

**THE CONTRIBUTION OF THE KENYA WOMEN PARLIAMENTARY  
ASSOCIATION IN STRENGTHENING DEMOCRACY IN KENYA**

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## DECLARATION

This project paper is my original work and has not been presented for a degree in any other University.

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This project paper has been submitted for examination with my approval as the university supervisor.

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Prof. Simiyu Wandibba

## **DEDICATION**

To my father, Mr. Justin N. Bundi, you are always a sterling inspiration academically; your place is irreplaceable. And to my mum, Mrs. Patricia N. Bundi, your counsel remains the best gift a daughter could ever ask for. I am forever indebted to your unrelenting love.

## TABLE OF CONTENTS

<b>LIST OF FIGURES.....</b>	<b>IV</b>
<b>ACKNOWLEDGEMENT .....</b>	<b>V</b>
<b>ABSTRACT .....</b>	<b>VI</b>
<b>LIST OF ABBREVIATIONS AND ACRONYMS .....</b>	<b>VIII</b>
<b>CHAPTER ONE: BACKGROUND TO THE STUDY .....</b>	<b>1</b>
1.1 Introduction .....	1
1.2 Problem statement .....	2
1.3 Study objectives.....	4
1.3.1 Overall objective.....	4
1.3.2 Specific objectives.....	4
1.4 Assumptions of the study .....	4
1.5 Justification of the study .....	4
1.6 Scope and limitations of the study .....	5
1.7 Definition of terms .....	5
<b>CHAPTER TWO: LITERATURE REVIEW .....</b>	<b>7</b>
2.1 Introduction .....	7
2.2 Women and political leadership.....	7
2.3 Women and politics in Kenya: Some historical background.....	13
2.4 Women’s political organizing in Kenya.....	14
2.5 Women parliamentary caucuses .....	17
2.6 Challenges facing women in politics .....	22
2.6.1 Family Issues .....	22
2.6.2 Political parties .....	23
2.6.3 Finances .....	24
2.6.4 Mass media .....	25

2.7 Theoretical Framework .....	25
<b>CHAPTER THREE: METHODOLOGY.....</b>	<b>29</b>
3.1 Introduction .....	29
3.2 Study site .....	29
3.3 Study design .....	29
3.4 Study population and unit of analysis.....	30
3.5 Sample size and sampling procedure.....	30
3.6 Data collection methods .....	30
3.6.1 In-depth interviews.....	30
3.6.2 Key informant interviews .....	31
3.7 Data processing and analysis .....	31
3.8 Ethical considerations .....	31
<b>CHAPTER FOUR: THE KENYA WOMEN PARLIAMENTARY ASSOCIATION AND DEMOCRACY IN KENYA .....</b>	<b>33</b>
4.1 Introduction .....	33
4.2 Demographic characteristics of the respondents .....	33
4.3 Respondents' perceptions of the women parliamentary caucus.....	35
4.4 Contribution of KEWOPA to democracy.....	38
4.5 Women's leadership visibility through House Committees.....	43
4.6 Contribution to political parties.....	44
4.7 Representative contributions .....	46
4.8 Challenges faced by KEWOPA.....	50
<b>CHAPTER FIVE: DISCUSSION AND CONCLUSION .....</b>	<b>54</b>
5.1 Introduction .....	54
5.2 Discussion .....	54
5.2.1 Perception of women parliamentary caucus .....	54
5.2.2 Gender equality and legislation contribution.....	56

5.2.3 Political parties and representative contributions .....	60
5.3 Challenges faced by KEWOPA.....	63
5.4 Conclusion.....	65
5.5 Recommendations .....	67
<b>REFERENCES .....</b>	<b>68</b>
<b>APPENDIX I: .....</b>	<b>74</b>
<b>IN-DEPTH INTERVIEW SCHEDULE.....</b>	<b>74</b>
<b>APPENDIX II: KEY INFORMANT INTERVIEW GUIDE.....</b>	<b>76</b>

## LIST OF FIGURES

<b>Figure 4.1: Age of the respondents .....</b>	<b>33</b>
<b>Figure 4.2: Marital status of the respondents.....</b>	<b>34</b>
<b>Figure 4.3: Educational level of the respondents .....</b>	<b>35</b>

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## ABSTRACT

This was a cross-sectional study on the contribution of the Kenya Women Parliamentary Association (KEWOPA) to strengthening democracy in Kenya. Specifically, the study sought to describe the extent to which KEWOPA has strengthened democracy and identify the challenges KEWOPA has faced in its endeavours to strengthen democracy in Kenya. This study was guided by the theory of liberal feminism whereas data were collected through in-depth interviews and key informant interviews.

The study findings indicate that the caucus serves to consolidate the agenda of women and becomes the platform upon which strategic role in changing legislation, boosting general welfare and serves to amplify women's voices. This conception is manifested in the gender-aware legislations drafted and moved by KEWOPA members, the welfare and reproductive health advocacy projects initiated in the communities and the consultative approach exhibited by women leadership in their constituencies which remain significant values of democracy. On the other hand, feminization of the caucus's work by male parliamentarians, the numerically dismal number of women relative to men thus disadvantaging their voting power in parliament as well as committee leadership representation, low technical capacity in navigating the institution of Parliament with Bills, dependence on donor-funding to facilitate their activities, political party differences in terms of priorities and subsequent membership allegiances, are amongst challenges facing KEWOPA.

The study concludes that the Women Parliamentary Caucus has played and continues to play a significant role in the democratic process in Kenya. The approaches used by the caucus, amongst them legislation, parliamentary leadership, institutionalization of gender lenses in resource allocation, parliamentary language and its norms and in the

whole question of representational politics have been lauded in the study as indicators of women's contribution to the principle of equity and equality in democratic governance. The study, therefore, recommends that members of KEWOPA should be empowered through capacity building.

## LIST OF ABBREVIATIONS AND ACRONYMS

<b>CEDAW</b>	Convention on the Elimination of all Forms of Discrimination against Women
<b>CMD</b>	Centre for Multi-Party Democracy
<b>COIC</b>	Committee on the Implementation of the Constitution
<b>CPST</b>	Centre for Parliamentary Studies and Training
<b>CSO</b>	Civil Society Organization
<b>IDEA</b>	International Institute for Democracy and Electoral Assistance
<b>IDIs</b>	In-depth Interviews
<b>IPU</b>	Inter-Parliamentary Union
<b>KEWOPA</b>	Kenya Women Parliamentary Association
<b>KIIs</b>	Key Informant Interviews
<b>MDGs</b>	Millennium Development Goals
<b>MPs</b>	Members of Parliament
<b>MYWO</b>	Maendeleo ya Wanawake Organization
<b>NCSTI</b>	National Commission for Science, Technology and Innovation
<b>NCWK</b>	National Council for Women in Kenya
<b>NDI</b>	National Democratic Institute
<b>NGEC</b>	National Gender and Equality Commission
<b>NGO</b>	Non-Governmental Organization
<b>PSC</b>	Parliamentary Service Commission
<b>PWDs</b>	Persons with Disability
<b>SARWSP</b>	South Asia Regional Network of Women Parliamentarians
<b>SUNY</b>	State University of New York
<b>TJRC</b>	Truth Justice and Reconciliation Committee
<b>UDHR</b>	Universal Declaration of Human Rights

<b>UN Women</b>	United Nations Entity for Gender Equality and Empowerment of Women
<b>UN</b>	United Nations
<b>UNDP</b>	United Nations Development Programme
<b>UNIFEM</b>	United Nations Fund for Women
<b>UNFPA</b>	United Nations Populations Fund
<b>UNSCR</b>	United Nations Security Council Resolution
<b>UWOPA</b>	Uganda Women Parliament Association
<b>VAW</b>	Violence Against Women

## CHAPTER ONE

### BACKGROUND TO THE STUDY

#### 1.1 Introduction

*More women in positions of political power confer a greater sense of political legitimacy to the government, simply by virtue of the fact that it better reflects the gender breakdown of the national population, and caucuses largely contribute to this process (Lawless and Fox, 2008:3).*

Women's involvement in politics varies throughout the world and their participation in politics and the democratic process has become an integral part of contemporary discourse on development and governance. However, in spite of the clamour for women's political empowerment by international organizations, research consistently shows that in many parts of the world women still linger on the fringes of political realm and their participation in government structures and the democratic process remains sparingly low (Vissandjee et al., 2008:26).

For democracy and strong society equal participation of women is essential. Pawley's (2011: 24) study shows that for women, as a group, to exert a meaningful influence in legislative bodies, they require a 30% level of representation. The Beijing Platform for Action (BPfA) identified 'inequality between men and women in the sharing of power and decision-making at all levels' and 'insufficient mechanisms at all levels to promote the advancement of women' as two areas of significant concern where action was critical for the advancement of women (UN, 1995). This was further expanded to encompass women's participation in post-conflict state building, which finds expression in the UN Security Council Resolution 1325 on Women, Peace and Security, passed in October 2000 (Pawley, 2011:24).

According to Hammond et al. (1985:583), caucuses can be of different types and there are up to six informal caucuses based on their membership criteria. The authors posit that caucuses are formed based upon: party; shared issue interest; or representation of national, regional, general state/district-industry concerns. Caucuses are widely believed to be an important arrangement for bringing parliamentarians together across political party lines so that they may share information, discuss policy issues, channel common interests and concerns and engage with civil society.

Research specifically looking at gender styles in legislative committees shows that women's leadership and conflict resolution styles embody democratic ideals and that women tend to work in a less hierarchical, more participatory, and more collaborative way than male colleagues (Rosenthal, 2000:21). Women are also more likely to work across party lines and strive for consensus, even in partisan and polarized environments. Moreover, women lawmakers say in studies that they see issues like health care, the environment and combating violence more broadly as social issues and that women more than men see government as a tool to help serve underrepresented or minority groups. Women lawmakers are often perceived as being more sensitive to community concerns. This study therefore seeks to assess the contribution of women parliamentary caucus in democracy by examining the experiences of the Kenya Women Parliamentary Association (KEWOPA).

## **1.2 Problem statement**

Research in various countries around the world show that major changes often depend on the collective efforts of parliamentarians who have decided to work together to promote specific reforms in laws and policies, more often, through caucuses ([www.iknowpolitics.org](http://www.iknowpolitics.org)). Moreover, literature shows that a women's parliamentary

caucus is able to extend influence over several areas in democratic spheres simultaneously, among them: influencing the government and political process by helping to shape the agenda; impacting on the constituency by raising awareness about an issue; by acting as a catalyst for communication on certain issues between government and civil society; and by providing information and doing advocacy and acting as a watchdog for certain issues by ensuring that concerned individuals and groups are aware when relevant legislation is up for review, thus having a significant role in democratization globally ([www.old.iknowpolitics.org](http://www.old.iknowpolitics.org)).

Extant literature points to challenges such as insufficient funding, trivialization of women's issues, and the lean number of women in the legislature as hindrances to the performance of women parliamentary caucuses (Rahnuma, 2013). Whereas cross-country caucus studies have shown that women's participation positively affects communities, legislatures, political parties, and citizens' lives, and helps democracy deliver through various caucuses and women parliamentary caucus in specific, no specific study has been undertaken on KEWOPA since its establishment in 2001 with respect to its contribution to democracy, particularly, to women's increased participation in elective politics and legislation in Kenya's political climate. Thus, the study sought to assess the contribution of KEWOPA to democracy in Kenya across its challenges in mentoring women in political parties, playing role models and financially assisting women in their campaigns. To address the foregoing objective, this study was guided by the following questions:

- i. To what extent has KEWOPA strengthened democracy in Kenya?
- ii. What challenges has KEWOPA faced in its endeavours to strengthen democracy in Kenya?

### **1.3 Study objectives**

#### **1.3.1 Overall objective**

To explore the contribution of the Kenya Women Parliamentary Association in strengthening democracy in Kenya.

#### **1.3.2 Specific objectives**

- i. To describe the extent to which KEWOPA has strengthened democracy in Kenya.
- ii. To identify the challenges KEWOPA has faced in its endeavours to strengthen democracy in Kenya.

### **1.4 Assumptions of the study**

- i. KEWOPA has played an effective role in opening up the democratic space in Kenya.
- ii. KEWOPA has faced challenges in its effort to strengthen democracy in Kenya.

### **1.5 Justification of the study**

The findings of this study will, no doubt, significantly add to the knowledge on the relevance of women parliamentary caucuses in strengthening democracy in general and enhancing participation of women in public leadership in particular. Similarly, the study findings showcase how women through caucus have advocated a number of gender-aware policy issues and networked with civil societies and constituents in raising awareness on the impact of government legislations in the democratic space.

The outcome of the study is a significant addition to existing literature on the role women parliamentary caucus plays in enriching the cause of democracy from a liberal



feminist and equality of participation perspectives that can be of use to researchers in the field of gender and participatory governance. Finally, the findings can be used to inform the lessons, experiences and funding that can be harnessed to strengthen women's political caucuses for increased participation and visibility on the political platform of the Kenyan public.

### **1.6 Scope and limitations of the study**

This study focused on the experiences of the Kenya Women Parliamentary Association across its programme portfolios of legislation, representation and political party function. The study assessed the extent to which KEWOPA has strengthened democracy in Kenya and the challenges it has faced in its endeavours to do so, more particularly, at the institutional and legislative levels.

The study was limited to the experiences of the former and present members of the KEWOPA and did not seek the opinions of women caucuses outside parliament that are in any sense involved in enhancing democracy that have never been to parliament.

Given the qualitative nature of this study, only a small number of subjects were involved thus limiting the generalizability of the study findings to experiences of women parliamentarians in other countries across Africa. Moreover, comparisons of women's caucus contributions across different parliamentary phases since Kenya's independence in 1963 was beyond the scope of this study.

### **1.7 Definition of terms**

**Caucus:** Membership of a legislative body drawn from across political parties which can be both formal and informal.

**Challenges:** The political, social and economic deterrents that may hinder the caucus (KEWOPA) from realizing its mandate.

**Democracy:** Universal value based on the freely expressed will of the people to determine their own political, economic, social and cultural systems and full participation in all aspects of their lives.

**Experiences:** The successes, challenges and lessons learnt by KEWOPA across its legislative and political party functions.

**Women parliamentary caucus:** Membership of women members of parliament (National Assembly and the Senate), both elected and nominated, formally organized with a cause, in this study, KEWOPA.

## **CHAPTER TWO**

### **LITERATURE REVIEW**

#### **2.1 Introduction**

This chapter reviews the literature relevant to the research problem. The literature is reviewed along the following headings: women and political leadership, women and politics in Kenya, women's political organization in Kenya, women parliamentary caucus, relevance of the parliamentary caucus in strengthening democracy, and the challenges facing women in politics. The chapter, finally, discusses the theoretical framework and the relevance of the theory to this study.

#### **2.2 Women and political leadership**

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 (for example, Rodham-Clinton, 2003; Neuman, 1998; Maathai, 2006; Thomas and Wilcox, 2005; Wanjohi, 2003) have observed that when women get into leadership and management, they bring a different perspective of political leadership. 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 (Muoria et al., 2013: 143). Neuman (1998:5), writing on women legislators in the United States, observes 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 have seen a steady increase in women's political participation in Africa. According to the UN's (2007:1) report *‘Africa and the Millennium Development Goals Update’*, 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 for 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 (UN, 2007:1).

That women bring a different perspective to leadership is not in dispute, as clearly indicated by studies done in other parts of the world, which have shown that gender inequality in political leadership contributes to women's issues not receiving enough attention even from men who may be sensitive to women's issues (Lawless and Fox, 1999:52). Despite the fact that studies in other parts of the world have confirmed that women's perspective in leadership is necessary and needed to put women's issues on the political agenda of a country, no research in Kenya has specifically looked into the issues that Kenyan women legislators focus on to find out what kind of leadership perspective they actually bring. Although a lot of work has been done by non-governmental organizations showing the need to increase the number of women in parliamentary and civic leadership, none seems to have focused especially on the

particular perspective that elected or nominated women legislators have, which may be termed as a women's way of leading politically (Lawless and Fox, 1999:55).

The fact that there has been a glaring gender gap in favour of men in political leadership in Kenya is an indication that gender is indeed a factor in the country's politics. In a study conducted by the League of Kenya Women Voters (n.d.) among groups of women in Kitui and Nairobi on women's voting attitudes and perceptions, a majority of the women (81.2%) were of the view that Kenya would be a better place if more women were in elective politics. Another significant finding from the study was that when it came to voting, women looked beyond gender and sought high caliber representation. The most important qualities in a leader, as ranked by the women in that study, were education and knowledge, followed by ability to deliver services, honesty and integrity, and experience and exposure, in that order (League of Kenya Women Voters, nd: 22).

The gender disparities that exist in Kenya could be due to deep-rooted patriarchal socio-cultural, economic and political structures and ideologies. Under these conditions, Kenyan women have been excluded from participation in key governance capacities and have been deprived of their basic human rights and access to and ownership of strategic resources, especially land (Nzomo, 2003a:18). However, Nzomo (2003a) argues that with democratic transitions and legal reforms that have been evident in Kenya since the 1990s, gradual political changes have taken place. These changes are evident in the rise, though very small, in the number of women in senior political positions.

Omtatah (2008:58) points out retrogressive cultural and traditional practices such as the son- preference ideology, lack of belief in the importance of educating girls, forced marriages, female genital mutilation, bride price collection, widowhood rites and disinheritance of girls and women, as some of the ills that impede the quest for women's leadership in Kenya. He further notes that poor socialization where boys are prepared for leadership and girls for domestic roles also works against women's ascendancy to leadership.

The traditional view that women should concentrate on their domestic roles has made politics be seen as a "no go zone" for them. Women continue to be socialized to believe that it is only men who can take up political leadership. A woman who takes up such challenges is said to be a bad woman (i.e., not a good mother, wife). In fact, most of the women in Kenya who have tried their hands in politics have been branded as divorcees and men-bashers. This name-calling discourages other women from getting into politics. They continue to get discouraging comments such as: politics is dirty, it is not good for any woman of good moral standing, it is too violent, one requires a lot of money, who can vote for a woman? Who wants to be led by a woman? We are not yet ready for women leaders (Kamau, 2003:103). Such perceptions may also influence the way women view themselves as leaders and, indeed, the way the public views their leadership abilities.

As noted earlier, lack of resources works against the aspirations of many women to run for political office. For women to participate effectively in the political process, substantial amounts of resources are required. These include finances, time, infrastructure and people (Women Direct Service Centre, 2006: 11). Of these resources, finances are the most difficult to access. Another factor that discourages

women from running for political office or works against those who attempt is the threat of electoral violence (Mitullah, 2003). On politically instigated violence, Omtatah (2008: 59) is of the view that in Kenya, at present, "democratic elections are rather like submitting to the insolence and dictation of a mob." (Mitullah, 2003, cited in Kamau 2010). Mitullah (2003:34) also observes that women's weak negotiation and bargaining skills work against them when it comes to seeking political office. Similarly, Omtatah (2008:59) argues that many women come into politics without the advantage of having had quality mentoring and hands-on-training, which may explain this lack of skills.

Lack of media visibility also works against women. It has been noted that the "power of the media in building credibility and influence in politics is formidable" and yet "women struggle to receive media coverage and legitimacy in the eyes of the public" (Women Direct Service Centre, 2006: 10). This may have to do with the fact that the media may not regard women issues as newsworthy. The media works against the interests of women when it fails to give importance to matters that concern them and their achievements, and also when it focuses only on their weaknesses as leaders. On this issue, Omtatah (2008: 60) observes that the media becomes biased against women "when it fails to embrace gender-neutral language that does not promote barriers against women, such as glorification of conflict, intimidation, negative attitudes, and stereotypes by society and lack of support from the electorate."

In addition, Nzomo (2003b:9) argues that the apparent political absence by women needs to be understood within the structural impediments that women globally and at the national level continue to face as they seek to participate in all areas of politics. She further notes that studies on women's participation in politics and public

decision-making globally continue to indicate that the electoral playing field has always been tilted heavily in favour of men, more so in countries such as Kenya that are highly patriarchal. Finally, she observes that in Kenya, since 1963, the gender-specific unevenness of electoral politics has manifested itself in the form of:

- The persisting social resistance and/or lukewarm acceptance of women's participation in political leadership;
- A culture of electoral violence that tends to be harsher towards female than male candidates;
- The feminization of poverty that renders women more financially constrained to manage a campaign than men;
- Lack of adequate political socialization for leadership, which manifests itself in women's exclusion from access to strategic political information and general inability in the art of public oratory and populist campaigning; and
- Women's marginality in mainstream political party hierarchy; they are, therefore unable to change rules of engagement, which are defined and organized around male norms and values (Nzomo, 2003b:2).

Within the conditions pointed out by Nzomo (2003b), women are constrained from setting the political rules of representation and inclusion in a manner that reflects their specific experience and vision. Indeed, male political ideology continues to define the standards of evaluation of women's political performance and participation. Under the combined circumstances of a weak and fractured women's political lobby and gender imbalanced political playing field, women candidates in electoral politics are, therefore, unable to shape electoral party decisions, especially at the nomination stage. The latter explains why political parties have sacrificed women at the party



nomination stage as witnessed since the multiparty elections of 1992 all the way to 2007.

### **2.3 Women and politics in Kenya: Some historical background**

In the context of a nation-state framework, political leadership implies a contractual relationship between those who govern and those who are governed. Ideally, this relationship is sanctioned by the sovereignty of the state. States enjoy autonomy from other states but commit, in return, to recognize those others (Adebayo and Lisa, cited in Kamau, 2010:9). Three elements cement the reciprocity and mutual recognition between states. First, is the fact of national boundaries that define the territorial extent of a sovereign state. Second, is the location of power in a central authority that agrees to monopolize the use of violence but commits to the judicious exercise of this power in the interests of all and, finally, the legitimate and fair exercise of that power in the interest of citizens, especially to enforce the rule of law and in the just allocation of national wealth and resources to all (Adebayo and Lisa, cited in Kamau, 2010:9).

However, one must recognize two domains for the exercise of power: a public and private domain. Political leadership is not always limited to the nation-state framework. There are numerous other sites of exercise of power where political leadership takes place. These can roughly be described as 'private' non-state sites, including, for instance, private businesses, and the civil society domains of professional, faith-based or community-based organizations. At this level, a different dynamic of politics is at play and a different form of leadership is expected or exercised. The key distinction between these sites and the state-based political leadership is that the state-based demands national level probity. In other words, all citizens of a country have a stake in public leadership at the state or related levels,

while the non-state level accounts primarily to those with membership or indirect affiliation to the said organizations and movements (Kamau, 2010:9).

There is need to distinguish the different levels of exercise of political leadership because they entail issues of inclusion and exclusion. This is especially with respect to how political leadership is constituted and how mandate is exercised. The constitution and mandate of leadership is inextricably linked to its legitimacy. While many have addressed this question, few have seen it through the gender lens. The one exception to this is Schatzberg (2001, cited in Kamau, 2010:9) whose study deals with the familial and paternal idioms in which the legitimacy of political leadership in most of Africa is cast.

#### **2.4 Women's political organizing in Kenya**

The lack of a gender support structure that could help increase Kenyan women's visibility in terms of voicing their concerns and inclusion in policy and decision-making can be attributed to lack of a sustained women's movement (Kiragu 2006, cited in Kamau, 2010:17). The oldest women's organization, *Maendeleo ya Wanawake* (MYWO), was formed in 1952. MYWO was established as a non-political NGO during the colonial era. It had branches countrywide and it has continued to enjoy national representation to date. The aim of MYWO was to improve women's welfare with an initial focus of strengthening women's capacity to generate income and manage their households (Kiragu, 2006). Therefore, according to Kiragu (2006: 18), "MYWO at its inception did not challenge patriarchy, rather it sought to find ways and means through which women would weave around the imbalance of power to improve the quality of their lives and that of their households"

Over the years, MYWO changed from just a welfare organization and became almost like a women's wing of the ruling party KANU. This status was consolidated during the 24 years of Moi's rule. MYWO played a pivotal role as a grassroots organization for Kenyan women. However, it could have done much more in promoting women's political participation due to its national outlook and large membership, as it had over three million members countrywide by the year 2000 (Maendeleo ya Wanawake, 2000, cited in Kamau, 2010:17). Political interference almost rendered the organization ineffective, making it a reference point on how women could not manage their own affairs. MYWO did not hold elections for over 10 years. When they were eventually held in 2006, political interference meant that those elected were not necessarily the most popular leaders. The incumbent government took advantage of the elections MYWO to place in leadership women who would help it in the 2007 General Elections, this translated into a missed opportunity for women to showcase fair leadership and competitive qualities.

MYWO's record of leadership created a negative attitude towards women's leadership, an issue that would also influence the public view of women as ineffective leaders. Most of the media images of MYWO were of women fighting over leadership positions and calling each other names. Worse still, the woman who served this organization as Chair for more than a decade was quoted in the press urging women to leave senior political positions such as the presidency to their fathers and husbands as a sign of respect (Kamau, 2010:17).

Another women's organization that has had a national representation is the National Council for Women in Kenya (NCWK), which was established immediately after Kenya's independence in 1964. Its main purpose was to strengthen and unite

women's organizations at the local, national and international levels (Kiragu, 2006, cited in Kamau, 2010:17). NCWK played a pivotal role in coordinating NGOs in preparation for the Beijing Conference of 1985.

On NCWK's official website (<http://ncwk.or.ke/html/profile.html>), it is stated that its vision is to become the prime national council in Africa, resolutely liberating and empowering Kenyan women and girls to attain economic, social and political equality; to be well informed; to have access to basic services and achieve maximum representation at all decision-making levels as a channel to the advancement of the status of women, enhancement of dignity and quality of life. The mission as stated on the website can be summarized as educating women on their rights; raising the economic well-being of women through training, access to credit to finance income generating activities; lobbying and advocating for affirmative action, which would lead to at least 50 per cent representation of women at all decision-making levels. Among other things, it aims to lobby parliament and policy makers for the passage of laws and policies in achieving gender equality in all spheres of development; provide networking and a common interest discussion forum for Kenyan women and provide a forum for discussing issues of common interest; provide a forum where women can meet and discuss issues affecting them; help to create networks for women; and be involved in conflict resolution, among others (Kamau, 2010:18).

On the issue of promoting women's representation in public positions and especially in politics, which is the focus of this research, NCWK cannot claim to have achieved much in its 45 years of existence, given that women's political representation is still far below 30 per cent. There are many other organizations that have been active in promoting women's participation in politics, but the focus was on these two given

their national outlook, and most of the others may have worked under them. Many of these organizations have also been regional and focused on some specific issues rather than on a myriad of issues such as the MYWO and the NCWK (Kiragu, 2006, cited in Kamau, 2010:18).

## **2.5 Women parliamentary caucuses**

Various kinds of women parliamentary caucuses have existed around the world. The diversity is reflected in the names, membership, jurisdictions, advocacy agendas, and network widths. In some countries, female legislators and women who are active in politics have chosen the informal form of caucus. These types of informal caucus are cross-party venues for consensus building, but they usually do not fall under the legislature's rules. This flexibility has resulted in the creation of various working models. For example, in Uruguay the caucus is bicameral and includes all titular female legislators in both houses. This horizontal coordinating body runs without any formal officer, where informally designated legislators serve as its spokespersons. On the other hand, a caucus can be formal like in Malawi where the Women Parliamentary Caucus has a president, vice-president and programme officers for different subcommittees. This caucus meets at least once every parliamentary session (Rahnuma, 2013:7).

Membership of the caucus is also diverse. In most cases women parliamentary caucuses consist of women parliamentarians but there are some exceptions. The Association of Parliamentary Women of Uganda allows men to be part of the caucus as honorary members. Some caucuses are also open to civil society members, like the Political Women Caucus of Indonesia and Network of Parliamentary Women and Civil Society of Afghanistan which include parliament and civil society members. In

El Salvador and Panama, both present and former parliamentarians are members of the caucus (Rahnuma, 2013:8)

In several countries women's caucuses play a strategic role in changing legislation, boosting general welfare and serve to amplify women's voices. By coming together in the form of a caucus, women are more likely to be able to shape the parliamentary agenda. In Brazil, for example, the women's caucus often votes as a bloc, thus enabling them to establish a gender quota of candidacies in all offices subject to proportional representation and laws on VAW. This has also mobilized efforts to ensure that the budget includes funds for social programmes and gender equality initiatives (Rahnuma, 2013:8).

There are many success stories of women caucuses across the world. Rwanda has a Women Parliamentary Forum that works on and advocates issues relating to gender and legislation and monitors policies, gender strategies and budgets. In Malawi, the caucus works on legislation relating to widows and inheritance, the custody and maintenance of children, citizenship, marriage and divorce. The Uganda Women Parliamentarians Association has been instrumental in including gender equality clauses in the Ugandan Constitution. In Afghanistan, the Network of Women Parliamentarians successfully stalled the abolition of the Ministry of Women Affairs (Rahnuma, 2013:12)

The Kenyan Women Parliamentary group, now known as the Kenyan Women Parliamentary Association (KEWOPA), was formed in May 2001 by the nine women parliamentarians in the eighth parliament. The membership of the association consists

of all the women Members of Parliament from all the political parties both elected and nominated. The formation of the association arose out of the need to raise the number of women parliamentarians, increase their contribution and influence Parliamentary business, and ensure increased attention to issues affecting women. KEWOPA envisions women and men who are equitably represented in Parliament and decision-making in public and private spheres. Thus, it has a mandate to promote the advancement of parliamentary democracy by enhancing knowledge and understanding of democratic governance and facilitate the networking of women parliamentarians for the socio-economic development of Kenya ([www.kewopa.org](http://www.kewopa.org)). KEWOPA works under the leadership of an Executive Committee headed by a Chairperson and supported by a fully-fledged secretariat in realizing its vision. To this extent, it has been operationalizing its activities along the following programme areas:

**Legislative and oversight function**, where the caucus enhances the individual and collective legislation function of MPs, advance watch-dog building skills, develop leadership skills to increase their participation in parliamentary committees and develop diplomatic and interactive capacities of the members;

**Representative function**, where the caucus seeks to boost the individual and collective representative functions of MPs with regard to constituency development and management and continuous engagement with voters on policy and community issues;

**Political party function**, where the caucus seeks to advance the members participation in political party activities including participating actively on party platforms and party policy development; and

**Institutional strengthening**, where the caucus seeks to enhance the institutional capacity of the secretariat to promote and facilitate the members in their legislative, political and representative functions ([www.kewopa.org](http://www.kewopa.org)).

When women are empowered as political leaders, countries experience higher standards of living, and positive developments can be seen in education, infrastructure and health. Women's participation positively affects communities, legislatures, political parties, and citizens' lives, and helps democracy delivery. Studies show that women's political participation results in tangible gains for democratic governance, including greater responsiveness to citizen needs, increased cooperation across party and ethnic lines (Rosenthal, 2000:21), and more sustainable peace.

Women are deeply committed to peace-building and post-conflict reconstruction and have a unique and powerful perspective to bring to the negotiating table. Research and case studies suggest that peace agreements, post-conflict reconstruction and governance have a better chance of long-term success when women are involved. Furthermore, there is strong evidence that establishing sustainable peace requires transforming power relationships, including achieving more equitable gender relations (Rosenthal, 2000:21)

Research indicates that whether a legislator is male or female has a distinct impact on their policy priorities (UNICEF, 2006:1). There is strong evidence, for instance, that as more women are elected into office, there is a corollary increase in policy-making that emphasizes the priorities of families, women, and ethnic and racial minorities.



Women must be actively engaged in governance to represent the concerns of women and other marginalized voters and to suggest policy alternatives.

Research specifically looking at gender styles in legislative committees shows that women's leadership and conflict resolution styles embody democratic ideals and that women tend to work in a less hierarchical, more participatory, and more collaborative way than male colleagues (Rosenthal, 2000:21). Women are also more likely to work across party lines and strive for consensus, even in partisan and polarized environments.

Moreover, women lawmakers say in studies that they see issues like health care, the environment and combating violence more broadly as social issues and that women more than men see government as a tool to help serve underrepresented or minority groups. Women lawmakers are often perceived as more sensitive to community concerns (Rahnuma, 2013:6) because:

- They influence the government and political process by helping to shape the agenda and by providing information and advocacy;
- They have an impact on the constituency by raising awareness about an issue, by acting as a catalyst for communication on certain issues between government and civil society, and by providing information and doing advocacy;
- They act as a watchdog for certain issues by ensuring that concerned individuals and groups are aware when relevant legislation is up for review; and

- Members of caucuses often become the spokespersons for their issues, thereby streamlining information and raising awareness.

## **2.6 Challenges facing women in politics**

### **2.6.1 Family Issues**

Studies from different parts of the world suggest that women's social obligations may have a negative impact on their career progression (Romanin and Over, 1993, cited in Kamau 2010; Blackmore, 1999; Moore, 1999; Morley, 1999; Coleman, 2002 cited in Kamau, 2010). In Romanin and Over's study, men and women who held a full time appointment at lecturer level and above in Australian universities in 1988 were compared in terms of the career paths they followed, geographic mobility, domestic responsibilities, work roles and levels of performance as academics.

In politics, such attitudes can influence decisions about who will be elected, nominated or given a prominent position in a political party. Many Kenyan career women give first priority to their families, not because they lack commitment to professional growth but because they have been socialized that a good woman thinks of her family first (Kanake, 1995; Onsongo, 2005; Maathai, 2006). In a study of senior university women in Kenya, Kamau (2007:2) found that many women would rather wait until their children have matured before they consider making major career moves such as taking doctoral studies. In politics, the situation seems similar as many women would rather join politics when children have grown up or after their husbands have passed on. This has been the case with a number of women politicians, who joined politics after the demise of their husbands. Husband support is generally ranked very highly in women's success. This could partly explain why a majority of the women in politics are widowed, divorced or never married. The married ones have

had to get the full support of their husbands before joining politics. The same does not apply to men, many of who have joined politics with fairly young families and whose wives are expected to not only support them, but to also continue looking after the children (Kamau, 2007).

### **2.6.2 Political parties**

Political parties are associations formally organized with the explicit and declared purpose of acquiring and/or maintaining legal control, either singly or in coalition with other similar associations, over the personnel and the policy of government of an actual or prospective state (Women Direct Service Centre, 2006:7). In the legislative systems of many countries, political parties are the vehicle through which candidates are elected into legislative bodies and local authorities. Therefore, political parties are an important part of a country's democratic system and are responsible for selecting, grooming and supporting candidates for political leadership and governance positions (Women Direct Service Centre, 2006:7).

In Kenya, women's representation in political parties and within the leadership positions of political parties is low. This is in spite of the fact that the manifestos of most political parties purport to support women's leadership within political structures. This low representation translates into comparatively few women getting the opportunity to be nominated on party tickets to vie for political office. The nomination process of many of these political parties, particularly the major ones, is flawed to the extent that in many cases, deserving candidates are actually rigged out of the exercise. Women candidates are especially vulnerable as they are perceived as the weaker and more expendable candidates (Nzomo, 2003b; AWC Features, 2004; The Women's Shadow Parliament-Kenya and HiVos, 2008, cited in Kamau, 2010:67)

Lack of support for women candidates is not unique to Kenya, however. This is because Jewell and Whicker (1993: 707), commenting on the state of affairs in the United States, note that in the past neither Democratic nor Republican parties actively pursued women to be candidates for state office, with a few exceptions, nor have they consistently provided adequate support to those women who were candidates.

### **2.6.3 Finances**

Financing the campaign process is an uphill task for most aspiring women politicians. Mitullah (2003) reports that two of the women elected in Kenya's 9<sup>th</sup> Parliament indicated that they had spent KES 800,000 and KES 1.3 million, respectively, on the campaigns. These figures may have been low for the hotly contested 2007 elections. Campaign expenditures which, as noted by Kamau (2003:70), include nomination expenses, printing of fliers and hand bills, hiring of public address systems, mobile phones, agents' fees, campaigners' expenses, hospitality, transportation, accommodation and subsistence for the candidate's team.

Finances came out as a major challenge that women face, even though men also face this challenge. However, given the gender dimensions of wealth distribution in Kenya, this problem definitely affects women more than men. This again is not just a Kenyan problem, however, as Matland and Ballington (cited in Women Direct Service Centre, 2006: 11) note that it is widely accepted that despite their large representation and their significant contribution to countries' economies, women fail to have access to essential development resources and consequently tend to have less power and fewer resources than men in general.

#### **2.6.4 Mass media**

There is a hypothesis that the media mirrors already-existing social norms and behaviours. In contrast, some say the media is important in creating or shaping those norms and behaviours. Whichever side of the argument one takes, the media plays a central role in shaping and influencing people's attitudes and behaviours. It has a profound impact on people's attitudes and perceptions. In the case of women and leadership, the media plays a major role in making women leaders who may never have been known nationally to become national figures. Even though she has at times had problems with the media, Martha Karua, for example, still owes a lot to the media as it is through it that she got to be known as a leader worth paying attention to. The mass media in Kenya has over the years devoted significant time reporting issues specific to women's rights abuses and intervention strategies (Association of Media Women of Kenya, 2006: 1). Such media attention has at times positively influenced responses to the circumstances under which Kenyan women find themselves. However, most of the times, the media covers women either as victims or when they fit into the stereotypical roles associated with the female gender. It is only on rare occasions that the media goes out of its way to present women as able leaders who contribute positively to national development.

#### **2.7 Theoretical Framework**

This study was guided by liberal feminism theory. In particular, it took cue from feminist political philosophy which is concerned with understanding the gender system (Okin, 1989:89), that is, the patriarchal nature of inherited traditions and institutions, so that it might recommend a remedy. Among the main proponents of this theory are Taylor (1989), Meyers (2002), and Nussbaum (1999a). Liberal feminists

emphasize the importance of political autonomy, that women be co-authors of the conditions under which they live, specifically, participation in the processes of democratic self-determination. These processes include both political deliberation in the many arenas of public political discourse, and electoral politics. Liberal feminists hold that the conditions under which women live lack legitimacy because women are inadequately represented in these processes. They argue that this political autonomy deficit is, in large part, due to the "gender system" (Okin, 1989:89), or the patriarchal nature of inherited traditions and institutions, and that the women's movement should work to identify and remedy it.

Liberal feminists' attempts to increase women's participation in public deliberation and electoral politics confront a vicious circle of women's exclusion. The gender system leads to women being underrepresented in influential forums of public deliberation, including elected law-making bodies (Philips, 2004). For example, women have less free time to engage in public deliberation because of the double-burden they carry of paid and unpaid labour. Sex stereotyping leads many to think that women (especially women from particular ethnic and cultural groups): are less capable of leadership than men; the behaviour called for in agonistic public deliberation and electoral politics is understood to be masculine; issues of particular interest to women are seen as personal and not political issues; women lack power in the many institutions (like churches, universities, and think tanks) that influence political debate, etc. But when women are underrepresented in these forums and law-making bodies, it is unlikely that the justice of the gender system will become the subject of public conversation or its dismantling a target of legislative action.

Some liberal feminists explore ways to escape this vicious circle. Because women are excluded from important forums of public deliberation and electoral politics in complex ways, remedies must address a variety of problems. Justice in the distribution of benefits and burdens in society would go some way towards enabling women to access forums of public debate on equal terms with men (Okin, 1989:104). But cultural change is necessary as well if stereotypes about women's abilities are not to interfere with their participation, if women's needs and interests are to be understood as legitimate claims to democratic power, and if men's dominance in institutions of influence is to be overcome. Benhabib (1992) argues that the women's movement, along with other new social movements like the gay and lesbian liberation movement, has begun this work. While much of this change is cultural and must come about through civic action, the state has a role to play. Linda McClain (2006:81) argues that all children must receive civic education to equip them for democratic citizenship including instruction in women's equality. She also argues that the state may use its persuasive power to put traditionally excluded issues, like violence against women or the dilemma of balancing work and family, on the agenda for public deliberation.

Proponents of liberal feminism also take on the vicious circle of women's exclusion by recommending legal mechanisms for the inclusion of women in electoral politics (Peters, 2006). Some suggest that legal mechanisms for including those who have been systematically excluded may be justified as remedies for the unjust disproportionate political power enjoyed by others (Phillips, 2004:6). Suggested mechanisms include targets or quotas for women (and other underrepresented groups) on party slates, or proportional representation in elected bodies. Green (2006:14), for

example, argues for "guaranteed equal representation of both sexes in parliament". There is diversity of opinion, however, among liberal feminists about the justice and efficacy of such mechanisms (Peters, 2006).

Liberal feminism in its political philosophy emphasizes equity in representation of men and women in public spheres, among them political space. The strong advocacy for women's participation in decision-making organs and institutions can be used to contextualize and expound the role of KEWOPA plays in strengthening democracy in Kenya through its programmatic work. The theory also highlights the socio-economic challenges to women's representation in public spheres that will be a basis for addressing challenges faced by KEWOPA in its endeavour to contribute to democracy in Kenya.



## **CHAPTER THREE**

### **METHODOLOGY**

#### **3.1 Introduction**

This chapter gives a description of the study site, the study design, study population, sampling procedure and sample size, data collection methods and data analysis. The chapter finally discusses the ethical considerations that guided the study.

#### **3.2 Study site**

This study was carried out with the members of KEWOPA. The membership of the association consists of all the women Members of Parliament from all the political parties both elected and nominated. After the March 2013 elections, the membership was expanded to include women in the Senate ([www.kewopa.org](http://www.kewopa.org)). The formation of the association arose out of the need to raise the number of women parliamentarians, increase their contribution, influence Parliamentary business, and ensure increased attention to issues affecting women. KEWOPA envisions women and men who are equitably represented in Parliament and decision-making in public and private spheres. Thus, it has a mandate to promote the advancement of parliamentary democracy by enhancing knowledge and understanding of democratic governance and facilitate the networking of women parliamentarians for the socio-economic development of Kenya. In the current parliament, KEWOPA has a total membership of 86 women and a coordinating secretariat situated in Nairobi ([www.kewopa.org](http://www.kewopa.org)).

#### **3.3 Study design**

This was a cross-sectional descriptive study. The study used qualitative data collection methods, that is, in-depth interviews and key informant interviews, and the

data were analyzed in line with the study objectives. The findings are presented using graphs and verbatim quotes.

### **3.4 Study population and unit of analysis**

The study population included all women parliamentarians in the National Assembly and the Senate who constitute KEWOPA. In the eleventh (current) parliament, this number stands at 86. The unit of analysis was the individual KEWOPA member.

### **3.5 Sample size and sampling procedure**

A sample of 20 KEWOPA members was selected for this study based on their availability and willingness to engage in the subject matter of the study. The sample was considered adequate to generate satisfactory information to answer to the objectives of the study given its qualitative nature. Key informants were purposively sampled based on their knowledge and work experience with women political caucuses and the development partners of KEWOPA who are familiar with its activities and/or programme functions.

### **3.6 Data collection methods**

#### **3.6.1 In-depth interviews**

In-depth interviews (IDIs) were carried out with the former and current KEWOPA members. The method was important in highlighting the caucus experiences around lessons, achievements, challenges and opportunities that the caucus deem necessary for strengthening democracy across its legislative and political party functions. Members of KEWOPA secretariat were interviewed to offer opinions on some of the lessons learnt across these functions and how the lessons are being used to re-orient the programme focus for the purposes of strengthening the effectiveness of the

caucus. The interviews were conducted using an interview schedule (Appendix 1) containing mostly open-ended questions so as to provide room for thorough probing and clarification.

### **3.6.2 Key informant interviews**

Key informant interviews (KIIs) were carried out with purposively selected staff of the Parliamentary Service Commission (PSC), UN Women, FIDA Kenya, and State University of New York (SUNY) Kenya Parliamentary Support Programme, on their perception of KEWOPA as a significant caucus in strengthening democracy, the challenges, as well as the opportunities that KEWOPA may explore to enhance its productivity. The interviews were conducted using a key informant interview guide (Appendix II).

### **3.7 Data processing and analysis**

Data processing involved all forms of manipulations necessary for preparing data for further processing, e.g. coding, categorizing answers to open-ended questions, editing and checking as well as preparation of tables. Data were analyzed thematically. For each of the data set, separate code sheets were created in an attempt to establish and interpret patterns and relationships. A descriptive approach was involved where direct quotations and selected comments from informants have been used to explain the trends. Triangulation of data was done by looking into complementarities and divergent opinions across the key informant interviews and in-depth interviews.

### **3.8 Ethical considerations**

The research sought the required approvals from the relevant bodies before the field work began. During fieldwork, informants were duly briefed on the purpose, the

target groups, selection procedures, duration of the study, and potential use of the research results.

Recruitment was based on informed consent of the women parliamentarians upon being satisfied with the objectives of the study and accompanying explanations about their selection for the study. The right of informants to disqualify themselves at any point of the study was explained. However, due measures were taken to encourage full and informed participation of the informants throughout the study period to amicably meet the objectives of the study.

During the interviews, the informants' consent was sought to allow for taping of deliberations that were later transcribed for analysis. The study results will be available to the wider scientific community through publication to be made in refereed journals and unpublished literature at the University of Nairobi Library.

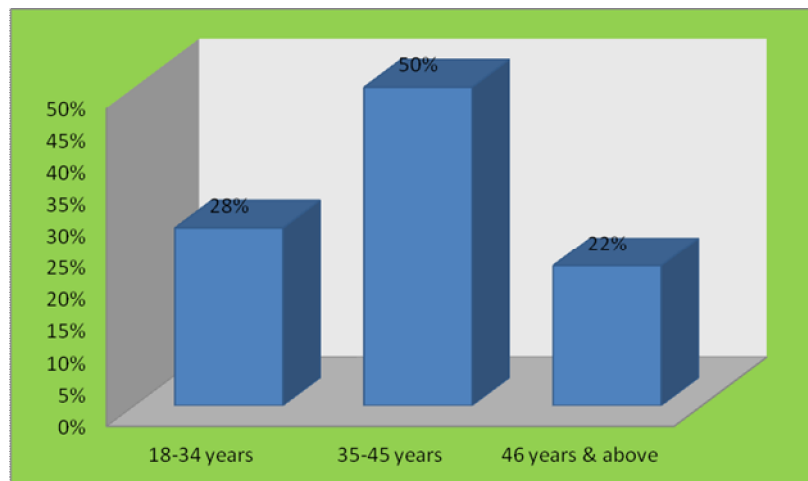
**CHAPTER FOUR**  
**THE KENYA WOMEN PARLIAMENTARY ASSOCIATION AND**  
**DEMOCRACY IN KENYA**

**4.1 Introduction**

This chapter presents the findings on the contribution of the Kenya Women Parliamentary Association in strengthening democracy in Kenya. The chapter starts with presentation of the demographic characteristics of the respondents and then discusses the rest of the findings. The findings discussed on the basis of the legislative, political and representative roles that women parliamentarians have played towards participatory and inclusive democracy in Kenya.

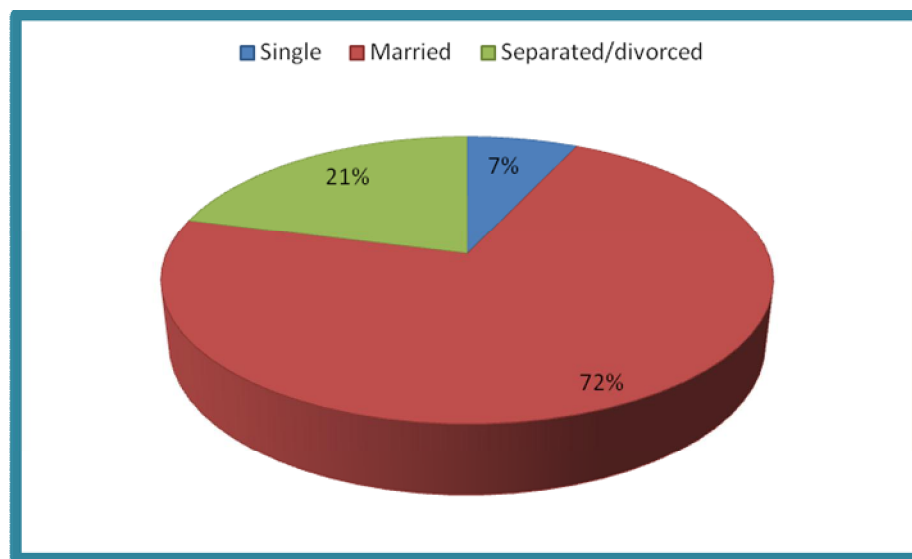
**4.2 Demographic characteristics of the respondents**

In this study, half (50%) of the respondents were aged between 35 and 45 years, 28% were aged between 18 and 34, while those aged 46 years and above comprised 22% as summarized in Figure 4.1 below. Hence, a majority of the respondents in the study were above the legal youthful age bracket (18-34 years).



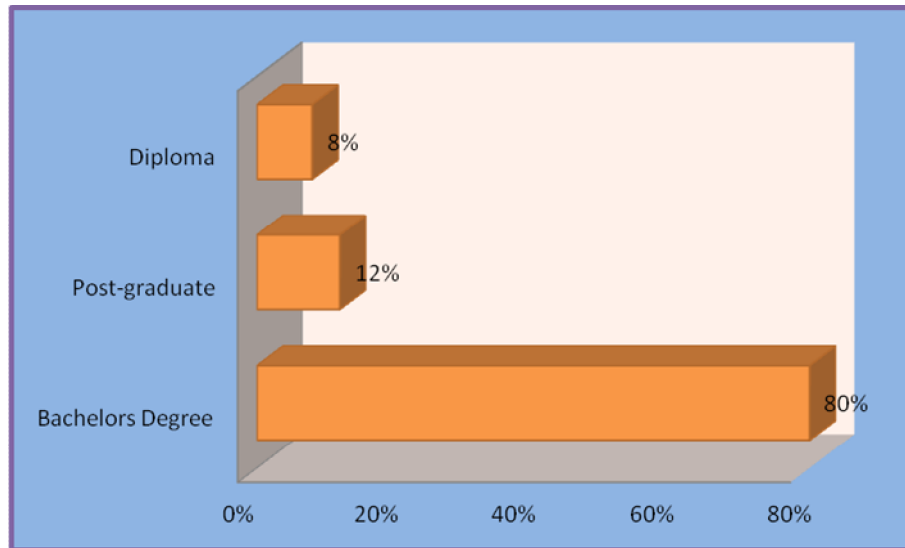
**Figure 4.1: Age of the respondents**

The study sought to analyze the marital status of the respondents which revealed that a paltry 7% were single women (never married before), 72% were married while 21% were either divorced or separated. Marital status was an important variable in this study because the presence or absence of a spouse is an important determinant of women's political experience in Kenya's socio-political landscape that is largely patriarchal hence the 'male-politics' of the country's elections and political contests. The findings are summarized in Figure 4.2 below.



**Figure 4.2: Marital status of the respondents**

On education, the findings indicate that most (80%) of the respondents had a Bachelor's degree, 12% had post-graduate qualifications and 8% were Diploma holders. Education level has for a long time plagued women's access to political leadership in Kenya, and the recent demand introduced by the Elections Act of 2011 pegged competitions for various political seats on certain minimum academic achievements. The findings are summarized in Figure 4.3 below:



**Figure 4.3: Educational level of the respondents**

### **4.3 Respondents’ perceptions of the women parliamentary caucus**

Whereas different women caucuses have existed to push for realization of gender-aware legislations and policies across parliaments and nations, the study sought to know from the respondents the observed gaps leading to the constitution of the present Kenya women parliamentary association in the context of women and participatory democracy in Kenya. The findings affirm the fact that the formation of the association arose out of the need to raise the number of women parliamentarians, increase their contribution and influence on Parliamentary business and ensure increased attention to issues affecting women just like other women caucuses that had been formulated in post-apartheid South Africa and the post-revolutionary Rwanda and Uganda. The aim is explained as providing a platform upon which women’s issues and perspectives can be articulated, collective opinion built and common agenda presented and defended on the legislative floor and other policy axes as was evident in the following responses:

The caucus is important in realizing the equality of men and women in raising issues, articulating women's voices in leadership given the oversight role that parliament plays in issues of national significance (**UN-Women Kenya officer**).

This was the only way to bring women legislators together and have a common political focus given the fact that a small number of women would come into parliament through various political parties, so different in their manifestos, the caucus unites us across parties and make us reason towards the achievement of internationally recognized critical mass of 30% presence of women in legislative assemblies (**Former KEWOPA Chairperson**).

The caucus, through its agenda and cause, yields guided issue-based leadership that markets the woman as a candidate while also proving the substance in women's leadership in a male-dominated parliament and public at large (**FIDA Kenya official**).

The current membership of the women parliamentary caucus views it as a mechanism for presenting collective ideas and fostering the thinking, creating solid networks across political leadership to advocate for common cause and agenda. Similarly, members observed that the caucus has been significant in demystifying the uniqueness of public leadership as a male-created and male-centred by bringing like-minded women together to speak on issues of cross-cutting values to the nation. This is critical in taking positions for common agenda as in the responses below:

The caucus is important in transcending the partisan membership for the common cause; it presents a ground for silent agreement on issues pertinent to women in the country and voices them as a unit (**Female Women Representative – National Assembly**).

It helps members to share platforms, clouts and increase visibility of women leadership when they take a stand as an item (**Nominated female Member of Parliament – Senate**).

Incorporating women in the parliamentary leadership is not only important in amplifying the voices but also creating a bit of a balance between men and women in spearheading the parliamentary platforms such as committees where issues pertinent to the cause of KEWOPA are debated and raised for discussion in the house business (**NGEC officer**).

While commenting on the foundations of women parliamentary caucus as a body that spans beyond legislations to welfare and rights issues, an officer in the Parliamentary



Service Commission observed that the unity of purpose exhibited by women parliamentarians has largely been manifest realization of the needs and rights of members at both personal (private sphere) and national level:

KEWOPA members at personal level have been able to advocate for gender-sensitive gyms, bathrooms while also moving Bills and realizing Acts such the NACADA Act, 2012 (**An officer in the Clerk's office**).

The study established that there is need for consolidated movement and/or association that would help shape the leadership agenda of women, unpack the political leadership beyond the male-domain and give women an instrumental meaning in their portrayal as national leaders. This could be realized only in the context of unitary women leadership and through a platform that would make their opinions count in the legislature and at national level, so KEWOPA provided this platform as in the responses below:

The caucus has been important in portraying women as national leaders while at the same time demystifying the patriarchal nature of leadership, the initiatives around sexual offences Act, female genital mutilation, anti-trafficking bills among other key undertakings by the members served to validate the women's leadership perspective and why we need women leaders in a democracy such as ours (**SUNY officer**).

The findings on the conception of KEWOPA conform to the view that there is a corollary increase in policy making that emphasizes the priorities of families, women, and ethnic and racial minorities. The caucus therefore acts as a tool where women are actively engaged in governance, and meet to brainstorm fundamental issues that affect the marginalized and minority groups in the society. Moreover, women's parliamentary caucuses such as KEWOPA also act as the primary entry point to provide women legislators with the information and support they need and to build connections between civil society and legislatures. This is due to the fact that such entities are always backed by strong teams of experts who can draft policies on a range of women's issues and provide insight into ways in which other legislation

involving issues such as water, education reform or land rights may affect women differently than men.

#### **4.4 Contribution of KEWOPA to democracy**

Women's caucuses serve to amplify women's voices. By coming together in a formal caucus, women are more likely to be able to shape the parliamentary agenda. In sharing resources such as staff time, training materials, and research budgets, women caucus members can more efficiently and strategically advance their agendas. Such caucuses not only advance women's policy priorities, they provide an important model of democratic governance and collaborative policymaking, particularly in post-conflict or highly polarized environments. The findings on the contribution of KEWOPA have been discussed across legislation, political party activities and representative roles that largely define the major domains of the organization's operation model and/or programme areas.

The study sought to know the significant roles played by KEWOPA members across legislation and gender-aware reforms in the period of its existence. Overall, the findings indicate that much of these contributions were largely premised on the enactment and formulation of gender sensitive laws and policies. The other tenets of this clamour include public awareness creation, and holistic empowerment of women, among other approaches. Accordingly, the Prohibition of Female Genital Mutilation Act of 2010, National Social Assistance Act of 2012, the Victim Protection Bill, the Making and Ratification of Treaties Bill of 2011, the Child Justice Bill and the engenderment of the National Assembly's Standing Orders of 2011, are important highlights of the legislative and policy formulation achievements made by KEWOPA. These core Bills and Acts of Parliament enable the enjoyment and protection of the

gender nuanced gains enshrined in the Kenyan Constitution of 2010 and varied international human rights hard and soft laws. For example, key informants in the study were of the opinion that the caucus has been able to raise issues and influence the process of Affirmative Action realization in Kenya and beyond. In particular, KEWOPA has been credited with pushing the affirmative action agenda by ensuring that gender issues were incorporated in the progressive Constitution of Kenya, 2010, e.g., agitating for the positions of women country representatives.

The women were particular on Affirmative Action realization, they lobbied on the floor of the House, with male colleagues and committee of experts on significant gender items in the 2010 constitution making process, more pronounced was the realization of affirmative seats across national assembly, senate and the county assembly significance (**UN-Women Kenya officer**).

The State University of New York Kenya Parliamentary Programme officer observed that women members were instrumental in instituting changes to the parliamentary traditions and norms and also the national instrument of resource allocation which is healthy for a thriving democracy. These guidelines have enabled the mainstreaming of gender in the national budgeting process Advocating for environmental conservation through awareness creation on climate change and spearheading the Climate Change Authority Bill which, however, did not get the Presidential assent after being enacted due to conflicting political interests, is also credited to the great leadership and cause of KEWOPA.

Similarly, it must be recognized that the development of Gender Responsive Budgeting Guidelines for Parliament in the year 2012 spearheaded by women parliamentarians greatly influenced the oversight duties of parliamentarians at the point of analyzing national resource allocation and its potential implication on men, women, boys and girls. These guidelines have enabled the mainstreaming of gender in

the national budgeting process. Our informants noted that it is not only important to advocate for gender issues but also to ensure that resources are allocated equitably to meet the implementation of gender issues passed into law, thus the emphasis on gender-aware budgetary allocations.

The development of Gender Budgeting Guidelines in 2012 for use by parliamentary committees during the formulation and scrutiny of the national budget was very strategic in advancing the practical realization of gender gains which are already enshrined in law; resources must accompany the rhetoric and legislations otherwise there will be limited gender gains (**SUNY officer**).

Women in the 10<sup>th</sup> Parliament were able to ensure that budget as a tool for resource allocation is gender-aware by developing guidelines for the parliament which was a significant achievement (**NGEC officer**).

The penetration of women in democratic space requires dismantling of perennial patriarchal practices including the parliamentary language that over the years has not been gender neutral. The study established that through the efforts of KEWOPA, the National Assembly Standing Orders of 2011 deviated from the use of archaic language and legalese by adopting simple English and direct, ordinary phraseology. This is because KEWOPA members undertook to mainstream gender perspectives into the Standing Orders by stigmatizing the chauvinistic use of masculine pronouns and terminology when referring to persons.

Members instituted significant gender-sensitive language changes within Parliament. Specifically, the 10<sup>th</sup> Parliament saw a review of the Standing Orders in the year 2002 that still allowed the use of male-centred pronouns as a norm in the parliament. These made parliament more a house of men which stood demeaning to women members (**former KEWOPA Gender Advisor**).

In essence, the study established that engendering the parliamentary norm would change the travesty that was the hallmark of the 2002 Standing Orders where the pronoun 'he' and title 'chairman' were employed unilaterally to refer to persons

mentioned in the Standing Orders. The notion that the pronoun *he* is used interchangeably to denote both the male and female genders notwithstanding, its elevation has entrenched the warped misconception that leadership the world all over is a prerogative of men. The undertone of this misogynist lingua relegates women to the bottom of a sharply stratified society as mere subjects who may benefit from the membership of decision-making institutions as a matter of patriarchal charity.

Critical to women's ascension to leadership is the need to level playground including operational norms in the houses of representatives. I think as KEWOPA we emphasized gender equality advanced by democracy as a key value and we offered very informed changes to the parliamentary language that remains beneficial to date (**Female Member of Parliament – National Assembly & former Vice Chair, COIC**)

The Standing Orders of 2011 put into action the pedal of inclusivity and gender equity harder by introducing mechanisms to ensure that female Members of Parliament are incorporated into the membership of Select Committees, the Speaker's Panel, Government Panel and Opposition Panel. The current Standing Orders allow Lady Members of Parliament entry into the House with handbags of reasonable size. The Committee on Equal Opportunities has been enshrined therein to monitor and promote measures designed to enhance the equalization of opportunities and improvement in the quality of life and status of all peoples including persons marginalized on the grounds of gender, age, disability or any other reason for redress purposes.

The study established that members of the KEWOPA have been instrumental in moving Bills within parliament as well as initiating amendments to Acts of Parliament, for example, the Social Assistance Bill (2011), the Breast Milk Substitutes (2011) and the Counter-Trafficking in Persons Bill (2011) moved by

members had great potential input in improving the welfare of women, children and the girls in the country. KEWOPA members were instrumental in the conceptualization, development and push of important Acts within the 10<sup>th</sup> parliament, for example, National Authority for the Campaign Against Alcohol and Drug Abuse Act, 2012 by Hon. Amina Abdalla and the Prohibition of Female Genital Mutilation Act, 2011 by Hon. Fred Kapondi (Honorary KEWOPA Member). According to a political scientist in the study, the Bills and amendments originated and pushed through by KEWOPA not only amplify the significance of the caucus as having cause but also an instrument through which important legislations in the country can be realized across political party affiliations and gender in the parliamentary settings.

We moved several bills that we thought would advance the gender agenda and to a large extent improve the welfare of women and children in this country especially around issues of health and the welfare of the girl-child in the country (**Female Member of Parliament from North Eastern Kenya**).

KEWOPA has claimed the position of a cross-party and cross-gender unitary tool in parliament. The fact that it allows honorary membership gives it the necessary wheel within which to move legislative agenda in the male-dominated House (Parliament), which is a good political strategy to compensate for numerical disadvantage of the caucus (**PSC officer**).

Members interviewed in this study pointed out that moving Bills was not only expensive but also required a lot of technical input with various stakeholders including the civil society. The very technical nature of the Bills required consistent consultative meetings with the lobby groups, and donor-support across the stages, which was hard to come by in the early stages of the 10<sup>th</sup> parliament and marshalling male support on the floor of the national assembly. To this end, KEWOPA adopted several strategies in order to realize its objectives which included seeking technical support from the parliamentary service commission team, the clerk's office and

engaging civil society such as FIDA in informing the contents of the Bills. According to the former chairperson of KEWOPA, moving bills on the floor of the house required not only cross-party cooperation of the members of the caucus but also winning the male parliamentarians to support the cause to gain strength on numbers. While this window naturally existed in KEWOPA's structural arrangement through honorary membership, she observed that getting willing male parliamentarians proved quite a task.

Bills require a lot of financing to push through which was originally not forthcoming till the last two years. The technical nature of the Bills also demand that you have constant touch with various stakeholders for inputs which are also costly given that KEWOPA does not have such financial muscle. **(Women Representative & KEWOPA member).**

We often had to lobby our male colleagues to help us push the Bills because of our dismal numerical strength in the house but also as a way of penetrating the patriarchal leaning house and win trust that the Bills were in the interest of men and women. **(Former female Member of Parliament).**

#### **4.5 Women's leadership visibility through House Committees**

Membership and leadership of various parliamentary committees is an important aspect in not only creating leadership visibility of women parliamentarians but also ensuring that their legislative agenda picks up the necessary support from distinctive Committees of the House. For example, in the 10<sup>th</sup> Parliament (2000-2013) KEWOPA members chaired Labour and Social Welfare (Hon. Sophia Abdi), Committee on Implementation (Hon. Joyce Laboso), women were elected vice chairpersons of Committee on the Implementation of the Constitution (Hon. Millie Odhiambo) and the Catering Committee (Hon. Shakilla Abdalla). Indeed, an informant in the study observed that the quality of leadership displayed by women in the last parliament across the committees was significant in breaking the gendered stereotypical thinking

that only men can offer substantive political leadership as demonstrated by the responses below:

Women were pulled together by a common cause, they displayed their unity and leadership in debating the constitution, mainstreaming the standing orders in parliament as well as being able to lobby for the establishment of parliamentary committees on equal opportunities (**NGEC officer**).

The committee leadership helped to break from the tradition where women were mere flower girls in parliament. It opened the door to speaker's panel membership for women and, from the 2013 General elections, we have realized a female deputy speaker and female leadership of important portfolios like Education, Science and Technology, deputies to Public Account Committee, amongst others.

The Women Parliamentary Caucus has continued to train its membership on parliamentary leadership skills in partnership with FIDA and Centre for Parliamentary Studies and Training (CPST), amongst other civil society organization. The contributions across the aforementioned not only demonstrate the gender consciousness in the leadership of the caucus in parliament and the nation at large but also an adoption of gender lens in weighing out the operations of the parliamentary business.

#### **4.6 Contribution to political parties**

The inclusion of the perspectives of women and their participation in politics are prerequisites for democratic development and contribute to good governance. Political parties are the most important institutions that affect the political participation of women. Research shows that, in most countries, political parties are responsible for candidate recruitment and selection, and decide on which issues are placed on the policy agenda. How women participate in political parties or how political parties encourage and nurture women's involvement is a key determinant of their prospects for political empowerment. There is a pronounced programme for political leadership



mentorship run by KEWOPA in order to build the capacity of female aspirants across constituencies and political parties as in the responses below:

The members felt there is need to nurture the political skills of young and first time political aspirants, and to this end, we attached three mentees to each of the female politicians in the 10<sup>th</sup> parliament. At the beginning of the 11<sup>th</sup> parliament, we opted to seek the partnership of NDI on the mentorship programme that should be cascaded to the universities targeting young women leaders (**Former Gender advisor to KEWOPA**).

Mentorship to young aspirants is a noble cause pursued by the caucus. It is something that females need to strengthen their capacity to campaign, gain visible leadership positions within the political parties and influence their way as candidates out male dominated political parties. The results are evident with our previous experiment; there are up to three female parliamentarians in the 11<sup>th</sup> parliament that sailed through such capacity building approach (**Women representative in the National Assembly**).

Gender equality and women's empowerment are not only human rights, they are also imperative for achieving inclusive, equitable and sustainable development. Women's political participation is central to these goals, and political parties are among the most important institutions for promoting and nurturing such participation. Because of the influential nature of political parties on women's political empowerment, KEWOPA created a portfolio to ensure that members could play a significant role. Political parties are an important arena for a policy development and for setting political priorities and are, therefore, one of the 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 a few women hold the top decision-making positions in their ranks. Experts in the study opined that how KEWOPA membership convinces and interacts with party structures, organs, campaign machinery and the general coalition formation processes remains significant in determining their viability as potential and electable candidates within those political party outfits as in the responses below:

In the absence of strong-led women political parties, wisdom demands that women play proactive roles within the political parties, voice their concerns and contest for visible leadership positions. In total, they need to actively engage with party organs and be seen as significant entities in these parties (SUNY officer).

The experiences with coalitions in the 2013 General Elections proved that women parliamentarians must be strategic in their positioning within the political parties. More certainly, if they need to contest and win at primaries that are often dominated by men, the coalitions seem to determine the fate of candidates in the single mandate constituencies especially where they are dominant (UN women officer).

At times, we need to understand that men influence the political parties through heavy funding and party positioning. Women must rise and not simply expect to be given low-lying seats within the parties. We must also engage meaningfully with the Registrar of Political Parties to ensure that gender-provisions on political party operations and structures are adhered to (Female nominated Senator and KEWOPA member).

From the foregoing, it is quite clear that political parties while playing such valuable roles as vehicles in the electoral process and subsequent leadership largely remain out of reach for a lot of female parliamentarians. Thus, strategies such as mentorship, party leadership position garnering by women and the engagement with party organs and relevant oversight bodies taken by KEWOPA might lead to increased visibility of women within the political parties, increase their potential as candidates and electability in areas where parties remain dominant.

#### **4.7 Representative contributions**

Representation of the constituents is one of the key roles a member of the legislature performs. The study therefore sought to find out how KEWOPA members have performed on this democratic principle and constitutional responsibility. The premise of this assessment was the fact that extant literature availed the evidence that women's leadership is unique in both its priorities and strategies which significantly influences the electorate's welfare in a democratic state such as Kenya. The study

established that KEWOPA has often worked to increase participation and influence of parliamentarians in governance and gender equality and the empowerment of women, enhanced profile of women parliamentarians in the communities through participatory forums and consultation meetings with constituents on development of the strategic plans whose activities were to be progressively realized over the five year period as in the responses below:

We need to show the value of women's leadership by bringing unique approach to the whole scenario. In that spirit, KEWOPA members have always organized capacity building trainings for its members, the CDF committees on issues of project prioritization as well as significant issues of mainstreaming gender in resource allocation and project design. This is something we remain passionate about (KEWOPA chairperson).

I think we have adopted a strategically informed practice where we hold forums with our constituents to deliberate on issues pertinent to their livelihoods. This consultative leadership is more democratic, open and participatory and makes the membership talk from people-informed perspective. A lot of this is facilitated by our secretariat through constituency workshops (Female Member of Parliament – National Assembly).

Key informants in the study observed that KEWOPA through its membership has been significant in advancing gender-aware legislations and perspectives going back to the Sexual Offences Act of 2006 by the then nominated MP Njoki Ndungu to the recent advocacy by women parliamentarians on the realization of affirmative action seats to boost the representation of women in the legislature. During the process of making the Kenya Constitution, 2010, Caucus members not only positioned themselves in the relevant house committees but also took positions on issues touching on affirmative action such as advocating for positions of women representatives and affirmative action at the county assemblies on gender representation. This was complimented by carrying out advocacy on issues touching on gender representation, which would later result in moving the constitutional amendment on not more than two-thirds representation by one gender. It is also

significant to underline the fact that KEWOPA members were instrumental in leading civic awareness on the provisions of the draft constitution. This is confirmed in the responses below:

Members were important in constitution building through a gender lens which led to fruitful gains on women's rights among others representation in public leadership (**UN-women officer**).

We made it a point to institutionalize quotas in the constitution making process; we needed a way to increase women to the necessary critical mass at the time of elections. However, it is a sad thing that the courts interpreted that clause as not being urgent but progressive in its realization (**Female Member of Parliament – National Assembly and former vice chairperson COIC**).

Women's issues are a central part of the leadership of KEWOPA. The thesis here is that women, children and persons with disability (PWDs) have significantly remained marginalized in decision-making arenas and when their issues are presented, they are either trivialized or not prioritized. Given this contextual reality, KEWOPA through its leadership undertook to engage in "strengthening national women's support for the Truth, Justice and Reconciliation process". The project activities were important in increasing participation of KEWOPA Members in gender mainstreaming in Truth Justice and Reconciliation Committee (TJRC) and disseminating information on gender mainstreaming collected from 8 regions across Kenya (Nairobi, Central, Rift Valley, Nyanza, North Eastern, Western, Eastern and Coast). The success of this project was, however, slowed down by negative perceptions and attitudes towards the process by the statement takers thus failing to provide information openly. The controversy surrounding TJRC chairperson affected the rate of implementation at all levels including members of parliament and limited funding that hindered a wider and diverse audience to be reached. It would be important to audit the TJRC report to assess the extent to which gender issues were integrated in it.

When such important national exercises like TJRC opinion seeking are ongoing, it makes sense that the leadership and KEWOPA in particular takes

keen interest in analyzing the potential impact and discrepancies, if any, that such a system would have on the marginalized groups (**FIDA officer**).

Violence in the electoral process has been described as ‘political rape’ (Okumu, 2008:10) and internationally condemned as a bad grain against democracy in declarations by Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) (1987), United Nations Security Council Resolution (UNSCR) 1325 amongst other international political instruments. Domestically, the Kenya Constitution, 2010 and Elections and Political Parties Act of 2011 criminalize violence. However, despite international and domestic condemnation, electoral violence has remained unabated and cost a number of women deserved seats in competitive politics involving single-mandate districts and/or electoral constituencies. Given this grim reality, that KEWOPA in the year 2012 initiated project activities aimed at eliminating women-targeted electoral violence through the support of PACT/USAID. The project aimed at enhancing the role of parliamentarians and opinion leaders in preventing and reducing violence against women during the electoral process through enhanced peace campaigns conducted at the constituency and complimented by follow up campaigns at the regional/constituency cluster levels. It was envisaged that the project would enhance awareness on violence against women as an impediment to their participation in electoral processes, increase participation by opinion leaders in advocating against such violence and enhance political will and support by women parliamentarians in advocating against violence against women in electoral processes. The project was modelled around ‘consensus building’ across stakeholders, that is, the community, cultural custodians, local leadership, the youth and parliamentarians to enrich its outcome.

There were several women-targeted violence elimination initiatives by KEWOPA and its development partners in a bid to change the attitudes of the electorates towards women-targeted violence during campaign periods; we initiated this so that campaign and competition platform would be levelled for

all genders. However, I must regret that at the party primaries in the 2013 general elections, violence quite significantly perpetrated against women candidates (KEWOPA chairperson).

From the foregoing, representative roles played by KEWOPA in the democratic process seem to cut across community capacity-building and empowerment, women's issues and perspectives undertakings to creating well balanced campaign platforms. The approaches in this discourse include advocacy, working with the communities in project development and informing the processes initiatives by the government to ensure they are gender-aware in their impact.

#### **4.8 Challenges faced by KEWOPA**

Whereas existing literature shows that women's caucuses are not without their challenges and largely documents the same, the study undertook to assess the very contextual realities that challenge delivery of KEWOPA on its democratic consolidation mission. This emanates from the background that in some political systems, women are elected indirectly or are elected through party lists, feel beholden to their party leadership and thus may feel that crossing party lines may result in their not being selected to serve again after the next election. Often women's caucuses get no budgetary or staffing support from the parliament and have to look for donors and partners among the international community. In addition, in some countries, particularly those with very few women parliamentarians, a women's caucus can be easily marginalized, particularly in its early days. This array of issues may largely undermine the effectiveness of a caucus and parliamentary caucus in particular. A member of the caucus, while observing the disadvantages occasioned by the small number of female legislators in the house, posited that they have had to always adopt multiple membership to committees, negotiations on regional and party basis with male parliamentarians. For example, while pushing the FGM Bill in the last

parliament, women members had to make the issue a pastoral community agenda and negotiate with male colleagues at that level in order to boost the requisite numbers as in the responses below:

We solicited members of parliament from pastoral communities across Rift Valley and Northern Kenya beyond the consensus we had developed as KEWOPA members to support the Bill on the floor of the house (**Female Member of Parliament form Northern Kenya**).

We lack the numbers in the house to push our agenda effectively in the house, like in the 10<sup>th</sup> parliament. Government had six members in the cabinet and another six as assistant ministers, the back bench was literally weakened, so we had to employ strategies like multiple committee membership to ensure our agenda as KEWOPA was realized (**Female Member of Parliament - Senate**).

Representation of women in parliament is lowí , it is literally difficult to sustain motions with such a small number. And also Parliamentary committees are still very patriarchal (**FIDA official**).

At this point, it is important to note that the women parliamentarians in Kenya remain numerically challenged compared to their male counterparts in the committees, making it difficult to push through their business agenda with some committees operational without women. On a gender basis, it is regrettable that none of the house committees has ever achieved the threshold of 30% female representation that would ensure meaningful representation and influence the agenda under discussion within the committees.

While experiences with members showcase dismal numbers and donor-delay in funding the Bills as major causes of delay in the realization of this noble programme portfolio in KEWOPA, interviews with key informants point to lack of training in legislation process, house engagement rules in terms of written and unwritten codes, the bare minimum engagement with civil society, if not suspicious relationships with the CSOs, and lack of strategic engagement with the speaker's and clerk's office as

some key challenges to the realization of adequate women-moved Bills. According to an informant in the PSC, capacity building to analyze and understand the work of parliamentary business, and KEWOPA members becoming more proactive in bringing bills into the house is a necessity to increase the visibility and effectiveness of the caucus. According to another informant, membership to these committees would have given women the necessary visibility in house leadership and resource oversight since they are deemed more powerful as in the responses below:

Very few women learnt the practical knowledge of developing and nurturing the Bill. There is still need for capacity building for members to be effective on this frontö (**FIDA officer**).

Members should be trained on how to effectively bring amends, scrutinize bills and engage with various parliamentary organs in their work (**PSC clerk**).

Women were absent from some of the critical House Committees around finance and security which would help to shed off the -softø issue agenda-business of women in the house (**PSC clerk**).

This is an issue of great concern as these Committees are crucial in determining the House business as well as having an oversight role to ensure a gender sensitive and responsive Parliament and Government at large. Women parliamentarians were also found to be absent in certain crucial committees of the house which would be important in perpetuating womenø leadership perspectives, e.g., finance, planning and trade, defense and foreign relations, health and Constituency Development Fund. Informants in this study pointed to a mix of challenges in the realization of their work across political partiesø lack of ideologies to non-conformity with the laws, the overreliance on donor funding to drive the activities of the caucus, as well as trivialization of the KEWOPA agenda by a majority of male compatriots who seem the outfit as an extension of feminism struggles as in the responses below:

While we have devised several strategies to realize our goal, we face political parties crafted around male individuals without any binding ideologies, more



often the parties marginalize women to flower positions, this affect the leadership visibility of women and even their rise as lead party candidates (**Female Member of Parliament - Senate**).

Our programmes are not funded by the government, neither is the caucus legally entrenched in parliament to receive any budgetary allocation, so sometimes we get funding from the donors. Besides, it is difficult to convince our male colleagues for support; they think we are so pro-feminists but at least the attitude is beginning to change for the better (**KEWOPA treasurer**).

In essence, besides a lean membership, KEWOPA faces institutional inadequacies especially its ability to independently fund and run its projects, the attitudinal issues emerging from the male counterparts and the loosely-held political parties with respect to adherence to law on gender equity in their leadership, coupled with lack of ideological basis upon which to consolidate women's perspective in their leadership.

## **CHAPTER FIVE**

### **DISCUSSION AND CONCLUSIONS**

#### **5.1 Introduction**

This chapter discusses the findings in relation to the study objectives. Following the discussions, conclusions are drawn and recommendations made.

#### **5.2 Discussion**

##### **5.2.1 Perception of women parliamentary caucus**

An attempt was made to generate ideal and lived experiences on the understanding of the women parliamentary caucus by both the women members and the stakeholders amongst them sponsors and expert opinions. This conceptualization and perception was deemed important in grounding the need for a women's caucus in a democracy as well as cascading the discussion to cross-country experiences which generally formed the background of the study. Informants in the study felt that a caucus is a necessary formal gathering for persons with common interests and more so acts as a tool for fashioning the agenda into legislation and policy frameworks as in the case of KEWOPA. The thesis of this finding resonates with that of SARWSP (2013) typifying caucuses as informal or formal associations that act as cross-party venues for consensus building.

Similarly, the findings showcase caucuses as being platforms for increased women's visibility in terms of leadership domain as well as locus for building a sense of critical mass to approach legislative issues. In the same cue, UNDP (1995) argues that a critical mass of 30% women's representation is needed to achieve substantive legislative influence, formal groupings as KEWOPA in their own rights act as

catalysts in consolidating this mass by framing common agenda for its women members. The caucus is viewed as an agent empowering women through gender-nuanced capacity-building initiatives which work to enrich women's agenda as political leaders. Deliberating on this cue, Bearman *et al.* (2007) posit that when women are empowered as political leaders, countries experience higher standards of living, and positive developments can be seen in education, infrastructure and health. In essence, women's participation positively affects communities, legislatures, political parties, and citizen's lives, and helps democracy deliver. It is the focus on these women and democratic deliverables through caucus that Rosenthal (2001:12) argue that woman's political participation results in tangible gains for democratic governance, including greater responsiveness to citizen needs, increased cooperation across party and ethnic lines and more sustainable peace.

The findings showcase the caucus as an entry point where women structure strategies to assume leadership positions within the legislature. In this way, the caucus builds the support base and agenda for women's leadership in parliament while at the same time offering a point of reference for transformative and distinctive leadership from that of male politicians. More specifically, women parliamentarians, through caucuses, are shown to address themselves to welfare issues and perspectives that are more cooperative in nature compared to their male counterparts. Research specifically looking at gender styles in legislative committees shows that women's leadership and conflict resolution styles embody democratic ideals and that women tend to work in a less hierarchical, more participatory, and more collaborative way than male colleagues (Rosenthal, 2001). Women are also more likely to work across party lines and strive for consensus, even in partisan and polarized environments. Moreover, women lawmakers say in studies that they see issues like health care, the environment

and combating violence more broadly as social issues and that women more than men see government as a tool to help serve underrepresented or minority groups. Women lawmakers are often perceived as being more sensitive to community concerns.

### **5.2.2 Gender equality and legislation contribution**

Operational norms and attitudes are part of 'normalizing' the political platforms for males and females in society. Gender-aware language is significant in entrenching the equality across genders in the House of Representatives since it helps to de-masculinise politics and its related norms. The study findings speak to the fact that KEWOPA had to move amends to the Standing Orders of 2002 that guided the parliamentary business towards breaking the 'high masculine' language and tone. For example, the elimination of 'chairman' as a reference across sexes, and tags as 'house of men' amongst key gender nuances identified in the findings, spell the fact that politics within and without parliament had for a long time been anti-female in Kenya thus the need to make the language gender-sensitive. The legislation initiatives by KEWOPA are similar to those undertaken by Uganda Women Parliament Association (UWOPA) that helped to re-draft and re-write the constitution in gender-neutral language; an explicit statement of equality before the law was included in the new constitution; the principle of equality must now be written into the laws to be passed by the new parliament in specific areas (Rahnuma, 2013).

The resulting effect of the changes has been the inclusion of women in the parliamentary leadership, especially in the speaker's panel and parliamentary committees. From a gender and democratic perspective, functional democracy through relying on majority rule, has a significant ear to the minorities too. In this case, the small number of women in parliament is significantly amplified by being

given the right places in parliamentary leadership. Through a gender lens, it is understood that the incorporation of gender-aware practices resonates well with differential experiences of men and women, thus the need to be explicit about the requirements and representation at different levels.

The study findings indicate systematic actions by KEWOPA to entrench affirmative action in parliament and in the law. More specifically, KEWOPA members generated Gender Responsive Budgeting Guidelines that became a tool for assessing the impact of national resource allocation at the budgeting level. The guidelines adopted by parliament have indicators that can be used to determine the potential impact of resource allocation to various groups of men, women, boys and girls. This has gone a long way to rectify the gender-neutral resource allocation that is not considerate of differential needs and experiences across genders. The tool itself has been used in enhancing gender equality as part of planning and programming and goes a long way to fulfill women's rights in a democracy (UN, 2012).

The findings of this study indicate that KEWOPA has been instrumental in pushing for legislations that would ensure equity in the representation of men and women in legislatures. Most prominent in this line is the entrenchment of affirmative seats in the County Assembly, National Assembly and the Senate that were overwhelmingly lobbied for by KEWOPA members. The reasoning around affirmative seats by KEWOPA has been the need to increase the voices of women in decision-making as part of its credo at formation but even more importantly is the need to achieve a critical mass that can influence legislations. This spirit concurs with the provisions of Universal Declaration of Human Rights (UN,1948) that equal participation of men and women in political affairs makes governments more representative of the

composition of society; it makes them more accountable and transparent. Specifically, Article 21 of the Universal Declaration of Human Rights recognizes the right of every person to take part in the government of his or her country. Equal access of men and women to power, decision-making and leadership at all levels is a necessary precondition for the proper functioning of democracy (UN, 1948:61).

A review of the Hansard report and individual interviews with membership of KEWOPA pointed to the fact that the caucus has been able to successfully raise and debate over fifteen legislations through its membership. The members' sponsored bill on Sexual Offences that was finally signed into law 2006 remains a landmark triumph for KEWOPA in its bid to fight against sexual and gender-based violence. Subsequently, legislations on female genital cutting and social protection Acts have also been realized by KEWOPA. Key thematic bottom-line in the KEWOPA moved legislations is the application of gender-lens in their drafting, for example, the National Social Assistance Act of 2012 is a product of an elaborate and enduring process initiated by KEWOPA through Honourable Dr. Joyce Laboso, the current Deputy Speaker of the National Assembly. Social protection is anchored on three pillars of social security, health insurance and social assistance. Whereas the aspects of social security and health insurance have elaborate and well-coordinated legislative, policy and institutional implementation frameworks, social assistance was, it must be noted that prior to the enactment of the NSA Act, the systems remained scattered in discrete, uncoordinated and overlapping regimes such as cash transfers for the elderly and orphaned and vulnerable children, youth and women development funds, etc. Therefore, the Social Assistance Act of 2012 is centred on the State's legal obligation to improve the lives of men, women, boys and girls who, by the existence

of debilitating factors such as widowhood, orphanage, infirmity, etc., have been rendered vulnerable and susceptible to enhanced human suffering.

Similarly, the Victim Protection Bill (2011) fronted by KEWOPA provides a unified victim protection regime that incorporates rehabilitative and restorative components of justice. It is founded on Article 50 (9) of the Constitution of Kenya, 2010 which provides that legislation shall be enacted to provide for the rights, protection and welfare of victims of offences. This Bill is still undergoing internal review and stakeholder consultations. KEWOPA has so far facilitated several stake holder meetings with Honourable Members of Parliament, civil society, the Former Ministry of Home Affairs which was housed in the Office of the Vice-President, and the Commission on the Implementation of the Constitution. These legislative experiences of KEWOPA remain congruent to those undertaken by other women parliamentary caucuses. A case in point is in Rwanda where members introduced a bill on violence against women that defined rape in Rwandan law for the first time, and it is the only piece of legislation introduced by parliamentarians rather than the Executive since the 2003 election (Rahnuma, 2013). Research specifically looking at gender styles in legislative committees shows that women's leadership and conflict resolution styles embody democratic ideals and that women tend to work in a less hierarchical, more participatory, and more collaborative way than male colleagues (Rosenthal, 2001). Women are also more likely to work across party lines and strive for consensus, even in partisan and polarized environments. Moreover, women lawmakers say in studies that they see issues like health care, the environment and combating violence more broadly as social issues (O'Connor, 2003), and that women more than men see government as a tool to help serve underrepresented or minority groups. Women

lawmakers are often perceived as more sensitive to community concerns (Cammissa and Reingold, 2004:18).

In essence, the findings on legislation are an indicator that women parliamentarians can achieve more when they reach the numerical minimum threshold in the legislature given the fact that KEWOPA, irrespective of its numerical disadvantage, has been able to substantively influence the legislation process. In a previous study by UNDP (1995), it is posited that women as a group can exert meaningful influence in the legislation process especially when they reach a minimum representation threshold of 30%. More importantly, the changes can be enormous when there is a caucus driven by a common agenda of promoting specific reforms in the law as is the case with KEWOPA. In this study, the findings on experiences indicate that women legislatures tend to conceptualize problems differently and are more likely to offer new solutions, and that women across parties are more likely to advance women's issues, define women's issues more broadly than men, put them at the top of their legislative agendas, and take a leadership role in those areas.

### **5.2.3 Political parties and representative contributions**

Political parties are the primary and most direct vehicle through which women can access elected office and political leadership. Therefore, the structures, policies, practices and values of political parties have a profound impact on the level of women's participation in the political life of their country. Research by NDI (2008) shows that the number of women in parliament does matter; at the very least, the more women there are in parliament, the more likely the parliament is to address women's issues and to change the gender dynamics in the chamber. The proportion of women members of parliament has a great influence on the nature of the debate in politics.



Given the low levels of women's presence in parliaments and other decision-making bodies, parties need to be proactive in ensuring that gender equality is addressed in governance. Parties are influential in determining which issues inform the political debate: they formulate policy, set governance priorities and are therefore strategically placed to address the concerns of women.

The study findings indicate that KEWOPA members have been instrumental in advocating for gender-sensitive party structures and operations. In particular, the membership has more often petitioned the registrar of political parties and national governing councils (NGCs) of parties to spearhead the inclusion of women in visible political party positions as well as generated and operate with party-constitutions that speak to the constitutional gender-language enshrined in the Political Parties Act of 2011. Similarly, KEWOPA has significantly trained its members on negotiation skills, party navigation tactics and mentored young women to proactively participate in political parties. In a previous study by the UN (2005), it is argued that women's political activism has been an important source of energy for political parties. Women's closer connections with civil society and grassroots groups have proved important organizing and mobilizing resources for political parties in particular during electoral times. But their role is usually viewed instrumentally: as a means of raising political support for them. Political parties sometimes indulge in rhetoric in favour of gender equality while shying away from any active commitment to achieving it. Gender equality has been promoted in the manifestos and programmes of a number of political parties in Latin America; however, women's political potential has rarely been recognized at their leadership and decision-making structures. The self-interested nature of political parties' relationship with women is manifested in the way they deal with female candidates.

The findings indicate a statistical absence of women in the domains of political party composition insinuating continued resistance to women's leadership within political parties also creates the need for spending more time working with political party leaders on women's leadership and internal reform initiatives instead of spending time solely with individual women or groups of women leaders. Working with men is essential to breaking down barriers to women's access to leadership and gaining support for initiatives that increase women's political participation. As part of this effort, transparency within political parties is essential. Transparency signifies progress, while lack of transparency is associated with old political party mentalities that both severely limit the participation of women and the average citizen, as well as lack accountability.

In a nutshell, KEWOPA believes that women's political participation results in tangible gains for democracy, including greater responsiveness to citizen needs, increased cooperation across party and ethnic lines, and more sustainable peace. Thus, there is need for continued strategic engagement with the political parties in the context of buttressing democratic space in Kenya.

On the other hand, the findings indicate that KEWOPA has played significant constituents' interest representation at different levels. In particular, sensitization of communities on reproductive health issues in partnership with UNFPA, training of constituents on provisions of the Constitution of Kenya, 2010, community awareness creation on sexual and gender-based electoral violence, gender-aware resource allocation at the devolved levels and CDF kitty management. Essentially, the leadership spearheaded by KEWOPA members is determined to be consultative and empowering to their constituents. The findings compliment earlier findings on the

workings of women lawmakers that is said to tend to see 'women's' issues more broadly as social issues, possibly as a result of the role that women have traditionally played as mothers and caregivers in their communities. In addition, more women see government as a tool to help serve underrepresented or minority groups (O'Connor, nd; Camisa and Reingold, 2004). Women lawmakers, therefore, have often been perceived as more sensitive to community concerns and more responsive to constituency needs.

### **5.3 Challenges faced by KEWOPA**

The findings of this study indicate an array of challenges faced by KEWOPA in a bid to live up to its mandate. At the legislative level, the lean numerical strength of the members of the caucus does not allow it to easily move its agenda on the floor of the house. More often, KEWOPA's interests as a block have suffered humiliating defeats despite the fact their membership is drawn across parties and despite the recent increase in the number of female legislators through quota system. This numerical strength is yet to match that wielded by men in parliament. Moreover, there is a continued trivialization of the caucus's issues as feministic and women-grounded by the male colleagues. While this might point to lack of gender lens amongst male parliamentarians given the operational approach of KEWOPA, the ramifications are strong and resoundingly negative, for example, the trivialization of the Matrimonial Property Bill as being feministic has stalled its debate and passage in parliament leading to dilution of its contents by male parliamentarians at the committee stages. Secondly, KEWOPA has had to co-opt male honorary members to move its Bills so that a cross-gender consensus can be easily built even when issues involved affect men and women, e.g., the FGM Bill that had to be moved through Hon. Fred Kapondi in the 10<sup>th</sup> Parliament. The numerical limitation has had incapacitated members

meaningful participation in the committees of the house where they can have influence on parliamentary agenda. While the current practice might be an improvement compared to the previous parliament, KEWOPA members are still thinly-spread making it for them difficult to critically voice their concerns ,e.g., in Committees such as the PAC, the PIC, and the Budget Committee. This problem is further compounded by conflicting and overarching political interests of KEWOPA members based on political party affiliations which see some members support party positions contradictory of KEWOPA's mandate and the corrosion of amity amongst the members

The findings also indicate inadequate oversight ability to ensure implementation of gender responsive bills, policies and guidelines through tracking and playing the watch dog role. This is more pronounced in the inability of the members to monitor gender and resource allocation processes in the budget-making processes, lack of clear guidelines to monitor implementation of legislations ferociously advocated for by the members such as Sexual Offences Act of 2006.

There are institutional-based challenges amongst them insufficiency of funds to undertake activities outside the traditionally designated gender issues such as the non-inclusion of women in decision-making processes and additionally address real and practical gender-nuanced problems such as the lack of access to basic necessities such as water, food and shelter; lack of full-fledged field officers to effectively monitor the constituency and programmatic activities. There is also lack of specialized personnel with legal and research background at the secretariat to critique, propose amendments and advise members on implications of various Bills established in the findings of the

study. These problems and/or challenges tend to cripple the representative and legislative undertakings of KEWOPA at most.

Within the political parties, lack of ideological soundness and foundation of party formation seem to be a major deterrent to women's participation in these vehicles of election. The lack of openness in political decision-making and undemocratic internal processes are challenging for all newcomers, but particularly for women. Similarly, the complex hierarchies in political parties and legislatures present a barrier to many women who enter politics at the local level and aspire to rise to other levels of leadership. Moreover, there must be the willingness of citizens to accept new ideas about gender roles in society. There are still many countries that discourage women from competing directly with men or consider childcare and housekeeping to be the exclusive domain of women. As such, it is common throughout the world to see women activists supporting democratic activities at the grassroots level, and yet see few women in leadership positions, thereby creating an absence of women from whom to draw for higher levels of political leadership. Concerted efforts must be made to raise awareness of gender inequality and the ways in which stereotypical gender roles create both formal and informal barriers. The support of male political leaders is also a key ingredient in creating a political climate that encourages women's political participation.

#### **5.4 Conclusion**

The subjects in this study drawn across present and past KEWOPA membership, development partners, actors and experts in the field of gender and democracy agree that the women parliamentary caucus has played and continues to play a significant role in the democratic process in Kenya. The approaches used by the caucus, amongst

them legislation, parliamentary leadership, institutionalization of gender lenses in resource allocation, parliamentary language and its norms and in the whole question of representational politics have been lauded in the study as indicators of women's contribution to the principle of equity and equality in democratic governance.

The study also established that women through the caucus have lived to the premise that caucuses across countries and women parliamentary caucus in particular serve to consolidate the agenda of women and becomes the platform upon which strategic role in changing legislation, boosting general welfare and serves to amplify women's voices. This thesis is manifested in the gender-aware legislations drafted and moved by KEWOPA members, the welfare and reproductive health advocacy projects initiated in the communities and the consultative approach exhibited by women leadership in their constituencies which remain significant values of democracy.

Whereas KEWOPA has contributed largely to the maturing democratic space in Kenya, its visibility and progress remains stifled in a number of challenges, key amongst these being the feminization of the caucus's work by male parliamentarians, the numerically dismal number of women relative to men thus disadvantaging their voting power in parliament as well as committee leadership representation, low technical capacity in navigating the institution of Parliament with Bills, dependence on donor-funding to facilitate their activities, political party differences in terms of priorities and subsequent membership allegiances. It is also important to state that since the establishment of the Senate, mini-caucuses have emerged which threaten the unionized agenda of the KEWOPA and consequentially its ability to deliver on its mandate of increasing women's representation in elective and appointive position

toward sustainable democracy and development. Thus, it can be summed that KEWOPA faces both institutional inefficacies threatening its sustainability and unabated feminine-tag in terms of perception by non-members.

### **5.5 Recommendations**

- Institutionally, KEWOPA has to pursue rolling tailor-made capacity building for its members on the rules of engagement, gaining the floor, negotiating for Bills to enhance participation on the floor of the house while at the same raise the members' negotiation skills necessary in moving parliamentary business.
- KEWOPA needs to meaningfully and constantly engage with political party governance councils, registrar of political parties and stakeholders like CMD to ensure that party morphology is in tandem with the provisions of Political Parties Act of 2011.
- To meaningfully impact on legislation and representation, KEWOPA needs to embrace a robust research-oriented secretariat that can internally inform its activities and operations while also networking with the speakers' and clerks' offices and the parliamentary legal team in drafting the Bills, making amends to the laws and initiating advocacy for increased visibility.

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## APPENDIX I:

### In-depth Interview Schedule

My name is Getrude Nthiiri, a Master of Arts student in Gender and Development Studies at the University of Nairobi. I am conducting a study on the contribution of the Kenya Women Parliamentary Association (KEWOPA) to strengthening democracy in Kenya. I am particularly interested in its legislative and political party functions and how these have contributed to the democratic process enhancement in Kenya. You have been chosen because of your professionalism and experience in the subject matter. Please feel free to seek any clarification before you give your answers. The interview will take approximately 45 minutes.

#### Demographic Profile of the Respondents

Name of respondent (Optional) \_\_\_\_\_

#### Age

18-35 Years     36-53 Years     54 years and above

#### Gender

Male     Female

#### Marital status

Single     Married     Divorced     Widowed     Separated

Other (specify)

#### Religious Affiliation

Christian     Muslim

Others (specify)

### Education background

Primary:  Complete  Incomplete

Secondary:  Complete  Incomplete

College/University:  Complete  Incomplete

1. With respect to the mandate of KEWOPA, what would you list as some of your achievements since inception as a caucus toward the Kenya's democratic space?
2. In your opinion, how has KEWOPA performed towards increasing the public participation of women in political party spheres?
3. What specific legislations and parliamentary contributions would you identify with KEWOPA in parliament since its inception?
4. In the course of meeting its goals, what challenges would you consider to have slowed down the timely achievements of the planned and proposed activities of the caucus?
5. Given the development in the country's governance and political representation structure, what strategies would you suggest KEWOPA should adopt to achieve more on legislation and political party functions?

## **APPENDIX II: Key Informant Interview Guide**

1. To what in your opinion is the connection between parliamentary caucuses and democracy?
2. Is there any unique role that women parliamentary caucus plays in the democratic strengthening based on the above?
3. What are some of the highlights that you feel KEWOPA has brought into Kenya's democratic space?
4. Given the nature of KEWOPA, what are some of the challenges that might affect its work in contribution to democracy?
5. What are some of the suggestions that would strengthen KEWOPA in realizing its mandate in strengthening democracy?