23 |
| 3.3 Site Description..... | 23 |
| 3.4 Target Population..... | 24 |
| 3.5 Sampling Technique and Sample Size..... | 24 |

| | |
|--|-----------|
| 3.6 Data Collection Procedure | 25 |
| 3.7 Data Collection Instrument..... | 26 |
| 3.8 Pilot Study..... | 26 |
| 3.9 Data Analysis | 27 |
| | |
| CHAPTER FOUR..... | 29 |
| DATA ANALYSIS AND INTERPRETATION..... | 29 |
| 4.1 Introduction..... | 29 |
| 4.2 Response rate | 29 |
| 4.2 Pilot Test | 29 |
| 4.3 General information | 30 |
| 4.3.1 Age Bracket of the Respondents | 30 |
| 4.3.2 Respondents' Highest Level of Education..... | 31 |
| 4.3.4 Respondents' distribution by Ethnicity | 32 |
| 4.4 Two-third gender rule | 33 |
| 4.4.1 Awareness of the two-third gender rule in Kenya..... | 33 |
| 4.4.2 Compliance with the Two-third gender rule | 33 |
| 4.4.3 Two-third gender rule influence on women to vie for political positions..... | 34 |
| 4.4.4 Commitment of the Government of Kenya..... | 34 |
| 4.4.5 Government of Kenya in implementing two-third gender rule..... | 35 |
| 4.4.6 Two-third gender rule and women vying for political positions..... | 37 |

| | |
|--|-----------|
| 4.4.7 Benefits of the Two-third gender rule | 37 |
| 4.5 Equal treatment and Opportunities | 38 |
| 4.5.1 Equal opportunities to get political positions in Kenya | 38 |
| 4.5.2 Equal Treatment and Opportunities by the Constitution..... | 39 |
| 4.5.3 Benefits of equal treatment and opportunities..... | 39 |
| 4.5.4 Equal treatment and opportunities for women vying for political positions..... | 41 |
| 4.5.5 Role of Government in Implementing Equal Treatment and Opportunities..... | 41 |
| 4.6 Gender Equality in Political Parties | 42 |
| 4.6.1 Treatment of Men and Women in Various Political Parties | 42 |
| 4.6.2 Adequacy of Consideration of Women in the Manifesto Pledges | 42 |
| 4.6.3 Women Representation in Policy Making Bodies of Political Parties | 42 |
| 4.6.4 Gender equality in political parties | 43 |
| 4.6.5 Gender Equality in Political Parties’ Provision | 45 |
| 4.6.6 Implementation of Gender Equality in Political Parties | 45 |
| CHAPTER FIVE | 47 |
| SUMMARY OF THE FINDINGS, CONCLUSIONS AND RECOMMENDATIONS..... | 47 |
| 5.1 Introduction..... | 47 |
| 5.2 Summary of the Findings..... | 47 |
| 5.2.1 Two-third gender rule..... | 47 |
| 5.2.2 Equal treatment and Opportunities..... | 48 |

| | |
|--|----|
| 5.2.3 Gender Equality in Political Parties | 50 |
| 5.3 Conclusion | 51 |
| 5.4 Recommendations..... | 52 |
| 5.5 Recommendations for Further Studies..... | 53 |
| REFERENCES | 54 |
| APPENDICES | 59 |
| APPENDIX I: INTRODUCTION LETTER | 59 |
| APPENDIX II: QUESTIONNAIRE..... | 60 |

LIST OF TABLES

| | |
|---|----|
| Table 3. 1: Sample Size | 25 |
| Table 4.1: Ethnic Distribution of the respondents | 32 |
| Table 4.2: Indicators of the GOK' Commitment to promoting the two-third gender rule | 34 |
| Table 4. 3: View on Implementation of the rule by Specified Actors | 36 |
| Table 4. 4: Benefits of equal treatment and opportunities | 39 |
| Table 4. 5: Gender equality in political parties | 43 |

LIST OF FIGURES

| | |
|--|----|
| Figure 2. 1: Conceptual Framework | 22 |
| Figure 4. 1: Age Bracket of the Respondents | 30 |
| Figure 4. 2: Respondents' Highest Level of Education | 31 |

ABSTRACT

The March 2013 elections in Kenya opened doors to massive political participation by women for the first time ever. Kenya's constitution promulgated in 2010 contains a provision that should radically change political representation for women in this East African country. This study sought to establish the role of the new constitution in influencing women to vie for the National Assembly seats in Nairobi County. The study sought to establish ways through which the two-third gender rule, gender equality in political parties and equal right of opportunities influence women to vie for the National Assembly seats in Nairobi County.

The target population for this study was all the registered voters in Nairobi County. There are 996,186 registered women voters in Nairobi County which was the study population. The sample size of this study was 100 respondents. Simple random sampling technique was used to select the sample size of the respondents. Additionally, purposive sampling was used to select areas dominated by various ethnic groups. The researcher used stratified sampling to select 100 women in Nairobi County. The study used primary data, which was collected by use of questionnaires and Key Informant Interviews guides. Quantitative data collected was analyzed by use descriptive statistics by the help of SPSS (V. 21.0) and presented through frequencies, percentages, means and standard deviations. This was done by tallying up responses, computing percentages of variations in response as well as describing and interpreting the data in line with the study objectives and assumptions. Data was then presented in tables, figures and charts.

The study found most of the women felt that the two-third gender rule was being followed though a good number of women felt that it was not being followed. Additionally, the study found that two-third gender rule influenced women to vie for political positions in the last general election. It was further established that equal treatment and opportunities between women and men had led to reaping of economic rewards on the basis of merit; improvement of quality of life; and the electoral and political processes to a moderate extent. Lastly, the study found that men and women were not treated equally in various political parties in Kenya. It was

also found that in the last election in Kenya, women were not adequately considered in the manifesto pledges for political parties.

This study therefore recommends that the government should be committed to empowering women to vie for political positions. Further, the study should be committed to reduction of inequality between men and women. The study also recommends that the government as well as other law enforcement bodies should ensure that women and men are treated equally in terms fundamental human rights and freedom from discrimination. Therefore the study recommends that law enforcement bodies should ensure that women are well represented in political parties. In addition public funding of political parties should be linked to the implementation of gender balance and gender-equality policies in parties.

CHAPTER ONE

INTRODUCTION

1.1 Background of the study

Women have both a right and an obligation to active participation in political leadership. In addition to this human right and obligation, political analysts and researchers from different regions of the world such as Clinton-Rodham (2003), Maathai (2006), Thomas and Wilcox (2005), Wanjohi (2003) have observed that when women get into leadership and management, they bring a different perspective to it. These analysts and researchers have argued that having more women in politics would help solve problems associated with perpetual poverty, especially as it affects women. Women's leadership not only aids in building nations but also helps to balance up decision making processes (Epstein et al., 2005). Neuman (1998), writing about women legislators in the United States, observed that decisions concerned with issues of education, health, gender violence, women's economic empowerment, peace, rights, dignity, and democracy are usually of great concern to women leaders.

The end of the 20th century and the beginning of the 21st century has seen a steady increase in women's political participation in Africa. In a UN report 'Africa and the Millennium Development Goals (2007)', it is noted that the share of parliamentary seats held by women in Africa increased from 7 per cent in 1990 to 17 per cent in 2007, which is close to the global average. As at 2007, women held 48.8 per cent of seats in the Lower House in Rwanda, the highest percentage world-wide. In January 2006, Ellen Johnson-Sirleaf became President of Liberia and Africa's first elected woman president.

By the end of the 20th century, a few African countries, for example Rwanda, Uganda, Tanzania, Ethiopia, Eritrea, and South Africa had set quotas for women in national and local legislative bodies, a sign of a renewed commitment to have more women in political leadership. Allowing of such quotas is also recognition of the historical injustices that women have experienced, and

which make it more difficult for them to compete equally with men. By 2009, Kenya had not yet legislated for affirmative action in favor of women; a bill sponsored by Martha Karua in 2007 failed to get enough support.

The March 2013 elections in Kenya will open doors to massive political participation by women for the first time ever. Kenya's constitution promulgated in 2010 contains a provision that should radically change political representation for women in this East African country. Article 81 (b), of the constitution states that not more than two-thirds of the members of elective public bodies shall be of the same gender," effort is also being made to beef-up their representation in key government bodies (Onyango, 2012).

Being a patriarchal society, Kenya's women only gained equal rights to inherit land when the new constitution entered into force. And women who speak out are often seen as going against the societal norms. But a radical change is in store, because now women must form one-third of any elective public body. And the principle of two-thirds gender equilibrium has already been implemented in some key appointments made since the new constitution was promulgated. In all the commissions and other constitutional offices that have been formed, the rule has been followed (Barasa, 2012).

For the first time in Kenya's 48 years of independence, one-third of the members of the Supreme Court, the Commission on Revenue Allocation, the Commission for the Implementation of the Constitution and the Salaries and Remuneration Commission are now women. But the real windfall was in March 2013 general elections. In addition, the constitution commits political parties to ensure that for every three party members presented to vie for political office, one must be a woman. And if she fails to be elected, a woman must be nominated by the party. Women currently hold fewer than 10 percent of the seats in parliament, with just 22 women out of 224 members – although that is the largest number ever. And in the cabinet, there are only six women out of a total of 40 ministers (Onyango, 2012).

On the other hand, various political parties in their manifestos had promised to deal with gender issues. According to the manifesto of The Party of National Alliance, the Jubilee Government will committed to promoting and protecting the role of women in society and we will fully implement the one-third rule. The party promises to achieve this by doubling the number of women elected to Parliament by amending the Constitution to replace the 12 nominated MPs, with 60 MPs elected by Proportional Representation, with 48 of these seats reserved for women.

The party also promises to fully implement the ‘one-third rule’ to ensure at least 33% of all government and parastatal appointments are women, increase civic education to help eradicate Female Genital Mutilation and promote education for girls and increase the number of boarding school places. In addition, the party promises to make discrimination on the grounds of gender and ethnicity a criminal offence and give the Gender & Equalities Commission prosecuting powers and encourage the growth of micro-finance institutions the majority of whose customers are women. Lastly, the party promises to promote Jobs for women by outlawing workplace discrimination and providing grants and loans for women business people as well as providing opportunities in county enterprise parks (TNA, 2013).

On the other hand, the Coalition for Reforms and Democracy (CORD) promises to implement the constitutional provisions that redress current gender disparities which will include will include engaging in affirmative action and other means to ensure at least 33 per cent representation by women in all leadership positions (parliament, national and county governments and the foreign service). The party also promises to ensure that public and private institutions put in place measures to address gender-based violence (against both girls and boys) and ensure that our criminal justice system severely punishes those who perpetrate such violence. Further CORD alliance promises to improve women’s access to appropriate, affordable and quality healthcare, information and services, develop programmes that integrate delinquent young men into society and put in place measures to address cultural practices that suppress women’s potential (CORD, 2013).

In their Manifesto, the Amani coalition promises to proactively seek removal of cultural, social and economic impediments to the advancement and full economic participation of women. For instance, reduction in early marriages, FGM, teen pregnancies, and lack of access to health services; enforce the property rights of women and eliminate the administrative expression of cultural biases against women, particularly single mothers, for instance, in the issuance of passports, loans, access to schools and government instruments. The coalition also promises to directly provide incentives for the provision of day care services and give employers tax rebates for PAYE during maternity and paternity leave (UDF, 2013).

1.2 Statement of the Problem

By itself, the new constitution guarantees only 47 women out of 349 members (excluding the speaker) or 13.5 per cent of the House. The guaranteed 47 seats in the National Assembly - one per county is similar to provisions in Rwanda. The position of these 47 women will not be easy. They will have larger constituencies – a bigger area in which to campaign - and a bigger area to represent as constituency members (Muiru, 2012).

In the senate there shall be at least 18 women out of a total of 67 (26.7 per cent). Again this is less than one-third, but women could win more senate seats. The 18 seats guaranteed women in the senate were more difficult to campaign for than the 47 seats guaranteed women in the National Assembly. The women senators sat in a body that has power only over matters related to counties. They cannot force any position on their county representatives. The senators will be consulted only on how to cast the county vote. However, the appropriate legislation on the senate which should be passed within 5 years also covers representation in the senate, and this may provide an opportunity for enhancing women representation at the Senate (Sihanya, 2012).

The new constitution indicates that not more than two-thirds of the members of any county assembly shall be of the same gender. However, despite the developments in Kenya's constitution to support women to vie for political posts, various factors affect their participation politics: the personal, financial and cultural factors. Pertaining to personal factors, the paucity of

women is attributed to psycho-social attributes which entail their personality, attitudes and behavioral skills, low self esteem and self confidence, lack of motivation and ambition to accept challenges, low morale for leadership, being less assertive, less emotionally stable, and lacking ability to handle crises. According to (Adhiambo, 2003), cultural factors are linked to stereotypical views about women's abilities within the cultural context. Also connected to cultural factors is the patriarchal ideology which provides the context upon which women play and accept a subordinate role. In Kenya, traditional perceptions of women as inferior to men prevail as many people uphold cultural practices which enhance the subordination of women (Kasomo, 2012). Further, women face challenges to carry out campaigns due to lack of funds. Due to the feminization of poverty, many women interested in politics are faced with financial constraints which bar them from contesting, compared to their male counterparts; hence their political potentials go unnoticed (Muiru, 2012).

While a few researchers have in recent past began to document on women's participation in management positions in Kenya (Chelang'a, (2012); Mbugua, (2011), such documentation has left out the role of the new constitution in influencing women to vie for electoral politics. The purpose of this study was therefore to investigate into the role of the new constitution in influencing women to vie for senate seats by focusing on Nairobi County.

1.3 Research Questions

- (i) How did the two-third gender rule influence women to vie for the National Assembly in Nairobi County?
- (ii) How did gender equality in political parties influence women to vie for the National Assembly in Nairobi County?
- (iii) How did equal right of opportunities influence women to vie for the National Assembly in Nairobi County?

1.4 Objectives of the study

The overall objective of this study was to establish the role of the new constitution in influencing women to vie for the National Assembly seats in Nairobi County

The specific objectives of the study were;

- (i) To establish ways through which the two-third gender rule influence women to vie for the National Assembly in Nairobi County
- (ii) To establish how gender equality in political parties influences women to vie for the National Assembly in Nairobi County
- (iii) The perception of equal rights and opportunities in interasting women to vie for political seats.

1.5 Study justification

The study offers valuable contributions from both a theoretical and practical standpoint. From a theoretical standpoint, it contributes to the general understanding of the role of the new constitution in influencing women to vie for electoral positions. To the women with leadership skills in Kenya, this study outlined how the new constitution governs their rights to vie for political positions. To academicians and researchers, the study would provide information that will form a basis for further research on the relationship between the new constitution and involvement of women in politics.

To the political parties in Kenya, the study outlined ways in which they can improve the involvement of women in politics to encourage them to vie for electoral positions. To the government Kenya the study provided information on the extent to which it has adhered to the new constitution. In addition, the study provided information that can be used to formulate more polices to improve the involvement of women in politics.

1.6 Scope and Limitations

This scope of the study was the role of the new constitution in influencing women to vie for the national assembly seats. The particular areas of focus were the constitutional provisions which include two-third gender rule, equal treatment and opportunities and gender equality in political parties. The study focused on the women electorate in Nairobi County.

In addition, challenges were encountered during data collection where some respondents fail to give the required information due to fear of victimization and attitude towards this study. The study however worked at winning the confidence of those involved in this research by giving them the reasons for the research and assuring them of confidentiality. In addition, this was a case study: Nairobi County and the selection of Nairobi County limits the extent to which the findings of this study can be generalized to cover the entire country.

1.7 Definition of key concepts

The following were the main terms for the study

Gender equality: The act of treating women and men equally

Equal treatment and opportunity: The policy of giving everyone the same opportunities for employment, pay and promotion, without discriminating against particular groups

Women representation: the act of representing women

Political parties: a group people who share the same ideas about the way the country should be governed.

Constitution: A body of fundamental principles or established precedents according to which a state or other organization is acknowledged to be governed.

National Assembly: An elected legislature in a country

CHAPTER TWO

LITERATURE REVIEW AND THEORETICAL FRAMEWORK

2.1 Introduction

This chapter presents the literature review for this study. The literature has been reviewed on provisions for women participation in various constitutions around the world, women and political representations, the Kenyan constitutions and women participation in politics, the two-third gender rule, equal treatment and opportunities and gender equality in political parties and the relevant theories.

2.2 Provisions for Women Participation in Various Constitutions around the World

2.2.1 Women and Political Representation

Women have always had a strong stake in democracy. Democracy requires that citizens' interests be heard, deliberated and legislated on. Women are half of the world's population, and as such their voice should be heard in the democratic process. Democracy needs women in order to be truly democratic, and women need democracy if they are to change the systems and laws that preclude them, and preclude societies as a whole, from attaining equality. It is through democratic representation that women's interests can be represented and their voices heard. Article 7 in the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) reiterates the importance of women's representation in the political life of their countries, (United Nations, 1979)

“Ensure to women, on equal terms with men, the right, to vote in all elections and public referenda and to be eligible for election to all publicly elected bodies. They should be able to participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government”

The role of women in democratic processes is further emphasized in the 2011 General Assembly resolution on Women's Political Participation (A/RES/66/130), which reaffirms that,

“That the active participation of women, on equal terms with men, at all levels of decision-making is essential to the achievement of equality, sustainable development, peace and democracy”, (UN Women, 2011).

In Morocco the Movement on Parity, assisted by UN Women, became a powerful voice for women during constitutional reforms. As a result, the new constitution enshrines gender equality, opening the door for a new law, doubling the number of parliamentary seats reserved for women. In the most recent national elections, all political party platforms made commitments to gender equality, and the number of women in parliament surged from 10 per cent to 17 per cent. Partnering with women from civil society and government leaders, UN Women helped to successfully advocate for the adoption of a 30 per cent quota for women candidates in national elections in Colombia to engage the broader public, an ad campaign drove home the message that “democracy without women is incomplete, (UN, 2013).

At a critical point in Egypt's political transition, UN Women helped to establish the first Egyptian Feminist Union, comprising 500 women's groups who advocate with a unified voice, and the Egyptian Coalition for Civic Education and Women's Participation, which serves as an election watchdog. More than 500,000 people from 27 governorates have signed a national charter highlighting women's aspirations for the future of their country. In partnership with UN Women, the Government is implementing the 'Women's Citizenship' initiative to issue ID cards to 2 million women who need them to vote and access public services, (United Nations, 2013).

There has been significant, and in most cases increased, participation of women as voters and as candidates in elections as a result of the efforts of UN peacekeeping missions to integrate a gender dimension into electoral processes and to ensure the safety of female voters and candidates. For example, in Côte d'Ivoire, with support from the UN peacekeeping mission

(ONUCI), 52 per cent of women were enrolled as voters during the 2011 legislative elections, compared with less than 40 per cent in the 2000-2001 legislative process. And, for the first time, there was a higher turnout of women than men voters in an electoral process. However, the female representation in the national assembly, which grew from 8 per cent in 2001 to 10.58 per cent in 2012, still remains relatively low, (UN Women, 2011).

As part of the events to commemorate the 10th Anniversary of Resolution 1325 on Women, Peace and Security, UNIFEM convened Open Days on women and peace in multiple countries. The Open Days gave women activists from the DRC, Nepal, Pakistan, Afghanistan, Guinea Bissau, Somalia access to leading members of UN missions and government, to voice their concerns and present their views on the impact of peace building and reconstruction on their lives, (Tinker, 2004).

2.2.2 Gender Representation as Provided for by the Kenyan Constitution

Politics is almost everywhere a male-oriented, male-dominated enterprise. Even though women in most countries have been in all legal respects politically equal to men for over forty years, sex differences in political participation are enormous. However, after a spirited push for gender equality by a strategic women movement, a new dispensation awakened for women in politics with the Constitution of Kenya, (UN, 2013). The Constitution promotes gender equality and empowerment of women by providing articles that promote the participation of women in political leadership and decision making. The “not more than two thirds” principle of Article 81 of the constitution notably anchors the gains that the new laws offer to Kenyan women, (Htun and Jones, 2002).

In Kenya after Kenya’s 2010 constitution guaranteed gender equality and the use of affirmative action, UN Women backed a gender audit of a draft Political Parties Bill to see if principles were translating into practice. The Interim Independent Electoral Commission subsequently adopted recommendations to make the bill more gender responsive. When it passed into law, it stipulated that the registration of political parties depends on having no more than two-thirds of any gender

in their governing bodies. Another provision requires filling vacant seats in the legislature with people of the same gender, (UN Women, 2011).

The Constitution has created a rule of maximum threshold of two-thirds of either gender to elective and appointive offices. While this rule is attainable in the case of appointive offices, it is not as easy in an elective process. In the event that the gender rule is not achieved at county assemblies, nominations will have to be made to fulfill this constitutional requirement. There is need to ensure that adequate civic education is conducted with a view to ensuring that adequate number of women are elected to meet the minimum 1/3 gender rule (Htun and Jones, 2002). Women need to stand up and demand for what is rightfully theirs, by doing so will give them a higher chance of being elected and fighting for the change they desire. Additionally, women leaders should also contest for other elective positions like governor, members of parliament and not just women representative to fulfill this constitution requirement (Htun, 2001).

In addition the Constitution provides for 47 women representatives from the counties. But even with nominations from the main political parties expected to add to their numbers, the anticipated 68 women in the 349-member Lower House are still far short of the 117 needed to satisfy the two-third gender rule (Dahlerup, 2005). Reserved seats set aside a certain number of seats for women among representatives in a legislature, specified either in the constitution or by legislation. One might argue that reserved seats should not be counted among electoral quotas. However, reserved seats today come in many different types, some excluding, others including, the election of women, rather than appointment, to fill these seats (Caul, 2001).

2.3 The Two-third Gender Rule

Today women constitute 20.4% of the members of parliaments around the world. Recently, Rwanda superseded Sweden as the number one in the world in terms of women's parliamentary representation — 56.3% women against Sweden's 47.3%. Rwanda is an example of the new

trend to use electoral gender quotas as a fast track to gender balance in politics. Other parliaments, however, still have very few women elected (Tremblay & Pelletier, 2000).

The 1995 Beijing Fourth World Conference on Women recommended many programs for this purpose, but recent data indicate that the process has been slow and has achieved uneven results worldwide. The Beijing Conference recommended that the international community and civil society (including non-governmental organizations and the private sector) take strategic action in order to reduce inequality between men and women in power-sharing and decision-making (Reynolds, 2005).

Many international conferences have agreed to the target of reaching 30 percent representation of women in government (Reingold, 2000). Twenty-six countries have reached the 30 percent mark in 2010 (for one or both houses) including: Rwanda, Sweden, Cuba, Finland, Argentina, the Netherlands, Denmark, Costa Rica, Spain, Norway, Belgium, Mozambique, Nepal, Iceland, New Zealand, South Africa, Angola, Germany, Uganda, Burundi, Belarus, Tanzania, Guyana, Andorra, Ecuador, and Macedonia.

Given the slow speed by which the number of women in politics is growing, there are increased calls for more efficient methods reach a gender balance in political institutions. Quotas present one such mechanism. The introduction of quota systems for women represents a qualitative jump into a policy of exact goals and means. Because of its relative efficiency, the hope for a dramatic increase in women's representation by using this system is strong (Moser, 2001).

Quotas for women entail that women must constitute a certain number or percentage of the members of a body, whether it is a candidate list, a parliamentary assembly, a committee, or a government (Tinker, 2004). The quota system places the burden of recruitment not on the individual woman, but on those who control the recruitment process. The core idea behind this

system is to recruit women into political positions and to ensure that women are not only a token few in political life. Previous notions of having reserved seats for only one or for very few women, representing a vague and all-embracing category of "women", are no longer considered sufficient (Swers, 2001). Today, quota systems aim at ensuring that women constitute a large minority of 20, 30 or 40%, or even to ensure true gender balance of 50-50%. In some countries quotas are applied as a temporary measure, that is to say, until the barriers for women's entry into politics are removed, but most countries with quotas have not limited their use of quotas in time (Siaroff, 2011).

Most quotas aim at increasing women's representation, because the problem to be addressed usually is the under-representation of women - this is particularly relevant since women usually constitute 50% of the population in any given country. An electoral gender quota regulation may, for example, require that at least 40% of the candidates on the electoral lists are women. A minimum requirement for women implies a maximum set for the representation of men. Since women are the underrepresented group in political institutions everywhere, most regulations aim at securing women a minimum of seats (Matland and Studlar, 2004).

In Uganda 56 seats, one elected in each district by a special electorate, are reserved for women. In Rwanda, 30 percent of the seats, elected by a special procedure, are reserved for women according to the constitution. In Tanzania 20 percent of the seats are reserved for women and allocated to the political parties in proportion to the number of parliamentary seats won in an election (Carroll and Jenkins, 2001). Reserved seats can also be filled by appointment, as in Kenya and some Arab states.

2.4 Equal Treatment and Opportunities

Millions of women and men around the world are denied access to jobs and training, receive low wages, or are restricted to certain occupations simply on the basis of their sex, skin colour, ethnicity or beliefs, without regard to their capabilities and skills (Tinker, 2004). In a number of

developed countries, for example, women workers earn up to 25% less than male colleagues performing equal work. Freedom from discrimination is a fundamental human right and is essential for both workers to choose their employment freely, to develop their potential to the full and to reap economic rewards on the basis of merit. Bringing equality to the workplace has significant economic benefits, too. Employers who practice equality have access to a larger and more diverse workforce (Swers, 2001). Workers who enjoy equality have greater access to training, often receive higher wages, and improve the overall quality of the workforce. The profits of a globalized economy are more fairly distributed in a society with equality, leading to greater social stability and broader public support for further economic development (Siaroff, 2011).

True opportunity requires that we all have equal access to the benefits, burdens, and responsibilities of our society regardless of race, gender, class, religion, sexual orientation, or other aspects of what we look like or where we come from (Reynolds, 2005). Ensuring equal opportunity means not only ending overt and intentional discrimination, but also rooting out subconscious bias and reforming systems that unintentionally perpetuate exclusion. It requires proactive efforts to remake our institutions in ways that ensure fairness and inclusion.

CEDAW was passed in 1979. It seeks to integrate women at the center of decision-making processes and eradicate impediments women face in the course of effective participation in societal affairs. Of relevance in the present discourse is article 7 of the Convention which provides that state parties shall take appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right to vote in all elections and public referenda and to be eligible for election to all publicly elected bodies (Reingold, 2000).

Article 7 of the convention in essence avails women the opportunity to participate in the electoral and political processes of their respective countries through voting and being voted for and

further calls for the equal treatment of both men and women in the mentioned processes. Gender cannot be the reason for discrimination in involvement in political and electoral undertakings of a country (Moser, 2001).

Discrimination on the basis of sex is explicitly prohibited. Sexism is oppressive to women and contributes hugely to women subordination in Kenya today. According to the Kenyan constitution “women and men have the right to equal treatment including the right to equal opportunities in political, economic, cultural and social spheres. The State shall not discriminate directly or indirectly against any person on any ground, including race, sex, pregnancy, marital status, health status, ethnic or social origin, color, age, disability, religion, conscience, belief, culture, dress, language or birth”. (Article 27, 3 and 4).

2.5 Gender Equality in Political Parties

Political parties are important arenas for policy development and for setting political priorities, and are therefore one of key institutions through which gender equality should be promoted. However, far from all political parties that promote gender equality uphold their manifesto pledges in practice, and women are not sufficiently represented in the policymaking bodies of political parties (Norris, 2004). In fact, the constitution prohibits either gender from constituting more than two-thirds of any elected body; this means women, who are currently severely underrepresented in Kenya’s political arena, must make up at least one-third of all elective public bodies. The Political Parties Act of 2011 extends the two-thirds rule to parties’ membership lists and governing bodies.

Even though political parties promote women’s political empowerment in their campaign manifestos, these promises are hardly ever met. This is because most political parties have not yet incorporated gender equality into their policy documents (Russell, 2001). They are lacking in party rules and regulations for identifying, selecting and nominating women candidates for

leadership positions within the party and other positions of power and decision making. Institutions such as constitutional courts, electoral management bodies and electoral tribunals, as well as political party registrars and monitoring agencies have a significant role to play in enforcing the legal and policy provisions related to political participation and the representation of women (Swers, 2001).

Public funding of political parties needs to be linked to the implementation of gender balance and gender-equality policies in parties. The political culture tends to be patriarchal in nature: one where hard power, the ability to attack and defeat opponents through aggressive rhetoric and actions, instead of intelligent arguments and deliberation, the lack of women power brokers and political leaders, all negatively affect the opportunity for women to pursue successful electoral campaigns (Tinker, 2004). Data on political parties' compliance with national and international commitments for gender-equality and women's empowerment should be publicized so that the electorate can take this information into account when deciding on their electoral choices (Tremblay and Pelletier, 2000).

Before the elections UDF affirmed its commitment to the implementation of the gender rule noting that it had been involved in lobbying Parliament for its immediate implementation. In addition, to demonstrate their support for increased participation of women in decision making fora and inclusive governance as a key tenet of democracy, the party had complied with the rule in elections for members to party organs such as the National Executive Committee (NEC) and the National Elections Board. The NEC, UDF's highest decision making organ was constituted by six (6) women and seven (7) men. The party rules also sought to eliminate bottlenecks to women's participation in politics by for instance allowing women to pay a lower nomination fee in order to contest for an elective position.

NARC Kenya, on the other hand, affirmed their commitment to the instantaneous implementation of the gender rule and cited lack of political will as the main obstacle to the

realization of the right of women to participate in shaping policies that affected their wellbeing and implored the Executive to step up and give directions on a mechanism for the implementation of the rule, (Caul, 2001). The party asserted that the rule was not just a human rights but justice issue and was a test of the Nation's commitment to values enshrined in the Constitution such as non discrimination and equality. It was reported, that since the inception of the party, NARC Kenya had ensured that the gender rule was complied with in the composition of all committees.

The party also had a Women's League which spear headed the implementation of programmes and mobilization of women to participate in party activities. Further, the party had initiated a mentorship project for women and was carrying out civic education to challenge stereotypes and norms that undermined female participation in leadership. To demonstrate their stand, it was the only party that would be fronting a female presidential candidate in the forthcoming elections, (Barasa, 2012).

In addition, ODM emphasized their good track record in addressing gender issues through their firm support for the new Constitution that articulated their stand in relation to issues affecting women including their low numbers in political participation and decision making. In addition, the party sought to address obstacles to women's participation in politics such as stereotyping, violence and inadequate funding through civic education, the Orange Ribbon Peace Movement to stem violence, harsh penalties for the use of violence and intimidation, and economic empowerment initiatives for women.

Challenges in this process included stereotypical notions that politics was a preserve for men; tribalism and personality based rather than issue based politics; impunity and lack of respect for the rule of law; violence and intimidation by male candidates; and limited access to funds for female candidates. On the other hand, opportunities include the consolidation of gains made by the Constitution, gender mainstreaming in all sectors, increased transparency and accountability

in the electoral and party processes, creation of a political environment that promoted women's political participation, rigorous civic education drives to ensure information reached grassroots women and men, and continued and strengthened collaboration between political parties and civil society to push the gender agenda forward. Whereas it is true for the above authors non of them has looked at the role of the new constitution in influencing women to vie for the national assembly seats and more precise the women electorate in Nairobi County. The studies have left out the role of the new constitution on two-third gender rule, equal treatment and opportunities and gender equality in political parties.

2.6 Theoretical Framework

2.6.1 Critical Mass Theory

Critical mass is an idea that has moved from sociology to political science and into popular usage over the last 30 years (Dahlerup, 2007). Critical mass is based on the belief that the form of a public body will shape the processes and policies of that organization. In political science literature the concept of critical mass infers that the election of an adequate number of female politicians will result in governance that is more responsive to women. But the existing literature fails to provide specifics on how changing the proportions of men and women will alter power relations within the political arena (Kanter, 2006).

Discussions of critical mass involve speculation about what might happen if women won the necessary numbers in legislatures: If the trend continues, quotas will soon produce a quantum leap in women's political power. For the first time, women will form a "critical mass" of legislators in many countries, able to set new agendas and perhaps create new styles of leadership (Randall, 2002). Critical mass is more a theoretical and popular expectation than a demonstrated effect. But there are common figures and expectations identifiable in existing literature.

Norris (2004) looked for changes in political attitudes, policy priorities, and legislative styles and roles. Critical mass is a viable concept, and then any gender differences in the agenda, culture, and policies of the New Zealand parliament should accelerate once the number of women MPs reaches critical mass. One variable that was identified in the close analysis of parliamentary debates was the impact of political party influence upon Members of Parliament. This was possible because parliament is headed by both of New Zealand's major parties, Labour and National, during the 25 years scrutinized. Most often critical mass expectations have been tested using surveys of politicians (Norris, 2004). Where as in Kenya many political parties in Kenya are based on a system of patronage, said analysts, and many electable women candidates get knocked out at party primaries. The more entrenched women become in their political parties, the greater their chance of being elected.

2.6.2 The Developmental Theory

The developmental theory is based on the assumption that traditional societies are characterized by sharply differentiated gender roles that discourage women from jobs outside the home. Virtually all preindustrial societies emphasized childbearing and child-rearing as the central goal for women, and their most important function in life; careers in the paid workforce were predominately male. In postindustrial societies gender roles have increasingly converged due to a structural revolution in the paid labor force, in educational opportunities for women, and in the characteristics of modern families (Bandarage, 2003).

These major changes in sex roles can be expected to influence women's and men's political behavior. Studies suggest that female participation in the paid labor has had a significant impact on female voting behavior, for example, in terms of political participation. Women's support for parties of the left may be encouraged by pervasive patterns of horizontal and vertical occupational segregation. Working women are often overrepresented in low-paid jobs and as public sector professionals and since providers in education, health care, and welfare services. Women also experience continued pay disparities and lower socioeconomic status, with considerably higher levels of female poverty. The increased membership and activism of

working women in trade unions can also be expected to move women leftwards politically, while increased participation by professional women in higher education may have encouraged more liberal attitudes. Structural accounts have also commonly emphasized the process of secularization (Goldsworthy, 2006).

Structural factors can be regarded as interacting with, and causing, shifts in cultural attitudes and values that may subsequently exert an independent and direct effect upon voting choice. The most influential cultural theories concern gender differences in post materialist values, the effects of feminist mobilization, and attitudes towards the role of government (Bandarage, 2003). Post modernization theory suggests that in advanced industrial societies the growth of post materialist values among younger generations has led to a gradual but steady decline in the class politics of economic and physical security, opening the way for greater priority being given to the values of freedom, self-expression and gender equality.

If the modernization process has influenced the gender gap, we would expect to find that support for post materialist values would be closely associated with female support for parties of the left (Blomstrom and Bjorn, 2005). Alternatively, the electoral gap has been strongly influenced by mobilization by the women's movement around issues of gender equality. In this view it is not the general shift to post materialist values per se, but rather the growth of feminist identity and consciousness that has been the catalyst producing the modern gender gap in party support.

2.6.3 Feminist theory

Feminist theory is the extension of feminism into theoretical or philosophical discourse. It aims to understand the nature of gender inequality. It examines women's social roles, experience, interests, and feminist politics in a variety of fields, such as anthropology and sociology, communication, psychoanalysis, economics, literary, education, and philosophy (Barker and Edith, 2003). While generally providing a critique of social relations, much of feminist theory also focuses on analyzing gender inequality and the promotion of women's interests. Feminist researchers embrace two key tenets: their research should focus on the condition of women in

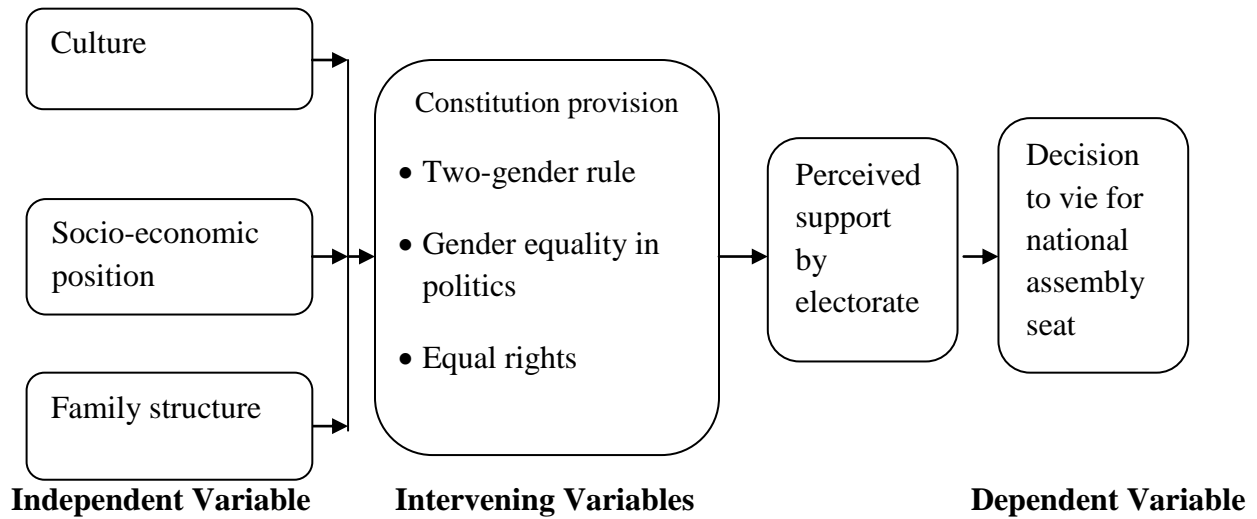
society, and their research must be grounded in the assumption, that women generally experience subordination. Thus, feminist research rejects Weber's value-free orientation in favor of being overtly political—doing research in pursuit of gender equality (Ferber and Nelson, 2004).

This theory analyses policies and their impact on gender relations, and thereby offers important contributions to the analysis of the state and to political science in general. However in the field there are different perspectives resulting of the different types of analyses - Marxist, socialist, liberal, etc. But what is common for the field is that the previous negligence of the state in the feminist theory is abandoned (Hooks, 2000). This discursive turn within feminist analysis reflects the turn within political science as a whole. Previously viewed as fundamentally patriarchal, now the state is analyzed in its relations of power, class, social and economic groups in feminist perspective, also state's instruments for subordination of women, structuration and influence of gender roles and relations, and in more positive vision - positive economic policies for lessening of the financial dependency of women on men, analyses of the promotion - of women's interests within the state, either through the action of 'femocrats' (feminist bureaucrats) working from within the state system to empower women, or when the state itself acts in a way to further women's status. Feminist political theory includes comparative research, it focuses on politics constructing gendered subjects, and the ways in which gender constructs politics, and the ways in which gender issues such as 'women's inequality' are constructed in policy debates and decision-making (Gerber and Linda, 2010).

2.7 Conceptual Framework

This study seeks to establish the role of the new constitution in influencing women to vie for electoral positions in Nairobi region. The independent variables in this study were culture, socioeconomic position and family structure while the intervening variables was two-third gender rule, gender equality in political parties and equal right of opportunities while the dependent variable was women vying for National Assembly positions in Nairobi County.

Figure 2. 1: Conceptual Framework



From the conceptual framework culture, socio-economic positions and family structure are the independent variables while decision to vie for national assembly is the dependent variable. Provisions of the constitution like two third gender rule, gender equality politics ad equal rights are the intervening variables. The researcher conceptualizes that women’s decision to vie for political positions in the national assembly is influenced by their cultural inclinations, socio-economic positions and family structures. However the new constitution has enabled women’s participation in Kenyan political positions through the provision of the two-gender rule, gender equality in politics and equal rights.

CHAPTER THREE

RESEARCH METHODOLOGY

3.1 Introduction

This chapter presents the methodology of the study. It outlines how the study was carried out. The chapter presents the research design, site description, study population, sampling frame, sample and sampling technique, data collection instruments, data collection procedure, pilot study and data management and analysis.

3.2 Research Design

A research design is a blueprint for conducting the research that specifies the procedures necessary to obtain the information needed to structure and solve the research problems (Cooper and Schindler, 2003). This study used a descriptive survey design. Descriptive survey design allows for the collection of both quantitative and qualitative data from a sizable population in a highly economical way. The method was chosen since it is more precise and accurate and involves description of events in a carefully planned way (Sekaran, 2003). Therefore, the descriptive survey design was the best strategy to fulfil the objectives of this study.

3.3 Site Description

Nairobi is the capital and largest city of Kenya. Nairobi is the most populous city in East Africa, with a current estimated population of about 3 million. According to the 2009 Census, in the administrative area of Nairobi, 3,138,295 inhabitants lived within 696 km² (269 sq mi). Nairobi is currently the 12th largest city in Africa, including the population of its suburbs. Nairobi has experienced one of the highest growth rates of any city in Africa. The growth rate of Nairobi is currently 4.1%. It is estimated that Nairobi's population will reach 5 million by 2025.

Nairobi is now one of the most prominent cities in Africa both politically and financially. Home to thousands of Kenyan businesses and over 100 major international companies and organizations, including the United Nations Environment Programme (UNEP) and the main coordinating and headquarters for the UN in Africa and Middle East, the United Nations Office in Nairobi (UNON), Nairobi is an established hub for business and culture. The Nairobi Stock Exchange (NSE) is one of the largest in Africa and the second oldest exchange on the continent. It is ranked 4th in terms of trading volume and capable of making 10 million trades a day.

3.4 Target Population

A population is the group that the research focuses on (Cooper and Schindler, 2003). Target population in statistics is the specific population of study from which the desired information is obtained. The target population for this study were all the registered women voters in Nairobi County. There are 1,778,903 registered voters in Nairobi County which formed the accessible population for the purpose for study. Out of this, there are 996,186 registered women voters in Nairobi County which was the target population for this study. The choice of Nairobi as the study area was informed by the fact that Nairobi is now one of the most prominent cities in Africa both politically and financially with a significant number of registered voters in Kenya. The county is also cosmopolitan where women from various communities in Kenya have expressed interest in politics.

3.5 Sampling Technique and Sample Size

A sample size is the number of observations used for calculating estimates of a given population, (Mugenda and Mugenda, 2003). The first sampling technique to be used was purposive in selecting the registered women voters within Nairobi County because they were the focus of the study. Then stratified sampling was used to group the voters based on their tribes in Kenya (in terms of numbers). The key tribes in Nairobi County are Kikuyus, Luos, Kamba, Luhya and Kalenjin which represent 76.95 percent of the total registered voters in Nairobi County i.e. the accessible target population was 766586 for the women voters.

According to Mugenda and Mugenda (2003) when a target population is greater than 5,000, the issue of the population size is almost irrelevant and a sample size of 100 is adequate. Therefore since the population of this study was greater than 5000, the sample size was 100 respondents. Proportionate sampling technique was used to distribute the sample size based on the target population representation as shown in table 3.1.

Table 3. 1: Sample Size

| Ethnic Listings | Sample Distribution | | |
|-----------------|-------------------------------------|---------------------------|-------------|
| | No of women registered voters (56%) | Percentage representation | Sample size |
| Kikuyu | 220764 | 28.8 | 29 |
| Kamba | 176239 | 23.0 | 23 |
| Luo | 164815 | 21.5 | 21 |
| Luhya | 69005 | 9.0 | 9 |
| Kalenjin | 135764 | 17.7 | 18 |
| Total | 766586 | 100.0 | 100 |

Finally judgmental sampling technique was used to select areas (estates) dominated by various ethnic groups with Nairobi town. For instance the Kikuyus are mostly found in Kasarani area; the Luos are mostly found in Kibira, the Kambas are mostly found in Embakasi; the Luhyas are mostly found in Kangemi and Kawangware while the Kalenjins are mostly found in South B.

3.6 Data Collection Procedure

After the approval the research proposal by the supervisor, the researcher commenced the data collection process by obtaining the relevant documents from the university and indentifying two research assistants. They were taken an orientation to familiarize them with the instruments. During the data collection the respondents were informed that the instruments were being administered for research purpose only and the responses from the respondents would be kept

secret and confidential. An introductory letter was obtained from the University, and then the research assistants administered the questionnaires for a period of one week.

3.7 Data Collection Instrument

The study used primary data, which was collected by use of questionnaires. The questionnaires were administered to the respondents by the researcher and research assistants under her guidance. This was done by indentifying the respondents through simple random sampling and requesting them to accept to take part in the study. Both the researcher and his assistants read the questions to the respondents and noted down their responses. Kothari (2004) observed that questionnaire is a cost effective method to acquiring information especially from a large group of respondents. It also allows for anonymity. Questionnaires were used in this research because they are easy to administer and takes a shorter time compared to other instruments and the element of anonymity as some of the information required was sensitive.

Both open ended and closed ended questions were used in the questionnaire. The closed ended questions enabled the research study to collect quantitative data while open-ended questions were used to enable the research study to collect qualitative data. The questionnaire was divided into four sections. Section one gave the general information about respondents while second section dealt with the four independent variables.

3.8 Pilot Study

Before the research tools are finally administered to participants, pre-testing was carried out to ensure that the questions are relevant, clearly understandable and make sense. The pre-testing aims at determining the reliability of the research tools including the wording, structure and sequence of the questions. This pre-testing involved 15 respondents that were selected randomly in Nairobi region. The purpose of the pilot test is to refine the questionnaire so that respondents in the major study would have no problem in answering the questions.

Experts were requested to comment on the representativeness and suitability of questions and give suggestions of corrections to be made to the structure of the research tools. This helped to improve the content validity of the data that will be collected. Content validity was obtained by asking for the opinion of the supervisor, lecturers and other professional on whether the questionnaire is adequate. In order to test the reliability of the instruments, internal consistency techniques will be applied using Cronbach's Alpha. The alpha value ranges between 0 and 1 with reliability increasing with the increase in value. Coefficient of 0.6-0.7 is a commonly accepted rule of thumb that indicates acceptable reliability and 0.8 or higher indicated good reliability (Mugenda and Mugenda, 2003).

3.9 Data Analysis

According to Ngechu (2004), data analysis procedure includes the process of packaging the collected information putting in order and structuring its main components in a way that the findings can be easily and effectively communicated. Quantitative data collected was analyzed by use descriptive statistics by the help of SPSS (V. 21.0) and presented through frequencies, percentages, means and standard deviations. This was done by tallying up responses, computing percentages of variations in response as well as describing and interpreting the data in line with the study objectives and assumptions. Data was then presented in tables, figures and charts.

During data collection a number of challenges were experienced. The first challenge was on method of administering the questionnaires. Whereas in normal circumstances they are supposed to be given to the respondents and picked at an agreed time, it was not easy to do this because this was a random study where the respondents were picked based on availability. So it was not possible to leave the questionnaires with them as most of them could not spare any other time for filling the information. Therefore the researcher and her assistants resorted to administering the questionnaires personally by asking the questions and writing down the responses. Since the study covered different locations, it was not easy to collect that data at once, therefore the researcher planned for the data collection from the identified locations on different days within the one week that was spent on the process. There was also difficulty in explaining the purpose

of the information obtained to the respondents as some thought that it would be used against them, therefore the researcher and her assistants explained to the respondents the purpose of the study and used referral documents (letter of introduction and student ID) from the University to convince them that the information was required to aid the researcher to meet her academic requirements only.

CHAPTER FOUR

DATA ANALYSIS AND INTERPRETATION

4.1 Introduction

This chapter focuses on data analysis, results presentation and discussion of the findings. The general objective of this study was to establish the role of the new constitution in influencing women to vie for the National Assembly seats in Nairobi County. This study also sought to establish ways through which the two-third gender rule, gender equality in political parties and equal right of opportunities influence women to vie for the National Assembly seats in Nairobi County. The research findings were presented in form of tables, graphs and charts.

4.2 Response rate

The sample size of this study was 100 respondents out of which 78 filled and returned their questionnaires, which represents a response rate of 78%. This correlates with Mugenda and Mugenda (2003) recommendation that a response rate of 50% is adequate for analysis and reporting; a rate of 60% is good and a response rate of 70% and over is excellent. This clearly shows that the response rate in this study was excellent. This impressive response was achieved due to the organization of the data collection phase by the researcher and ensuring that the assistants met their daily targets for the one week period used for collecting the data.

4.2 Pilot Test

The researcher selected a pilot group of 5 individuals from Embakasi to test the reliability of the research instruments. The reliability of the questionnaires that was used to collect data was measured statistically using Cronbach's Alpha. Internal consistency techniques were applied using Cronbach's Alpha. The alpha value ranges between 0 and 1 with reliability increasing with the increase in value.

In the pilot test three constructs were studied. According to the findings ‘two-third gender rule’ scale was found to have an Alpha value of 0.789, ‘equal treatment and opportunities’ scale was found to have an Alpha value of 0.767 and ‘gender equality in political parties’ was found to have an Alpha value of 0.743. According to Mugenda and Mugenda, (2003) coefficient of 0.6-0.7 is a commonly accepted rule of thumb that indicates acceptable reliability and 0.8 or higher indicated good reliability. These findings clearly show that the research instrument used in the study was reliable.

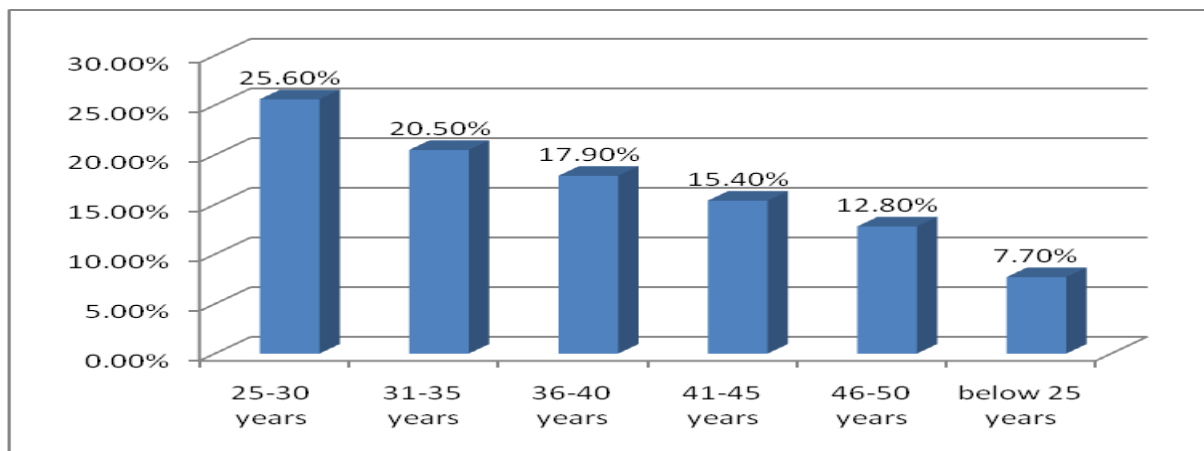
4.3 General information

This section presents the general information on the respondents’ characteristics. The respondents characteristics comprising of age bracket, their highest level of education and ethnicity. The responses were presented as follows.

4.3.1 Age Bracket of the Respondents

The respondents were requested to indicate their age in years. The results are shown in Figure 4.1 below.

Figure 4. 1: Age Bracket of the Respondents

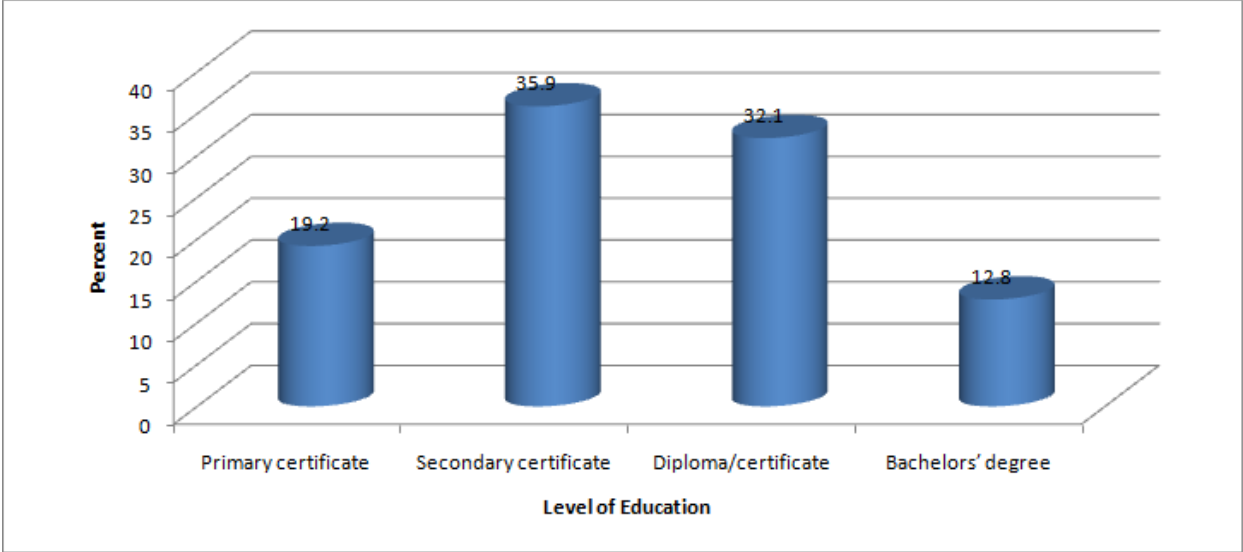


The respondents were distributed across all age groups starting from below 24 years to between 45 and 50 years. According to the findings, 25.6% of the respondents indicated that they were aged between 25 and 30 years, 20.5% indicated that they were aged between 31 and 34 years, 17.9% indicated that they were aged between 35 and 40 years, 15.4% indicated that they were aged between 41 and 44 years, 12.8% indicated that they were aged between 45 and 50 years and 7.7% indicated that they were below 24 years in age. This clearly shows that most of the respondents in this study were aged between 25 and 30 years. Most young women (below 30 years) tend to support men or their fellow young people for electoral leadership positions. On the other hand, older women tend to select their fellow women and age mates for political positions as they believe that they understand them better and they can fight for their rights.

4.3.2 Respondents' Highest Level of Education

The respondents were requested to indicate their highest level of education. The results are presented in Figure 4.2 below.

Figure 4. 2: Respondents' Highest Level of Education



According to the findings, 35.9% of the respondents indicated that they had secondary schools certificates as their highest level of education, 32.1% indicated that they had diplomas at 19.2%

indicated that they had secondary education and 12.8% indicated that they had undergraduate degrees. From these findings we can deduce that most of the respondents in this study had diplomas/certificates as their highest level of education. This clearly shows that most of the respondents were educated and hence they were aware of the two-third gender rule, equal treatment and opportunities and gender equality in political parties.

4.3.4 Respondents' distribution by Ethnicity

Information on the ethnicity of the respondents was presented on table 4.1

Table 4.1: Ethnic Distribution of the respondents

| Ethnicity | Frequency | Percentage |
|------------------|------------------|-------------------|
| Kikuyu | 23 | 29 |
| Kamba | 16 | 21 |
| Luo | 15 | 19 |
| Luhya | 10 | 13 |
| Kalenjin | 9 | 11 |
| Others | 5 | 7 |
| Total | 78 | 100 |

Most of the respondents were Kikuyu's at 29%. They were followed by Kambas at 21% and the Luos were ranked at 19%. The Luhya's and Kalenjins were ranked at 13% and 11% respectively while the other tribes were rated at 7%. This shows that Nairobi is a cosmopolitan county with all the Kenyan tribes residing there although some of them out number others in terms of population like Kikuyu's would be said to be more because of its vicinity to the central province where most of them come from.

4.4 Two-third gender rule

This study sought to establish ways through which the two-third gender rule influenced women to vie for the National Assembly in Nairobi County.

4.4.1 Awareness of the two-third gender rule in Kenya

The respondents were asked to indicate whether they were aware of the two-third gender rule in Kenya and 97.44% of the respondents reported that they were aware of the two-third gender rule in Kenya while 2.56% indicated that they were not aware of aware of the two-third gender rule in Kenya. From these findings we can infer that most of the women in Nairobi are aware of the two-third gender rule in Kenya. It is expected that since women were aware of the two-third gender rule, more women would vie for political electoral positions. In addition, it is expected that would support their fellow women to get through the electoral process and support them. From the Key Informants Interviews, women indicated that “We have been left in the country’s political deep freezer for too long and this time round we are saying that we are coming out fired up with our determination blazing to contest for these positions as young women of this nation to lead”.

4.4.2 Compliance with the Two-third gender rule

The respondents were asked to indicate whether the two-third gender rule had been followed. The result shows that 51.3% of the respondents indicated that it had been followed while 48.7 % respondents indicated that it had not been followed. From these findings we can deduce that the two-third gender rule was being followed though a good number of women felt that it was not being followed. This clearly shows that the government was committed to the implementation of the two-third gender rule in various institutions in Kenya. This can also be shown by the introduction of women representatives’ positions in parliament to ensure that about one third of the parliamentarians are women. Additionally, the respondents also indicated that the new

government has also followed the two-third gender rule by ensuring that one third of cabinet ministers are women.

4.4.3 Two-third gender rule influence on women to vie for political positions

The study also sought to find out whether the two-third gender rule influenced women to vie for political positions in the last general election. According to the findings, 85.90% of the respondents indicated that the two-third gender rule influenced women to vie for political positions in the last general election while 14.10 disagreed. From these findings we can deduce that the two-third gender rule influenced women to vie for political positions in the last general election.

4.4.4 Commitment of the Government of Kenya

The study sought to establish the level of the GoK commitment in promoting the two-third gender rule. The respondents were asked to indicate the manner in which the GoK showed commitment in promotion of the two-third gender rule in Kenya.

Table 4.2: Indicators of the GOK' Commitment to promoting the two-third gender rule

| Role of GOK in promoting the two-third gender rule | Response | | | | | Total | |
|--|-----------|------|----------|------|------|-------|-----|
| | Excellent | Good | Moderate | Bad | Poor | N | % |
| Reduction of inequality between men and women | 0 | 9.0 | 34.6 | 34.6 | 21.8 | 78 | 100 |
| Promotion of power-sharing and decision-making | 26.9 | 48.7 | 12.8 | 11.5 | 0 | 78 | 100 |
| Empowering women to vie for political positions | 1.3 | 15.4 | 32.1 | 38.5 | 12.8 | 78 | 100 |

From the findings, 48.7% of the respondent indicated that the GoK demonstrated its commitment through promotion of power-sharing and decision making, 26.9% indicated that they were excellent, 12.8% indicated that they were moderate and 11.5% indicated that they were bad. On the other hand 38.5% indicated that they did so by empowering women to vie for political positions, 32.1% indicated that it was moderate, 15.4% indicated that it was good, 12.8% indicated that it was poor and 1.3% indicated that it was excellent. Additionally, 34.6% indicated that the reduction of inequality between men and women was moderate, the same percentage indicated that it was bad, 21.85 indicated that it was poor and 9.0% indicated that it was good.

This shows that the commitment of the government of Kenya in the promotion of power-sharing and decision-making and had ensured two-third gender rule in parliament. Additionally the government had ensured two-third gender rule in the selection of cabinet and principal secretaries. In addition, the findings of this study show that the government of Kenya was not committed to reduction of inequality between men and women and to empowering women to vie for political positions. These findings who indicated that although women were economically empowered, they were still not empowered to vie for political positions and the environment was still not conducive for them to vie.

4.4.5 Government of Kenya in implementing two-third gender rule

The respondents were also asked to indicate the extent to which the government of Kenya succeeded in implementing two-third gender rule in the following areas, shown in Table 4.3 below.

Table 4. 3: View on Implementation of the rule by Specified Actors

| Actors in implementation of Third gender rule | Extent of implementation | | | | | Mean | Total | |
|---|--------------------------|--------------|-----------------|------------|------------------|------|-------|-----|
| | Very great extent | Great extent | Moderate extent | Low extent | No extent at all | | N | % |
| Political candidates list | 0 | 1.3 | 39.7 | 29.5 | 29.5 | 2.13 | 78 | 100 |
| Parliamentary assembly | 6.4 | 53.8 | 34.6 | 5.1 | 0 | 3.62 | 78 | 100 |
| Parliamentary Committees | 20.5 | 37.5 | 37.2 | 5.1 | 0 | 3.73 | 78 | 100 |
| Government institutions | 0 | 23.1 | 42.3 | 21.8 | 12.8 | 2.76 | 78 | 100 |

According to the findings, 37.5% of the respondents indicated that the government of Kenya had succeeded in implementing two-third gender rule in parliamentary committees to a great extent, 37.2% indicated to a moderate extent, 20% indicated to a very great extent and 5.1% indicated to a low extent. On the other hand, 53.8% of the respondents indicated that the government of Kenya had succeeded in implementing two-third gender rule in parliamentary assembly to a great extent, 34.6% indicated to a moderate extent, 6.4% indicated to a very great extent and 5.1% indicated to a low extent. Further, 42.3% indicated that the government of Kenya had succeeded in implementing two-third gender rule in government institutions to a moderate extent, 23.1% indicated to a great extent and 21.8% indicated to a low extent. Lastly, 39.7% indicated that the government of Kenya had succeeded in implementing two-third gender rule in political candidates list to a moderate extent, 29.5% indicated to a low extent, and 1.3% indicated to a great extent.

These findings clearly show that the government of Kenya had succeeded in implementing two-third gender rule in committees, parliamentary assembly and government institutions. However the government had not succeeded in implementing two-third gender rule in political candidates

list. This is confirmed by the key informants who indicated that the government of Kenya had ensured that the two-third gender rule was observed in government institutions ministries and other independent bodies. However, they indicated that the government had failed in ensuring the two-third gender rule in the political candidates list. This is clearly seen as there were very few women who were vying for senatorial and gubernatorial seats.

4.4.6 Two-third gender rule and women vying for political positions

The respondents were asked to indicate whether the two-third gender rule influenced women to vie for political positions in the last general election. According to the findings, 90% of the respondents that were interviewed indicated that the two-third gender rule influenced women to vie for political positions in the last general election while 10% disagreed. From these findings we can deduce that the two-third gender rule influenced women to vie for political positions in the last general election.

The respondents were also asked to elaborate how the two-third gender rule influenced women to vie for political positions in the last general election. From the findings, the respondents argued that to meet the one third gender rule the previous parliament created a post of women representative for each and every county which encouraged women to vie for political posts. They also indicated that the two-third gender rule had influenced women to vie for political positions. This is because of the introduction of the women representative post in parliament which was only meant for women.

4.4.7 Benefits of the Two-third gender rule

The respondents were also asked to indicate the benefits of the two-third gender rule in women vying for political positions. Given the slow speed by which the number of women in politics was growing, there were increased calls for more efficient methods to reach a gender balance in political institutions. From the findings, the respondents reported that the one third gender rule is used a fast track to gender balance in politics. The respondents also argued that the two-third

gender rule is used to reduce inequality between men and women in power-sharing and decision-making.

On the other hand, the key informants indicated that the one third gender rule is aimed at increasing women's representation, because the problem to be addressed usually is the under-representation of women - this is particularly relevant. They further indicated that since women are the underrepresented group in political institutions everywhere, most regulations aim at securing women a minimum of seats.

4.5 Equal treatment and Opportunities

The study also sought to establish how gender equality in political parties influences women to vie for the National Assembly in Nairobi County.

4.5.1 Equal opportunities to get political positions in Kenya

The respondents were asked to indicate whether men and women enjoy equal opportunities to get political positions in Kenya. According to the findings 74.4% of the respondents indicated that women were not enjoying equal opportunities to get political positions in Kenya as compared to men. The rest of the respondents (25.6%) indicated that women were enjoying equal opportunities to get political positions in Kenya. From these findings we can deduce that women were not enjoying equal opportunities to get political positions in Kenya as compared to men. It was also indicated that women were sharing the same rights with men to vie for political positions. However, they also indicated that culture was highly affecting the ability of women to enjoy equal opportunities to get political positions with men in Kenya.

4.5.2 Equal Treatment and Opportunities by the Constitution

The respondents were further asked to indicate whether advocating for equal treatment and opportunities by the constitution had increased the number of women vying for electoral and political positions in Kenya. As indicated by 91% of the respondents advocating for equal treatment and opportunities by the constitution had increased the number of women vying for electoral and political positions in Kenya while 9% disagreed. From these findings we can deduce that advocating for equal treatment and opportunities by the constitution had increased the number of women vying for electoral and political positions in Kenya.

4.5.3 Benefits of equal treatment and opportunities

The respondents were asked to indicate the extent to which equal treatment and opportunities between women and men advocated by the constitution had led to the following benefits to women.

Table 4. 4: Benefits of equal treatment and opportunities

| Benefits | Extent of agreement | | | | | | Total | |
|--|---------------------|--------------|-----------------|------------|------------------|------|-------|-----|
| | Very great extent | Great extent | Moderate extent | Low extent | No extent at all | Mean | N | % |
| Opportunity to participate in the electoral and political processes through voting and being voted for | 29.5 | 42.3 | 28.2 | 0 | 0 | 4.01 | 78 | 100 |
| Equal treatment of both men and women in the electoral and political processes | 6.4 | 39.7 | 14.1 | 28.2 | 11.5 | 3.01 | 78 | 100 |

| | | | | | | | | |
|---|------|------|------|------|---|------|----|-----|
| Freedom from discrimination | 0 | 16.7 | 56.4 | 26.9 | 0 | 2.90 | 78 | 100 |
| Enhancing of fundamental human right | 0 | 11.5 | 69.2 | 19.2 | 0 | 2.92 | 78 | 100 |
| Reaping of economic rewards on the basis of merit | 14.1 | 59.0 | 26.9 | 0 | 0 | 3.87 | 78 | 100 |
| Improvement of quality of life | 9.0 | 38.5 | 39.7 | 12.8 | 0 | 3.44 | 78 | 100 |

From the findings, 42.3% of the respondents indicated that equal treatment and opportunities for both women and men leads enables them to participate in the electoral and political processes through voting and being voted. In addition 39.7% indicated that equal treatment and opportunities between women and men led to equal treatment of both men and women in the electoral and political processes. Further, 56.4% indicated that equal treatment and opportunities between women and men advocated by the constitution led to freedom from discrimination to a moderate extent, 26.9% indicated to low extent and 16.7% indicated to a great extent.

Additionally, 69.2% indicated that equal treatment and opportunities between women and men led to the enhancement of fundamental human rights to a moderate extent, 19.25 indicated to a low extent and 11.5% indicated to a great extent. In addition, 59% of the respondents indicated that equal treatment and opportunities between women and men advocated by the constitution led to reaping of economic rewards on the basis of merit to a great extent, 26.9% indicated to a moderate extent and 14.1% indicated to a very great extent. Lastly, 39.7% indicated that equal treatment and opportunities between women and men advocated by the constitution led to improvement of quality of life to a moderate extent, 38.5% indicated to a great extent, 12.8% indicated to a low extent and 9.0% indicated to a very great extent.

The study further found that women had realized benefits in opportunity to participate in the electoral and political processes through voting and being voted for. However, they indicated that women had not yet received benefits in equal treatment of both men and women in the electoral and political processes, freedom from discrimination, enhancing of fundamental human right, reaping of economic rewards on the basis of merit and improvement of quality of life.

4.5.4 Equal treatment and opportunities for women vying for political positions

The respondents were asked to indicate how the equal treatment and opportunities in the constitution influence women to vie for political positions. From the findings, the respondents indicated that the provision helps in ensuring equal opportunity not only ending overt and intentional discrimination, but also rooting out subconscious bias and reforming systems that unintentionally perpetuate exclusion. It requires proactive efforts to remake our institutions in ways that ensure fairness and inclusion. Article 7 of the convention in essence avails women the opportunity to participate in the electoral and political processes of their respective countries through voting and being voted for and further calls for the equal treatment of both men and women in the mentioned processes. Gender cannot be the reason for discrimination in involvement in political and electoral undertakings of a country.

4.5.5 Role of Government in Implementing Equal Treatment and Opportunities

The respondents were asked to indicate how the government had been implementing equal treatment and opportunities provision for both men and women. From the findings, the respondents indicated that state parties take appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, ensure that women are on equal terms with men, the right to vote in all elections and public referenda and to be eligible for election to all publicly elected bodies. The government also ensures that women have an opportunity to participate in the electoral and political processes through voting and being voted for. Further the government ensures that women and men have the right to equal treatment including the right to equal opportunities in political, economic, cultural and social spheres.

4.6 Gender Equality in Political Parties

The study further sought to establish how equal right of opportunities influence women to vie for the National Assembly in Nairobi County.

4.6.1 Treatment of Men and Women in Various Political Parties

The respondents were asked to indicate whether men and women are treated equally in various political parties in Kenya. According to the findings 61.5% of the respondents indicated that men and women were not treated equally in various political parties in Kenya while 38.5% indicated that men and women were treated equally in various political parties in Kenya. From these findings we can deduce that men and women were not treated equally in various political parties in Kenya.

4.6.2 Adequacy of Consideration of Women in the Manifesto Pledges

The respondents were further asked to indicate whether in the last election in Kenya, women were adequately considered in the manifesto pledges for political parties. The findings show that 64.1% of the respondents reported that in the last election in Kenya, women were not adequately considered in the manifesto pledges for political parties while 35.9% indicated that in the last election in Kenya, women were adequately considered in the manifesto pledges for political parties. From these findings, we can deduce that in the last election in Kenya, women were not adequately considered in the manifesto pledges for political parties. The Key informants indicated that most of the political parties did not give women opportunities to vie for political positions except to women representative positions. They further indicated that most political parties did not have women in mind when they were formulating their manifestos.

4.6.3 Women Representation in Policy Making Bodies of Political Parties

The respondents were asked to indicate whether women were sufficiently represented in the policymaking bodies of political parties in Kenya. From the findings in figure 4.12, 66.7% of the respondents reported that women were sufficiently represented in the policymaking bodies of

political parties in Kenya while 33.3% indicated that women were not sufficiently represented in the policymaking bodies of political parties in Kenya. From these findings we can deduce that women were sufficiently represented in the policymaking bodies of political parties in Kenya.

4.6.4 Gender equality in political parties

The respondents were further asked to indicate the extent to which they agreed with the statements in relation to gender equality in political parties. The response was presented in table 4.5.

Table 4. 5: Gender equality in political parties

| Statements | Extent of agreement | | | | | | Total | |
|--|---------------------|--------------|-----------------|------------|------------------|------|-------|-----|
| | Very great extent | Great extent | Moderate extent | Low extent | No extent at all | Mean | N | % |
| Even though political parties promote women's political empowerment in their campaign manifestos, these promises are hardly ever met | 21.8 | 61.5 | 16.7 | 0 | 0 | 4.05 | 78 | 100 |
| Political parties have not yet incorporated gender equality into their policy documents | 25.6 | 41.0 | 33.3 | 0 | 0 | 3.92 | 78 | 100 |

| | | | | | | | | |
|---|------|------|------|---|---|------|----|-----|
| There are no rules party rules and regulations for identifying, selecting and nominating women candidates for leadership positions within the party | 7.7 | 55.1 | 37.2 | 0 | 0 | 3.71 | 78 | 100 |
| Public funding of political parties needs to be linked to the implementation of gender balance and gender-equality policies in parties | 20.5 | 56.4 | 20.5 | 0 | 0 | 3.97 | 78 | 100 |

From the findings, 61.5% of the respondents agreed to a great extent that even though political parties promote women’s political empowerment in their campaign manifestos, these promises are hardly ever met, 21.8% agreed to a very great extent and 16.7% agreed to a moderate extent. Further, 41% of the respondents agreed to a great extent that political parties have not yet incorporated gender equality into their policy documents, 33.3% agreed to a moderate extent and 25.6% agreed to a very great extent. Additionally, 55.1% agreed to a great extent that there are no rules party rules and regulations for identifying, selecting and nominating women candidates for leadership positions within the party, 37.2% indicated to a moderate extent and 7.7% indicated to a very great extent. Lastly, 56.4% of the respondents agreed to a great extent that public funding of political parties needs to be linked to the implementation of gender balance and gender-equality policies in parties, 20.5% agreed to a moderate extent and the same percent indicate to a very great extent.

On the other hand Political Parties in Kenya as elsewhere are the gatekeepers to women’s advancement to power and access to political leadership. Thus, with the exception of the few women who may choose to run as independents, women politicians must work through Parties to

access political office. Unfortunately, Parties in Kenya have historically been highly gendered institutions that incorporate women into party structures on a different basis from men and in ways that impede their access to leadership positions. Women play important roles in campaigning and mobilizing support for their Parties but rarely occupy decision-making positions in these structures. Furthermore, although political parties may possess resources for conducting election campaigns, women rarely benefit from these resources. The selection and nomination processes within political parties also tend to be biased against women, as ‘male traits’ are emphasized and often become the criteria in selecting candidates.

4.6.5 Gender Equality in Political Parties’ Provision

The respondents were further asked to indicate how the gender equality in political parties’ provision influences women to vie for political positions in the last general election. According to the findings, the respondents indicated that the constitution prohibits either gender from constituting more than two-thirds of any elected body; this means women, who are currently severely underrepresented in Kenya’s political arena, must make up at least one-third of all elective public bodies. The Political Parties Act of 2011 extends the two-thirds rule to parties’ membership lists and governing bodies which makes more women to vie for political positions.

4.6.6 Implementation of Gender Equality in Political Parties

The respondents were also asked to indicate how gender equality in political parties had been implemented in various political parties in Kenya. From the findings, the respondents indicated that despite the fact that all political parties promise to promote gender equality in their manifesto pledges, in practice women are not sufficiently represented in the policymaking bodies of political parties. The respondents further indicated that even though political parties promote women’s political empowerment in their campaign manifestos, these promises are hardly ever met. This is because most political parties have not yet incorporated gender equality into their policy documents.

In addition political parties in Kenya have not been implementing Gender equality. This is clearly shown by the fact that the top management of most political parties (CORD, TNA, UDF, ODM and others) are men. The political parties are lacking in party rules and regulations for identifying, selecting and nominating women candidates for leadership positions within the party and other positions of power and decision making.

CHAPTER FIVE

SUMMARY OF THE FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

5.1 Introduction

This chapter presents a summary of the findings, discussion, conclusions and recommendations for practice and further research on the problem. This study aimed at establishing the role of the new constitution in influencing women to vie for the National Assembly seats in Nairobi County. This study also sought to establish ways through which the two-third gender rule, gender equality in political parties and equal right of opportunities influence women to vie for the National Assembly in Nairobi County.

5.2 Summary of the Findings

All the respondents in this study were female. This is because, the study focused on women to meet the objectives of the study. The study further established that most of the respondents in this study were aged between 25 and 30 years. Additionally, most of the respondents had diplomas/certificates as their highest level of education and hence they had the information required to meet the objectives of the study.

5.2.1 Two-third gender rule

This study sought to establish ways through which the two-third gender rule influence women to vie for the National Assembly in Nairobi County. This study established that most of the women in Nairobi were aware of the two-third gender rule in Kenya. In addition most of the women felt that the two-third gender rule was being followed though a good number of women felt that it was not being followed. Additionally, the study found that two-third gender rule influenced women to vie for political positions in the last general election.

It was also established that the commitment of the government of Kenya in promotion of power-sharing and decision-making was good. In addition, the commitment of the government of Kenya in empowering women to vie for political positions was moderate. Further, the study found that the commitment of the government of Kenya in the reduction of inequality between men and women was moderate.

The study further established that the government of Kenya succeeded in implementing two-third gender rule in committees and in parliamentary assembly to a great extent. Additionally, the study found that the government of Kenya succeeded in implementing two-third gender rule in government institutions and in political candidates list to a low extent. It was further established that to meet the one third gender rule the previous parliament created a post of women representative for each and every county which encouraged women to vie for political posts.

Given the slow speed by which the number of women in politics was growing, there were increased calls for more efficient methods reach a gender balance in political institutions. The study found that the one third gender rule is used a fast track to gender balance in politics. In addition, the two-third gender rule is used to reduce inequality between men and women in power-sharing and decision-making. Further, the one third gender rule is aimed at increasing women's representation, because the problem to be addressed usually is the under-representation of women - this is particularly relevant. In addition, since women are the underrepresented group in political institutions everywhere, most regulations aim at securing women a minimum of seats.

5.2.2 Equal treatment and Opportunities

The study also sought to establish how gender equality in political parties influences women to vie for the National Assembly in Nairobi County. This study found that women were not enjoying equal opportunities to get political positions in Kenya as compared to men. The study

further established that advocating for equal treatment and opportunities by the constitution had increased the number of women vying for electoral and political positions in Kenya.

It was further established in this study that equal treatment and opportunities between women and men advocated by the constitution had led to opportunity to participate in the electoral and political processes through voting and being voted for to a great extent. In addition, equal treatment and opportunities between women and men had led to reaping of economic rewards on the basis of merit; improvement of quality of life; and the electoral and political processes to a moderate extent. Further, the study found that equal treatment and opportunities between women and men advocated by the constitution had led to enhancing of fundamental human right. Additionally, the study revealed that equal treatment and opportunities between women and men advocated by the constitution had led to freedom from discrimination.

The study further established that the provision helps in ensuring equal opportunity not only ending overt and intentional discrimination, but also rooting out subconscious bias and reforming systems that unintentionally perpetuate exclusion. It requires proactive efforts to remake our institutions in ways that ensure fairness and inclusion. Article 7 of the convention in essence avails women the opportunity to participate in the electoral and political processes of their respective countries through voting and being voted for and further calls for the equal treatment of both men and women in the mentioned processes. Gender cannot be the reason for discrimination in involvement in political and electoral undertakings of a country.

The study also found that state parties take appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, ensure that women are on equal terms with men, the right to vote in all elections and public referenda and to be eligible for election to all publicly elected bodies. The government also ensures that women have an opportunity to participate in the electoral and political processes through voting and being voted for. Further, the study found that the government ensures that women and men have

the right to equal treatment including the right to equal opportunities in political, economic, cultural and social spheres.

5.2.3 Gender Equality in Political Parties

The study further sought to establish how equal right of opportunities influence women to vie for the National Assembly in Nairobi County. This study found that men and women were not treated equally in various political parties in Kenya. It was also found that in the last election in Kenya, women were not adequately considered in the manifesto pledges for political parties. The study further revealed that women were sufficiently represented in the policymaking bodies of political parties in Kenya.

It was also established that even though political parties promote women's political empowerment in their campaign manifestos, these promises are hardly ever met. The study further established that public funding of political parties needs to be linked to the implementation of gender balance and gender-equality policies in parties. Additionally, the study found that political parties have not yet incorporated gender equality into their policy documents. It was also found that there are no rules party rules and regulations for identifying, selecting and nominating women candidates for leadership positions within the party.

The study found that the constitution prohibits either gender from constituting more than two-thirds of any elected body; this means women, who are currently severely underrepresented in Kenya's political arena, must make up at least one-third of all elective public bodies. The Political Parties Act of 2011 extends the two-thirds rule to parties' membership lists and governing bodies which makes more women to vie for political positions.

Despite the fact that all political parties promise to promote gender equality in their manifesto pledges, in practice women are not sufficiently represented in the policymaking bodies of

political parties. Even though political parties promote women's political empowerment in their campaign manifestos, these promises are hardly ever met. This is because most political parties have not yet incorporated gender equality into their policy documents. In addition, political parties are lacking in party rules and regulations for identifying, selecting and nominating women candidates for leadership positions within the party and other positions of power and decision making.

5.3 Conclusion

This study concludes that most of the women in Nairobi were aware of the two-third gender rule in Kenya. In addition most of the women felt that the two-third gender rule was being followed though a good number of women felt that it was not being followed. Additionally, the study found that two-third gender rule influenced women to vie for political positions in the last general election. Further, the government of Kenya was committed in promotion of power-sharing and decision-making. However, it was less committed to empowering women to vie for political positions and in the reduction of inequality between men and women.

The study also concludes that women were not enjoying equal opportunities to get political positions in Kenya as compared to men. However, advocating for equal treatment and opportunities by the constitution had increased the number of women vying for electoral and political positions in Kenya.

It was further established that equal treatment and opportunities between women and men had led to reaping of economic rewards on the basis of merit; improvement of quality of life; and the electoral and political processes to a moderate extent. In addition, the provision helps in ensuring equal opportunity not only ending overt and intentional discrimination, but also rooting out subconscious bias and reforming systems that unintentionally perpetuate exclusion. It requires proactive efforts to remake our institutions in ways that ensure fairness and inclusion.

Lastly, the study concludes that men and women were not treated equally in various political parties in Kenya. It was also found that in the last election in Kenya, women were not adequately considered in the manifesto pledges for political parties. It was also established that even though political parties promote women's political empowerment in their campaign manifestos, these promises are hardly ever met. Additionally, the study found that political parties have not yet incorporated gender equality into their policy documents and there are no rules party rules and regulations for identifying, selecting and nominating women candidates for leadership positions within the party.

5.4 Recommendations

Despite the fact that the government was committed to the implementation of the two-third gender rule in the promotion of power-sharing and decision-making it was less committed to empowering women to vie for political positions and in the reduction of inequality between men and women. This study therefore recommends that the government should be committed to empowering women to vie for political positions. Further, the study should be committed to reduction of inequality between men and women.

This study established that the equal treatment and opportunities between women and men advocated by the constitution had still not led to enhancing of fundamental human right and freedom from discrimination. This study therefore recommends that the government as well as other law enforcement bodies should ensure that women and men are treated equally in terms fundamental human rights and freedom from discrimination.

The study also established that men and women were not treated equally in various political parties in Kenya. In the last election in Kenya, women were not adequately considered in the manifesto pledges for political parties. This study therefore recommends that law enforcement bodies should ensure that women are well represented in political parties. In addition public

funding of political parties should be linked to the implementation of gender balance and gender-equality policies in parties.

5.5 Recommendations for Further Studies

The study established that the new constitution has played a significant role in encouraging women in Kenya to vie for political positions especially National Assembly seats. The most significant contribution of the new constitution to women's participation in political positions is the creation of the women representative seat in each of the counties in Kenya. Therefore the researcher recommends that further studies be carried out to establish the impact of the constitution on socio-economical recognition of women in the Kenyan Societies.

This study established that political parties were not treating men and women equally in various political parties in Kenya. In addition, women were not adequately considered in the manifesto pledges for political parties. This study therefore recommends further studies to establish why political parties in Kenya do not promote gender equality and equal rights treatment and opportunities for both men and women.

REFERENCES

- Bandarage, A, (2003). Women in Development: Liberalism, Marxism and Marxist Feminism', *Development and Change*, 15, pp 495-515.
- Barasa, S. (2012). *Kenyan women in politics*. Retrieved on 31st January 2013 from <http://generator21.net/g21archive/africa101.html>
- Barker, D. K. Edith, K. (2003). *Toward a Feminist Philosophy of Economics*. New York, NY: Routledge.
- Blomstrom, M. & Bjorn, H, (2005). *Development Theory in Transition: the Dependency Debate and Beyond – Third World Responses*, London: Zed Books
- Carroll, S. J. and Jenkins, K. (2001). Unrealized opportunity? Term limits and the representation of women in state legislatures, *Women & Politics* 23(4), pp.1-30.
- Caul, M. (2001). Political parties and the adoption of candidate gender quotas: a cross- national analysis, *The Journal of Politics*, 63(4), pp. 1214-1229.
- Chelang'a, G. C. (2012). *Factors affecting women teachers' participation in leadership positions in Marakwet West District secondary schools, Kenya*. Unpublished Research Project, Kenyatta University
- Clinton-Rodham, H. (2003), *Living History*, London: Headline.
- Cooper, D. R., & Schindler, P. S. (2006). *Business Research Methods*. New Delhi: Tata McGraw Hill.
- CORD (2013). Addressing Gender Issues. Retrieved on 18th March 2013 from www.cordkenya.org/
- Dahlerup, D. (2005). *Women, Quotas and Politics*, New York: Routledge.
- Dahlerup, D. (2007). From a Small to a Large Minority: Women in Scandinavian Politics, *Scandinavian Political Studies*, 11(4), pp. 275-6.

- Epstein, M. J., R. G. Niemi and Powell, L. W. (2005), 'Do Women and Men State Legislators Differ?' in S. Thomas and C. Wilcox, *Women and Elective Politics*, Oxford: Oxford University Press.
- Ferber, M.A. & Nelson, J.A. (2004). *Beyond Economic Man: Feminist Theory and Economics*, Chicago: University of Chicago Press
- Gerber, M. & Linda, J. (2010). *Sociology 7th Canadian Ed.* Toronto, Ontario: Pearson Canada Inc
- Goldsworthy, D. (2006). *Analysing Theories of Development*, Melbourne: Centre of South East Asian Studies, Monash University
- Hooks, B. (2000). *Feminist Theory from Margin to Center*. Cambridge, MA: South End Press
- Htun, M. & Jones, M. (2002). Engendering the Right to Participate in Decision-making: Electoral Quotas and Women's Leadership in Latin America in N. Craske and M. Molyneux (eds.) *Gender and the Politics of Rights and Democracy in Latin America*, London: Palgrave.
- Htun, M. (2001). *Electoral rules, parties, and the election of women in Latin America*. Paper for the Annual Meeting of the American Political Science Association, San Francisco, 30 August 2001.
- Jacquette, J (2004). Women in Power: From Tokenism to Critical Mass, *Foreign Policy*, Fall, p. 34.
- Kanter, R.M (2006). Some Effects of Proportions on Group Life: Skewed Sex Ratios and Responses to Token Women, *American Journal of Sociology* 82(5), p. 966.
- Kothari, C. R. (2004). *Research methodology: Methods and techniques*. New Delhi: New Age International (P) Limited Publishers.
- Maathai, M. W. (2006), *Unbowed: A Memoir*, London: William Heinemann
- Matland, R. and Studlar, D. (2004). Determinants of legislative turnover: a cross-national analysis, *British Journal of Political Science*, 34, pp. 87-108.

- Mbugua, W. W. (2011). *An investigation of factors influencing women progression to leadership positions in Kenya a case study of four selected institutions*. Unpublished Research Project, Kenyatta University
- Moser, R.G. (2001). The effects of electoral systems on women's representation in post-communist states, *Electoral Studies*, 20(3), pp. 353-369.
- Mugenda, O. M., & Mugenda, A. G. (2003). *Research methods: Quantitative and qualitative approaches*. Nairobi: Acts Press.
- Muiru, M. (2012). The Champions For Transformative Leadership Initiative: Kenyan Grassroots Women as Agents for Change, *In Practice* 3(1), pp1 -5
- Neuman, W. (1998), *True to Ourselves: A Celebration of Women Making a Difference*, San Francisco: Jossey-Bass Publishers.
- Ngechu. M. (2004), *Understanding the research process and methods*. An introduction to research methods. Acts Press, Nairobi.
- Norris, P. (2004). *Electoral Engineering*, Cambridge: Cambridge University Press.
- Norris, P. (2004). Women Politicians: Transforming Westminster?, *Parliamentary Affairs*, 49(1), pp. 93-101.
- Onyango, P. (2012). *Constitutional Change Empowers Women in Politics in Kenya*. Retrieved on 31st January 2013 from <http://www.africagoodnews.com>
- Randall, V. (2002). *Women and Politics: An International Perspective*, New York, NY: MacMillan
- Reingold, B. (2000). *Representing Women: Sex, Gender, and Legislative Behavior in Arizona and California*, Chapel Hill: University of North Carolina Press.
- Reynolds, A. (2005). Reserved seats in national legislatures, *Legislative Studies Quarterly*, 30(2), pp.301-310.

- Russell, M. (2001). *The Women's Representation Bill: making it happen*, The Constitution Unit Report, University College, London.
- Sekaran U. (2003), *Research Methods for Business*, (4th ed.), Hoboken, NJ, , NY. John Wiley & Sons.
- Siaroff, A. (2011). Women's representation in legislatures and cabinets in industrial democracies, *International Political Science Review*, 21(2), pp.197-215.
- Sihanya, B. (2012), *The presidency and public authority in Kenya's new constitutional order*. Sid's Constitution Working Papers Series
- Swers, M. (2001). Understanding the policy impact of electing women: Evidence from research on congress and state legislatures, *Political Science and Society*, 34(2), pp.217-220.
- Thomas, S. and C. Wilcox (eds) (2005), *Women and Elective Office*, Oxford: Oxford University Press
- Tinker, I. (2004) Quotas for women in elected legislatures: do they really empower women? *Womens Studies International Forum*, 27(5/6), pp. 531-546.
- TNA. (2013). Women's Empowerment: An Equal Share. Retrieved on 18th March 2013 from <http://tna.co.ke/issue-category/womens-empowerment/>
- Tremblay, M. and Pelletier, R. (2000). More feminists or more women? Descriptive and substantive representations of women in the 1997 Canadian federal elections', *International Political Science Review*, 21(4), pp. 381-405.
- UDF (2013). Mainstreaming Gender and Minorities in National Development. Retrieved on 18th
- UN Women (2011) Meeting and Documentation of Gender Related Agenda Items, General Assembly 66th Session (2011), United Nations Entity for Gender Equality and the Empowerment of Women.

UN (2013), Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development, The role of freedom of opinion and expression in women's empowerment Agenda Item 3, Human Rights Council, Third Session. General Assembly

United Nations (1979), Convention on the Elimination of All Forms of Discrimination against Women, General Assembly resolution 34/180 of 18 December 1979

Wanjohi, N. G. (2003), *Women Have to Vie for Role of Leadership*, East African Standard, Nairobi.

APPENDICES

APPENDIX I: INTRODUCTION LETTER

To Whom it May Concern

Dear Sir/Madam,

REF: Request for participation in a research study on ‘the role of the new constitution in influencing women to vie for the National Assembly seats in Nairobi County’

I am a student at the University of Nairobi carrying out a research project as part of the course requirement for Master of Arts in Sociology (Rural Sociology and Community Development). The study seeks to establish the role of the new constitution in influencing women to vie for the National Assembly seats in Nairobi County. The findings will be confidential strictly for academic use and at no time will your name be mentioned anywhere in the report.

Your honest participation will be highly appreciated.

Yours faithfully

Emma Chitere

APPENDIX II: QUESTIONNAIRE

This questionnaire consists of two parts; kindly answer all the questions by ticking in the appropriate box or filling in the spaces provided.

General Information

1. Your gender: Male Female

2. Your age bracket (Tick whichever appropriate)

| | | | |
|----------------|--------------------------|---------------|--------------------------|
| Below 24 Years | <input type="checkbox"/> | 25 - 30 Years | <input type="checkbox"/> |
| 31 - 34 years | <input type="checkbox"/> | 35 - 40 years | <input type="checkbox"/> |
| 41 - 44 years | <input type="checkbox"/> | 45 - 50 years | <input type="checkbox"/> |
| Over- 51 years | <input type="checkbox"/> | | |

3. What is your highest education level? (Tick as applicable)

| | | | |
|---------------------|--------------------------|-----------------------|--------------------------|
| Primary certificate | <input type="checkbox"/> | Secondary certificate | <input type="checkbox"/> |
| Diploma/certificate | <input type="checkbox"/> | Bachelors' degree | <input type="checkbox"/> |
| Postgraduate degree | <input type="checkbox"/> | Others-specify..... | |

Two-third gender rule

4. Are you aware of the two-third gender rule in Kenya?

| | | | |
|-----|--------------------------|----|--------------------------|
| Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |
|-----|--------------------------|----|--------------------------|

5. In your own opinion has the two-third gender rule been followed?

| | | | |
|-----|--------------------------|----|--------------------------|
| Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |
|-----|--------------------------|----|--------------------------|

6. In your own opinion, did the two-third gender rule influence women to vie for political positions in the last general election?

| | | | |
|-----|--------------------------|----|--------------------------|
| Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |
|-----|--------------------------|----|--------------------------|

7. If Yes, how?

.....

.....

.....

8. How do you rate the commitment of the government of Kenya in the following statements?

| Statements | Response | | | | |
|---|-----------|------|----------|-----|------|
| | Excellent | Good | Moderate | Bad | Poor |
| Reduction of inequality between men and women | | | | | |
| Promotion of power-sharing and decision-making | | | | | |
| Empowering women to vie for political positions | | | | | |

9. To what extent has the government of Kenya succeeded in implementing two-third gender rule in the following areas?

| Statements | Response | | | | |
|-----------------------------------|-------------------|--------------|-----------------|------------|------------------|
| | Very great extent | Great extent | Moderate extent | Low extent | No extent at all |
| Political candidates list | | | | | |
| Parliamentary assembly committees | | | | | |
| Government institutions | | | | | |

Equal treatment and Opportunities

10. Do men and women enjoy equal opportunities to get political positions in Kenya?

Yes [] No []

11. Do you think the advocating for equal treatment and opportunities by the constitution has increased the number of women vying for electoral and political positions in Kenya?

Yes [] No []

12. To what extent do you think equal treatment and opportunities between women and men advocated by the constitution has led to the following benefits to women?

| Benefits | Response | | | | |
|--|-------------------|--------------|-----------------|------------|------------------|
| | Very great extent | Great extent | Moderate extent | Low extent | No extent at all |
| Opportunity to participate in the electoral and political processes through voting and being voted for | | | | | |
| Equal treatment of both men and women in the electoral and political processes | | | | | |
| Freedom from discrimination | | | | | |
| Enhancing of fundamental human right | | | | | |
| Reaping of economic rewards on the basis of merit | | | | | |
| Improvement of quality of life | | | | | |

Gender Equality in Political Parties

13. In your opinion have men and women been treated equally in various political parties in Kenya

Yes [] No []

14. In the last election in Kenya were women adequately considered in the manifesto pledges for political parties?

Yes [] No []

15. Are women sufficiently represented in the policymaking bodies of political parties in Kenya?

Yes [] No []

16. To what extent do you agree with the following statements in relation to gender equality in political parties?

| Statements in relation to gender equality within political parties | Response | | | | |
|---|-------------------|--------------|-----------------|------------|------------------|
| | Very great extent | Great extent | Moderate extent | Low extent | No extent at all |
| Even though political parties promote women's political empowerment in their campaign manifestos, these promises are hardly ever met | | | | | |
| Political parties have not yet incorporated gender equality into their policy documents | | | | | |
| There are no rules party rules and regulations for identifying, selecting and nominating women candidates for leadership positions within the party | | | | | |
| Public funding of political parties needs to be linked to the implementation of gender balance and gender-equality policies in parties | | | | | |