WOMEN'S AGENCY IN THE CONTEXT OF DEVOLUTION IN KENYA: A CASE OF KAJIADO COUNTY

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DECLARATION

This thesis is my original work and has not been presented for a Degree in any other University or institution for certification

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DEDICATION

To my children Maina, Wangui and Gathoni, for constantly inspiring hope;

And

My husband Ngunjiri, for being a firm and reliable anchor.

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ABSTRACT

There has been considerable debate in the literature on women's participation and role in public administration and management. Devolution, currently in its third year of implementation in Kenya, offers a good platform on which to advance this dialogue further. This study argues that women's agency can be maximized using the devolution platform in order to improve economic, political and social wellbeing for women and their communities. Important questions that the study has sought to explore include, whether the current devolution platform recognizes women as economic, political and social actors and in so doing freely provide spaces for leadership and active agency, and whether it builds their capacity to negotiate space, improve entrepreneurship, and their collective political voice. The study also looks at how informal factors affect women's agency. While formal policies and laws are legitimized through written policies and laws including the National *Constitution* (2010), political party manifestos of the ruling parties and Acts of Parliament, informal rules and norms are legitimized through culture and traditional views that become normative over time. The interplay of formal and informal factors was therefore an important area for exploration.

The study is founded on a feminist and rational choice theoretical framework, identified as a critical analytical premise for interrogating women's agency. Primary data was collected using a mixed methods approach, where both qualitative and quantitative research techniques were utilized to respond to the research questions. To ascertain the current manifestations of women's agency in economic, political and social spheres, a structured questionnaire was administered. Qualitative methodologies including focus group discussions, oral testimonies, key informant interviews and observation were used to provide an in-depth understanding of the core research concerns. Quantitative data was analyzed using Statistical Package for Social Sciences and Statistical Analyses Software, and measurements done using Fisher's exact and Chi-Square tests. Using theoretical propositions, qualitative data was subjected to a process of data reduction; categorization into a matrix of emerging themes, and causal relations in the data was attended to.

The findings agree with the view that benefits from devolution do not automatically accrue to women, or all categories of women since women are not a seamless homogenous group, with shared interests and objectives. It is clear from the research that devolution has a core role to play in enabling maximization of economic, political and social agency, but there is need to build and nurture women's capacity to engage for them to reap maximum benefits from devolution. The study recommends that both the County Government and the County Assembly in Kajiado should adopt a gendered perspective in legislation and implementation of devolution to boost women's agency. Women's capacity and conscientisation for agency through education, sensitization and training in addition to political mobilization are essential to enhance their participation and meaningful engagement individually or collectively, for the full benefits of devolution to be realized in Kajiado. With devolution still evolving, a second phase of research on women's agency in the County, enriched with cross-county comparisons, would be insightful given that this study took place when devolution was still in its nascent stages.

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ACRONYMS

AMREF	African Medical Research Foundation
BPFA	Beijing Platform for Action
CBOs	Community Based Organizations
CORD	Coalition on Reforms and Democracy
COVAW	Coalition on Violence against Women
DFRD	District Focus for Rural Development
FAO	United Nations Food and Agricultural Organization
FGD	Focused Group Discussions
FGM	Female Genital Mutilation (also female circumcision)
GAA	German Agro Action
GBV	Gender Based Violence
GOK	Government of Kenya
GCN	Girl Child Network
HIV/AIDS	Human Immuno Deficiency Virus/Acquired Immune Deficiency Syndrome
ICT	Information and Communication Technologies
KANU	Kenya African National Union
KCA	Kajiado County Assembly
KCG	Kajiado County Government
KIHBS	Kenya Integrated Household Budget Survey
LLG	Lower Level Government
MCA	Member(s) of the County Assembly
MP	Member(s) of Parliament
MTTI	Maasai Technical Training Institute
NACOSTI	National Council for Science, Technology and Innovation
NGO	Non-Governmental Organization
NOSIM	Maasai word meaning ‘the sanctuary’
OECD	Organization for Economic Cooperation and Development
RCT	Rational Choice Theory
SACCOS	Savings and Credit Cooperative Societies
SRHRs	Sexual and Reproductive Health Rights
TFDG	Task Force on Devolved Government
VAW	Violence against Women
WB	World Bank
WBI	World Bank Institute
WEJP	Women Economic Justice Programme
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund

OPERATIONAL DEFINITION OF TERMS

County Assembly: The legislative assembly where nominated and elected Members of the County Assemblies from different parties seat and pass budgets and laws for that county.

County Government: The devolved government headed by a Governor that is responsible for implementation of devolved functions in a county.

Devolution: It refers to political and administrative reforms that transfer functions, responsibilities, resources, and political and fiscal authority, from the central government or national level to a public organization at the sub-national or county government level.

Devolution platform: This refers to the county level context where both the formal laws and policies as seen in the *Constitution* and its subsidiary laws as enacted by parliament and political party manifestos, on one hand, and informal norms and rules one the other hand, guide the operationalization of devolution in a specific county.

Economic agency: This is women's agency in economic or entrepreneurial activities, exhibited through active participation in markets and other entrepreneurial spaces.

Empowerment: The status where women have maximized economically, politically and socially from the opportunities available to them without constraints.

Formal factors: Rules and conventions that guide the operationalization of devolution, and are legitimized through the *Constitution*, policies and formal institutions including the County Assembly and County Government.

Informal factors: These are the unwritten conventions and norms that operate in the background of formal rules, and are legitimized through culture and traditional approaches that become normative over time.

Local level: This describes the county level, and for purposes of this study, Kajiado County, as opposed to the central (or national) government level. The 'local' context is influenced by the interests of the political party that won the senatorial, gubernatorial and other political seats at the last general elections; and the resident communities' ethnic, religious, gender and other affiliations, which distinguish one county from another. These characteristics give the county 'local specificity'.

Patriarchy: This is an ideology where women are subjected to male domination and exploitation as a result of a historical socialization process that gives men the power and excludes women from it.

Political agency: This refers to women's agency in political processes where women actively pursue and participate in leadership both in elective spaces or in other institutions where power negotiations take place aimed at transforming women's bargaining for or influencing power.

Social agency: This refers to activities where women actively challenge negative social norms that continue to deprive them or deteriorate their social spaces. Women who actively agitate against female circumcision, early marriages for girls, domestic violence, disinheritance of women and other practices are social agents.

Transformative agency: Long-term structural change in all spheres of life including cultural, economic, political and social spheres through negotiation in formal and informal spaces.

Women's agency: Women's ability to freely and optimally utilize all opportunities in pursuing their goals and interests to improve their well-being.

CHAPTER ONE:

BACKGROUND

1.1 Introduction

Women's agency and how to advance it through the devolution process, which is currently gaining shape in Kenya forms the core of this study Sen (1985) defines women's agency as the ability to set and pursue goals, and interests. He perceives agency to be optimized when there are 'expanded freedoms and choices for women. Such interests and goals include one's own wellbeing. He calls for the need to pay attention to the specific motivations and constraints under which people act; 'a person's agency cannot be understood without taking note of his or her aims, objectives, allegiances, obligations and in a broad sense – the person's conception of good', (Sen, 1985: 203). The *World Development Report* (WDR) (World Bank, 2011) defines 'agency' as one's ability to 'make choices and transform these into actions and outcomes'. The report directly links women's agency to the ability to build their human capital and take up economic opportunities'.

Where this agency is collective, it can be transformative for the society, (World Bank, 2011: 6). Kabeer (2005) advocates for transformative forms of agency that do not merely address immediate inequalities but also initiate longer-term processes of change, in the structures of patriarchy. For Narayan (2005), agency is realized where 'institutional, social and political norms are enablers' of women's action. Women's active agency in development processes is essential in order to achieve social transformation (Sen, 2000). Where women's role as agents is limited, this brings negative effects to society as a whole (Sen, 2000). To exercise their agency, women must therefore be given a chance to assert themselves in public life and to be involved in decision making (Agarwal 2010a). Agency thus involves observable action in the exercise of choice, protest, bargaining and negotiation, and in the motivation that inspires action (Kabeer, 2003). Building on these authors' definitions, women's agency can be defined as *women's ability to freely and optimally utilize all opportunities in pursuing their goals and interests to improve their well-being*.

Devolution provides a good platform on which women's agency can be, not only exercised but also optimized for positive effects on women and society in general. The World Bank (2011) proposes the following to improve women's agency: reduce gender gaps in human capital

endowments, that is, health and education; reduce excess female mortality and provide education for disadvantaged populations; institute policies to improve women's economic opportunities; free up women's time otherwise wasted when trying to access public goods such as water; close gaps in access to assets and inputs and; address discrimination in labour markets; policies to shrink differences in voice; increase women's societal voice through affirmative action, leadership quotas in political parties; increase women's voice within households, increase control of resources, reduce gender-based violence, and increase women's control over their own fertility; policies to prevent reproduction of gender inequality across generations; support evidence-based public action through better data, better knowledge generation and learning, (World Bank, 2011); support greater access for women in the County, to factors of production, particularly land and capital[1], and; draft, debate and pass County laws that will create an enabling environment for promotion of women's interests[2]. Clearly, devolution is one arena where these propositions can be realized, if a women-focused approach is adopted.

Devolution is part of public sector reforms, and a subcomponent of decentralization. It refers to political and administrative reforms that transfer public authority on varied functions, responsibilities, resources, political and fiscal authority, from the national level to a public organization at the sub-national level, (Maclean, 2003; Rondineli, 1981; Eriksen et al, 1999). Such an organization may be a district, county, or municipal government, or a quasi-government institution. In devolution, central control is limited to largely ensuring that devolved authority is exercised within the broad national guidelines, and has often been referred to as the only true form of decentralization (Braathen, 2008; Conyers, 1983; Larbi, 1999). Local governments are granted authority, usually expressed in a legal framework, to make decisions, deliver services and generate own resources through fiscal autonomy (Larbi, 1999). This mandate provides the devolved government a rich arena on which to promote women's agency. The words 'decentralization' and 'devolution' may be used interchangeably in this study, depending on the context of the elaboration of concepts under study, and in such instances, the meaning in the Kenyan context will be limited to 'devolution' as defined above.

Proponents of devolution argue that devolved forms of government are more responsive to poor people and are hence more likely to design policies that respond to the priorities and needs of the poor (Crook, 2003; Smoke, 2003). Devolution is assumed to guarantee accountability through

[1] Researcher's addition
[2] Researcher's addition

'greater civic competence' and in strengthening social capital, political parties and civil society, (Vengroff, 1993; Rothchild, 1996; Smith, 1996; Stoker, 1996). Many multilaterals, including UNDP and the World Bank, promoted decentralization as a crucial approach in achieving poverty reduction, and reducing women's poverty (World Bank, 2004; UNDP, 2004).

Having gained popularity in developing countries, devolution is perceived to be a welcome governance reform intended to improve equity, efficiency, participation and local empowerment (Crook, 2003; Smoke, 2003). In Kenya for example, devolution was introduced through the *Constitution* of 2010, and is viewed to be one of the main gains realized from the new *Constitution*. The *Constitution* was passed by a 67% vote through a constitutional referendum on August 4th, 2010, and later promulgated on the 27th of the same month.

The guiding principles from the *Constitution* include; promotion of democracy and accountability, diversity, participation and inclusion in decision making, and upholding rights of communities to 'manage their own affairs and further their development'. These principles are also echoed in the *Transition to Devolved Government Act, 2012,* which is one of a series of Acts of Parliament enacted after the promulgation, to chart out the path towards realization of the aspirations in the *Constitution*. Complementary devolution laws that further elaborate the mode of implementation of devolution as espoused in the national *Constitution* (2010), have also been reviewed. These laws have been enacted by Kenya's Parliament in order to give effect to the constitutional provisions. They include, *Transition to Devolved Government Act*, 2012; *Revenue Allocation Act* 2013, *Inter Governmental Relations Act* 2012, *County Governments Act* 2012, and Chapter 11 of the *Constitution of Kenya, 2010*.

Existing marginalization of women, which has previously been exacerbated by centralized governance can now be redressed through devolution. This is by harnessing accruing benefits from devolution such as decision-making, sharing in responsibilities and access to financial and material assets. Advancing this point, the World Bank (2011) asserts that focusing on women should be a core development objective in its own right and is 'smart economics'. In this case, barriers that disadvantage women compared to men in their access to education, economic opportunities and productivity can be removed. Secondly, by improving women's livelihood, the ripple effect has positive impacts on their children and others in their household as well. Thirdly, where an equal platform is availed to both men and women, for both to be equally active socially and politically, make decisions and influence policies, this can with time 'lead to more

representative, and more inclusive institutions and policy choices and thus lead to a better development path', (World Bank, 2011: 3).

It is important to reflect on both the formal and informal influences on the pattern devolution adopts in a County setting. Devolution is a formal constitutional process whose guiding norms, policies and rules are enshrined in Article 174[3] of the *Constitution of Kenya, 2010*. Its implementation is however likely to be subjected to informal rules, principles and practices that work in the background of formal processes including the unwritten effects of political party patronage, cultural prescriptions and norms, religious and ethnic 'dictates', which to a large extent also contribute to how individuals and institutions make decisions and act. These underlying issues have a bearing on the ability of women to utilize the spaces available to amplify their leadership and voice, and hence their agency.

Formal systems are founded on constitutions, institutional procedures, devolved governments' by-laws, electoral laws and legal pronouncements (Brinkerhoff and Goldsmith, 2002). While formal policies and laws are legitimized through written policies and laws, political party manifestos and Acts of Parliament, informal rules and norms are legitimized through 'culture and traditional approaches', that become normative over time, (Chabal and Daloz, 1999).

Informal power may be demonstrated when ethnic, gender or religious biases are used to legitimize decisions made even when such biases are outlawed in the formal laws of the land. As mentioned above, while the formation of a county government is a product of formal laws and policies guided by the national constitution, it is also a product of informal cultural, ethnic, political, religious and social negotiations between the interested parties. It was therefore important that this study considers the unwritten and informal influences on the orientation and shape, that a county government such as Kajiado may adopt, particularly with regard to how these influences may impact women's agency.

Gender stereotyping, cultural norms and practices, have for a long time been a hindrance to women's advancement. These have negatively impacted many aspects of their livelihood including education, due to early marriages and female circumcision. Such stereotyping is also known to limit economic progress due to lack of access to and control of the factors of

[3] An extract of Articles 174 and 175 is appended at the annex.

production including land and capital for entrepreneurial activities. Similarly, women may face limitations in ascendance to senior political positions, due to cultural perceptions of male supremacy in leadership (Kamau, 2010; Nzomo, 2011).

While political parties are formal institutions, the leadership in the parties is often subjected to informal ethnic and cultural dictates, which over time lead to perpetuation of gendered stereotypes. Informal religious perspectives on leadership have been noted to also curtail women's active agency. For instance, many churches do not ordain women into pastoral roles due to traditional views on women's leadership (Chaves, 1997). Negative stereotypes that sometimes organize social relations are informed by normative knowledge such as cultural norms and continue to have a strong hold on society and its structures, including programmes like devolution (Boudet et al, 2012). These norms treat women as unequal to men, largely as a result of perceived sexual or biological differences, and with time become a major instrument for marginalization of women and their interests.

It has been important to analyse informal norms and rules as devolution begins to take shape in Kenya in order to assess whether they affect women's agency. Inequality between women and men is closely associated with power dynamics and is indeed a central factor in power discourses (Caramazza and Vianello, 2005). Agency and power are interlinked as it is from having power that people are able to freely make choices and act on them (Foucalt, 1988). Foucalt perceives power as permeating all social processes and this supports his view that informal norms can be both enabling and constraining, depending on the contextual interpretation (Foucalt, 1988). The implication of Foucalt's view is that informal factors may have a negative effect on women's agency as far as devolution is concerned.

An analytical perspective utilizing the feminist political theory and the rational choice theory as blended by Driscoll and Krook (2008) has been identified as useful for this study. Drawing on the strengths of both theories, the authors identified five complementary parameters, which include gender, institutions, power relations, strategic actions and interactions and transformative change, as core analytical areas. These parameters strengthened by a focus on the informal factors, have provided the theoretical foundation for this study.

It is clear from the above that devolution has many potential benefits for women as a result of the process of localization that brings governance closer to the governed, including women.

However, there is need to actively expand the spaces availed in the devolution framework so that women can fully utilize the new 'freedoms and choices' available to them through active agency. Below is a detailed elaboration of the research problem, informed by the need to maximize women's agency.

1.2 Statement of the Problem

Advancement of women's agency should be a core objective in the devolution agenda. This may however not be the case and there is the risk of the opportunities that devolution presents to women being missed. Assessment of formal and informal policies, laws, norms, culture and other 'enablers' of women's agency and how these have been enforced (or otherwise) to promote women's agency, are important so that their effect on devolution is anticipated and addressed in good time. An interrogation of the 'aims, objectives, allegiances and obligations' that motivate women's agency (Sen, 1985: 203) and the modalities to enhance these for women to optimize their role in the devolution platform and ultimately improve their own and society in general's well-being, is essential. From the World Bank (2011) proposals, we deduce that women's agency is demonstrated when they have greater economic opportunities available to them, increased societal voice through participation in leadership, increased control of resources, and access to factors of production[4].

Supporting local governance through decentralization with greater levels of transparency, accountability and responsiveness to citizen's demands, constitutes the most appropriate mechanism for boosting gender-equal representation, (UNDP 2000; World Bank, 2001). Without adequate care being taken, the devolved government, though being the tier of governance closest to women, can also be the tier most 'proximate to society's prejudices and a threat of backlash against women who raise their heads above the parapet', (Beall, 2007:13). This informal space that often influences socialization of women and men, and unwritten rules that dictate party and individual preferences, are an important area for exploration. This study's undertaking to interrogate both the formal and informal spaces that dictate the design, evolution and implementation of devolution in Kenya was informed by the likelihood of biases such as the one experienced by Peris Tobiko. Peris[5] is the current Member of Parliament (MP) for Kajiado East Constituency. During her campaign for this seat, she faced culture based disruptions and had to

[4] In economic discourse, factors of production mainly refer to land, labour and capital.
[5] A discussion of Peris' experiences is detailed in Chapter Six

struggle to neutralize the negative effects of culturally ordained traditional prescriptions about the superiority of male leadership, to win the seat.

Much of the academic and policy literature has concluded that unless attention is given to gender and women's interests, devolution is likely to have only marginal positive impact on women either with regard to empowerment or in promoting women's rights, (Cos-Montiel, 2006). This conclusion has been founded on the fact that without additional interventions, governance systems at local level have so far not significantly modified power relations. Both formal and informal systems of leadership and relationships have often colluded in limiting the space for women's participation, or in excluding them from accessing resources available to women, and hence empowerment remains an unfulfilled promise. Devolution reforms, including the current process in Kenya, offer important opportunities to address this situation. Women have indeed been agents of change in many areas including in ensuring food security for households and small-scale enterprise development and the same can be realized through devolution. With the right enabling environment for women to optimize their agency within provisions in the formal and informal policies, laws and institutions, they can achieve more.

1.3 Objectives of the Study

The overall objective of the study is to assess whether women's agency is being advanced through the devolution process in Kajiado County.

Specific objectives are:

i. To explore how women's agency is manifested in the devolution process in Kajiado County with regard to the five core study variables; (i) gender, (ii) strategic interactions, (iii) institutions, (iv) power relations and (v) transformative change
ii. To assess the informal factors that influence women's agency in Kajiado County.
iii. To investigate whether women are influencing the devolution process in Kajiado in order to improve their economic, political and social circumstances.

1.4 The Research Questions

i. How does women's agency currently manifest in Kajiado County, with regard to the five core study variables; (i) gender, (ii) strategic interactions, (iii) institutions, (iv) power relations and (v) transformational change?

ii. What are the informal factors that have a bearing women's economic, political and social agency?
iii. How are women in Kajiado County Assembly and other institutions in the County capitalizing on opportunities in the devolution programme?

1.5 Hypotheses of the study

i. The feminist – rational choice framework, that is, *gender assessment, strategic interactions, power relations, institutions and transformational change* provides adequate analytical parameters for assessing how women's agency manifests itself.
ii. If informal factors are not addressed they can influence women's agency negatively.
iii. The opportunity provided by the devolution process in Kenya is not being utilized maximally to advance women's agency.

1.6 Justification and significance of the study

Devolution in Kenya is just beginning to take shape; this research was thus timely, as it sought to generate recommendations for reflection as devolution reforms evolve. Devolution and more broadly decentralization, has been widely promoted as a strategy for good governance, development and poverty reduction. Scholars have noted the gaps in the scholarship on the nexus between the two discourses – women and devolution (Beall, 2007; Cos-Montiel, 2006).

Devolution reforms in most countries offer a good opportunity for integrating the principles of inclusion, participation and democracy, thus advancing women's agency in the reform processes. The stakes in local political negotiations are often very high, and in the absence of female representation, women's interests are likely to be completely left out. Due to traditional patriarchal and misogynist attitude, male dominance feels threatened by increased women's agency, and this is evident in the male counter arguments that support continued male dominance in political and economic agency, which often leaves out women's interests. The problem of sharing real power and responsibility remains trapped in the nexus of old and new norms, in a 'deep anxiety' about the loss of tradition and dissolution of moral order', (Kent and Chandler, 2008:128). Therefore while policies, like the ones reflected in Kenya's constitution, may commence the wind of change, the resistance remains a reality to be faced, and hence the need for an in-depth study into the possibilities of increased women's agency as devolution unfolds in Kenya.

> The (devolved) government is in a unique position to contribute to the global struggle for gender equality and can have a great impact on the status of women and the status of gender equality around the world, in its capacity as the level of governance closest to the citizens… with decentralization, the local level of government is taking on increasing importance as a service provider and point of access to the political system and is thus a key arena in the struggle for women's political empowerment', (Byrne and Schnyder, 2005:6).

The timeliness of this research is of significance. There are inadequate empirical studies on women and devolution in Kenya and thus the findings will contribute to knowledge on this topic. As Maclean asserts, women's concerns should be mainstreamed into the design and implementation of devolution reforms, (Maclean, 2003). It is notable that there is limited scholarship on the women's-specific dimensions of devolution, and hence the need for an academic contribution to this gap by focusing on the role of women as change agents in Kenya's devolution process. The study assessed women's agency in Kenya's devolution process, in order to generate recommendations for improving its chances of yielding positive results for women. More importantly, increasing women's agency is important for Kenya's devolution process not just for maximizing the outcome of devolution in Kajiado, or to merely increase women's participation in local development, but also because as Sen (1999:191) puts it, '…the agency of women … has been shown to affect positively the well-being of those around them'. Thus if women can exercise their agency role as civic, economic or social actors, the result would have multiple impacts across the population, not just on women.

1.7 Scope and Limitations

This research could have benefited from ethnographic approach, where lived experiences of women's agency could have been captured in-depth. This was however not possible due to the researcher's constraints in resources, particularly finances. Shortage of secondary data on the gendered dimensions of devolution in Kenya was another limitation for this study, likely due to the fact that the devolution programme is still in its nascent stages. To surmount these limitations, the study sought to explore the concept of women's agency in the context of Kajiado County, and to identify opportunities for further research, in order to build knowledge in this research area.

The study adopted a case study approach to enable in-depth analysis, in order to build on existing knowledge on decentralization and women's studies and to draw the attention of the leadership in Kajiado County to the role of women's agency, as the County continues to develop. This was

also to counter any limitations that may arise due to the single county focus. While the findings from the study may not necessarily be generalized to other counties, they point to areas for further reflection in other counties and also open up opportunities for further research.

The concept of 'informality' is a central concern in devolution reforms, yet being subjective in nature; it calls for use of qualitative methods, as it may not be assessed through statistical measurements. The approach proposed to surmount this challenge was use of focus group discussions and face-to-face or key informant interviews for an in-depth inquest into the informal norms and rules that permeate formal processes and impact on women's agency. Observations during County Assembly meetings were also beneficial in enabling the researcher to experience how informal dynamics in the discussions between female and male Members of the County Assembly (MCAs) play out during a formal County Assembly session. It was also beneficial to observe interactions during County Budget Hearings and Ward planning meetings, by parties such as MCAs versus the County Executive led by the Governor, non-governmental civic groups versus the MCAs and the Governor and between men and women at community level, where informal dynamics exhibit explicitly.

Summary

This chapter advances the view that women's agency should be at the core of devolution reforms in Kenya. Kajiado is an ideal County through which women's agency can be assessed as devolution continues to take shape. The study is timely because with devolution still in the early stages of implementation, there is need to provide recommendations for early reflection on women's agency in the context of devolution reforms. Chapter 2 provides a contextual background of women's agency and the devolution process and also reviews literature and empirical studies on women's agency and devolution. Chapter 2 also outlines the theoretical framework of the study, its contextual relevance and its suitability for the study.

CHAPTER TWO:

LITERATURE REVIEW

2.1 Introduction

This chapter reviews literature on devolution and women by scoping the global context as well as in Kenya. Given the inadequacy of literature that specifically links devolution and women in Kenya, reflections on studies from other African countries, with similarities in social and political context to Kenya, have been made. The chapter begins with a reflection on core research issues including the concept of women's agency and its contextual interpretation in the Kenyan state, devolution and its benefits in public management; and challenges faced by communities in Kajiado County such as the diverse interests in economic, political and social spheres arising out of cultural, ethnic, gender and political differences. The chapter also reviews a selection of empirical studies on women's agency in the context of devolution and also literature on how informal factors impact women's agency in devolution processes.

2. 2 Research issues

2.2.1 The concept of 'women's agency'

The term 'empowerment' is intrinsically intertwined with 'agency'. It is not easy therefore to reflect on 'agency' without mentioning 'empowerment'. Kabeer (2003) distinguishes between 'passive' forms of agency from 'active' agency, in that in the latter, actors have more choices open to them and thus exercise purposive behavior unlike in the passive form (Kabeer, 2003:15). She also draws a distinction between 'effectiveness of agency' and 'transformative agency'. The former refers to women's efficiency in carrying out their roles and responsibilities, while in 'transformative agency'; women have the ability to act on the restrictive aspects of their roles and responsibilities in order to challenge them (Kabeer, 2003:16). Similarly, Sen's (1999) perception of women's agency is a situation where women …'are no longer passive recipients of welfare…' but are '…active agents of change; the dynamic promoters of social transformations that can alter the lives of both women and men' (Sen, 1999:191). The focus of this research is transformative agency, where women have greater ability to 'question, analyse and act on the structures of patriarchy that constrain them' (ibid). Different aspects of female agency under the economic, political and social spheres of their lives have been reviewed with the understanding that a change in one sphere is likely to impact positively on another. Similarly, an inequality in one sphere can negatively impact another sphere.

Transformative forms of agency do not merely address immediate inequalities but more strategically also initiate a longer-term process of change in the institutions that sustain patriarchy. Kabeer (2003) profiles the importance of changes in consciousness and agency of women, as important starting points in ensuring transformation in the institutions. Institutional transformation requires both individual and collective agency, as well as private negotiations, in informal spaces, and public action, in the formal and more legitimate arenas of struggle (Kabeer, 2003:16). She points out education as important in bringing out cognitive ability, which is essential for women's capacity to question, reflect and act on conditions in their lives (Kabeer, 2003:17). According to Sen (1999), women's education strengthens women's agency and tends to make it more informed and skilled. Level of a woman's education is therefore an important proxy indicator of agency.

The concept of agency was first introduced into development theory by Amartya Sen (1999). Human agency is a concept where people if given the opportunity, are able to actively shape their livelihoods or the outcome of their lives and not necessarily rely on what other people can do for them (ibid). Sen defines agency as '…seeing people as agents rather than patients', (Sen, 1999:137). He defines empowerment as … 'expansion of assets and capabilities of poor people to participate in, negotiate with, influence, control, and hold accountable, institutions that affect their lives', (World Bank, 2002: 11). The concept of empowerment aids in understanding that of 'agency'. Empowerment increases opportunities for people to take action and therefore it increases agency.

This study agrees with Sen's view that the predominant development perspectives aim at economic expansion only, and in so doing, view communities as 'human capital', rather than focusing instead on 'human capability' (Sen, 1999:293). Polak (2008) agrees with this view and further argues that people should have the power to change their situation. According to Polak, greater income generation is a critical factor in getting people out of poverty through improvements in human conditions such as better health care, education and nutrition, and ultimately increases empowerment and agency (Polak, 2008). Sen further asserts that while economic prosperity can increase peoples 'desired options' other factors such as education, quality healthcare and political voice are also critical in shaping their wellbeing, and this can only happen in a society that enables people to become active agents in improving their own lives (Sen, 1999). He further identifies four factors that contribute to increasing women's voice

and agency: ‘a woman’s earning power, economic role outside the family, literacy, education … (and) property rights’, (Sen, 1999:191).

Within feminist discourse, the idea of agency has become a prerequisite around which other concepts are defined, including patriarchy (Gardiner, 1995:9). The women’s liberation movement conceptualized agency as the capacity to cause change at three levels; individual consciousness, personal lives and at society level (Messer-Davidow, 1995: 28). Consciousness change enabled conceptualization of women as a group, discontent with women’s circumstances, and the belief that gender disparities are illegitimate. In short, it produced new affects and values and cognitions about the status quo.

Feminists believe that feminism is a movement for social change that will improve the lives of women particularly those oppressed or marginalized (Gardiner, 1995: 8). In some instances however, female agency is accorded a negative label in patriarchal discourses. In the case of Kajiado, women who stand out and speak out against marginalization or oppression in cases of gender based or sexual violence and rape, or even disinheritance of women, are declared ‘undisciplined’, or ‘uncontrollable women who cannot get husbands’ (Source: data from Dalalekutuk Ward), a label that women would not like to be associated with.

Gardiner (1995) highlights the contradiction in such cases where agency and passivity are assigned differential moral values according to gender … ‘male activity was good and passivity bad, female passivity was good and activity bad, and deviations from this model were “perverse”, (Gardiner, 1995: 3). This ideology has been identified in feminist analyses as harmful to women as it informed how majority of women were socialized through childhood to accept a situation of helplessness (ibid). Similarly, in attempts to advance this patriarchal ideology, women who undercut other women’s agency or upheld male power hierarchies were lauded. This is clearly seen among the female MCAs in Kajiado County, who mostly fight amongst themselves along ethnic affiliations, rather than combine forces to address the serious challenges that women in the community face, by utilizing their vantage point in the County Assembly.

In Kenya, one major result of the British colonial regime was a strong central state, which was characterized by high levels of social, economic and political disparities and inequality. Since Kenya’s independence in 1963, the then independence constitution initially designed to

safeguard the interests of the white settlers remained after independence, and underwent a series of amendments aimed at further centralizing power. The result of this was monopolization of power, captured by a small group of elite, who also manipulated the state to accumulate private wealth at the expense of national development (Stamp, 1995). Subsequent marginalization of communities and related frustrations led to the emergence of high stakes in political processes, culminating in the post-election crisis experienced in 2007-2008. The report from the Task Force on Devolved Government (TFDG) attributes the causes of this crisis to incremental weakening of state institutions of governance including the constitution, the judiciary, the police, the executive and electoral systems, and parliament, (TFDG, 2011).

2.2.2 Women's agency in the Kenyan state

Origins of Kenya's feminist agitation and agency

The twin effects of colonialism and capitalism in Kenya seemed to transform women in the Kenyan society in significant ways; in the pre-colonial state, women had autonomy and some level of power when they had access to communally owned land which gave them economic autonomy and social power from control of subsistence production. In the post-colonial state, this land was subdivided into small plots under male title and most of it used for cash crops for the export markets, and thus women 'lost their control', (Stamp, 1995:75). In protest and to cope with this new situation, women preferred to channel their income or earnings through women's groups, mostly from casual labour or from sale of milk, chicken or vegetables. Here they build capital and their husbands could not easily appropriate their labour. This was an attempt by the women to reclaim their lost subsistence production, (Stamp; 1995:76).

Stamp (1995:78), argues that women's collective actions and self-representation (agency) should not merely be seen as a response to exploitation and new changes caused by colonial discourses, but also as a 'powerful political agency woven into the colonial and neocolonial state, which perpetuated the patriarchal hegemony. This patriarchal hegemony left women dwelling in rural areas, far less educated, as manual farm laborers whereas the men became educated and were employed and dwelt in urban areas. Kamau (2010) attributes this political marginalization to the ascription of women to 'private realms … a realm of reproduction in the biological and social sense, an apolitical realm (where) child-bearing and rearing occurred … a place where men, who worked in the public realm, returned to replenish their energies and prepare for work the following day' (Kamau, 2010:11). House-Midamba (1990) asserts that during the colonial rule,

women's status deteriorated even further from an already culturally subordinate position, as a result of the colonial conquest.

Existing literature paints the colonial era as one that greatly suppressed women. This ranges from colonial emphasis of male control over land and land rights (Elkins, 2005; Kamau, 2010; Onsongo, 2005), formal education was mainly available to men, leaving out women, who subsequently could not transact at the same level as men in modern economic transactions or secure formal employment as easily as the men (Kamau, 2010; Onsongo, 2005; Odinga, 1967). Being in the private realm, women's work, largely domestic, did not qualify as work within the colonial definitions and thus the labour migrating to urban areas was mainly male (Kamau, 2010), a factor that left rural families largely female-headed. Women were thus discouraged from migrating to urban areas not just by the colonial policies that limited women's freedom, but also cultural prescriptions of women's roles of food production, nurture and reproduction in the domestic sphere. Formal education was not perceived to be positive for girls, and was seen as harmful since such girls would no longer turn out to be good wives, and even where women accessed education, it was designed to improve their roles as nurturers such as nurses (Kamau, 2010; Maathai, 2006).

On the issue of culture and tradition, Maasai women's agency is jeered upon by male leaders particularly when they stand out to speak against oppression of women and girls. Stamp (1995:80), posits that 'culture remains a potent tool still used in the present times to serve the interests of male hegemonic supremacy in politics. Culture cannot be separated from economic and political interests. Stamp (1995:69-92), traces the origins of Kenyan feminist discourse during pre-colonial times, through colonization era to the neo-colonial experiences up to date. In pre-colonial times, women were in control of the agricultural subsistence systems and food production, which gave them power and enabled them to accumulate wealth for their families. This changed during colonial periods when land was forcefully taken from Kenyan families and this saw the women get actively involved in *mau mau* protest activities to reclaim their lost land resource.

The emergence of women's political agency

The *neo*colonial period saw women's collective self-help activities begin to take a new shape with increasing economic perspectives and the advent of the money economy. At the same time, the few women who were by now educated began lone activities in speaking out against

oppressive governance of the Kenyatta and Moi eras, including negative cultural domination. Examples of the pre-independence women political agents of change include Mekatilili *wa* Menza, Wangu *wa* Makeri, Mang'ana Ogonje *Nyar* Ugu, Field Marshall Muthoni, Priscilla Ingasiani Abwao, among others (Kamau, 2010). These women fought either hand in hand with the mau mau against colonial rule, or mobilized action to bring forth change. Others in post-independence Kenya include, Wangari Maathai, Wambui Otieno, Grace Ogot, Julia Ojiambo, who championed different aspects of women's development ranging from environmental conservation, political representation, to community development (ibid).

In the clamour for a new constitutional dispensation another brand of feminist political agency emerged from 1992, which marks the advent of multi-party politics there was increased visibility of women in political and public spaces speaking out against political oppression, gender and sexual violence and for increased representation of women in public spaces. Kabira and Kimani (2012) note that prior to 1992, Kenyan women were not really in the echelons of public leadership. They attribute this situation to; social economic factors, culture and traditional norms, and lack of resources among aspiring female candidates (Kabira and Kimani, 2012:843). Over a period of 20 years between 1992 and 2013, the women's movement in Kenya gradually got mobilized around concerns for an institutional framework for integrating gender concerns in all aspects of development including national politics, national budgeting and planning, women's representation in the legislature and other institutions of governance. Some major outputs of this agency include the establishment of the Gender Commission, the enactment of the *Sexual Offences Act of 2006*, the inauguration of the *Constitution of Kenya 2010*, and the realization of devolution reforms, as enshrined in this *Constitution* (Kabira and Kimani, 2012; Nzomo, 2011; Kamau, 2010). These positive gender developments at national level have received a major boost from the dynamic women's movement in Kenya. The work and the cumulative struggle of the women's movement is summarized by Kabira and Kimani (2012) thus:

> A powerful Women's Movement was born that was to mobilize the women as individuals and organizations in the struggle for a new constitutional dispensation, to bring the critical mass for women in leadership among other gains. Women in government, the 3% in parliament, women's organizations, women in the professions and individual women leaders were on the path towards appropriating power. They came together and decided to consolidate their strength, educate themselves and therefore negotiate for institutional, constitutional and policy change. They decided that Affirmative Action was a right, not a favour … they rejected the role of merely saying prayers, making tea and dancing for politicians during meetings …' (Kabira and Kimani, 2012: 844).

Slow ascendancy to power and leadership by women has been attributed to cultural patriarchal values, gender blind legal and policy frameworks and low levels of civic and gender awareness (Nzomo, 2011: 16). After 1991, feminist activism in Kenya remarkably increased leading to some notable successes in civic, gender and human rights awareness, albeit without significant increase in women's numerical strength in parliament (Nzomo, 2011; Kamau, 2010; Kabira, 2012). Strong women's organizations in Kenya were also seen to emerge around this time frame, led by Kenyan feminists, who championed the cause for Affirmative Action as a strategy to improve women's numerical numbers in parliament (Kamau, 2010; Kabira and Gituto, 1998).

In 1996, working closely with female MPs the first Affirmative Action discussion was held in parliament triggered by a debate on the Beijing Platform for Action in which its principles are enshrined. Later in 2000, the Bill was presented but shelved by the male majority in parliament. During the 2005 constitutional referendum, the Affirmative Action principles were presented again for debate but with the referendum not gaining sufficient majority, it failed again. Not giving up, the women's organizations presented the Bill yet again in 2007, only for it to be rejected again with the male majority citing lack of consultations on it. Finally in the August 2010 referendum, the long struggle by Kenyan feminists, women's organizations and other political agents bore fruit when the Constitution passed with a clear majority and with it the Affirmative Action principles (Nzomo, 2011; Kamau, 2010; Kabira and Gituto, 1998).

For the case of Kajiado County Assembly, despite achieving the 30% critical mass of the women's representation, the question still begs for answers as articulated by Nzomo (2011); 'would this critical mass help de-masculinize the deeply embedded institutional male political culture, and replace it with a more democratic culture? Indeed what guarantee do we have that these female MPs – or MCAs in the case of Counties[6] – would have the commitment or interest to advance a gender agenda in parliament?' (Nzomo, 2011:19).

Despite this, and as many scholars have argued, women leaders bring a different perspective to political leadership and make significant contributions towards changing the status quo (Kamau, 2010; Nzomo, 2011; Kabira, 2012). Absence of women on the other hand denies a women's perspective to debates on policy formulation and legislation. Some notable examples in Kenya

[6] Researcher's addition

where women have made direct contributions include; the clamour for Affirmative Action, struggles against negative cultural practices such as female circumcision and early marriages, strive for public budgetary allocation and removal of tax on sanitary towels for needy girls and legislation against sexual and gender based violence, have all been led by women from either inside or outside parliament.

Socio-cultural norms, power relations and gender stereotypes determine women's presence and agency in governance. Having women present in governance structures though an important first step, may not in itself guarantee active agency (Misafi, 2014: 94), a case clearly demonstrated in Kajiado County Assembly, where despite comprising a third of the members, the female MCAs play a minimal role in addressing women's concerns. This may also be explained in that the female MCAs themselves are not homogenous given that they represent different cultural identities, and hence their socialization processes are different. Though living in the same environment, and being part of the same institution, the Kajiado County Assembly, their experiences of agency and social concerns are different, and thus any external support to boost their political agency should be cognizant of the unique dichotomies and circumstances.

This traces the advent of feminist activism and agency in Kenya. Stamp concludes that Kenyan women were not merely passive objects of patriarchal and exploitative politics and economic development, but have been 'dynamic inventors of their own agency', in the African state. Their agency has kept evolving and adapting in tandem with the dictates of the emerging Kenyan state.

2.2.3 Devolution

Devolution is one among several models of decentralization. The most common models are; deconcentration and delegation, where the central government grants authority to its own officials, located in regions or districts, and thus still retains power and control over the decentralized roles (Crook, 2003; Smoke, 2003). Delegation often occurs for sector investments operating public utilities and services for example energy, communication, water supply, transport and communication, (ibid). In both deconcentration and delegation, the central government retains control. The model that is eventually adopted in a specific country reform context is determined by the objectives and principles in the legal framework set to guide the decentralization process in a particular country context.

In devolution, the focus of this study, local government authorities are granted authority, usually expressed in a legal framework, to make decisions, deliver services and generate own resources (fiscal autonomy). In this type of decentralization, central control is limited to largely ensuring that decentralized authority is exercised within the broad national guidelines, and is often referred to as the only true form of decentralization. Other types of decentralization include privatization and divestment, where government agencies may divest and transfer responsibility for project implementation to the private sector or non-profit agencies. Analysts observe that in practice, there is no clear-cut distinction between the different forms of decentralization, as elements of the different models will often take place simultaneously. However in most instances, one form may be dominant. In the case of Kenya, devolution is the dominant model and so it forms the focus of this study.

2.2.4 Devolution laws and policies

Devolution institutions include political agency platforms such as parties, the County Assembly, the *Constitution*, which sets out the framework and defines the laws governing devolution, county by-laws, citizen forums, registered organizations and markets.

Overview of the Constitution (2010) and subsidiary legislation that anchor devolution in Kenya

Chapter Eleven of the National Constitution (2010)

Article 174 in Chapter eleven of the *Constitution* outlines the objectives of devolution, which are restated below:

a) to promote democratic and accountable exercise of power;
b) to foster national unity by recognizing diversity;
c) to give powers of self-governance to the people and enhance the participation of the people in the exercise of the powers of the State and in making decisions affecting them;
d) to recognize the right of communities to manage their own affairs and to further their development;
e) to protect and promote rights of minorities and marginalized communities
f) to promote social and economic development and provision of proximate, easily accessible services throughout Kenya
g) to ensure equitable sharing of national and local resources throughout Kenya

h) to facilitate the decentralization of State organs, their functions and services, from the capital of Kenya; and
i) to enhance checks and balances and the separation of powers

The Chapter further elaborates the principles that guide the devolution reforms, including democratic ideals, and gender equity in representation and decision making. The Chapter also outlines the structure that devolution is expected to adopt in each county including the constitution of county assemblies and the executive committees, under the leadership of the governor. Modalities for election of the governor and the deputy governor, including mechanisms for removal are also explained. Other sections in the chapter explain the functions of the executive committees, the legislative authority of the county assemblies, respective roles of national and county governments, and modalities for cooperation between the two levels of government, and processes to be followed during transfer of powers from one level to the other, among others. Subsidiary laws were enacted in support for the guidelines in Chapter eleven geared towards ensuring a comprehensive policy and legal framework for devolution. These laws are further explained below in summary:

Transition to Devolved Government Act, 2012

This is an Act of Parliament intended to provide a framework for the transition to devolved government according to section 15 of the Sixth Schedule of the *Constitution* (2010). The Act elaborates the process and mechanisms of reviewing and reassigning functions, powers and competencies between the national and county governments in line with the *Constitution*. It provides a legal and institutional framework for a coordinated and structured transition to county governments while still delivering services to citizens. It also aims at providing for the transfer of power and functions to both the national and county governments. It provides the framework through which the Commission for Implementation of the Constitution (CIC) performs its monitoring and oversight mandate to ensure that the devolution process is effective. Other provisions include the support mechanism for audit of resources including human, financial and assets, as well as capacity building and training of national and county government personnel.

Intergovernmental Relations Act, 2012

This is an Act of Parliament intended to establish a framework for consultation and cooperation between the national and county governments and between county governments. It also provides

for resolution of intergovernmental disputes where they arise. The Act also gives effect to Articles 187 and 200 of the *Constitution* in respect to the transfer of functions and authority and legislative power from the national to county governments (Article 3). An important structure established under this Act is the *National County Government Coordinating Summit*, which is the apex body for intergovernmental relations, chaired by the President or his Deputy and comprising of all 47 Governors of the Republic of Kenya. The Summit is expected to meet at least twice a year and it reports on its operations to The National Assembly and the Senate (Article 7).

The Act provides for the establishment of the County of County Governors, comprised of all 47 Governors. This Council of County Governors provides a forum for consultation amongst the County governments during processes of dispute resolution, and also facilitates capacity building activities for counties. It is a forum through which general monitoring and oversight of joint activities or projects between counties is done (Article 19 and 20).

Urban Areas and Cities Act, 2011

This Act gives effect to Article 184 of the Constitution and provides for the classification, governance and management of urban areas and cities. It also provides the criteria for establishment of cities as well as the modalities of governance and citizen participation in these areas (Article 3).

The County Government Act, 2012

This Act gives effect to Chapter Eleven of the *Constitution*, and provides powers for the county governments as well as functions and responsibilities. Among other things, the Act provides for public participation in the devolved governments, ensuring that community and cultural diversity of a County is reflected in the County Assembly. It provides for the modalities to be followed prior to the publication of county legislation as well as appointment into county government executive roles (Article 3). It is interesting to note that this Act is silent on gender relations either within the County Assembly or within the implementation of County activities.

Article 104 provides for the planning and budgeting process for the county governments and recommends the participation of non-state actors. Article 105 provides for the integrated planning that draws linkages with the national planning framework. The Act leaves out gender

perspectives of planning and budgeting even in the citizen engagement process. The Act is largely silent on engagement of women in the Wards planning processes or in the budget preparation activities, although it calls for public participation at both County and Ward levels. This leaves the decision making to MCAs and Ward Administrators, in whose mandate budget approvals lie. Again the decision to distribute the budget according to priorities set during public consultations lie with the County Executive team, which is mandated with the implementation of County activities. It is therefore of paramount importance that the MCAs are conscious of women's needs and through active agency promote women's priority needs during prioritization of County projects.

Division of Revenue Act, 2014

This Act of Parliament provides for the equitable division of revenue raised nationally between the central and devolved governments. It thus gives effect to Article 203 of the *Constitution*. The Act specifically caters for the 2014/2015 fiscal year, and was preceded by a previous one covering the 2013/2014 fiscal year. Depending on revenues collected in any tax year, a similar Act is drafted each subsequent year to guide national budget planning for both the central and devolved levels of government, including budget ceilings. It also provides for transfer of allocations made to respective Counties under the Act from the Consolidated Fund to respective County Revenue Funds (Article 5, of the Division of Revenue Act of 2013/2014).

A formula is set every fiscal year to determine revenue sharing between the two levels of government. Article 5 also elaborates the conditional allocations of funds to regional referral hospitals and also aligns functions gazetted by the Transition Authority for transfer to county governments. The first Schedule describes the formula for the fiscal years.

In the 2013/2014 fiscal year, the formula set then for sharing Ksh. 190 billion was set as follows; i) Population size – 45%; ii) Basic equal share – 25%; iii) Poverty – 20%; iv) Land area – 8%; and, v) Fiscal responsibility – 2%

The Public Finance Management Amendment Act, 2012

This is an Act of Parliament that amends the Public Finance Management (PFM) Act to make special provisions for national government public funds established for the benefit of the youth, women and other vulnerable and marginalized groups. The earlier PFM Act did not recognize

this category of people. The Youth Enterprise Development Fund established by legal notice 167 of 2006, and the Women Enterprise Fund established by legal notice 147 of 2007, were both intended to provide loans to credible micro finance institutions (MFIs), NGOs and SACCOs for onward lending to youth and women enterprises. These loans however came with prohibitive and punitive interests to women and youth, making them nearly inaccessible to those who needed them the most, and for whom they were established in the first place. The PFM amendment Act of 2012 sought to specifically bar the levying of any interests on the money disbursed for the benefit of youth and women, beyond the chargeable service charge.

This Act is an enabler for women's entrepreneurship and indeed female youth can benefit from both the youth fund as well as the women's enterprise development fund, if well trained to manage their enterprises.

The County Government Public Finance Management Transition Act, No. 8, 2013

This Act of Parliament provides for a framework for the establishment of functions of Transition County Treasuries, the County budget process and revenue generation and expenditure mechanisms and related issues.

Other Acts of Parliament

Other Acts of Parliament include the County Industrial Development Bill, 2013, an Act that establishes the County Industrial Development Boards, whose mandate is to promote and facilitate economic growth through industrial development across all Counties.

2.2.5 Challenges faced by communities in Kajiado County

Gender based violence and female circumcision in Maasai culture

Female circumcision among the Maasai has been practiced for a long time and is an already entrenched cultural practice as a rite of passage. It is a practice that is according to Tarayia (2004:197), 'worshipped with pride' by the Maasai girls and women, and was believed to remedy the 'treacherous and promiscuous' mind of the girl-child. Most Maasai believe that an uncircumcised girl is incomplete and greatly fear the negative repercussions resulting from this incomplete status, which include social isolation. They believe that irrespective of the social status; level of education, wealth, social class or marital status, one remains merely an 'uncircumcised girl', *entito neme murata* (Tarayia, 2004:199). Parents do not allow their sons to

associate with such. Subsequently, in a typical and conservative Maasai setting, formal schooling is less important than the expectations of traditional life, and Maasai girls easily prefer the cultural ways to the new life provided by educational opportunities. As a result, there are high levels of dropouts particularly among girls as there is also parental bias for the male child to complete school.

It is notable however, that literacy levels matter as the advent of formal education has over time broadened the worldview of the few educated ones such that 'fewer parents who have had formal education take their daughters through circumcision, as compared to those who have not been through formal education' (Tarayia, 2004:198-199). Modern science has also confirmed that contrary to the cultural belief that supports female circumcision, that it helps control female sexuality, there is no scientific evidence that it alters the sexual urge of the girls as expected (Tarayia, 2004; UNFPA, 2014), and thus the intended effect is not achieved. The practice merely exposes the young girls to risks that include exposure to HIV/AIDS transmission, excessive bleeding and even death. On the issue of violence against women, it is noted that Maasai women find it hard to press charges against their spouses for violence meted on them fearing that society will condemn them or that they will have no livelihood once so condemned (Tarayia, 2004:200). This fear was corroborated by data collected during this study, and thus violence against women largely continues unabated except in instances where external agents such as NGOs or the few outstanding women's rights agents intervene.

Skewed property rights and women's disinheritance

With regards to inheritance and property rights, the girl child may have access to use of family property but has no hereditary rights. It is believed that the girl will get married off and move to another family, so she cannot 'own' property (field data; Tarayia, 2004: 201-206). The land issue is sensitive in Maasai culture; no individual could inherit land and own it as it was communal property, owned by clans. Only livestock could be inherited, with the father having the ultimate authority to apportion property amongst his children. While girls did not have rights to inheritance, the father could apportion to his daughter, married or not, anything if he wished and no one could go against this wish.

With new privatization laws, land laws no longer conformed to customary family practices and nowadays even among the Maasai, land can be sold and owned through freehold title deeds.

Women can also purchase land in own title. Current laws now accord all family members the right to inherit family land and property equally whether married or not (*Constitution of Kenya*, *2010*.) Data collected however confirms that even where women have bought livestock (cows, sheep or goats), the husband still claims ownership, once the stocks reach his compound and women can only use proceeds from these stocks but not lease or sell. In Tarayia's words, 'the Maasai woman has been destined by fate to a hard life from childhood. What went wrong or right is an important question that one exploring the withdrawn and torturous life of a Maasai girl-child may wish to have answered…' (Tarayia, 2004: 203). These words echo those of Agnes[7], from Kajiado Central who said during field interviews that 'the life of a Maasai woman is one of constant struggle' (FGD in Idalalekutuk, April 2014).

Maasai concerns over land tenure and historical injustices

According to customary Maasai laws, the landholder is the community itself, which holds title in trust for the members, and each member's right to the land are limited to utilization alongside others. Tarayia notes that 'the rules governing the right of tenure are sacred, crucial to the community's survival, and eliminate possible alienation of individuals', (Tarayia, 2004: 206). According to these rules, a community member cannot alienate or sell, lease or charge for use of land, as it is considered priceless, and is not accorded monetary value. Community members were thus collectively charged with defending their land against external encroachment. The onset of British colonial rule came as a great attack on these structures, rendering the Maasai community poor and greatly marginalized. Colonial repatriation of wealth strangled not just the Maasai but broadly all indigenous economies in Africa, most ruthlessly in Kenya (Elkins, 2005; Tarayia, 2004). This extortion is seen to continue even today with examples given of Magadi Soda, a natural resource currently owned by a British company, with the region around Lake Magadi belonging to private British interests under a ninety-nine-year lease with the government of Kenya (Tarayia, 2004).

Arhem (1985), notes that in pre-colonial times, the Maasai controlled a vast area of land in Kenya and Tanzania, stretching from Central Kenya highlands right into Central Tanzania. Today however, the community controls only a third of their former territory. Indeed the Nairobi National Park, the City of Nairobi, Kenya's capital and the so-called White Highlands, were all part of Maasai land. The circumstances surrounding the annihilation of land from the Maasai is

[7] Agnes' profile is presented in Chapter Six

beyond the scope of this study, however, the resulting effects from these injustices, which have been passed through the generations to date, play a significant role in the ethnic dynamics, voting patterns, decision making and ultimately the running of the Kajiado County Assembly and County Government (Arhem, 1985).

Ethnicity

Ethnicity has been defined as a 'group of persons who accept and define themselves by consciousness of a common descent or origin, shared historical memories and connections' (Chazan et al, 1988). It is also perceived to be a negative force with potential to destroy communities and undermine the rule of law (Davidson, 1992), especially where ethnic tensions are stoked for selfish political gain, as has happened many times in Kenya, in periods leading to general elections. Kabira (2012: 313) defines an ethnic group as a social group 'with a shared history, a sense of identity, geography and cultural roots'. Ethnicity is described as a 'jinx' in Kenya's political and economic development with … 'ethnic mistrust aggravated during and after independence having severe socio-cultural, economic and physical ramifications to the Kenyan society', (Oino and Kioli, 2014: 725).

Ethnic consciousness is one of the basis through which populations become segmented and fragmented. It takes place when a patron steers benefits towards people who 'share the same ancestral, historical, language and other customary characteristics' (Brinkerhoff and Goldsmith, 2002: 20). Subsequently, the electorates also cluster into ethnic units in order to maximize their choices of obtaining individualized benefits. Eventually, this leads to divisions, exclusions and sometimes violence or civil strife over competition for limited national resources, or leadership positions.

Ethnicity is not a new phenomenon in Kenya or the broader African context. Like most multicultural communities around the world, Kenya has had its share of ethnic competition. Since pre-colonial times, community interactions were marked with rivalries and cattle raids, as well as inter-community trade through exchange of goods and services (Noyoo, 2009). Feuds were common among ethnic groups. Upon independence, efforts were made to profile nationhood above ethnicity (Oino and Kioli, 2014). This was aimed at addressing fears that ethnic associations would turn into divisive ones if not controlled. Perceived unfair distribution of land and political positions upon independence is viewed to have elevated certain ethnic

communities economically and politically above others leading to current undercurrents of ethnic divisions (Oino and Kioli, 2014).

Some causes of deep ethnic rivalry include: social inequality across ethnic or religious spheres where wealth is unequally distributed, which then lead to group animosity (Oino and Kioli, 2014); conflict over scarce natural resources such as water and grazing and lands, mainly among pastoralist communities, as witnessed in the perpetual conflict between the Pokots and Turkana in Kenya, and; income differences and discriminatory policies that lead to skewed distribution of national resources and employment opportunities. Studies on ethnicity highlight devolution as a good opportunity to correct the injustices and inequalities occasioned by wrong decisions and policies of the past, including the negative impacts of ethnicity now that governance and resources are brought closer to the governed (Oino and Kioli, 2014; Kabira, 2012; Gitau, 2005; Noyoo, 2000; Chazan, 1988).

Osome (2011), notes that issues of ethnicity, gender and class are intertwined with politics. She further queries whether the feminist campaign agenda can surmount ethnic challenges, given the fact that 'the political discourse suffers deep ethnic consciousness', which directly informs political mobilization (Osome, 2011: 22). Kabira (2012) observes that ethnic rivalry was most intensely felt during the 2005 referendum and the 2007 general election in Kenya. Both events saw Kenyans exhibit 'ethnic chauvinism' and 'political power struggles' that caused deep divisions in the country (Kabira, 2012: 316). Ethnic rivalry and competition stems from ethnic stereotyping and are used to reinforce economic, political, and social ideologies of the communities. Kabira explains that 'our ideology influences our religious beliefs, politics, morality even our art, our songs, our culture, our tradition … ethnicity is almost our primary identity (Kabira, 2012: 335). This implies that women who share common concerns of marginalization and deprivation due to patriarchy, often identify first as members of particular ethnic groups and only secondly as women, which clouds the collective agency agenda needed to address their shared concerns.

2.3 Empirical Studies on Women's Agency

In principle, devolution involves the transfer of powers related to decision-making, revenue raising, responsibilities in service delivery, and resources, including financial, human and administrative, from the central government level to the local government level. The local government is closer to citizens and thus provides an opportunity for governance to be more

influenced by citizens. Local authorities that carry the mandate to promote local development should endeavor to increase the role of communities and other local level groups in poverty reduction and promotion of growth. Existing literature points towards little academic research framed under the heading, 'women and decentralization', or 'gender and decentralization', (Maclean, 2003:14). This existing literature also exhibits gaps in gender analysis, with the exception of a few studies such as Crook and Manor (1998).

Agency is an individual or group's ability to make effective choices and transform them into desired outcomes, the process where individuals are enabled to take advantage of economic, political and social opportunities to achieve desired outcomes (WB, 2012). According to the WDR (2012) outcomes or expressions of agency include: control over resources, which is measured by women's ability to earn and control income, own, utilize and dispose off material assets including land; ability to move freely, which is measured by women's freedom to decide their movements and ability to move outside their homes; power to make decisions over family formation, which is measured by ability to decide if, when and whom to marry, the number of children to have and how frequently, and when to leave a marriage; ability to voice issues and to influence policy, measured by participation and representation in formal politics and engagement in collective action and associations, and; freedom from risk of violence, measured by prevalence of domestic violence.

Studies that analyzed how economic growth, formal and informal institutions, and markets interact to enable or constrain women's agency made four interesting findings, as follows; Economic growth can improve material conditions for exercising agency, especially where women are earning their own incomes, which implies higher incomes that translate into higher spending on basic services. However, economic growth alone cannot eliminate gendered differences in agency; Expanding women's rights can foster some forms of agency and this calls for more than legislation but also enforcement mechanisms; Social norms, markets and institutions shape women's agency, as they determine opportunities available to women and their freedom to choose. Norms often constrain women's agency when they prevent laws and policies from creating equal benefits for men and women. Reforms in markets and institutions including devolution reforms can be used to reduce the hold of social norms on institutional spaces; Women's collective agency can transform society. Through women's participation in informal associations including *chamas*, they are able to build a stronger voice to influence their environment (Alkire, 2009; Kabeer, 1999; Sen, 1985).

These findings point to the fact that a review of women's agency in Kenya should be a concern since it has relevance to women's quality of life and it determines women's ability to build their human capital and access to economic resources (Field and Ambrus, 2008; Alkire, 2009; Kabeer, 1999). Secondly, women's exercise of agency improves the welfare of the children (MVP, 2008). Women's greater control of income increases spending on children. In Ghana increased ownership of property by women including land was associated with higher expenditure on food in rural households (Doss, 2006). It has also been noted that women's agency shapes their children's future behavior. Norms become entrenched in children's psyche as they grow up. Therefore women's ability to remain safe from violence and to exercise economic agency can limit trans-generational perpetuation of violence against women and counter negative norms (Begum and Sen, 2005).

Women's collective agency is transformative. Individual women may have limited voice but in groups they can exert more pressure. Women's collective voice can contribute to change in laws, policies, institutions and social norms, eventually increasing individual agency (Htun and Weldon, 2008). However progress in outcomes associated with women's agency has been limited with women controlling fewer assets, having less autonomous incomes, and less control over household decisions across many communities.

2.3.1 Manifestations of women's agency in devolution processes

Institutions include the legal and policy structures, economic systems, market structures, marriage, inheritance and education systems that govern the development processes of humanity (Strandberg, 2001). Strandberg (2001) identifies 'norms and institutions' alternatively referred to as 'rules of the game', as a critical determinant of women's agency. These are the organizational and social systems governing activities and relations between actors in their strategic interactions, and they influence how power is shared and resources distributed. These norms include gender defined roles, taboos, prohibitions, and expectations, including women's role in public spaces or society's view of women's ownership of land. Being relational concepts, 'agency' and 'empowerment' are cultural concepts and are related to the systems of norms, values and beliefs of a society (Alsop *et al*, 2006; Samman and Santos, 2009).

Devolution is an institutional reform whose orientation is determined by all these structures and systems. If spaces for women's engagement are not created, or reserved within these institutions,

then their agency is undermined. A study on decentralization in Indonesia revealed that related reforms led to the creation of opportunities for the emergence of various women's organizations and profiling of women's interests, (Siahaan, 2002). This is well seen in the election of Megawati as the first female President in the Country. However, this did not guarantee gender equity. Decentralization reforms were seen to merely address practical gender needs such as access to family planning, and not strategic needs, which address real transformation in already established social norms and ideologies. Despite policy formulation that promises changes in gendered structures and institutions, lack of political will within the political and bureaucratic elite at local levels continues to be a hindrance to real transformation.

Most of the feminist writing on politics has focused on the importance of engaging the state at national level, where gains in the area of constitutional provision supporting advancement of women have been made. It is noteworthy that it is the central government and parliament that commit a country to norms and principles of gender equity and not regional or devolved governments. But with the strive to 'roll-back the welfare state' (Ziliak, 2001), such victories are fragile, thus this study agrees with Beall's (2007) compelling argument for embedding the struggle for women's advancement in local politics while simultaneously coordinating with state policy at both central and local government levels. For this to be guaranteed, women should be represented politically, at both the central and local government levels through policy provision at the center, and active agency and participation at the local level.

A study on donor support to decentralization in developing countries by the Organization for Economic Cooperation and Development (OECD), (2004) while not specifically focused on decentralization and women, concluded that while most devolved governance reforms had indications of a gendered orientation in policy, most did not indicate any evidence of directly benefiting women as a result. Where there has been additional efforts to ensure women's participation in decentralized governance either through skills building, by either governmental or non-governmental agencies, such efforts have yielded positive results for women. Further, it is clear that while decentralization and particularly devolution may have the policy provisions that increase the numbers of women participating in devolved governance reforms, this in itself is not enough and confirms this study's view that there is need to promote active women's agency, for effective participation.

Devolution in the context of feminization of poverty

The phrase 'feminization of poverty' originated in the United States of America in the 1970s during debates on single mothers and household welfare, which were characteristic of poverty discussions at the time. Over time, the phrase has continued to be associated with increase in the proportion of female-headed households, as well as low female labour in urban economic activities in the 1980s in developing Countries. More specifically, it refers to three distinct characteristics of poverty: (i) the higher incidence of poverty among women, as compared to that of men; (ii) greater severity in the degree of poverty among women, compared to men; (iii) higher levels of women's poverty, as a result of an increase in female headed households.

The assumption that household income is equally shared often reduces the visibility of women's poverty even in male-headed households. Many well-intended poverty reduction programmes including devolution may not benefit women directly due to their lack of control over productive resources and output, or even time. Young girls are often drawn into the vicious cycle of female poverty when they are driven out of school to contribute to household income labour. Describing this increasing feminine face of poverty, UNDP estimated in 1995 that of 1.3 billion people living in poverty, 70% of these were women, (UNDP, 1995:4). A study by BRIDGE (2001) concluded that, 'women are generally more vulnerable to poverty and once poor, have fewer options in terms of escape. Gender discrimination in the household and the market can result in the unequal distribution of resources leading to women experiencing a greater severity of poverty than men', (BRIDGE, 2001:6).

The concept of feminization of poverty has helped illuminate multiple social and economic factors that contributed to women's poverty including differences in the pay package for equal work done. Women also shoulder the burden of child rearing and household work even where both parents are in fulltime employment, (WEJP, 2002:3). This calls for policy reflections that cater for gender-specific needs of women, and this fits in well within the mandate of decentralized government authorities. Such policies include reflection on the cost of childcare when mothers are working, cost of health care, and gender-cognizant taxation policies and women friendly budgets at both national and devolved government levels. This study is an academic reflection on the proactive role of women as agents of positive change and social improvements in a selection of these variables, where women's agency is central in advancing positive impacts for women.

With regard to conditions necessary for pro-poor devolution, the World Bank, one of the strongest proponents for devolution, highlights some conditions for greater impacts on poverty reduction objectives, (World Bank, 2001: 106-112). Some of these include moving projects closer to the beneficiaries to utilize local information networks; support for safeguards from the central governments including those seeking redistribution of national resources to all regions including marginal areas; need to boost local participation by raising the voices of the people through positive engagements (agency) with women and other organized citizen groups; reduce obstacles for collective action including capture of the devolution process by local elite. Vedeld assembles a list of five preconditions for making devolution more pro-poor in his examples from 'relatively good practice', which include central government commitment; civil society (including women)'s engagement; (effective) participation and accountability; donor support; and a public discourse (or agency) on poverty, (Vedeld, 2003: 185-87). These preconditions provide useful parameters for consideration in this study.

According to Kabeer (2003), women's access to paid work can increase their agency in strategic ways. Studies indicate positive implications of self-employment for women showing potential to shift the balance of power within the family. In households where women's economic contribution was critical to household survival, women had been able to negotiate greater respect (Kabeer, 2003). Other studies on women's access to credit found that where women had accessed credit, their perceptions of themselves and their role in household decision-making had changed positively (Kabeer, 2001). This had also been seen to lead to a long-term reduction in gender-based violence at domestic level and also increased women's assets (Kabeer, 2001; 2003). Kabeer also record a significant improvement of women's livelihoods and that of their families, arising directly from a 'large-scale entry of women into the global labour market', through what she refers to as 'feminization of the labour force', Kabeer, 2003:18). A study on female employees in the flower industry in Kenya indicated that single women managed and controlled their own wages while married ones managed their incomes jointly with their husbands (Kabeer, 2003:18). In the case of non-agricultural labour, changes in women's lives were more marked because of the implied migration out of rural to urban areas, and away from the patriarchal controls of cultural dictates. Such women had greater freedom in deciding how to utilize their income or if and when to join social networks.

In their empirical research on growth in Sub-Saharan Africa, Blackden and Bhanu (1999) demonstrate that one major factor limiting women's productivity is the time burden of household

activities. They propose that increasing their voice (*and for purposes of this study*, *agency*) in policy making would lead to greater investments in infrastructure that would ease women's time burden, and thus increase their productivity. There is also evidence that gender inequalities in access to productive resources significantly reduces agricultural productivity and growth, (Udry, 1996). Studies on the effect of government investments in education and health indicated that where gender equality was measured as the share of female students in primary and secondary schools, it 'positively and significantly', the literature indicates that gender inequalities in education and health reduce economic growth, and where the disparities were reduced, there was a positive effect on growth (Baldachi et al, 2004; Stoksy, 2006:30).

With regards to the issue of access to and control over economic, environmental and natural resources, Sen (1999) observes that where women have decisive ownership of these resources, there have been notable improvements in their livelihoods. Examples of these resources include trees and other forest products, land and water. There is evidence that ability to utilize and control these resources has brought transformations with major effects on the 'balance of economic and social power between women and men' (Sen 1999:201).

A reflection on women's time use indicates that their labour is concentrated on the unpaid domestic labour (Moser et al, 1999). Related studies examining the relationship between gender equity with informal and formal labour markets in the context of women's role in household production, concluded that where women were active in formal labour markets, they contributed more to household resources, than where they were only active in unpaid labour community and domestic labour, (Blackden and Bhanu, 1999). Focusing on the African context, Evers and Walters (2000) identify constraining factors for women seeking agency in the formal economic activities. These include; poor infrastructure including transportation that compound their time burden given women's triple roles; poorly defined property rights for women, lack of access to credit due to lack of collateral, and market policies that are not conducive for women to reap the benefits of economic growth, (Stotsky, 2006:39). Studies on women and gender have looked at the nexus between gender inequality and public policies, a direct output from public or rational choice[8], where gender is viewed as having an important influence on public policy formulation and implementation (Mueller, 1979; Stotsky, 2006). Devolution offers a prime foundation for implementation of public policy.

[8] Public choice has been defined as 'the application of rational choice model to non-market decision making, …the application of economics to political science', (Hill, 1999: 1)

Research on microcredit initiatives targeted to women seeking to expand their economic choices, demonstrate that improving access of women to credit in developing countries enables them to improve their standard of living, that women are on record as having a higher credit repayment history compared to men, and that lending to women has a greater effect on household welfare than lending to men, (Holt and Ribe, 1991; Khandker, Khalily, and Khan, 1995; Pitt and Khandker, 1998; Stotsky, 2006). Stotsky (2006) advances this theory further and asserts that 'increasing women's control (agency[9]) over resources may strengthen economic growth by redirecting consumption, savings and investments in more productive ways', (Stotsky, 2006: 14). Other studies have indicated that improving women's control of household resources may improve spending patterns that positively impact economic growth at local levels. There is evidence to support the reverse of this, where gender disparities lead to weaker economic growth, while economic growth may reduce gender disparities, (Blackden and Bhanu, 1999; Stotsky, 2006: 17).

A study that sought to examine the relationship between gender inequalities in education and growth pointed towards positive linkages between female education and Gross Domestic Product (GDP[10]), where 1% increase in female education increased the average GDP by 0.37%, (Hill and King, 1995; Knowles *et al* 2002). Stotsky (2006) analyses of literature on the institutions of governance, and studies that examined the differences in corruption levels between men and women concluded that women tend to be less corrupt, (Dollar *et al*, 2001; World Bank, 2001). Where women relatively lack voice in policy making, there is a likelihood of higher levels of corruption, leading to worsening of the governance institutions, which in turn discouraged investment and led to weaker economic growth, (Stotsky, 2006: 30).

Usher and Morais (2010) in their analyses of women's human agency in Guatemalan tourism development, concluded that women's agency and involvement can have a powerful effect on communities irrespective of the development intervention in place. In Bangladesh where women accessed credit, this access had significant effect on girls' and boys' schooling, women's non-land labour supply; it increased women's non-land assets (Pitt and Khandker, 1998). Blumberg (2001) compared data from Ecuador and the Dominican Republic, Swaziland and Guinea Bissau,

[9] Researcher's addition and emphasis
[10] GDP refers to the monetary value of all finished goods and services, produced within a country's borders, calculated on an annual basis. It is used to gauge a country's economic well-being or citizen's standards of living.

and concluded that women who had more income were more concerned with their children's welfare, health, education and food than men (Blumberg, 2001).

Kamau's (2010) study on women and political leadership in Kenya concludes that a lot of the good work done by women hardly reaches the public domain, mainly because they lack visibility, and yet women's agency is important as it tends to focus on the needs of the vulnerable. Kamau notes that the women in her study, contrary to popular perception, focus not merely on 'soft issues' but on 'all aspects of development' (2010: 77). She cautions about the process of 'masculinization of women', where women as they continue to remain a minority in the limited political spaces availed to them, they begin 'to do things in the traditional, masculine and patriarchal ways' (Kamau, 2010: 77), finding it difficult to challenge malestream thinking and preferring instead, to join the men.

Strategic interactions

In many instances, women have exhibited agency in varied economic, political and social contexts as demonstrated in their role as farmers, caregivers, entrepreneurs, community health workers, social organizers of groups such as savings and credit groups, and many others. In so doing, they ensure food security, guarantee nutritional diversity for their families, protect the natural environment, generate livelihoods and savings, preserve traditional knowledge and values and ultimately contribute to wealth creation at household and community levels. Women's agency and visibility through their leadership and organizational capacity, is further mobilized through self-help groups, farmers' organizations and other community-based organizations. Devolution reforms should provide a platform through which this agency is further enhanced. This is optimized when women freely occupy institutional spaces at local level, acquire new skills, confidence and to ultimately voice their collective needs, build alliances with others including men and gain political respect.

While women have to access and demonstrate leadership in politics; entrepreneurship, corporate governance, in their households, churches, women's groups and public institutions; the process of socialization and negative stereotyping of women as compared to men, continues to deny them access to echelons of power, where their agency role can be optimized, (BPFA[11], 1995:74). Even where women have achieved high levels of literacy, their ascendancy to positions of power and decision-making remains a struggle, compared to the experience of men with similar

[11] Beijing Platform for Action (BPFA)

qualifications. A longitudinal study investigating the effect of economic growth on the status of women and gender equality, assessed whether political empowerment of women (*power relations*) and the *informal* norms of patriarchal institutions would affect this relationship over time (Forsythe *et al*, 2000). The study concluded that economic development is linked to an improvement in the relative status of women. Advocating for more studies on institutional frameworks that take account of the influence of 'traditions, customs, and explicit and implicit laws (*the informal*) on the role of women, Morrison and Jutting (2005) underscore the importance of ensuring policy actions are designed to improve the position of women.

Power relations

The issue of women in political representation is important because of the impact it bears on women's individual or collective agency. It is fair to assume that being half the population, women should take half the seats available. However this is not the case, with statistics painting a glim picture with only a global average of 13.8% of female representation in parliament in 2000 (Goetz, 2008). Budlender *et al* (2002) list several contributing factors to this scenario: patriarchal nature of political party institutional structures and rules about candidate selection; electoral systems that practice proportional representation for example, are more likely to create positions for women compared to majoritarian systems; presence of women in parliament has been positively associated with gender responsive policies. Budlender (2002) confirms this by giving the example of the Women's Budget Initiative (WBI) in the South African Parliament. Goetz (2002) however cautions that nominated or elected women do not always connect with the needs of their electorate or rural women, or respond to their priorities. This is in instances where sometimes women are used as proxies for their husbands or powerful party patrons.

Devolved governance is a neutral arena where women and men can benefit equally from the proceeds from devolution. The belief that localization will automatically bring governance closer to women, the poor and other marginalized groups, and that devolved governments will be responsive to their needs, should be questioned. In addition, merely having more women in local governance, does not in itself challenge the traditional gender inequalities and power relations, and hence the need for promotion of active women's agency. Feminist political theory advocates for prioritization of agency, leadership and voice for women, as critical in addressing existing inequality and skewed access to benefits from local governance, (Evertzen, 2001; Phillips, 1999; Young, 2000; Kabeer, 2005). This study argues that in addition to 'achieving the numbers', and

the constitutional requirements for at least 30% representation of either gender, in all constitutional and public offices and committees, (TFDG, 2011; *Constitution of Kenya, 2010*), there is need for a further step where women's active agency is promoted.

A study on decentralization and women in Uganda noted that, '… decentralization policy brings governance closer to women and men allowing them to become active agents for their improved quality of life either directly or through representation, (Lakwo, 2009: 27). The study also realized that while women may have been present physically in local governance processes, their participation in the policy-making processes was ineffective due to 'strategic institutional exclusion', (Lakwo, 2009: 49) where devolved government authorities continue to ignore women's lack of participation in local politics. The Uganda case study realized that elected women leaders lacked capacity to understand their strategic role and accountability to women's interests and the cause for gender equality, due to lack of induction into their new roles. The women leaders also lacked skills needed to engender the devolved governance, and hence despite their numbers, they only reinforced the status quo of male hegemonic leadership in local governance structures, rather than improve the overall situation. The study further assessed the effects of civic engagement in decentralized governance where the core aim was to improve the effectiveness of women's participation and concluded as follows;

> By '(re)positioning citizens' as actors, capability building allows for the 'creation, opening and reshaping' of policy arena (Cornwall, 2002a) where women who were simply beneficiaries of lower local government (LLG) services offered to them as and how LLG experts deemed wise, became shapers and markers of the key services they need, (Lakwo, 2009: 109).

A similar gendered analysis of devolution reforms in Cambodia concluded that there has been significant progress made during ten years of implementation of decentralization. It had opened up spaces for women to access higher echelons in political ranks and greater presence in terms of numbers. This is largely because of the government's integration of gender responsive principles in reform policies, (Sedara *et al*, 2012). However, though accessing greater space, women are still clustered in gender stereotyped positions and relegated to only deal with women's affairs and not positions where they can significantly influence, transform or challenge trends in economic, political or social development. For example, the unwritten rule is that decentralized governments' treasury or security dockets are reserved for male leadership. Further, where their performance is evaluated, this is done using stereotypical gender lenses with the presumption

that women are weak in dealing with security issues or in leadership, largely informed by traditional and social norms. Thus despite political reforms that paved way for women in politics, the shift in social norms remains a daunting task and an obstacle to real gender equality in Cambodia, (Sedara *et al*, 2012).

2.3.2 The influence of informal factors on women's agency

Agency is viewed to become effective where an opportunity presents and it becomes an enabler. Such an opportunity could be institutional, social or political, as defined by norms and rules in which actors (or agents) pursue their interests, (Narayan, 2002, 2005). The agency role of women implies that in the process of empowerment, women become significant actors in the change process, (Ibrahim and Alkire, 2007). Social norms can prevent laws, policies and higher incomes from removing constraints to agency, and are thus often a hindrance to women's progress. These include gender stereotypes, negative cultural practices including early marriages and female circumcision and routine violence against women. They can determine whether women's higher incomes can translate into greater power within households or in their communities (Iversen and Rao, 2011).

In societies that allow early marriages, higher incomes for women may not translate to greater power since where younger women are married off to older men; they find themselves disempowered in such relationships. Market incentives, access to information and networks can shift social norms; for instance provision of scholarships for girls directly leads to higher enrollment in secondary schools and higher levels of literacy for women, which translates to multiple benefits for women and their families (Millennium Promise, 2008). Such benefits as assessed on the Millennium Villages Project included, improved health for children due to better nutrition and hygiene maintained in these women's homes, greater incomes from small businesses or labour markets for women and hence greater spending on children, and the tendency for educated women to take their children to school (Buse *et al*, 2008).

Role models are good conveyors of information. According to World Bank (2012: 175) 'When women discover that other women – elected officials, successful entrepreneurs, public figures – do not submit to prevailing norms, they feel comfortable questioning those norms'. Thus, exposure to information can remove gender differences in performance (Good et al, 2003). The ability to challenge the status quo and increase individual agency is dependent on collective voice and action. Sometimes men become useful partners in building the collective voice and

have even been known in some instances to be a driving force behind women's agency (World Bank, 2012). For women to push reforms and have transformative agency, their voices need to be heard where it will have the greatest effect, such as in parliament, through legal institutions, formal associations and other policy and power negotiating platforms (Kamau, 2010; Nzomo, 2011; Kabira, 2012).

Sometimes women play a larger role in informal and practical groups like *chamas*, where they are organized around economic activities or welfare concerns (Kinyanjui, 2010). The World Bank (2012), notes that success of women's collective agency in these groups is largely attributed to the fact that informal groups are able to remove barriers that often prevent women from exerting their power in the formal arena. They allow women to gather in more flexible environments that offer a less threatening space and that are often more practical for them (Tripp, 2003, 2010; Dannecke, 2000; Baltiwala, 1994). This explains why in Kajiado County, economic agency was a much safer space for women to engage than political or social platforms, where they would be challenging the status quo or male domains of power and control.

Molyneux (1985a, 1985b) notes that these informal groups are also perceived to be less threatening to men as the groups focus on the more basic practical needs than the transformative strategic gender needs and interests for women. Pursuit of strategic gender needs would imply a shift in power relations and possibly as shift towards greater equality, which would threaten male-stream hegemony. The World Bank (2012) concludes that the search for women's agency is important because where it is enhanced, it results in laws, policies and programmes including devolution, that are different from those that would be realized if such agency was absent.

2.3.3. Women's agency in Kajiado County

Literature supports the argument that devolution of public resources, functions, authority and power, is good for women, (Evertzen, 2001). This follows the logic that since women are viewed to be responsible for the domestic sphere, they are likely to be more concerned with the domestic (or local sphere) and hence devolution should be an important path for increasing women's representation and advancing their rights. According to Beall (2007), historical exclusion of women in leadership left them out of informal networks that sustain and reproduce the institutions and social practices that make up governance in devolved administrations. Subsequently, there is need to ensure that women who enter local politics in leadership positions circumvent harassment and manipulation by political parties. Existing literature indicates the

need for adequate provisions for meaningful women's voice, and participation, in local politics (Manor, 1999). There is hence the need for a proactive engagement in an emerging devolution programme such as the one in Kenya, to address this situation, and to ensure that devolution becomes meaningful for women in Kajiado County.

The literature on women's agency and empowerment has often argued that women are likely to be politically active at local level, as summarized by Evertzen[12] (2001:3):

> …eligibility criteria for the local level are less stringent, and local government is closest to women's (domestic) sphere of life, and easier to combine with rearing children. It can be the first level that women can break into and as such it may serve as a springboard to national politics, by developing capacities and gaining experiences. Likewise local politics can be more interesting to women as they are well acquainted with their community, being the major users of space and services in the local community (water, electricity, waste disposal, health clinics, and other social services). They also participate actively in organizations in their neighbourhood, and it is easier to involve these organizations in formal political decision making at local level.

While this may be so, Beall (2007) cautions against this view and asserts that localization has its limits and that some policies such as those promoting gender equality or entrenching affirmative action for women and marginalized groups, are formulated at central government level and are best enforced from that level. The *World Development Report* for 2012 titled '*Gender Equality and Development*' highlights areas where women's agency is critical and asserts that income growth by itself may not deliver greater gender equality on all fronts, and there is hence need for engagement in other areas including '*markets* and *institutions*, both formal and *informal*' (World Bank, 2011: xxi)[13]. Without safeguards from the centre, differences in time use, access to and control of land and other assets, the operationalization of local markets and formal institutions – all often leave women disadvantaged, (World Bank, 2011).

Benefits from devolution may not automatically accrue to women, or all categories of women since women are not a seamless homogenous group, (Beall, 2007: 3). It is imperative therefore that the local level should implement nationally defined policy and accountability mechanisms, which are then connected with the 'locally embedded democratic practice' for full benefits to be realized (ibid). Political mobilization of the poor including women to enhance their participation and meaningful engagement individually or through organized groups, is essential for full

[12] Quoted in Beall, (2007)
[13] Emphasis in the original

benefits to be realized (Jutting et al, 2004; Cos-Montiel, 2006; Beall, 2007; Ivanyna and Shah, 2012). Devolution provides many advantages that range from empowering citizens through greater participation in the local development process, to increased efficiency in governance. As Conyers states, "it is generally viewed to complement democratization, promises better government performance, incorporates the views and activities of civil society, promotes poverty alleviation and offers improved services", for the women (Conyers, 1983; 2007).

2.4 Theoretical Framework for the Study

2.4.1 Introduction

This section reviews the theoretical framework for the study, and particularly, the Rational Choice Theory and feminist political theory. An exploration of the process of their evolution over time has provided a contextual perspective of these theories. To do this, a background of the Rational Choice Theory and the different brands of feminist theory have been discussed. This study is interested in feminist political theory, which as Bryson (2003) observes is built on different parameters of other brands of feminist theory. A blend of rational choice and feminist theory, referred to as the feminist and rational choice theory as conceptualized by Driscoll and Krook (2008), has also been reviewed and this blend is at the core of analysis in this study. The concept of institutionalism is also explored as it relates to devolved governance structures. The framework of power analysis has also been explored to assess the power relations among the main actors in the devolution process in Kajiado County. The review of these theories culminates in an outline of both the conceptual and operational frameworks for this study.

2.4.2 Rational Choice Theory

The origins of Rational Choice Theory (RCT) are believed to date back to intellectuals in the 1600s including Hobbes (1651), who tried to explain functioning of political institutions through individual choices. Explaining the concept of self-interest, Adam Smith in his *Wealth of Nations* (1776) stated that 'it is not from the benevolence of the butcher, the brewer or the baker that we expect our dinner, but from their regard to their own interest, (1776:119). It is thus self-interest that motivates actions by individuals. Modern RCT is traced back to the contributions made by a group of economists between the 1950s and 60s who include Arrow, Downs, Buchanan and Tullock, and Olson (Ishiyama and Breuning, 2011). Arrow's (1963) social-choice approach to rationality raises the concerns on whether individual and collective rationality are inherently in conflict in democratic society. The point is that individual rationality expressed in an individual's

own preferences might be in conflict with the collective social preferences and thus questions whether rationality and democracy can work hand in hand without problems.

Downs (1957) presented a theory of rationality where individuals in political and government institutions are guided by self-interest as they seek choices with maximum benefits for themselves. In this view, government officials and political parties seek to maximize from voters, when they offer programmes that appeal to voters' self-interests. Buchanan and Tullock (1962) presented a rationality model where individuals seek to 'gain more rather than less'. They are interested in the relationship between individual and collective rationality, and assert that rational members of democratic societies choose in favour of political organizations and institutions that service their individual interests, with competition among individuals evident in the process. Participants in the political process try single-mindedly to further their own interests even at the expense of others if necessary (Buchanan and Tullock, 1962: 305). Olson (1965) proposed that 'rational individuals may not have an incentive to join or participate in large voluntary associations particularly those characterized as 'latent' groups, if they can benefit from the collective or public goods provided by these groups without having to pay dues or incur costs of membership (Olson, 1965:58-59).

It is clear from Arrow, Downs, Buchanan and Tullock, and Olson that RCT points towards one focus of the theory in that 'individuals act purposively' (Ishiyama and Breuning, 2011:14). Further, the basic RCT model assumes that all outcomes are known with certainty and thus it involves making a choice at a specific time, from a list of possible alternatives. It also involves handling uncertainty and future likelihood of different scenarios. It is useful in situations where there is incomplete information or inadequate knowledge about a product or a specific matter. For instance, in voting-in a devolved government, voters may not have complete information about the performance of the aspiring members of a county assembly or the governor until the latter have been voted into office.

Two predominant models of action are mainly RCT and the normative theories of human action, such as the normative political theory. Normative political theory is the 'study of politics that chooses to focus on normative issues', what ought to be, and is guided by widely accepted values, (Angolano, 2006: 9; Elster, 1986: 1). It assesses whether certain principles are 'good or bad, just or unjust, moral or immoral, permissible or impermissible' (Angolano, 2006: 9). It is

thus largely associated with left wing[14] thinking, as opposed to RCT, which was associated with right wing thinkers. The basic idea behind RCT is that people do their best to maximize from existing opportunities, where individuals make decisions that seek to maximize the utility they expect to gain from making certain choices (Munck, 2002:166). This assumption derives from the neoclassical economic model where individuals are assumed to be rational in pursuing their personal interests in the free market. The difference however, between RCT and neoclassical economics is that RCT is cognizant of how different contextual and institutional factors influence individual behavior and choices (Levi, 1997:22). In other words, rational individuals make decisions under contextual and institutional constraints and these determine the choices eventually made.

Angolano (2006) agrees with what he refers to as the ideological criticism of RCT, which claims that RCT has an economic or market bias, where it has been used 'to justify markets as the most efficient method of distributing goods to persons instead of political institutions' (2006:2). The implication is that RCT perceives all human reasoning and interactions as mere economic transactions aimed at benefiting the individual. Proponents of RCT argue that political and social interactions are far too complex to be viewed from an economic lens alone, with the example of the voting process being analyzed (Downs, 1957; Cunningham, 2002; Green and Shapiro, 1996; Blais, 2000; Angolano, 2006). The voting process is said to be time and consuming costly, as a voter takes time to register, identify a party and review its ideologies and manifesto, and then queue at the polls to cast the ballot. Despite this, in absolute terms, a single vote cannot really change the outcome of the result, and neither will the voter get any economic direct benefit from voting, yet voter turnout nearly always surpasses 50%, and hence the incentive to vote in this case is not purely economic and has to do with prevention of democratic breakdown (Angolano, 2006).

One perspective of RCT is strategic behaviour by the actors, a situation where an actor may adopt a certain behavior based on how others behave, or how they are likely to behave based on the individual's own action. Green (2002) asserts that '…each agent (takes) into account the likely effect of his actions on the decisions of other agents, all of whom are looking at the situation the same way,' (Green, 2002:6). Thus RCT means that 'an agent's choices reflect the

[14] Left wing thinking is associated with 'liberal' or 'progressive' views that challenge the status quo, while 'right wing' thinkers are 'conservative' and seek to retain the status quo.

most preferred feasible alternative implied by the preferences that are complete and transitive' (Green, 2002:25).

RCT is concerned with the fact that action is always undertaken to achieve objectives that are consistent with the 'actor's preference hierarchy', (Ritzer, 1996: 401). It takes cognizance of two constraints associated with actions; resources available to the actor and social institutions including laws, rules, culture and religion, which often presents positive and negative circumstances that, can encourage or discourage certain actions. However, RCT has been criticized by feminists as being 'selfish' and at times, 'altruistic'; and exhibiting a masculine bias, (England and Kilbourne, 1990; Denzin, 1990a). It ascribes 'rationality' to all actors, that, people act intentionally based on beliefs, desires and personal interests.

RCT is viewed to be positivist in orientation. Positivism asserts that, 'knowledge of reality is directly accessible … that deductive reasoning can be used to propose theories that can be tested and revised if theory does not fit the facts', (Driscoll and Krook, 2008:2). Therefore positivists are committed to empiricism, that is, the idea that observation and measurement are required for research to be credible, in order 'to prevent knowledge from being contaminated by values and normative biases of individual researchers', (ibid). Feminism on the other hand is framed as non-positivist, or post-positivist. Feminists are not satisfied with the possibility to eliminate bias completely from social investigation and insist that empirical research should take account of the actors' (or subjects') social situation during the investigation.

RCT was identified for this study due to its popularity in public policy analysis and in public administration. As an analytical theory, it suits this study on devolution reforms in Kenya, due to its strengths in analyzing motivations that determine human behavior and for purposes of this study, women's agency. This theory is also useful in undertaking an analytical discourse on human 'agency', and its motivations. The focus in rational choice is on actors who are seen to be purposive or intentional in their actions.

2.4.3 Feminist theory

Feminist thinking and theory first emerged from western scholars, and as it emerged, it acquired different labels mainly arising as a result of contextual realities of the time. Many feminist scholars recognize that the different brands of feminism that are marked by these different labels though in many ways distinct, have cumulatively contributed to shaping the most recent feminist

discourses, (de Beauvoir, 1972; Bryson, 1993, 2003; Elaine, 1987; Gardiner, 1997; Tong, 2009). Some of these labels include liberal, radical, Marxist or socialist, cultural, and colonial or third world, ecofeminism, and psychoanalytic or third wave, (Tong, 2009:1). These labels' have contributed to 'marking the range of different approaches, perspectives, and frameworks (used by feminists) to shape both their explanations for women's oppression and their proposed solutions for its elimination', (Tong, 2009:1).

Liberal feminism emerged in the nineteenth-century women's suffrage movement, (Stanton, 1969). Its main thrust is that female subordination stems from cultural blockages that curtail women's progress and maximization of the public sphere, (Tong, 2009; Sandel, 1984). It sees discrimination in many arenas including academia, politics, economic sphere and even socially. It calls for fairness in 'setting the rules of the game' in these arenas and to remove obstacles on women's paths to self-improvement. Liberal feminism was quickly challenged by radical feminists who perceived it not to be 'drastic and dramatic' enough (Tong, 2009). Radical feminism on its part is critical of society, claiming that the patriarchal system is characterized by competition, dominance, hierarchy, and power, and cannot be reformed unless it is completely transformed and overhauled, (Tong, 2009; Bryson, 2003). This view of the need for complete overhaul is also directed at social and cultural institutions including family and religion.

Marxist and socialist feminists view women's oppression as resultant from introduction of private property and private ownership of the means of production, (Engels, 1972). The private owners are viewed to be few and mostly male. Socialist feminists agree with Marxist feminists that capitalism is a major cause of women's oppression, and also agrees with radical feminists that patriarchy is the main source of women's oppression (Tong, 2009). For the socialist feminists, the surest way to end women's oppression is to contain both capitalism and patriarchy. At the forefront of socialist feminism were Juliet Mitchell (1971) and Alison Jagger (1983) who both perceived patriarchy and capitalism as enemies of women. Mitchell (1971) gave an edge to capitalism as the bigger enemy, while Jagger (1983) saw patriarchy as the bigger threat to women's emancipation.

While liberal, radical, Marxist and socialist feminists perceived 'the macrocosm' mainly patriarchy and capitalism as the main challenges for women, psychoanalytic feminists focused on 'the microcosm', mainly the individual (Tong, 2009). That female oppression is rooted deeply in the female psyche, and also focused on the Oedipal complex (Freud, 1966; Erdelyi, 1984).

The Oedipus complex is viewed to be the root of patriarchy and thus some psychoanalytic feminists dismiss the complex as merely a product of male imagination and a myth meant to perpetuate the patriarchal hegemony, (Ortner, 1975). Ortner rejected the *Freudian* version, where qualities of authority, autonomy and universalism are labeled male, while qualities such as love, dependence, nurture and particularism, are labeled female, (Ortner, 1975). Such labels were seen to privilege male over female, and she instead propagated an approach where both male and female would adopt dual roles and attributes above in parenting.

Post-colonial feminists - alternatively referred to as multicultural, global (Tong, 2009) or third world feminists, or intersectionality, focus on the causes of and explanations for women's subordination to men. Their main contribution is in highlighting the differences that exist among women and in their identification of women's points of convergence and complementarity. They view race, ethnicity, sexual identity, gender identity, religion, literacy level, age, occupation, marital status and other attributes as likely to divide women into different categories, and also how these differences contextually shape women's perception of oppression. They reject the view that women are homogenous, and posit that women should be understood and their needs addressed depending on their contextual circumstances.

Eco-feminists look beyond women's relationships with each other and with men, to women's relationships with nature and the non-human world including the environment. They decry the continued depletion of natural ecological resources, contamination of the environment, and advocate for stronger relations among humans and with the non-human environment, (King, 1995). Postmodern feminists reject any feminist thought that aims to provide a single explanation for why women are oppressed, but do not provide an overarching solution for women's subjectivity (Butler, 1990; Cixous, 1981). Instead they advocate for each woman to reflect on their individual circumstance and chart a path towards self-liberation. Zalewski argues that there is a place for modern thinking in politics and new global developments (Zalewski, 2000), and that the modern society is neither modern nor postmodern, but that women experience different realities including traditional (as wives and mothers), modern (as workers and citizens) and postmodern (as consumers and actors in the contemporary world), each of these having its own oppressions, opportunities and its politics, and thus postmodern strategies should be cognizant of these realities.

African Feminism

Many feminist scholars from Africa agree that there are varying strands of African feminism. These variations are the product of different political, social, cultural and economic experiences and struggles of the African people. Gaidzanwa (2010) discusses the concept of African feminism by first defining who African women are. She elaborates that these are women inhabiting Africa including those in Countries formerly colonized by the British, French, Portuguese and German colonizers, and also those of Arab descent, who took hold of Arab speaking Muslim Countries of Northern Africa. She includes in this category women of African descent who live in or settled in the African diaspora, including former European slaves now categorized as African Americans in the United States of America. An additional category is that of women of Caucasian or other descent, who were born and grew up in Africa, irrespective of their ancestral origin.

Both Western and African American feminisms contributed to the narrative of African Feminism, (Nnaemeka, 1998; Gaidzanwa 2010; Khumalo, 2010). African feminists advocate for a view of gender discrimination in the context of cultural, economic, political and social dynamics that include pre and post-colonial African responses to imperialism, culture based oppression of women (FGM and GBV), skewed property rights, limited opportunities to access formal education among others. Culture plays a central role in African feminist struggles. African feminists' greatest challenge is to raise consciousness of their communities to the oppressive aspects of their culture (Steady 2004; 2006).

This study defines African feminism as that which identifies with and seeks to respond to African struggles including colonial and post-colonial experiences, conflicts, economic and poverty struggles, culture-based gender discrimination and oppression, and the African experience of globalization. The underlying point here is the difficulties inherent in the assumption that there could be one homogenous strand of African feminism, since different African women have experienced different struggles, which have then shaped their psyche.

One strand of feminism sought to advance women's interests through politics. In Kenya, women such as Mekatilili wa Menza, Wambui wa Waiyaki and many others played a central role in the struggles against colonial domination. In the post-colonial era, these women found themselves excluded in the country's developments including employment in public service, since they

lacked education and thus did not qualify. Others missed these opportunities because they lacked links with the liberation elites. Gaidzanwa (2010) notes that in many countries, women who took up high positions in parliament, government or other state agencies, after liberation were often wives, sisters, daughters, relatives or friends of the male liberation elites. This effectively left out the women who had fought in the liberation war front, who thereafter remained largely poor.

In many African countries, the post liberation era was characterized by the emergence of 'exclusionary bureaucrats and male dominated political parties. Kenya is no exception. This saw the rise of feminists who criticized this post-liberation scenario. According to Essof (2005) these feminists have taken their activism to churches, academia and trade unions. In Kenya, non-governmental organizations have offered a good platform for such activities. This scenario is well summarized below in Gaidzanwa's own words (2010:8):

> Feminism that has focused on capturing power and influence primarily within the state has, at times, proved to be limited because of the problems of maintaining linkages and operating within formal and exclusionary bureaucracies, influenced and run by functionaries experienced in working through male-dominated and gender-insensitive political parties and movements. These bureaucracies typically respond very slowly to direct demands by poor women and communities and also often diminish the positive impacts and efforts of women in state bureaucracies by separating them from their support base – i.e the poor women and communities who could have catapulted them in to positions of influence and responsibility (Hassim: 2005).

The development of feminism in Africa has faced many struggles not least internally, fueled by self-seeking African male supremacy. African feminism has often faced negative labeling. Some movements including Marxists saw it as 'diversionary' or 'un-African', or 'Western inspired', (Gaidzanwa, 2010), especially in instances where African feminists questioned cultural practices such as violence against women, property rights or female circumcision.

Cultural preservation versus African Feminism

Feminism in Africa at one time tended to ask questions about African culture – issues of violence against women, female circumcision and wife inheritance, women's denial of access to property and land ownership among others. Men in the nationalist struggles against colonialism focused on defense of African culture – cultural preservation – leading to a collision course between female and male nationalist agitators of liberation. While most male African nationalists were quite comfortable using the ideas of Western political theorists such as Marx and Engels, they

were uncomfortable with African feminists borrowing from the body of 'social and political knowledge', built by Western feminists to justify their cause. According to Narayan (1997), sometimes the agenda of mainstream nationalists would border on anti-feminist, but remain masked and defended as a process of cultural preservation. In the same light, women's dressing choices, education and health rights are more 'strictly policed', compared to those of men, (Gaidzanwa, 2010:9) – seen as Western influenced, even where men would themselves wear Western style suits and ties – in unbefitting weather. This signals the dual and unequal lenses that would be applied, often leading to greater biases against women and their feminist causes.

Black feminist theory is especially concerned with the significance of race as a fundamental organizing principle, which interacts with other forms of structured inequality, and takes cognizance of how race transcends national and cross-national boundaries (Ampofo *et al*, 2008). African feminism concerns with culture and identity and differs from Western feminism as the dynamics that created it vary significantly from those of the West. African women participated in the struggles against Western hegemony and foreign domination over African culture through the colonial legacy. While Western feminism is characterized by debates around the female body, sexualities, individualism and sexual rights, African feminists are largely concerned with economic, social, cultural and political development, (Arnfed, 2004).

African feminism emerged out of a history of female integration in societies with strong cultural dominance. Some of the sensitive issues that cause friction between the Western and African feminism include issues of sexual orientation, abortion and choice over reproduction, female circumcision and early marriages (Mohanty, 1988). These fundamental differences in grounding the two feminisms have led to divergent trajectories in the feminist discourses. The Western feminists emphasize the autonomy of the individual female and her sexual rights while the African feminists are preoccupied with culturally 'ordained' forms of female oppression and inequality (Anieku, 2006:149). More recently in the African variant of feminism, there has been the struggle by women against political marginalization by male political leaders who benefited from the exploits out of colonial domination and promptly 'forgot' women's role in the same struggle.

During colonization, the state gradually reshaped into a centralized society where religious, cultural and corporate ideologies were used to restructure men and women's position and roles (Omoyajowo, 1982; Anieku, 2006). A trend of female exclusion and bias began to emerge as

Christianity and Islam began to take root, and with advancement in economic and political discourses. The colonial masters' 'civilizing missions', sought to totally reconstruct African society and culture, and men felt destabilized against the colonial force (Anieku, 2006). In Central Kenya, scarcity of land arising out of colonial appropriation of land for plantations led to male migration in search for employment and this left women vulnerable providers and it also handicapped their role in subsistence farming (Anieku, 2006). All these developments in feminist theory, though not illustrative of a unified approach, outline linkages and interdependence between the different brands. They also signal an important starting point for feminist political theory, and its contributions to contemporary feminist discourse.

Contemporary feminist theory

Feminist analytical approaches focus particularly on the concepts of consciousness-raising and popular education, which are both rooted in Paulo Freire's (1970; 1972) theory of conscientization. Freire (1972), in his analysis of the roots of dependence and marginality of the powerless in Latin America, argues that the ignorance and lethargy of the poor emerge directly from economic, social and political marginalization. Subsequently, the rural poor (including women) lack critical awareness and response, and thus remain 'submerged' and 'silent'. He argues that only emancipation and access to real power, based on a new awareness or "conscientization" developed by the impoverished themselves, and within the context of this study, *active agency of the poor*[15], can break 'the culture of silence'.

The core of feminism is emphasis on gender as an analytical category, while the core of RCT is the focus on interactions between the micro and macro level, informed by the individual actors' choices in relation to how they project the actions of others. Feminism, a critical theory across major disciplines, opposes the misogynist masculine bias, which marginalizes women and renders them overly invisible. Misogyny is the assumption that men and all male species are superior. It features as an ideology or belief system that has accompanied male-dominated societies over time, continuously placing women in subordinate positions and limiting their access to authority, resources and decision making. It seeks to deconstruct the falsely held view of male supremacy and male-centeredness and places women at the center of dialogue and analysis. It responds to previous inattention to 'knowledge and its production, and gendered consequences of the philosophies and paradigms', and thus began pointing out 'institutional

[15] Researcher's emphasis

blindness and ... deafness to the fact that social realities are structured by gender differences and inequality…' (Beasley, 2005; Bennet, 1999; Okech, 2009).

Feminist theory is woman-centered and is derived from the work of multidisciplinary scholars drawn from sociology, anthropology, political science, literature, law, and economics among others. Its object of investigation is women as a category, and it treats them as subjects in the investigation process, and thus the theory is critical and activist on behalf of women. Feminist theory's twin agenda is; i) to broaden disciplinary knowledge on new discoveries being made by feminist scholars and ii) to develop critical understanding of society in order to orient the world towards more just and human approaches (Ritzer, 1996: 436-37).

Feminist thought is informed by several concerns; the fact that women experience life and its challenges differently from how men experience it; women's position in society's situations is different from that of men and less privileged and unequal; women's situation should be understood in terms of direct power relationship between women and men, and; women's experience of this difference varies depending on their location and social stratification[16]. Driscoll and Krook (2008) identify three main pursuits in feminist theory: (1) It takes note of women's exclusion from political sphere and thus focus on women to map patterns of political access behaviour and impacts; (2) It aims to broaden the definition of politics beyond electoral processes to include any power relations whether formal or informal, local or macro, domestic or external and; (3) it is committed to political change, drawing scholars' attention to the situation of the marginalized, as an additional source of knowledge. The main emphasis is that research should contribute to some type of positive transformation by either empowering women or by deconstructing gendered categories of public policy, (Driscoll and Krook, 2008: 3-4).

Feminist political theory

This is a latter strand of feminist theory that emerged in the late 1980s and 1990s. It maintained that a state's public policies and institutions have impact on gender relations. It analyses 'policies and their impact on gender relations', and provides useful contributions to the analyses of the state. Its main strengths are in its focus on the state, the relations of power, class, social and economic groups from a feminist lens. Feminist political theory includes comparative research

[16] Social stratification as explained in the intersectionality approach includes analysis of differences in class, race, ethnicity, age, marital status, and global location

and focuses on politics constructing gendered subjects in policy debates and decision-making, Bryson (1993). Feminist political theorists draw on earlier radical feminist assertions on the value of women's attributes and lived experiences, and they also avoid the general assumptions of radical feminists that seek to out-seat men. They recognize diversities due to class, ethnicity and other social divisions that fragment women's unity.

Bryson (2003) identifies black feminist analysis as core in the analysis of feminist political theory, because of its insights into the realities of black women as they interact with other identities and oppressions. Like postmodern feminism and postcolonial feminists, she recognizes that feminist political theory has no 'one size fits all' and thus it needs to avoid the labels associated with previous brands of feminism, (Bryson, 2003: 250). Feminist political theory sees women and their situation as central to political analysis. It asks 'why it is that in virtually all known societies men appear to have more power and privilege than women, and how this can be changed', (Bryson, 2003:1). It seeks to understand society so that it can challenge and change it to generate knowledge that can be used to guide and inform feminist political activities. Bryson (2003) argues that there is no single dimensional approach that informs feminist political theory but it stems from recognition of multiple interconnected forces, which conspire to sustain gender inequalities and oppression. Indeed women have multiple identities as summarized by Coole (1993) below:

> Women occupy a variety of worlds, traditional (as wives and mothers), modern (as workers and citizens) and postmodern (as consumers and participants in contemporary culture), each with its own oppressions, opportunities and politics (Coole, 1993: 222).

Coole (1993) calls for different political strategies for each of these roles of women, with flexibility to allow coexistence between conventional politics and the postmodern strategies for restructuring patriarchal ideologies, for there to be total emancipation of women. She is therefore in agreement with Bryson's (2003) view that there cannot be one-size-fits all approach in challenging '*malestream*[17] power', but one that is inclusive of elements from radical, socialist, liberal, Marxist, black and postmodern brands of feminism (Bryson, 2003:245).

2.4.4 Feminist research principles

Feminist research places gender at the center of inquiry and of the entire research process. A research project is considered 'feminist' if it is grounded in the set of theoretical approaches

[17] Researcher's emphasis

privileging women's concerns, voices and experiences (Hesse-Biber, 2014). The entire research cycle which encompasses data collection, analyses and interpretation, and which Hesse-Biber (2014) refers to as 'feminist research praxis' centralizes the relationship between the researcher and the research subjects, to balance power between the two. Feminist empiricists seek to integrate women's perspectives into research projects across many academic disciplines. In the past, feminist empiricists sought to ensure women were included in the samples drawn by mainstream positivist researchers, a scenario that has now changed. Closer attention is now being paid to the specificity of women's individual lived experiences (Frost and Elichaoff, 2014; Hesse-Biber, 2014).

Feminist standpoint epistemology is rooted in the Marxist and Hegelian perspective that an individual's experience determines the individual's level of understanding of their social environment (Harding, 1993; Smith, 1990). With this understanding, feminism brings the voices of the unheard and oppressed into mainstream dialogue (Hesse-Biber, 2014). Thus according to feminist empiricists and feminist standpoint theorists, women's life stories and testimonies are considered to be valuable sources of knowledge, and hence this study has identified oral testimonies as a useful source of knowledge on women's agency. Hesse-Biber (2014) further asserts that feminism does not agree with the idea of one woman's experience but a plurality with multiple standpoints, which may interlock with concerns of racism, class oppression, ethnic differences, literacy levels, geographic localities and other categories.

Underlying the feminist theoretical orientation is the view that patriarchal power relations oppress women and their interests (Speedy, 1991). Feminist principles encourage women to take action, develop new structures and reshape the norms and stereotypes (Maguire, 1996). Feminist research puts gender at the center of social inquiry, and in so doing, makes women visible and represents women's perspectives. It seeks to recast history to take account of women's roles and reconstructs it focusing on women's concerns. It shapes consciousness, skills, institutions and the distribution of power and privilege, and sees reality though a 'female prism', (Cook and Fonow, 1990). Important feminist standpoints that will inform this research include an acknowledgement of the struggles that women have continued to face in their daily activities and more so in exercising their agency. Being committed to the feminist discourse, it seeks to raise consciousness on social, political, economic and personal constraints on women's space and freedom, and to challenge devolution to be the platform on which decisions that address those constraints will be made, (Henderson, 1995:63; Speedy, 1991:201).

A feminist perspective in research is conscious not to perpetuate the view of 'women as the victim'. It does this by deliberately celebrating diversity and strengths, and appreciating their diversities and struggles (Maguire, 1996; Chinn and Wheeler, 1985). Reflecting feminist theory, this research perspective aims to transform women's lived experiences and women's participation in the construction of new possibilities, (Smith, 1991). Our aim is to ensure that the inquiry and data generated from this study reflects this ideal, and a balance of 'power' in the relationship between the researcher and the respondents, all aimed at contributing towards progressive change in the interests of women in Kajiado County. This emanates from the purpose of the research, which is to empower women to be able to transform oppressive and exploitative conditions, by providing visions for the future and attending to policy implications of the research.

Speedy (1991) outlines three principles underlying feminist research: The first is recognition of the fact that women are oppressed and that the reasons behind this oppression need to be investigated and action taken. The second is that women's experiences need to be valued, and used to inform the analytical process. The third is the need to raise consciousness that leads to an alternative worldview (Speedy, 1991). Consciousness is raised when women experience a shared sense of oppression, and view the problem as a collective one rather than individual, and act on it (Henderson, 1995:63). In feminist research, the research questions, objectives and the data generated are all important and all seek to create visibility of women's experiences, perceptions and struggles (Bowes, 1996).

2.4.5 Feminist – rational choice approach

This study adopts the blend of feminism, particularly elements from feminist political theory and RCT outlined by Driscoll and Krook (2008), which recognizes the strengths and weaknesses of each approach and blends them into an analytical framework where each complements the other into a *feminist rational choice approach.* It provides a good analytical premise for analyzing women's agency in a decentralization process, and in the case of this study, Kenya's devolution. In their seminal analysis of the two theories, Driscoll and Krook (2008:10-13), identify several strengths in the feminist theory that can be used to complement the RCT as described below;

Feminist knowledge about the norms and practices of gender analysis can be used to better theorize the preferences, choices and calculations of all individuals, and devise policies more

closely aligned to women's needs. It is also viewed that rational choice concepts such as bounded rationality, institutional constraints and opportunity costs, may offer crucial leverage for uncovering dynamics that sustain women's marginalization. Feminism offers a means of identifying influences on political behavior while RCT helps uncover mechanisms that underpin political action. This facilitates opportunities for social transformation. A feminist – rational choice research design that involves five elements for analysis is proposed, and also forms this study's conceptual framework. These are Gender, Strategy, Institutions, Power and Change, (Driscoll and Krook, 2008:10).

2.5 Conceptual framework

This study, is guided by both the feminist political theory and RCT, and is thus operationalized from the conceptual framework elaborated by Driscoll and Krook (2008). Specific reflections on the two theories as are illustrated below, leading to the feminist – rational choice theoretical framework. Formal and informal structures in public institutions are often subjected to rationalist actions that are informed by relations between the different parties and their diverse interests and how this affects operations in the bureaucracy. Informal factors that subject bureaucracies to institutional constraints such as clientilism and patrimonialism have been discussed, particularly with respect to how they may impact devolution processes.

Formal and informal factors in devolution

In many governance institutions, formal rules hardly explain how things really get done. Instead, informal systems of clientilism and patrimonialism are key contributors to stifling popular participation effectively altering the rule of law, and in so doing, fostering corruption and denial of public services to those who need them (Brinkerhoff and Goldsmith, 2002). Formal systems on one hand are embodied in constitutions, administrative regulations, procedures, by-laws, electoral processes and legal proceedings. On the other hand informal systems are based on unwritten 'understanding or codes, which reflect socio-cultural norms, patterns of interactions between classes and ethnic groups, cultural prescriptions and religious beliefs', (Brinkerhoff and Goldsmith, 2002: 1). Governance systems have a dual character where formal and informal factors exist side by side. This institutional dualism is rooted in historical evolution of social relations between the rulers and the ruled, from traditional authorities and chieftaincies, to feudalism and eventual emergence of the nation state. Similarly, informal practices have evolved over time and are highly dynamic adapting continuously to new circumstances.

Gender analysis

The concept provides a theoretical and empirical basis on which rational choice can better describe 'how and why' people behave as they do. It creates an additional focus on social meanings and an opportunity to explore how gender norms impact individuals' or groups' preferences, risk evaluations and strategic calculations, all associated with the 'self-interest' behavior associated with rational choice theory. In other words, a gendered perspective to RCT would provide deeper interpretations of the reasons that inform the choices that individuals make.

Strategic interaction

Strategic action and interactions is a core feature of rational choice theory, and refers to a reflection that takes account of other people's beliefs, behaviour, and what they might do before making certain choices. It refers to 'purposeful action' under rationalism. A feminist approach to strategic action can inform rational choice framework by theorizing ways in which strategies are contextually gendered. For purposes of this study, strategy is interpreted to refer to strategic actions that can be taken to ensure that devolution is utilized to propel women's agency in Kajiado County.

Institutions and institutionalism

The beginning of institutionalist thinking is associated with the 1990s, in the fields of economics and political science. Booth (2011) asserts that the quality of a country's institutions is a more important factor in explaining the country's economic growth than either the country's geographic location or the extent of its integration in global trade, or the volume of the development assistance it receives. Institutional change is viewed to be a function of politics. It is affected by among other things, social norms. Corruption and neo-patrimonialism are also important factors in institutions. Neopatrimonialism refers to a situation where leaders in institutions use state resources to secure the loyalty of rent seekers or self-seeking individuals in the population. It is a common feature of bureaucratic structures of governance and is often used to undermine the rule of law in a country. The term was coined by Shmuel Eisenstadt (1973), who drew from Max Weber's 'patrimonialism'. The Weberian definition was informed by systems of administration where the subjects were only responsible to the ruler and not to the ruled. In this context, neo-patrimonialism, which is a modern form of the traditional patrimonial

form of rule, is a mixed system, where aspects of patrimonial and rational-bureaucratic practice are merged.

Institutions include formal features of political systems including parties, party rules and leadership structures. It also includes informal procedures that influence party decisions or party actions. A feminist perspective can enable a gendered view of these political systems and help deconstruct social arrangements that perpetuate inequality in institutions. This study took a step further and analysed informal institutions to understand how they impact on women's agency in the County.

Booth (2011) notes that institutional change tends to be slow and is largely internally driven rather than propelled by external interests. Devolution reforms in Kenya signal the beginning of a change process in the public sector and for the challenges currently being experienced in the reform process, only internal reorganizing will generate the right push for the change to be transformational. Khan (2011) describes institutions as the 'rules' that describe how social actors act. Institutions become formal if the rules are enforced by the state, and are informal if the rules are self-enforced. Informal institutions, which are thus not state enforced, include behavior supported by 'habits, customs, culture and values' (Khan, 2011: 3). Other examples are those rules that are enforced by patron-client organizations or personalized arrangements due to the pressure of particular interests. Formal institutions are generalized and impersonal largely because the rules apply to all individuals and are enforced by the state, for example property rights. Khan (2011) notes that where formal rules cease to be enforced by the state and are enforced through private arrangements, these become informal institutions since informal modification of formal institutions takes place in the process.

Khan (2011) notes that developing countries are more closely associated with informality in their institutional operations compared to developed regions. He attributes this to limited public finances, which further limit modalities for enforcement of formal rules. Another reason according to Khan is the fact that most practices in developing regions are rooted in cultural and historical traditions and norms, such as rules governing land ownership and therefore formalizing these implies a process of creating new rules and institutions (Khan, 2011: 5). Further, Khan (2011) argues that inadequate organizational capabilities in developing countries create limitations in acquiring international competitiveness by these organizations. The 'tacit knowledge', acquired through learning by doing is not accessed in these countries (Khan,

2011:6). Given the differences in technological advancements, Khan feels that developed countries make contextual adjustments more easily than developing countries as they already have a significant pool of existing knowledge resources. Finally, political organizations in developing countries have a tendency to capture rents that are not legally generated rather than follow formal rules, unlike in developed countries (Khan, 2011).

Clientilism

Clientilism is viewed in the realm of patron-client model of administration. It is 'a complex chain of personal bonds between political patrons or bosses and their individual followers (clients), based on mutual advantage' (Brinkerhoff and Goldsmith, 2002: 5). One party provides jobs and opportunities for gain, while the recipient gives votes and presence or voice during political rallies. Clientilism is seen to thrive best in insecure political and economic environments, where political survival of both parties is critical. Characteristics of clientilism include the fact that the two parties will often demonstrate unequal power and status. In addition, the basic principle underlying the relationship is reciprocity, and is often kept private and outside the public domain (Gray and Whitfield, 2014; Kaufmann, 1974). Clientilism is a core element of rationalist thinking where politicians and bureaucrats pursue 'rational maximizing of self-interests, operating under the influence of interest groups' (Gray and Whitfield, 2014). In this case, political elites exchange benefits for political support, which enable the rulers of the time to entrench and perpetuate their power.

Patrimonialism

Patrimonialism describes situations where administrative structures are appointed by and are accountable to the top leader. In patrimonial institutions, administrators supplement their salaries with bribes and kickbacks and treat the institution as a source of income generation. Administrators' actions are arbitrary often with preferential treatment to some over others, without any repercussions. Neopatrimonialism (modern forms of patrimonialism) involve 'private appropriation of the public sphere, the primacy of vertical ties with personalism…' (O'Neil, 2007:6). It thus reflects the relationship between political elites, public servants and how they utilize public resources. Over time, in patrimonial relationships, certain systemic activities become accepted as the norm. These include political and patronage based 'appointments, absenteeism, the 'sideline' and corruption' (which) drain public resources and undermine the capacity of the bureaucracy to make and implement policies… (ibid).

Marx Weber's definition of an ideal bureaucracy bore the characteristics of a highly competent administrative capacity, meritocracy in appointments and tendering, impartiality, integrity and accountability (Mkandawire, 2013; O'Neil, 2007; Gorski, 2005; Chabal and Daloz, 1999). O'Neil (2007) acknowledges that African states did not inherit these ideals from their colonial masters at independence, since colonial states were designed to serve Western European interests geared towards protecting their economic interests and not building strong states. African states also lacked any form of capacity building after independence. Colonial governments would employ patronage alongside forced compliance to get their way with their subjects. These administrative structures endured beyond independence, leading to weak political structures with patrimonial practices used to aid the political elite in consolidating power. Such practices, which have been rife in Kenya, have also found their way into the devolved governments including Kajiado County.

Power and power relations

Feminists are keenly aware of relations of power unlike in rational choice theory, where it has a more peripheral place. A focus on power is crucial in a feminist – rational approach to model how power operates in different contexts to shape political outcomes. Empowerment, the process of gaining power, is a complex concept that implies substantive transfer of resources (Samman and Santos, 2009; Mendell, 2010). It also suggests transforming power relations, shifting social power by challenging ideologies that justify social inequality, (Swartz, 2012) and changing prevailing trends of 'access to and control', over resources through institutional transformation, (Batliwala, 1993). Narayan (2005) describes 'empowerment' as a process where poor people's freedom of choice and action to shape their lives, is increased, (Narayan, 2005:4). It is a process where an individual or group's capacity to make effective choices, and to transform those choices into actions and outcomes, is enhanced, (Alsop et al, 2006:10).

In the broader gender and feminist discourses, empowerment is critical in narrowing the gender gaps in decentralized governance. The *Human Development Report* relates empowerment to participation, (UNDP, 1995). Others have viewed empowerment as a process that begins from the bottom – upwards, from local to national or central government levels (Rowlands, 1995). From a feminist perspective, empowerment has been defined as a process where women and men should begin to be seen as equal beings in all facets of human development. While participation of women and having women represent others is a key indicator of progress, this should be

closely monitored since it cannot be merely assumed that women will always protect the interests of fellow women. This is particularly so in instances where women get into political spaces due to their personal connections with political party patrons, (Hust, 2002), and hence are more committed to these connections than the shared goals of advancing women's interests.

Kabeer (1999) views power from a perspective of ability to make choices that will bring about positive change. In this case, choice implies the presence of alternatives. She links poverty to disempowerment, because 'an insufficiency of the means for meeting one's basic needs often rules out the ability to exercise meaningful choice' (Kabeer, 1999:19). She defines empowerment as, 'the expansion of people's ability to make strategic life choices in a context where this was previously denied to them' (Kabeer, 1999:19). In this context, 'agency is seen as the process in which choices are made. Kabeer (1999) has a three-pronged perspective on empowerment. She views economic or material, human and social 'resources', as a precondition for empowerment, and as necessary to facilitate '*agency*'. Material resources include land, financing and working capital, while human resources include knowledge, skills and literacy. On the other hand, social resources are manifested through collective actions in networks, lobby groups and organizations (Kabeer, 1999:21). Physical resources in this context include land, water sources and machinery.

Kabeer explains the concept of 'agency', as the 'ability to define one's goals and act upon them' (1999:21). She perceives agency as encompassing meaning, motivation and purpose, (or power within). Such power is not given but is generated from within (power within) and is marked by a sense of self-worth and self-confidence (Boudet et al, 2012; Sen, 1985; Kabeer, 1994). Kabeer further cautions that agency can have both negative and positive meanings in relation to power. *Power within* as explained above is the positive sense, while *power over* implies domination and the ability to influence others' actions, interests and choices, (Kabeer, 1999; Lukes, 1974). This form of power subjugates and can be exercised by individuals over others, (over women), institutions over people through coercion, threats, violence, and exclusion from decision making or from benefitting. There is a third dimension of power, *power with*, which is indicated through collective power, solidarity or consciousness, (Rowlands, 1997; Ibrahim and Alkire, 2007). It is the ability to achieve results that could not be achieved individually, it gives a shared identity (Zapata, 1999), and is critical in bringing forth transformational change, (Kabeer, 1999).
Thus 'empowerment' is a crucial factor in enhancing 'agency' and women's agency should therefore be assessed from three facets; a woman's personal power, her relational power, that is ability to negotiate and influence, and collective power (Zapata, 1999). Agency is therefore

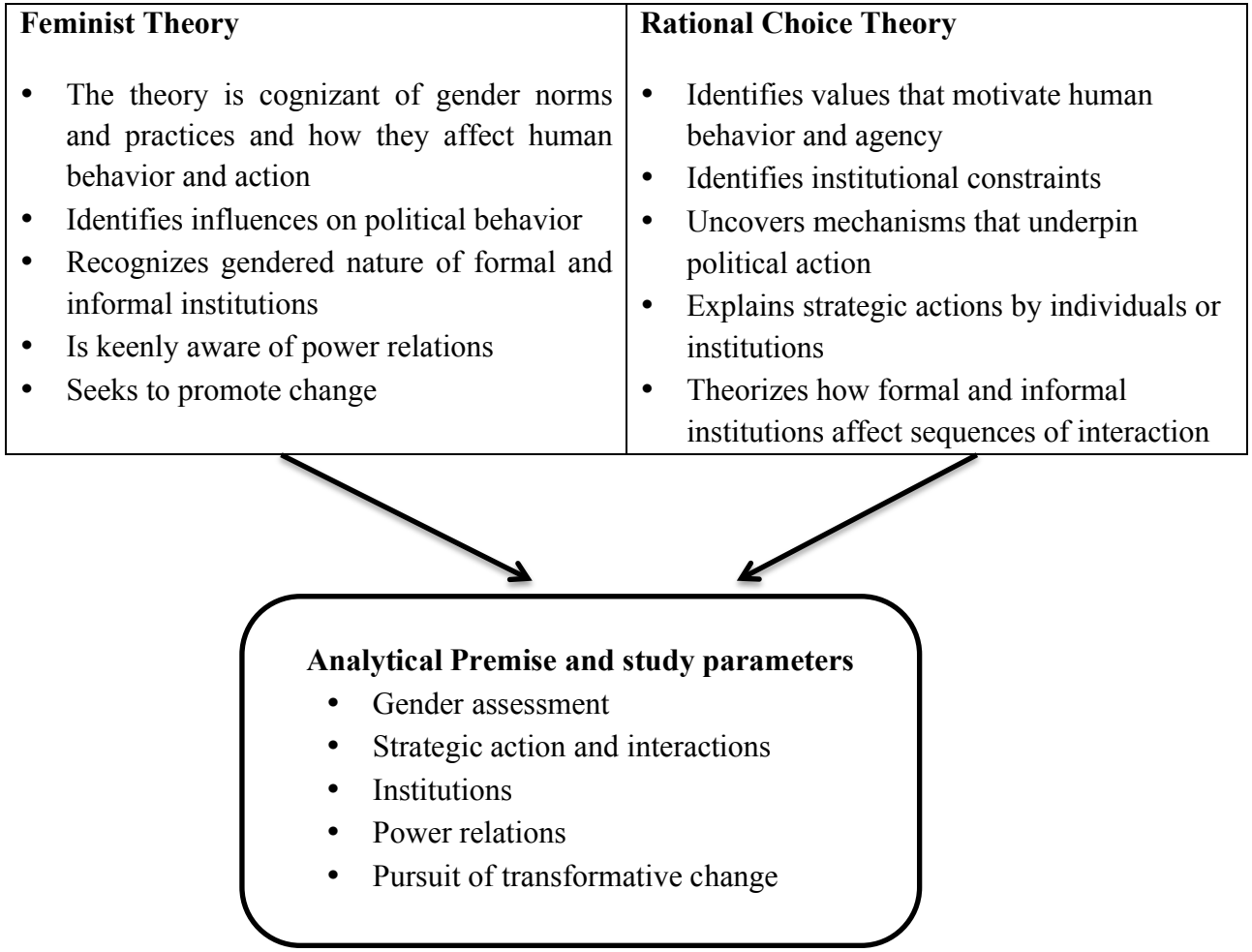
critical to gaining power (empowerment) and is resultant from people's capability to make choices and act (Kabeer, 1999; 2001; Sen, 1999).

Pursuit of transformative change

Retolaza (2011) identifies two kinds of change that occur in the environment. The first is 'projectable change', which is change based on complex or simple problems that can be resolved by means of specific projects and actions planned from linear logic' (Retolaza, 2011: 4). In other words, this kind of change can be predicted based on specific actions that are used to intervene. The second is 'transformative change', which is the kind of 'change based on unlearning and liberating oneself from those mindsets, relations, identities, formal and non-formal institutions … which hinder and delay the probability of enacting new realities that are more just and fair in economic, social and political terms' (Retolaza, 2011: 4). This second kind of change is the one on focus below.

Feminism centrally seeks to promote change while RCT is based on subjects thriving within the status quo, and thus seeks to perpetuate stability. A feminist - rational approach is viewed to offer a new perspective to political research and brings potential for broader political transformation. We sought to understand the formal and informal dynamics of devolution and outline negative normative practices that need to be challenged in order to promote positive change for women. Through the engagement with the respondents, the research aimed to challenge patriarchal norms in order to bring about societal transformation and a new world order. *Figure 1* summarizes the conceptual framework derived from the above.

Figure 1 CONCEPTUAL FRAMEWORK: BLENDING FEMINIST AND RATIONAL CHOICE THEORIES



Source: Driscoll and Krook (2008)

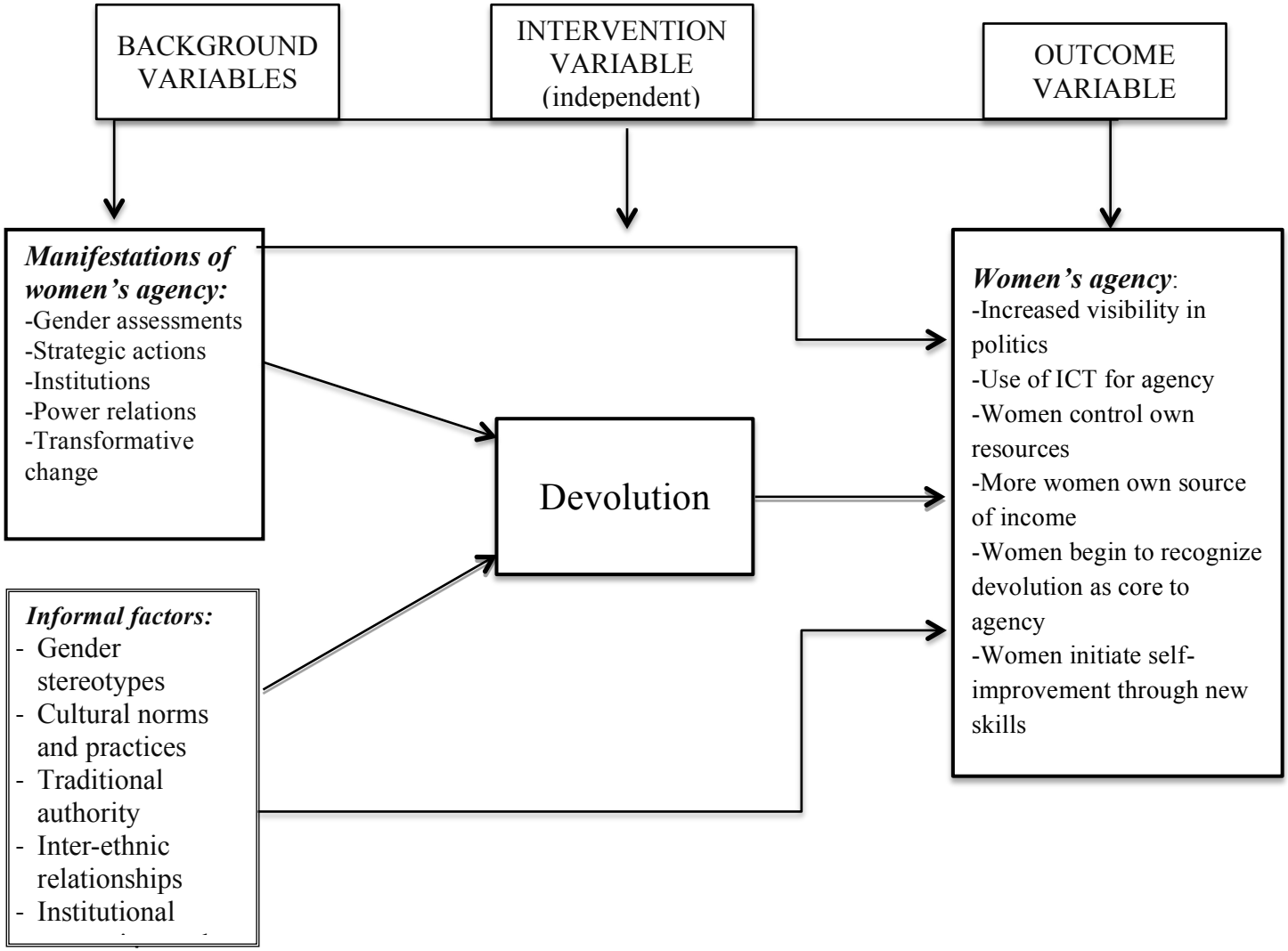
2.6 Operational framework

To address the objectives of the study, three sets of variables have been identified. The first set of background variables, which addresses the first objective of the study include those that seek to assess how women's agency is currently manifested in Kajiado County. These look into the factors that have a bearing on women's agency in devolution, including gender, strategic actions and interactions of the women, institutional structures, and power relations between the actors and how the women pursue transformative change. To address the second objective of the study, the informal environment where the interplay of gender stereotypes, cultural norms and practices, traditional authorities, inter-ethnic relations and institutional constraints, are investigated, and these provide the second set of background variables. Devolution is taken as the core intervention and is thus the independent variable. The third objective that seeks to investigate whether women are influencing devolution forms the outcome variable, which is identified through a series of indicators including: increased visibility of women in politics; utilization of ICT by women for their agency; women's control over own resources; an increase in the number of women with own source of income; women beginning to view devolution as core to enhanced agency, and; women initiating processes towards self-improvement.

Figure 2 outlines the Operational Framework for the study[18];

[18] The operationalization of the variables is provided in *Table 4*.

Figure 2 OPERATIONAL FRAMEWORK



2.7. Operationalization of variables

Measuring agency

Many scholars have expressed concern for complexities that arise while measuring agency (Kabeer, 1999, 2001; Narayan, 2002; Alkire, 2007; Samman and Santos, 2009). The concept of agency is multidimensional in nature, as several variables need to be measured. Proxy indicators have in the past been used rather than direct indicators of agency (Ibrahim and Alkire, 2007; Samman and Santos, 2009). Such indicators include 'property ownership' including land, 'literacy', 'access to the labour market', and 'household expenditure', (Ibrahim and Alkire, 2007). Boudet *et al* (2012) however suggest that these indicators merely point towards the conditions needed for agency and do not necessarily measure, or imply agency. Direct measures include, 'access to and control over resources', 'economic decision making', and 'action on decisions made', and 'freedom of movement' (Ibrahim and Alkire, 2007). Kabeer (1999) has called for a deeper analysis of both the proxy and the direct measures of agency. In linking the three dimensions of empowerment, that is; resources, agency and achievements, she illustrates the difficulty of measuring any of the indicators of one dimension in the absence of the other two, and recommends the need to triangulate evidence to ensure that the correct meaning of the indicators has been used.

Agency is an underlying concern of feminism and thus engages with discourses that propagate women as social, economic and political actors (Mann, 1994). For feminists, the conceptualization of women's agency needs to be within the framework of gender and power relations as inequality is an underlying concern. Both proxy and direct measures of agency were assessed in establishing the current gaps and manifestations of women's agency, in Kajiado County.

Definition and measurement of the research variables;

A 'variable' has been defined as an indicator, attribute or characteristic that takes on different values among a sample of people or objects (Mugenda, 2008). A study of the variables identified and their inter-relationships can converge into one reality, which is described, predicted, controlled and ultimately explained.

The following variables were identified as the measures for the concepts below:

Objective One: Manifestations Of Women's Agency In Kajiado County

Several proxy indicators and variables were identified to measure agency given its multidimensional nature. Formal factors assessed include gender assessments of the institutions; strategic interactions by women to enhance their agency, activities initiated by women in pursuit of transformative change in their society, institutional setup and power relations within these institutions.

Gender assessments: The constitution has clear provisions for gender equity. The one-third representation of either gender as a minimum requirement in all public appointments is one example. A gender assessment of representation in the Kajiado County Assembly, women's participation and decision-making, at the Kajiado County Government structures, budget administration process, were done. Percentage of women owning businesses, land, livestock and other productive resources was measured.

Strategic interactions: Strategic interactions are a core feature in rational choice theory, where individuals consider the actions of others before making their own choices and modifying their own actions accordingly, (Driscoll and Krook, 2008). For a gender and women-responsive devolution process, there is need for strategic action and interactions by women actors based on a reflection on normative actions of the stakeholders in the devolution process including elected leaders, political parties, departmental heads, the County assembly, the budget and resource allocation process among others. Reflections on these actors and their interests were done with an aim to propose strategic actions for an optimized women's agency role within the scope of the devolution laws and policies. Strategic interactions between the actors were assessed by looking at how women relate with each other, and with other institutions, including women's *chamas*, lobby groups, women's organizations and networks. The motivations that drive the strategic interactions and the outputs from these interactions were analyzed. For actual measurements, questions were posed on whether women mobilize each other for action on economic, political and social concerns with Y/N responses. Other questions centered on number of meetings where women had petitioned the Governor to push particular agenda, and percentage of women who had utilized ICT to mobilize action.

Pursuit of transformative change: Feminist research primarily seeks to promote transformative change. As Driscoll and Krook (2008) propose, uncovering power relations and static institutions resistant to change may open up possibilities for an alternative, where strategic actions are adopted. Pursuit of change informed by an analysis of data collected was another core focus of this study. Change has been perceived as the transformation from one status of women's agency to a higher level of agency, where women have more choices and freedom to act on their interests. This is a situation where previous challenges in achieving this have been removed or transformed into enablers. The extent to which devolution has brought about this positive transformation (or otherwise) was assessed. A series of Y/N response questions were posed including the following: whether women were visibly challenging gendered inequalities, disinheritance of property, early marriages, gender violence and female circumcision; whether and how female MCAs were utilizing their critical mass in the KCA, including seeking a shift in the balance of power from patrilineal to a shared balance; and whether women were seeking to transform themselves using opportunities available for leadership, training and in public sector reforms.

Institutions: Institutions, which are rules, norms and conventions governing human interactions, may be formal (constitutional laws, bureaucratic guidelines) or informal (social and cultural norms), (DFID, 2009). Formally defined institutions in the County include the KCA, the executive arm of the KCG, NGOs and women's organizations. Questions posed to measure women's agency in institutions included whether political structures such as the KCA and KCG are enablers of women's agency, by looking at numbers of women nominated or voted into the KCA and other positions of leadership; checking whether the constitution provides for women's agency, by estimating the level of such support – high, medium or low; whether formal organizations such as NGOs, CBOs and CSOs provide avenues for women's agency, by looking at the positions taken by women in these organizations; whether the county budgeting and planning process is inclusive of women, by posing a Y/N question.

Power relations: A feminist perspective is interested in power relations, and is keen to counter possible exclusion of women in political reforms (such as devolution). Devolution, being a political process may run into the risk of creating institutions that do not benefit women, and hence the interest for an inquiry into power relations in Kajiado County, to generate recommendations for a model with promising positive outcomes for women as well as men. The power play between the different interested parties is critical in understanding

the spaces available for women's agency to thrive. This variable was measured by assessing the nature of power that has been availed to women in the constitution, and the reality of women's actual power in practice. Challenges within the power relations including how culture curtails (or enables) women's power, was a central concern. To measure power relations with regards to facilitating women's agency, the nature of interactions between female and male MCAs was assessed, including whether female MCAs are equally facilitated as the male MCAs in undertaking their mandate in a Yes/No response; estimating the level of partnership between political parties in advancing women's agency in a high, medium or low level ranking; assessing the relationship between the female MCAs and the community they serve, between the Governor and MCAs and between political parties in the KCA, whether its collaborative (1) or adversarial (0).

Objective Two: Informal Factors That Affect Women's Agency

Informal factors were measured mainly using qualitative methods due to the nature of subjectivity in the concepts. These include, cultural norms and practices and the extent to which they enable or curtail women's agency, traditional authorities, ethnicity and aspects of institutional failure manifested in bureaucratic organizations and gender stereotypes.

The measures for these concepts are discussed further below and also summarized in *Table 4:*

Power analysis: Power analysis has been a concern in the political and social sciences for a while. Kabeer (1994; 1999, 2001) has elaborated the concepts of 'power over', 'power to' and 'power within' – discussed elsewhere in this thesis. Lukes (2005) elaborates the three dimensional concept of power, which includes visible, hidden and invisible power. Power analysis focuses on structures and institutions both formal and informal, and actors in these institutions. It looks at how actors relate to each other, which actor exerts power, with whom and over whom. In rationalist thinking, it also looks at what motivates this exertion of power by individuals or groups over others (Dowding, 1991, 1996, 2005, 2006; Clegg, 1989). Power analysis is important for this study as the devolution process is evolving in a County context where different actors with different interests interact. Thus it has enabled a deeper understanding of formal and informal economic, political and social structures. It has provided insights into processes and initiatives to contribute to a devolution process that will create room for women's agency to be enhanced. A review of cultural norms, ideology and

practices and how these inform and influence interactions in the KCA and KCG have been done for a deeper critical overview of power relations in the County.

Cultural norms and practices: cultural norms and practices, and 'other cognitive scripts that structure political (and social) life as if they were formal rules', (March and Olsen, 1989). A feminist perspective was used to inquire into such practices that sustain 'patterns of inequality'. Cultural factors that affect women's agency were assessed and ranked as; female circumcision (1), early marriages (2) and violence against women (3).

Traditional authority: Informal cultural institutions include clans, age groups, and traditional authorities such as council of elders, informal lobby groups among others. Traditional believes that curtail women's agency were listed as; elders' curse (1); husbands curse (2)

Ethnicity: The question was posed whether ethnicity is a factor that affects women's agency (Y/N), and whether mobilization of women's ethnic consciousness in the devolution process has potential to disrupt women's agency (Y/N)

Institutional constraints: A study that seeks to understand underlying political motivations in governance reforms needs to pay attention to informal norms that underpin social hierarchies and perpetuate power structures. Where formal institutions are weak, informal ones explain the reality of how things are really done. The question was posed whether political patronage including unequal power and status was mentioned as negative for devolution (Y/N); and whether clientilism was mentioned as negative for devolution (Y/N).

Gender stereotypes: this involved an inquiry of the social meanings given to gender equality and equity issues and an exploration of how gender norms in cultural, political and social context in the Kajiado County. This study reflected on the devolution platform in the County, the gendered risks involved if gender is obscured in the implementation of the County programmes, and opportunities for women's agency role, for equal opportunities of women as men, in the devolution reforms in the County. Questions were posed on whether women were perceived as ideal for leadership – high, medium or low; and perceptions on the need for women and girls to access education and own property – high, medium or low.

Objective Three: Assessing Whether Women In Kajiado Are Influencing Devolution Through Their Agency

Agency is a multifaceted variable where different elements need to be looked at. The elements identified for this study included; women's visibility in politics and entrepreneurial activities in the County, whether women in Kajiado agitate against negative social and cultural practices that reduce their capability to engage with other players and whether women actively use ICT to enhance communication, given that communication is a core enabler of agency. Other elements included an assessment of whether women own and control property such as land, livestock and other assets, whether women have their own source of income and if they have the freedom to control their own use of time. These were Yes or No answers (Y/N) and were also the measures used to estimate women's agency at a broader level. Considering Sen (1999) and Kabeer's (2001) views on agency and capability, an estimation was made on the level to which women in Kajiado actively seek self-improvement through acquiring new skills or knowledge, and also their perception whether devolution and the Kajiado County Government, were a useful platform for increasing their agency. These two were measured by percentage of responses of women in agreement with these statements as captured in the questionnaire.

The *Table 1* summarizes these variables and their measurements:

Table 1 OPERATIONALIZATION OF VARIABLES - AGENCY INDICATORS

Variable	Proxy indicator/concept	Measurements and coding
OBJECTIVE ONE: MANIFESTATIONS OF WOMEN'S AGENCY IN KAJIADO COUNTY		
Gender assessments	• Women's literacy level • Women's representation in Kajiado County Assembly (KCA) • Women's access to and control of productive resources including land and capital • Women engage in economic and income generating activities • Women freely and openly articulate their views and interests on County budgets	-% of women at preprimary, primary, secondary and post-secondary levels -Number of women in the KCA (#) -% of women owning land, livestock -% of women owning businesses -Gender incorporated in county budget - Y/N
Strategic action and interactions	• Women mobilize action on economic political and social concerns • Women seek to influence local decision making platforms including Ward meetings • Women petition the KCG to push their agenda • Women access and utilize ICT services	-Women are active mobilizers (Y/N) -Women are vocal in public meetings (Y/N) -#[19] Lobbying meetings with Governor -% of women using ICT -Level of usage (daily, weekly, occasionally)
Pursuit of transformative Change	• Women visibly challenge inequalities in economic, political and social spheres • Women act effectively against disinheritance, early marriages, female circumcision and violence against women • Female MCAs use devolution to challenge oppressive culture • Do female MCAs maximize their agency in the KCA • Women actively pursue County spaces such as markets to pursue economic interests • Shifts in traditional balance of power from patrilineal to shared power • Community support for female political aspirants • Women's self-improvement through training	-Women vocalize their challenges (Y/N) -Women report violations and pursue justice (Y/N) - Sensitize others against female circumcision, early marriages and violence against women (Y/N) -Y/N -Women are visible participants in markets (Y/N) -More elected women in 2013 unlike previous elections (Y/N) -Level of support for aspiring women (H; M; L)[20] -%Women who received additional training

[19] # - (Number of)
[20] H; M; L (High, Medium, Low)

Variable	Proxy indicator/concept	Measurements and coding
Institutions	• Political systems as enablers of women's agency • The Constitution and subsidiary laws provide for women's agency • Does KCA and KCG provide for women's agency to thrive? • Formal organizations (CBOs, NGOs, CSOs) provide avenues for women's agency • The County planning and budgeting process is inclusive of women	-# Female candidates nominated by political parties -Level of support (H; M; L) -Perception on level of support (H; M; L) -Positions taken by women (Chair 1; Committee member 2) -Y/N
Power relations	• Nature of interactions between female and male MCAs in articulating the mandate of the KCA • Relationship between the MCAs from different political parties and coalitions • Relationships between female MCAs and the community they serve • Relations between the Governor and MCAs • Relationships between different parties in their shared objective of creating enabling environment for devolution to thrive in Kajiado County	-Female MCAs access county resources equally (Y/N) -Level of cooperation between parties in the KCA (H; M; L) -MCAs consult community regularly (Y/N -Collaborative/adversarial (1/0) -Nature of party relations - Collaborative/adversarial (1/0)
OBJECTIVE TWO: INFORMAL FACTORS THAT AFFECT WOMEN'S AGENCY		
Cultural norms and practices	• Cultural practices listed that curtail or enable women's agency	Female circumcision (1); Early marriages (2); VAW[21] (3)
Traditional authority	• Traditional beliefs and cultural ideology listed that curtail or enable women's agency	Elders' curse (1) Husband's curse (2)
Ethnicity	• Ethnicity as a factor that affects women's agency • Mobilization of ethnic consciousness in the devolution process has potential to disrupt women's agency	-Ethnicity was mentioned as a concern (Y/N) -Ethnicity was mentioned as a concern (Y/N)
Institutional constraints	• Manifestations of political patronage, where there is an unequal power and status in the KCA leading to power games that stifle the progress with devolution • Problem of clientilism, where personal bonds between political patrons and their followers misuse their positions to gain advantage for jobs, money or opportunities	-Political patronage mentioned as negative for devolution (Y/N) - Clientilism mentioned as negative for devolution (Y/N)

[21] VAW; violence against women

Variable	Proxy indicator/concept	Measurement Codes
Gender stereotypes	• Perceptions on women as ideal for leadership Perceptions on need for women and girls to access education and to own property including land and livestock	- Level in agreement (H; M; L) - Level in agreement (H; M; L)
OBJECTIVE THREE: ARE WOMEN INFLUENCING DEVOLUTION IN KAJIADO COUNTY		
Women's agency	• Visibility in politics • Visibility in entrepreneurial activities • Visibly agitate against negative social and cultural practices • Active use of ICT for their agency • Women control own property and finances • Women have own source of income • Women recognize devolution (and KCG)[22] as useful for their agency • Women actively seek self-improvement by acquiring new skills • Women have control of own time and its use • Question posed: what are the characteristics of women who have been identified as ideal agents of change in the County?	-Y/N[23] -Y/N -Y/N -Y/N -Y/N -Y/N -%[24] In agreement -% Women trained -Y/N -Characteristics listed using qualitative thematic analyses

[22] KCG – Kajiado County Government
[23] Y/N (1/0)

[24] % - (Percentage of)

Summary

Women have been at the core of constitution making in Kenya and thus a reflection of how women's agency has built over the last fifty years of Kenya's independence up until the realization of the *Constitution (2010)*, is central to this study. The effects of cultural identity, norms and practices, and how they have shaped ethnic consciousness and perceptions of marginalization has also been outlined, with a specific focus on the Maasai, who form the predominant community in Kajiado. The *Acts* of Parliament and laws that anchor devolution have been outlined and the process of county planning and budgeting discussed in detail. There are a limited number of studies that have focused on the twin concepts of devolution and women's agency and thus the available literature that was most relevant to this study focused on the two concepts separately. The chapter has reflected on formal and informal frameworks of devolution and how these might hinder or enable women's agency. It is clear that while formal anchors of devolution (laws and policies) provide avenues for women's agency, informal factors including cultural norms and beliefs have often combined and undermined women's agency.

Opportunities available in the formal policies such as the national *Constitution*, supporting laws and Acts of Parliament supporting devolution, and informal processes including cultural and religious values, ethnic dictates, and other norms, were identified and reviewed. Previous scholars on the gendered dimensions of decentralization have emphasized on the need for research to focus on women's practical and strategic needs, (McLean, 2003; Cos-Montiel 2006), implying the need to look at concerns related to access to public services and resources at local level, particularly in the backdrop of policy-supported access[25]. A feminist appraisal of devolution in Kenya by specifically focusing on women's agency in Kajiado County, and how utilization of policy provisions in current devolution law can optimize agency is necessary. The need to orient devolution programmes and institutions from a women's perspective, by linking empirical research to a feminist and rational choice analysis, is a major gap identified from this review of literature. It provides a foundation on which this study is grounded.

[25] In the case of Kenya, the ruling Jubilee coalition's party manifesto promises (among others) free maternity and obstetric care for mothers delivering at public hospitals; the *Constitution of Kenya, 2010* also underlines equitable access to public resources for all.

Assessment of the spaces for improvement of women's agency in their holistic livelihood spectrum in devolution focusing on; markets (economic activities), institutions (politics, women's groups, and community based organizations) and formal and informal organization of these spaces is necessary, to contribute to the existing knowledge gaps. Thus an analysis of economic agency, as viewed through women's entrepreneurial activities in market spaces; political agency assessed through women's political engagements with leadership and electoral processes; and social agency, reviewed through women's agitation for social change, are at the core of this study.

CHAPTER THREE:

RESEARCH METHODOLOGY

3.1 Introduction

This chapter outlines the research methodology adopted. Specifically, it explains the county setting, which informed the sampling process; the design of the study, including the sampling formula and framework, and data collection methodologies. The data analysis process and tools are also outlined. The research hypotheses and operationalization of research variables are discussed at the end of the chapter. A case study approach to the research was adopted, to enable an intensive inquest into the subject area. Data sources included formal laws and policies guiding the devolution framework; primary quantitative data collected from women in Kajiado County, experiences from women's organizations and community based organizations, market associations, women's savings and credit organizations, women's *chamas*, and women leaders from the County including elected members of the county and national assemblies. Qualitative data on informal rules and norms from selected community members including male key informants, living in the Kajiado County was collected to provide insights into the process of devolution in the county and their perception of women's agency in economic, political and social spaces.

3.2 Research Design

3.2.1 Study setting and sampling

This study purposively elected the Kajiado County in Kenya, from 47 counties. As explained earlier, this selection was made because the county offers a rich mix of agro-ecological, cultural, economic, ethnic, and political diversity representative of Kenya. The County offers a mix of rural and urban economic systems and traditional and modern ways of life. The County was also an important choice given the fact that it provides proximity to the University where this study is taking place, and to the Supervisors. Proximity to Kenya's capital, Nairobi was also important in easing access to members of the national assembly and other government institutions, who had been identified as useful sources of data. The County is vast in geographical area; with a dominance of the conservative Maasai culture and other ethnic groupings, and reflective of both rural and urban-based economic activities. This rich mix provides population characteristics in Kenya that include pastoralist and sedentary economic livelihoods, crop and livestock farming, agribusiness (including horticulture and

floriculture), small-scale entrepreneurship, arid and non-arid climatic conditions, and a mix of political diversities[26]. Women have demonstrated their leadership and agency in many ways in this County, and this can be propelled to greater heights. The study also sought a deeper understanding of the fiscal and budgetary arrangements to identify the leeway available to County governments to promote participation particularly of women. To do this, the level to which women's groups and organizations participate in budgetary processes of County governments was explored.

Previous feminist and gender studies undertaken in the County have associated Kajiado with women's marginalization on various fronts including but not limited to; low representation of women's employment due to low literacy rates, female circumcision, low participation of women in decision making processes and leadership positions, presence of many female headed households and a myriad of other gender disparities (Kajiado District Strategic Plan 2005-2010; Wangui, 2003). Kajiado is one of the 18 counties in the administrative region formerly referred to as the Rift Valley Province, located in the southern part bordering Tanzania. The county borders, Taita Taveta County to the Southeast, Nairobi County to the Northeast, Kiambu County to the North, Narok County to the West and the Republic of Tanzania to the Southwest. The county covers a geographical region of 21,902.9 km². Some of the major administrative and economic centers within the county include Ngong, Magadi, Mashuru, Isinya, Kajiado Town, Namanga, Loitokitok and Konza[27]. Kajiado County is cosmopolitan and rich in ethnic and economic and livelihood diversity.

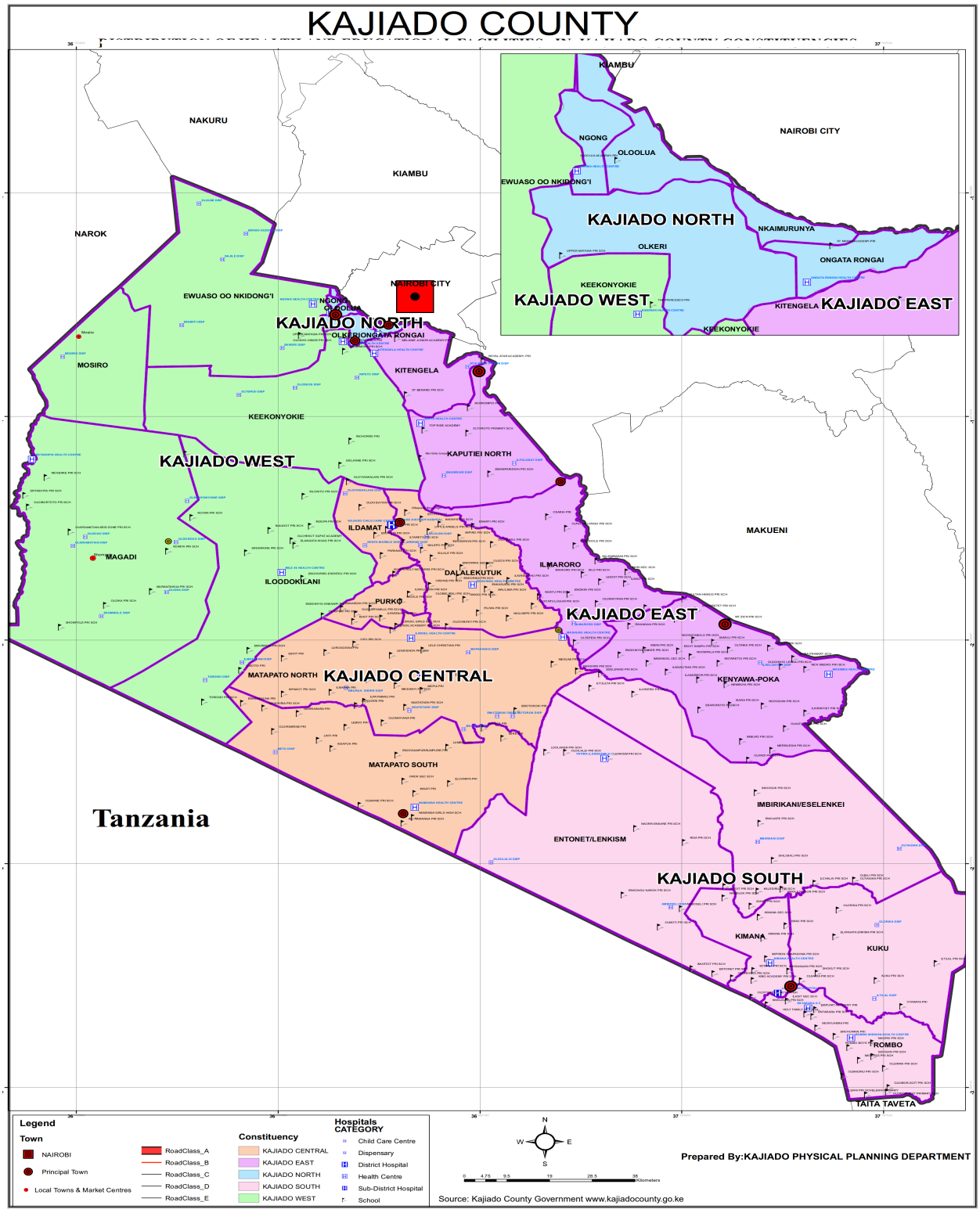
The strategic choice of the Kajiado County was informed by the richness of the pastoralist economic livelihood of the Maasai community, as well as sedentary farming and other economic activities undertaken by other Kenyan communities including the Kikuyu, Kamba, Luo and Luhya[28], (KIHBS, 2009). The County thus offered a rich diversity and a fair snapshot of Kenya's population in its entire dynamic of political representation, economic livelihoods, and cultures. *Figures 1* and *2* are maps indicating the location of Kajiado County in Kenya as well as the constituency boundaries in the County.

[26] This refers to the ruling coalition and the political opposition, CORD and Jubilee, respectively. This categorization is important because decisions made at county level often reflect the ideological positions of the political party they mainly affiliate with.
[27] Konza has been indicated as the 'Silicon City', intended to be the information communication and technology (ICT) hub for the country as part of the *Vision 2030*.
[28] Kenya Integrated Household and Budget Survey

Figure 3 MAP INDICATING THE LOCATION OF KAJIADO COUNTY IN KENYA

Source: Kenya National Bureau of Statistics

Figure 4 MAP SHOWING CONSTITUENCY BOUNDARIES IN KAJIADO COUNTY

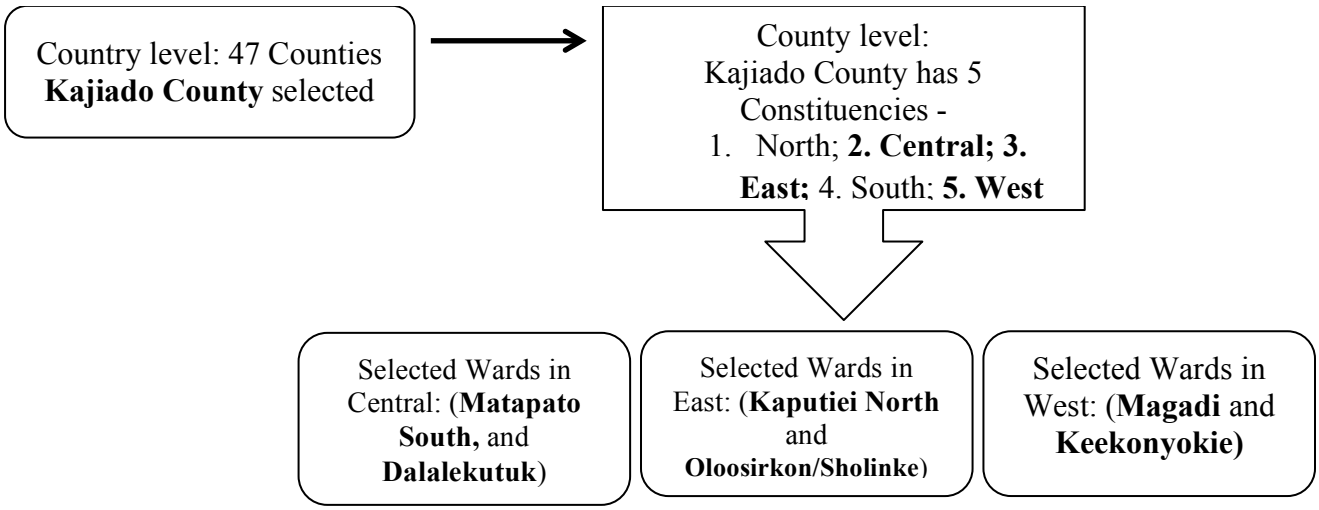


Source: Kajiado County Integrated Development Plan

The County has five constituencies, which have five wards each. The constituencies are: Kajiado Central, which is the seat of the County government; Kajiado South, Kajiado East, Kajiado West and Kajiado North constituencies. Three out of the five constituencies were randomly selected for this study. Kajiado Central is the headquarters for the County, and was thus at the core of data collection; Kajiado East being peri-urban, offered a cosmos of cultural and ethnic groupings, as did Kajiado South, which borders Tanzania; however, Kajiado South did not make it to the random sample and was thus dropped. Kajiado North borders Nairobi County and has significant influence from the influx of cultural, economic and political encounters from the Capital City. It was not in the random sample and was for this reason identified for piloting of the data collection instruments, particularly the questionnaire. Kajiado West and South are largely rural and rich in the predominantly Maasai cultural livelihood system. Data was therefore collected from three of the five constituencies in the County; Central, East and West, all identified based on the random sampling technique.

The three constituencies have five Wards each and thus a total of 15 Wards. Six Wards were then randomly selected from the 15, to give the women in each Ward an equal chance of participating in the sample. The six Wards include: Matapato South and Dalalekutuk in Kajiado Central; Kaputiei North and Oloosirkon-Sholinke in Kajiado East, and; Magadi and Keekonyokie in Kajiado West. *Figure 5*[29] illustrates the selected Constituencies and Wards.

Figure 5 OUTLINE OF SAMPLE FRAME



[29] Localities in bold indicate Wards in the sample selection

3.2.1 Sampling framework and design

The study adopted multiple sampling methods; snowball, purposive and multi-stage cluster sampling technique. Purposive sampling allowed the researcher to directly pick cases of subjects identified for being specifically informative and possessing the required characteristics of study, (Mugenda, 2008: 196). Multi-stage cluster sampling on the other hand enabled multiple sampling within a sample. A process of snowball sampling**,** also referred to as 'chain referral sampling' (Mugenda, 2008: 196), was employed where key informants lead the researcher to other key informants from the six wards identified, and to potential sources of participants for focus group discussions. For this study, elected and nominated women leaders, individual women actively championing different causes such as women's land and property rights, fight against gender based violence and female genital cut, women's literacy among others, were identified for interview.

The first step in data collection involved conducting preliminary exploratory interviews with purposively sampled key informants, aimed at concretizing the focus of the study and sampling methodology. Key informant interviews and focus group discussions were used to identify and explore the formal and informal rules, policies and institutions involved in the actualization of devolution. Data was sourced from the County's leaders including the Governor, Senator, and Women's Representative in the National Assembly, County Assembly members, committee members, community's elders and recognized opinion leaders. A deeper understanding and analysis of the leaders' plans and perspectives on how to achieve the spirit and aspirations expressed in the objectives and principles of the various devolution laws with regards to improving women's livelihood were analysed. As indicated above, a multi-level clustered sampling methodology was adopted to enable a fair representation of the County in the study on one hand, and on the other, to identify the sample of respondents for the socio-demographic survey of women demonstrating 'freedom, choice and action' (agency) (Sen, 1999).

Estimating the Sample Size

Cochran's (1977) formula has been used to establish the sample size;

$$n = \frac{p\,(1-p)\,z^2}{E^2}$$

where,

n= sample size required
p= percentage occurrence
E= Percentage maximum error required
z=level of confidence

$$n = \frac{0.5(1-0.5)1.96^2}{0.045^2}$$

n= 475 x 1.2 (*add 20% non-response*) **587**

Table 2 illustrates the sampling process from the National to Ward level, the sampling method employed, and the number of respondents in each category. *Table 3* outlines the distribution of respondents across the Wards and Constituencies.

Table 2 OUTLINE OF SAMPLING FRAMEWORK

Level	**Sample**			**Sampling method**
National level →	Kajiado County			Purposive sampling
County level →	Three constituencies:			Random sampling
	Kajiado East	Kajiado Central	Kajiado West	
Ward level →	1. Kaputiei North 2. Oloosirkon / Sholinke	1. Matapato South 2. Dalalekutuk	1. Magadi 2. Keekonyokie	Random sampling
Methodology:	**Sample size and selection**			
Quantitative Semi-structured questionnaire	**587** female respondents identified from the six Wards These are all women in the population aged above 18 years			Systematic random sampling; every 10th woman up to 98 per Ward
Qualitative FGD	FGDs; targeting women leaders, women entrepreneurs and female youth. O*ne* FGD with female MCAs; and *one* for male MCAs. A total of 10 FGDs were held, involving **103** participants			Purposive sample
Key informants (face to face interviews)	County-wide representation targeting; The Governor, and Women Representative, MPs; A total of **4** interviews were held with some of the participants preferring to remain anonymous			Purposive
Oral testimonies	A selection of female model agents of change from the County; A total of **7** women's oral testimonies were reviewed			Snowball sampling
Total respondents captured through all the methods: **701** *(587+103+4+7)*				

Table 3 DISTRIBUTION OF RESPONDENTS IN THE SAMPLE

Distribution of respondents in Wards	**Number of respondents (Questionnaire)**	**(Questionnaire) %**	**FGDs**	**Oral testimonies[30]**	**Key informants**
Dalalekutuk	94	16	25		
Kaputiei North	101	17.2	23		
Keekonyokie	81	13.8	8		
Magadi	120	20.4	12		
Matapato South	81	13.8	10		
Oloosirkon-Sholinke	110	18.7	11		
MCAs	0	0	14		
Total	*587*	*100*	*103*	*7*	*4*
				TOTAL NUMBER OF INDIVIDUALS = 701	

3.2.3 Study design

A feminist research paradigm has been adopted to collect primary data, with the view that the currently emerging devolution platform in Kenya is a potent ground for propelling women's agency to greater heights, of economic, political and social well-being. Being a study focusing on an area within public administration and public policy discourse, the RCT was also adopted as a critical analytical premise which when complemented with contemporary feminist theory, provides a strong theoretical foundation for the study. Within this feminist and rational choice paradigm, the study has further adopted a mixed method research approach, where both qualitative and quantitative research techniques were utilized to answer the research questions. The study was however predominantly qualitative, but complemented with a questionnaire, which aided in the collection of statistically quantitative data, mainly on the proxy indicators of women's agency discussed in Chapter 1, and demographic characteristics of the respondents, that would otherwise have been difficult to collect using qualitative tools.

The qualitative approach was informed by the view that qualitative research enables interrogation of the real life of the respondents, and analysis of their lived economic, political and social experiences. The analysis thus adhered to picking out underlying themes and

[30] Oral testimonies and key informants were not necessarily from the six Wards in the sample

patterns that emerge through the interaction with the respondents and the data collected. Being subjective in nature, qualitative research appeals to feminist studies as it offers an alternative to the positivist assumptions of objective research value-neutral methods that require a completely neutral perspective of the researcher. The feminist researcher position is largely subjective and thus the study was also subject to the researcher's own thought, cultural and political views, and gender.

The case study methodology was identified as most appropriate as the intention of the research was not to test theory but to build theory and to understand women's agency in its normative context in Kajiado County as well as within the current backdrop of devolution reforms. Case study research has been defined as, 'an empirical inquiry that investigates a contemporary phenomenon within its real life context; when the boundaries and context are not clearly evident; and in which multiple sources of evidence are used (Yin, 1984: 23). Closely related definitions of case study include; 'in-depth investigation of an individual, group, institution or a phenomenon,' Mugenda and Mugenda, 1998:73) and; 'a bounded system with parts that work together', (Stake, 1995). These characteristics of case study research were utilized to enable a detailed understanding of women's agency in devolved governance, and to relate this to county government reforms in Kajiado County.

Mugenda (2008) identifies several types of case studies; illustrative case studies, which describe a domain using one or two instances to illustrate a specific event; exploratory case studies, which condense the case study process and are often done prior to the large-scale investigations; critical instance case studies, which examine only a few cases of unique interest but have no intention to generalize findings, and; cumulative effects case studies, which attempt to pool information from different sites at different times. It carries a retrospective focus and collects information across studies done in the past and also in the present (2008: 93-4). The cumulative case study approach has been chosen since the analysis of data from individual women's agency can be interpreted within the social, political and cultural context of women's lived experiences, and findings projected towards an optimized future possibility, in light of the opportunity availed by devolution reforms.

Critics of case study research argue that it lacks grounds for generalizing findings. Use of purposive sampling can be criticized for possibilities of researcher bias. However, this study utilized the positive case study attributes for analysis of the real life circumstances of women

in Kajiado County. Case study research explores contextual causal effects on the subject of study. Barzelay recommends a conceptualization and delineation of factors 'that play a role in explaining event trajectories', (Barzelay, 2007: 529). To do so, he recommends a data category of 'process design features', 'process context factors' and 'human participation' (Barzelay, 2007: 529). To allocate data into these data-categories, he observes, requires the researcher's judgment and discretion, particularly in elucidating the causal linkages. To elaborate the event trajectory, Barzelay identifies three social mechanisms that further underscore these causal effects, namely: 'actor certification, attribution of opportunity, and performance feedback', (Barzelay, 2007: 534). The main point is that these social mechanisms if activated in combination explain the case outcome.

The type of data collected included;

i) Demographic characteristics of individual women, demonstrating leadership and voice in different sectors of their livelihoods including entrepreneurship, participation in politics, women's groups and organizations, champions in crop and livestock farming, women leading anti-female genital mutilation campaigns and women generally considered role models in diverse fields. Such data provided their age, incomes, occupations or economic activity, literacy levels, access to essential basic services; their cultural backgrounds, and their occupation in formal and informal spaces and how these have affected their ascendancy over time and agency role. The data also gave a view of women's level of participation and agency through organized groups such as CBOs, women's organizations, formal entrepreneurship and market value chains; informal cultural, ethnic and religious views on women's leadership and agency.
ii) Focusing on the County government, a gendered review of County Assembly debates, was accessed through the Kajiado County records, a review of strategic or annual plans, resource allocation and budgeting guidelines. The data also looked at the County's inclusion of key objectives of devolution (democratic ideals, accountability including to women, inclusivity of diverse views, access to public resources and representation modalities. The data also focused on informal factors that guide the nominations to the County's board and County Assembly committees, budget planning and allocation processes, and informal interpretations of the above key objectives of devolution.

3.2.4 Ethical considerations and approvals

Prior to embarking on the fieldwork and related data collection activities, an application was made by the researcher for a research permit in October 2013, at the National Council for Science, Technology and Innovation (NACOSTI), at Kenya's capital, Nairobi. The approved research proposal, data collection tools and letters from the University of Nairobi were needed as supporting documents. The research was then approved in early March 2014 by NACOSTI, which paved way for a further approval at the County level by the County Commissioner later that month. Both research authorization permits are appended in *Annex 1*.

Voluntary and informed consent prior to data collection was secured throughout the exercise. Participants in both quantitative and qualitative surveys were requested to consent for their participation in the study by signing on the questionnaire. The research assistants would read out the participant consent form before administering the questionnaire and show the respondent the space provided on the questionnaire for their signature. For the FGDs, oral testimonies and key informant interviews, verbal consent would be sought prior to commencing the interview. Where respondents preferred to remain anonymous sources of data, particularly in the key informant interviews, this was respected.

The researcher and research assistants maintained a high level of personal and research integrity during the conduct of fieldwork. This was maintained during data analysis and presentation as well as during review of literature and empirical material related to this study. Confidentiality and anonymity of the respondents was assured and read out in a language accessible to them prior to administration of the research instruments. For oral testimonies however, express permission was requested from the respondents to allow presentation and publication of materials quoting them as the source. Anonymity of the respondents providing oral testimonies was respected and maintained.

Some of the ethical dilemmas of this research were on how to present sensitive issues raised especially out of the oral testimonies. The research is intended to profile women's successes and the challenges they had to surmount in order to succeed. So if pseudonyms are used to protect them then this public acknowledgement of their success would be denied to them. On the other hand some of the personal information was sensitive. The respondents were consulted about how to address this dilemma and while they consented to full disclosure, as

they felt proud that their challenges had propelled them to succeed, it was agreed that only the most relevant information would be reported in the research. Thus full consent was acquired at commencement of the interviews. Further, for some of the women identified for oral testimonies, particularly Priscilla, Peris and Mary, their personal information is also readily available in publications such as newspapers and on interviews recorded on video clips by journalists, and published on *YouTube.*

3.2.5 Data collection instruments

A research protocol[31] was developed and used to link the research questions, the data collection technique and instruments and the analytical methodology. A selection of instruments was used to ensure as much objectivity in data collection as possible and also to enable triangulation of data.

These instruments are in *Annex 4* and include the following:

i. An unstructured open-ended and semi-structured questionnaire was used mainly for collection of demographic data, on current status of women's agency.
ii. An interview guide for focused group discussions (FGDs), key informant or in-depth interviews and oral testimonies.
iii. An observation checklist, which was used for observation of women in their agency role in different components of their daily life, proceedings in the County Assembly and during public hearings organized by the County Government on financial budgets and planning.

Administration of the questionnaire and recruitment of research assistants

For the quantitative data, the questionnaire was used to collect information on demographic characteristics of the women such as their age, level of education, marital status, motherhood status and source of income. Further, the questionnaire collected information about their entrepreneurial characteristics, membership to organized groups, and individual and collective response to challenges such as violence against women, female circumcision, property ownership and women's control of time to determine their time burden. Finally, the questionnaire sought information about women's utilization of ICT including use of the phone to make calls, Internet access and mobile money transfer platforms, and also their

[31] The research protocol is appended at Annex iii

perception of the role of the County Government and County Assembly in addressing women's concerns.

The questionnaire was pretested on March 31, 2014 in the Kajiado North Constituency, which is outside the sample area. The pretesting exercise aimed at providing practical training to the research assistants on how to administer the questionnaire. It also aimed at piloting the questionnaire and its translation into both Kiswahili and Maa languages, for a shared understanding of the translated concepts. The piloting exercise also aimed at identifying any problematic sections of the questionnaire such as ambiguities or unclear questions, which would enable further revisions prior to actual administration of the questionnaire. The study population for the quantitative data was mainly female respondents who were aged 18 years and above. A total of 587 questionnaires were administered for the demographic survey in the six Wards listed above. Approximately 98 women in each Ward were interviewed, giving a total of 587 women respondents in total, from the six wards. A process of systematic random sampling where every 10th woman was interviewed was used to identify the actual respondents. In the six Wards, women at administrative centers, market centers, offices, communal cattle dips and watering points and in women's *chama*s, were targeted.

A total of 13 research assistants[32] were recruited to assist with the data collection, management and analysis. These include two field supervisors to manage the logistics during data collection and later as data entry clerks. Another one provided statistical oversight, while the remaining ten were engaged to administer this questionnaire. The actual data collection was designed in such a way that all interviews in a Ward would be completed in one day avoiding spilling over the interview to the next day. This was to ensure that the systematic random sampling was not interfered with since any spill over would lead to possibilities of sampling the same respondent twice. It was also designed with the understanding that women's agency role is demonstrated in a continuous way and hence it was expected that data would adequately be captured within the activities taking place in any typical day. Further, during the pre-testing exercise, it was estimated that on average, one questionnaire took approximately 40 to 55 minutes to complete, and therefore observing the systematic

[32] A full list of all the research assistants is provided at the Annex

random sample rule, it was possible for a research assistant to complete 10 questionnaires well within one day, between 6:00 a.m and 6:00 p.m.

Market days were avoided as these would mean that women coming from other Wards outside the sampled Wards might be included for interview, and in so doing tamper with the sample frame. A typical market day in Kajiado attracts traders from other Wards since different Wards have designated different days of the week for their formal market days. Therefore a market day would find women drawn from many Wards in the same locality. Similarly, for ethical reasons, women at dispensaries seeking medical services either for themselves or for their children were also avoided, as this would lead to unnecessary delays for the patients.

Focus Group Discussions

Focus Group Discussions (FGDs) are interviews where an average of twelve people sat together to discuss issues that are pertinent to the research question. The researcher was the primary interviewer during FGDs with the help of a research assistant who spoke Maa, who assisted with the translation into and from Maa. With the formal approval of the participants, data was recorded using a notebook as well as a voice recorder, and later transcribed. An interview guide was used during the discussions to ensure all the crucial questions were discussed and to probe for clarity. Members of a FGD were mainly drawn from a convenience sample, carefully selected based on specific characteristics held by the participants. Hence FGDs were identified as appropriate for this study, being a methodology that enables members in a group to express their opinions freely and where there are conflicts in the discussions, there is room for consensus building, (Schneider et al, 2003:31).

With regard to the focus group discussions, at least one discussion was held in each of the six Wards, with Dalalekutuk and Kaputiei North having two FGDs. Data was collected from total of ten FGDs. A group of approximately six to twelve participants were targeted in each group. With the exception of the MCAs, all the groups captured discussions with women only groups; women entrepreneurs, female youth and a women holding leadership positions in in community-based organizations. The FGD in Magadi Ward targeted leaders and chairpersons of women's groups in the Ward. In Keekonyokie, Dalalekutuk, Matapato South and Kaputiei North, the FGDs targeted women leaders in churches, community committees,

not necessarily chairpersons. In Dalalekutuk and Kaputiei North, a second FGD was held in each of the Wards targeting women entrepreneurs. In Oloosirkon-Sholinke Ward, a FGD was held targeting female youth whose agency is just beginning to shape. An additional FGD targeted female MCAs and another one targeted male MCAs. The discussion group with the female Members of the County Assembly focused on provisions in devolution laws and opportunities for enhanced women's agency in the County context. The FGD with male MCAs sought their views about their role in promoting women's interests and agency both in and outside the County Assembly. *Table 4* summarizes the implementation of the FGDs:

Table 4 IMPLEMENTATION SCHEDULE FOR THE FGDS

Location in the Ward where the FGD was held	**Number of FGDs**	**Target category of discussants**	**Number of participants in each FGD**	**Date held**
Magadi - at the market	1	- Chairpersons of women's groups	12	31.03.2014
Keekonyokie at the market	1	- Women leaders	8	02.04.2014
Dalalekutuk – church hall in Kajiado town	2	- Women leaders -Women entrepreneurs	*FGD 1* - 15 *FGD 2* - 10	07.07.2014
Matapato South – at Namanga stage hotel	1	- Women leaders	10	04.04.2014
Kaputiei North – at the Isinya Market	2	- Female entrepreneurs - Women leaders	*FGD 1* - 12 *FGD 2* - 11	08.04.2014
Oloosirkon/Sholinke – held at Central Hotel, Kitengela	1	Female youth group	11	07.04.2014
Naivasha – At Lake Naivasha Sawela Lodge[33]	1	Female MCAs	8	09.05.2014
Held at MTTI[34] in Kajiado Town	1	Male MCAs	*6*	19.02.2015
Total	**10**		**103**	

Key informant and in-depth interviews

Key informant interviews are qualitative in-depth interviews with people well acquainted with the subject under study. Both purposive and snowball sampling methodologies were used to identify the informants, and hence some of the interviewees were identified in the

[33] This FGD was held on the sidelines of a national devolution workshop that all MCAs countrywide had attended

[34] MTTI – Maasai Technical Training Institute

course of actual data collection. Key informant interviews were important in triangulating information gathered through other methods, and to enable further refinement of the instruments to be used. The purposive and snow ball sample used to select informants was based on specific knowledge that they are perceived to have and their insights on the devolution process in Kajiado. An interview guide was used during this interview (Annex 4). The guide sought data on the level of women's representation in the County leadership including the KCA and KCG, gender responsiveness of the County's budget, Bills that have been brought to the KCA by female MCAs and general perspectives on women's agency.

The interviews were held in respective interviewees' offices and were held between January and February 2015. The interview with the Governor of Kajiado was deemed to be very important in assessing his perspectives on gender responsive planning in the County including recruitments of key positions in the KCG, complementarity or otherwise between the KCG and KCA, issue of land and social services delivery in the County. This interview was held on 19th February 2015, at the Maasai Technical Training Institute while that with four current elected women leaders were held at different times between January, and February. They were all identified as important in providing deeper insights on sensitive issues like women's agency within the County Assembly, Senate or National Assembly. Except the Governor, the women leaders who provided data using the face-to-face interviews preferred to be recorded anonymously.

Observation

In this case, the researcher observed activities and the day-to-day agency of women in Kajiado. The aim of collecting data using 'observation' was to learn from observing a real life situation in public meetings County Assembly debates, public meetings and consultations by the County Government. The tool collected data on numbers of women present as compared to that of men, issues raised as concerns for and by the women, power relations between female and male MCAs during the debates and between the leaders and the community members that they lead.

Forums such as the live sessions in the KCA provided important data on the research variables, as observed through the interactions, negotiations, decision-making and power play amongst female and male MCAs. Other County activities such as consultations with

community members organized by the KCG were useful sources of data. Observation of the presentation of the County Integrated Development Plan and budget for the 2015/2016 fiscal year, held on 19th February 2015 at the Maasai Technical Training Institute, provided a good source of data where power plays between the male and female MCAs and between the KCA and KCG came to the limelight. Observational research serves to collect objective information where the researcher makes the observation directly (Mugenda and Mugenda, 1998:169). Clear study propositions and objectives were used and data was collected using an observation checklist, to ensure objectivity.

Oral Testimonies

Given the study's focus on women's agency role, the study also benefited from a profile of selected active women identified locally as model agents of change. These were drawn from all Wards in the County and not necessarily the six Wards in the sample. Women's agency for the selected sample was captured using the oral testimony technique. Oral testimonies are personal stories from respondents that are historical in nature and that may capture the entire span of their life. Oral testimonies from female opinion leaders were identified as critical in capturing informal norms and rules in the communities targeted in the research. It also enabled capture of data variables not easy to measure such as leadership, capacity, ownership, and participation. A selection of seven testimonies from women representing national assembly, county assembly, women's organizations, and in enterprise were documented at different times between November 2013 and February 2015. Findings from these are detailed in Chapter Six below. These were sampled through a process of snowball sampling to identify the ideal respondents. The methodology was used together with 'observation' in order to compliment and enrich the data collected.

3.3 Data Analysis

In qualitative research, the analysis and interpretation forms part of writing up and this took place simultaneously, during fieldwork. The study used multiple scales of analysis all tied to the different methods of data collection already proposed. Triangulation and verification was done, before drawing conclusions. Quantitative data generated important numbers on patterns of women's activities where their agency is demonstrated. This enabled the study to test the reality in the facts alongside peoples' perceptions of women's agency in the County. Qualitative data and participant observation on the other hand provided vital insights on the complexities between women's agency in informal and formal contexts. Analysis and

interpretation guided the research towards opportunities available in the current devolution platform to advance women's agency.

3.3.1 Qualitative data analysis

All the qualitative data were transcribed by a research assistant and then counter checked by the researcher against the original recording for accuracy. The script was then compared with the notes recorded on notebooks for completeness. Each transcript was then marked as representing a particular Ward depending on where the interview or discussion had taken place. Data was organized and 'cleaned' and the researcher then sought a thorough familiarization with the data to enable further categorization based on emerging themes and patterns. A process of coding was undertaken to connect the raw data with the theoretical concepts. Data was also reviewed for adequacy and the research questions used to gauge the level of credibility, usefulness and consistency of the data. Data was then analyzed and interpretations made using a process where it was subjected to additional analyses and interpretations through consultations with second and third parties. This sought to ensure that the analysis would be consistent with the data collected and hence limit the possibility of researcher bias, often associated with qualitative data analysis.

Unlike quantitative analysis, qualitative data analysis mainly uses description to discern, compare and contrast meanings from the emerging patterns and themes. The study adopted a systematic approach in interpreting the data, which continued, as data was being collected and recorded. The analysis looked out for linkages between emerging patterns and themes, with the research questions. Derivatives and gaps in the data were noted in case they necessitated additional data collection. More specifically, a process of data reduction for manageability was done, (Miles and Huberman, 1994). Relevant data for further description was singled out. Using Miles and Huberman (ibid) model of qualitative data analysis, data display was done, to trace systematic patterns and inter-relationships.

More specifically, the study relied on the theoretical propositions as a basis for data analysis. Further, analysis of rival explanations was also crucial in sharpening the reflections on the data collected. A general analytical strategy derived from Yin (2003) was utilized, informed by the points below: categorizing information into a matrix of different emerging themes, grounded in the feminist - rational choice theory; tabulating frequency of different events

arising from the data displays; analyzing causal relationships in the data and; ranking the evidence in chronological order, for analytical clarity, (Yin, 2003:11; Miles and Huberman, 1994). A high quality of analysis was secured through attending to all the evidence collected, including rival interpretations and utilization of the theoretical propositions already mentioned.

3.3.2 Quantitative data analysis

Once the quantitative data was collected, the field supervisors and the researcher did spot checks and serialized the questionnaire, for accuracy. A team of three then coded the responses. Two of these were research assistants who also played the role of data entry clerks, and the supporting statistician. The principal researcher provided oversight of the entire exercise. This then paved way for data entry, which was done using *Epi-Data* Version 3.1. To ensure accuracy each questionnaire was entered twice by two different people and then archived. The Epi-Info software was used to compare the two sets of data after entry to identify and rectify errors.

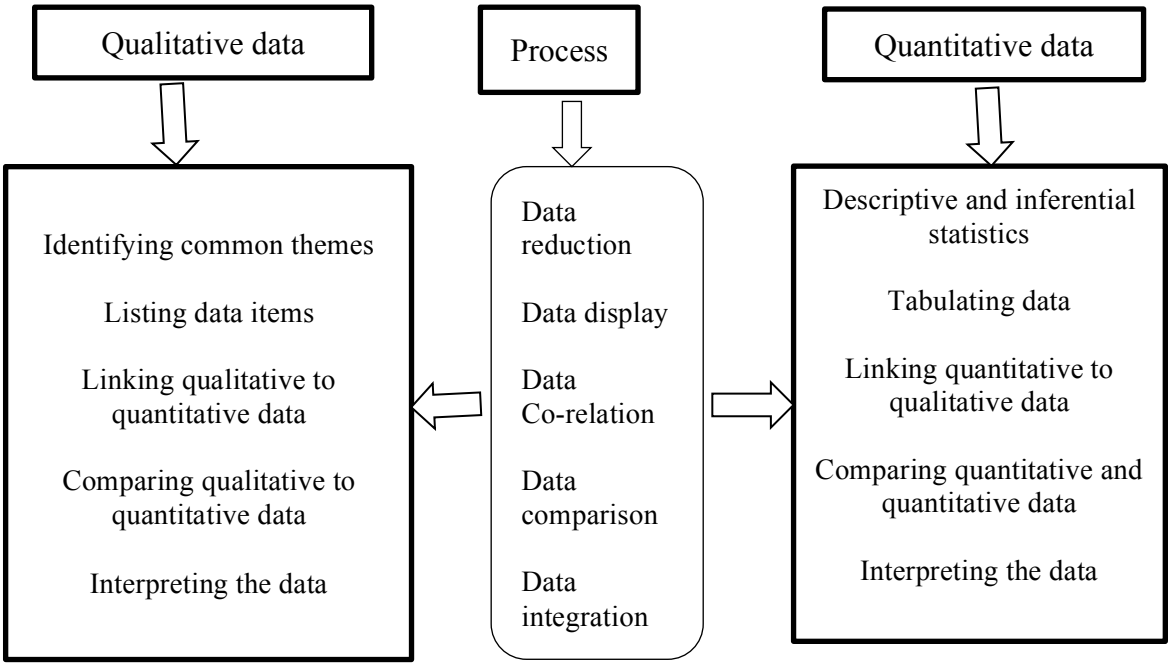
For data analysis and manipulation, exploratory data analysis and statistical analysis were performed using IBM Statistical Software for Social Sciences (SPSS) Statistics version 22.0 and Statistical Analysis Software (SAS, version 9.3). All statistical tests were conducted at $\alpha = 0.05$ level of significance. The confidence intervals were computed at 95%. Exploratory data analysis is a fundamental tool carried out to gain insight into the data. The tools considered in this study included descriptive statistics, cross-tabulations, univariate logistic regression analysis and graphical representations. Fisher's exact test and Pearson Chi-Square test were used to test for association between the outcome of interest and predictor variabls. The aim was to study the relationship between the predictor variables and the outcome of interest.

3.3.3 Data interpretation

An important part of data analysis is its interpretation and establishing links between qualitative and quantitative data, given the mixed methods approach. The study adopted an approach of data reduction, displays and transformation, establishing correlation, comparisons and integration of both qualitative and quantitative data using borrowing from Onwuegbuzie and Teddlie's (2003) approach. This helped in securing the validity of the

results and conclusions by formally testing the interactions between the data. After data analysis was done, the results were validated in subsequent discussions with MCAs and women's organizations. *Figure 6* illustrates the process through which data was interpreted.

Figure 6 THE PROCESS OF DATA INTERPRETATION



3.4 Reliability and Validity

Reliability is the 'degree to which a research instrument yields consistent results even when repeated' (Mugenda and Mugenda, 1998:95), a demonstration that the data collection procedures can be repeated with the same results. Data reliability is essential in ensuring errors and biases are minimized. It is influenced by random error, and this study strived to reduce this error as far as possible, through ensuring careful development of the research instruments, clear instructions to the respondents, thorough training of the data collection assistants and elimination of interviewer and analysis bias to the fullest extent possible. This study also sought to secure data reliability through establishment of a comprehensive study protocol and database, as suggested by Yin (2003). The database pooled all raw data collected through the different research instruments, to allow for reference and critical reflection long after the actual fieldwork.

Validity is the 'accuracy and meaningfulness of the inferences which are made based on the research results (and) the extent to which results obtained from the analysis of the data actually represent the phenomenon under study, (Mugenda and Mugenda, 1998:99). The level of construct validity, and the 'degree to which data obtained from research instruments meaningfully and accurately,' reflects women's agency, was estimated. Yin identifies three types of validity: (1) Construct validity, which is the ability to identify correct operational measures for the concept under study, and can be ensured through use of multiple sources of evidence, as well as ensuring that the research instruments are subjected to expert review for a deeper assessment, whether the instruments adequately represents the concept under study; (2) Internal validity, particularly in explanatory or causal studies, a condition addressed using explanation building or addressing rival explanations, and; (3) External validity, which requires establishment of a domain to which the study's findings can be generalized beyond the immediate case study, (Yin, 2003: 33-38).

Summary

This chapter has outlined the research methodology. The research design is founded on the feminist research approach and has thus applied feminist research principles. Primary data was collected using a mixed methods approach. The chapter has also detailed the sampling design, the study's setting and the different research techniques adopted. Chapter 4 outlines the findings under the first objective of the study, which sought to understand how women's agency manifests itself in Kajiado County.

CHAPTER FOUR:

MANIFESTATIONS OF WOMEN'S AGENCY IN THE DEVOLUTION PROCESS

4.1 Introduction

The mixed research methods used for data collection in this study generated both quantitative and qualitative data. This chapter presents findings from both quantitative and qualitative methods. The quantitative data illustrates the demographic characteristics of the respondents as well as the different manifestations of women's agency in Kajiado County. The qualitative data explores the deeper meanings of this data from the perceptions of women interviewed at community level, and from female and male leaders such as the Governor and other elected leaders. Face-to-face or key informant interviews (KIIs) with selected leaders have provided important data relating to the policy formations and decisions made in shaping devolution in the County.

This chapter specifically presents findings under the first objective of this study; *To assess how women's agency is manifested in the devolution process in Kajiado County with regard to the five core study variables; (i) gender, (ii) strategic interactions, (iii) institutions, (iv) power relations and (v) transformational change.*

4.2 Demographic characteristics of the respondents

Data in this section was collected through quantitative methods, specifically the questionnaire. The questionnaire was only administered on female respondents above the age of 18 years. It describes the demographic characteristics of the women in the County and how these shape their individual and collective agency. As demonstrated in *Table 5*, majority of the respondents who were interviewed were in the 26 to 35 years age category, followed closely by the 36-45 years age category. Only a few were over 60 years old. With regards to primary occupation, 52% of the respondents were self-employed and formed the majority. These were mainly involved in activities such as agribusiness including purchase of food items from farmers and sale at main markets, running of small enterprises including groceries, sale of milk and livestock and running of hair salons. The 'farmer' category included livestock keepers and made up 8.5% of the population. The salaried category (9.5%) were those who receive a salary at the end of every month and included teachers, civil servants and others employed by other agencies including health facilities and non-

government institutions. This is a relatively small number indicating a low level of formal employment among women in the County, with many resorting to self-employment. A small group (2.2%) were neither students, employed or self-employed and insisted that they had no occupation whatsoever, and thus did not fit in any of the categories listed.

The majority of those interviewed (30%) had received but not gone beyond secondary education. Those who had only reached pre-school (27.6%) and those who had only received primary level education (25.2%) closely followed each other. Very few of the women had received any form of vocational training either at the post-primary or post-secondary level. A majority of the women (70.7%) were married while only a small number were divorced or legally separated from their husbands. Six point five percent of the respondents had never been married, which is different from being single in that they had opted not to get married, while the single ones (14%) were relatively younger women who intended to get married at some point later in their lives.

Data indicates that majority of the women holding leadership positions (28.2%) and participating in groups (29.3%) are in the 36 – 45 age category and were more likely to be in self-employment (61.2%) than in other occupations. However, women who took initiative to cause change (agency) were largely in the 26 – 35 age category. Women holding leadership positions were likely to be married (76.5%). In terms of Ward distribution, Magadi Ward had the largest number of women leaders (26.5%) while Dalalekutuk had the least (10.6%). Constituency wise, Kajiado West, which hosts Magadi and Keekonyokie Wards had the largest number of women holding some form of leadership position (42.9%), while Kajiado Central with 21.9%, had the least. It was interesting to note that majority of the women holding leadership positions, and demonstrated greater initiative to cause change, were *not* heads of their households (64.1%) and were more likely to be mothers (85.5%).

It is notable that majority of those participating in organized groups (61.2%) or actively in women's agency roles (50.8%) were more likely to be in the self-employed category and least likely to be casual farm labourers (1.9%) and (2.4%), respectively. Women participating in groups were likely to have acquired secondary education (26.1%) and to be married (77.1%). Like in the leadership category explained above, this indicates a correlation between self-employment and some form of autonomy for the women to engage in leadership or collective group activities. Magadi Ward with 30.6% of the respondents being members of an

organized group, and 27.2% of respondents being actively engaged in agency presented the majority. Matapato South and Kaputiei North with a tie of 12.1% had the least number of women in groups. Kajiado West Constituency with 42.1% of the women being active agents of change had the highest with Kajiado Central with 28% the least. Just like the leadership and group participation category, the agency category had 86.2% of the respondents being mothers.

The data demonstrates statistical significance[35] between women's leadership and active engagement in organizations and their age (p=0.02 and p=0.001, respectively). Those aged 36-45 years were more likely to hold organizational leadership and active participation than other age categories. Further, women's primary occupation was also statistically significant (p=0.001) as a determinant of their leadership in organizations and their agency. Those in self-employment[36] had a greater likelihood of playing these roles. A woman's level of education is a significant determinant of their agency (p=0.009); women with secondary level education were more likely to take own initiative to cause change (agency).

The data indicates that there is no association between marital status and women's leadership in organizations or participation in groups (p=0.126 and p=0.077, respectively). Participation in groups was mainly geared towards group savings, lending, and small enterprises and building wealth for the women and thus being a survival strategy, it was not dependent on marital status. Women's perceptions and active involvement in organizations varies with their residence. Those from Magadi Ward (30.6%) were more likely to be active in organizations than those from other Wards. The Kajiado West Constituency is less served with infrastructure including electricity and the markets are far-flung and less developed, which might indicate the need for greater association at 48.4% compared to Kajiado Central (23.6%) and Kajiado East (28%) constituencies. *Table 5* illustrates socio-demographic characteristics in the County.

[35] Statistical significance is noted where the p value is less than 0.05 at a 95% confidence level.
[36] These ones were largely running small enterprises

Table 5 DEMOGRAPHIC DATA

	Women Lead in organizations				Women active in organized groups				Women's initiative to cause change (agency)[37]			
	Yes 170(28.96)	**No 417(71.04)**	**Total 587(%)**	**P[38]-value**	**Yes 157(26.75)**	**No 430(73.25)**	**Total 587(%)**	**P-value**	**Yes 254(43.27)**	**No 333(56.73)**	**Total 587(%)**	**P-value**
Age in years												
18-25 Years	29(17.06)	83(19.90)	112(19.10)	0.002[1]	25(15.92)	87(20.23)	112(19.10)	0.001[1]	48(18.90)	64(19.22)	112(19.08)	0.375[1]
26-35 Years	43(25.29)	158(37.89)	201(34.20)		37(23.56)	164(38.14)	201(34.20)		82(32.28)	119(35.74)	201(34.24)	
36-45 Years	48(28.24)	98(23.50)	146(24.90)		46(29.30)	100(23.25)	146(24.90)		63(24.80)	83(24.92)	146(24.87)	
46-55 Years	40(23.53)	52(12.47)	92(15.70)		37(23.57)	55(12.79)	92(15.70)		48(18.90)	44(13.21)	92(15.67)	
Over 60 Years	10(5.88)	26(6.24)	36(6.10)		12(7.64)	24(5.58)	36(6.10)		13(5.13)	23(6.91)	36(6.13)	
Primary Occupation												
Farmer	18(10.58)	32(7.67)	50(8.52)	0.001[2]	13(8.28)	37(8.60)	50(8.52)	0.065[2]	21(8.27)	29(8.71)	50(8.52)	0.023[2]
Salaried	17(10.00)	39(9.35)	56(9.54)		18(11.46)	38(8.83)	56(9.54)		36(14.17)	20(6.01)	56(9.54)	
Casual farm labour	4(2.35)	13(3.12)	17(2.90)		3(1.91)	14(3.26)	17(2.90)		6(2.36)	11(3.30)	17(2.90)	
Casual non-farm labour	1(0.58)	24(5.76)	25(4.26)		5(3.18)	20(4.65)	25(4.26)		8(3.15)	17(5.11)	25(4.26)	
Self-employment	104(61.18)	201(48.20)	305(51.9)		96(61.15)	209(48.60)	305(51.9)		129(50.79)	176(52.85)	305(51.9)	
Student	6(3.56)	16(3.84)	22(3.75)		3(1.91)	19(4.42)	22(3.75)		13(5.12)	9(2.70)	22(3.75)	
Child care/Housework	17(10.00)	82(19.66)	99(16.87)		16(10.19)	83(19.30)	99(16.87)		36(14.17)	63(18.92)	99(16.87)	
None	3(1.76)	10(2.40)	13(2.21)		3(1.91)	10(2.32)	13(2.21)		5(1.97)	8(2.40)	13(2.21)	
Level of Education												
Pre-school	53(31.18)	109(26.14)	162(27.60)	0.074[2]	54(34.39)	108(25.12)	162(27.60)	0.122[2]	71(27.95)	91(27.33)	162(27.60)	0.009[2]
Primary	34(20.00)	114(27.34)	148(25.21)		32(20.38)	116(26.98)	148(25.21)		58(22.83)	90(27.03)	148(25.21)	
Secondary	48(28.29)	131(31.41)	179(30.49)		41(26.11)	138(32.09)	179(30.49)		67(26.38)	112(33.63)	179(30.49)	
Vocational (post-primary)	3(1.76)	4(0.96)	7(1.19)		2(1.27)	5(1.16)	7(1.19)		3(1.18)	4(1.20)	7(1.19)	
Vocational (post-secondary)	6(3.53)	4(0.96)	10(1.70)		4(2.55)	6(1.40)	10(1.70)		5(1.97)	5(1.50)	10(1.70)	
University / College	26(15.29)	55(13.19)	81(13.80)		24(15.29)	57(13.26)	81(13.80)		50(19.69)	31(9.31)	81(13.80)	

[37] The question asked enquired on women's individual initiative to cause change (agency)
[38] P-value is statistically significant at: p=<0.05 level

TABLE 5 DEMOGRAPHIC DATA … CONTINUED

	Women lead in organizations				**Women active in organized groups**				**Women's initiative to cause change (agency)**			
Marital status	**Yes 170(28.96)**	**No 417(71.04)**	**Total 587(%)**	**P-value**	**Yes 157(26.75)**	**No 430(73.25)**	**Total 587(%)**	**P-value**	**Yes 254(43.27)**	**No 333(56.73)**	**Total 587(%)**	**P-value**
Married	130(76.47)	285(68.35)	415(70.70)	0.126[1]	121(77.07)	294(68.37)	415(70.70)	0.077[2]	117(69.69)	238(71.47)	415(70.70)	0.406[2]
Never Married	11(6.47)	27(6.47)	38(6.47)		7(4.46)	31(7.21)	38(6.47)		18(7.09)	20(6.01)	38(6.47)	
Widowed	9(5.29)	30(7.19)	39(6.64)		12(7.64)	27(6.28)	39(6.64)		16(6.30)	23(6.91)	39(6.64)	
Divorced	5(2.94)	8(1.92)	13(2.21)		4(2.55)	9(2.09)	13(2.21)		9(3.54)	4(1.20)	13(2.21)	
Single	15(8.82)	67(16.07)	82(13.97)		13(8.28)	69(16.05)	82(13.97)		34(13.39)	48(14.41)	82(13.97)	
Ward												
Dalalekutuk	18(10.59)	76(18.23)	94(16.00)	0.049[1]	18(11.46)	76(17.67)	94(16.00)	0.001[1]	35(13.78)	59(17.72)	94(16.01)	0.006[1]
Kaputiei North	29(17.06)	72(17.06)	101(17.20)		19(12.10)	82(19.07)	101(17.20)		38(14.96)	63(18.92)	101(17.21)	
Keekonyokie	28(16.47)	53(12.71)	81(13.80)		28(17.83)	53(12.33)	81(13.80)		38(14.96)	43(12.91)	81(13.80)	
Magadi	45(26.47)	75(17.99)	120(20.40)		48(30.57)	72(16.74)	120(20.40)		69(27.17)	51(15.32)	120(20.44)	
Matapato South	19(11.18)	62(14.87)	81(13.80)		19(12.10)	62(14.42)	81(13.80)		36(14.17)	45(13.51)	81(13.80)	
Oloosirkon/Sholinke	31(18.24)	79(18.944)	110(18.70)		25(15.92)	85(19.77)	110(18.70)		38(14.96)	72(21.62)	110(18.74)	
Constituency												
Kajiado Central	37(21.76)	138(33.093)	175(29.80)	0.005[1]	37(23.57)	138(32.09)	175(29.80)	<0.001[1]	71(27.95)	104(31.23)	175(29.81)	0.001[1]
Kajiado East	60(35.29)	151(36.21)	211(35.90)		44(28.03)	167(38.84)	211(35.90)		76(29.92)	135(40.54)	211(35.95)	
Kajiado West	73(42.94)	128(30.70)	201(34.20)		76(48.41)	125(29.07)	201(34.20)		107(42.13)	94(28.23)	201(34.24)	
Household Head												
Yes	61(35.88)	154(36.93)	215(36.63)	0.811[1]	63(40.13)	152(35.35)	215(36.63)	0.287[1]	91(35.83)	124(37.24)	215(36.63)	0.725[1]
No	109(64.12)	263(63.07)	372(63.37)		94(59.87)	278(64.65)	372(63.37)		163(64.17)	209(62.76)	372(63.37)	
Have Children												
Yes	146(85.88)	348(83.45)	494(84.16)	0.465[1]	141(89.81)	353(82.09)	494(84.16)	0.023[1]	2017(81.50)	287(86.19)	494(84.16)	0.123[1]
No	24(14.12)	69(16.55)	93(15.84)		16(10.19)	77(17.91)	93(15.84)		47(18.50)	46(13.81)	93(15.84)	

[1] *Chi-Square Test;* [2] *Fishers Exact Test*

4.3 Manifestations of women's agency in Kajiado's devolution process

4.3.1 Gender Assessments

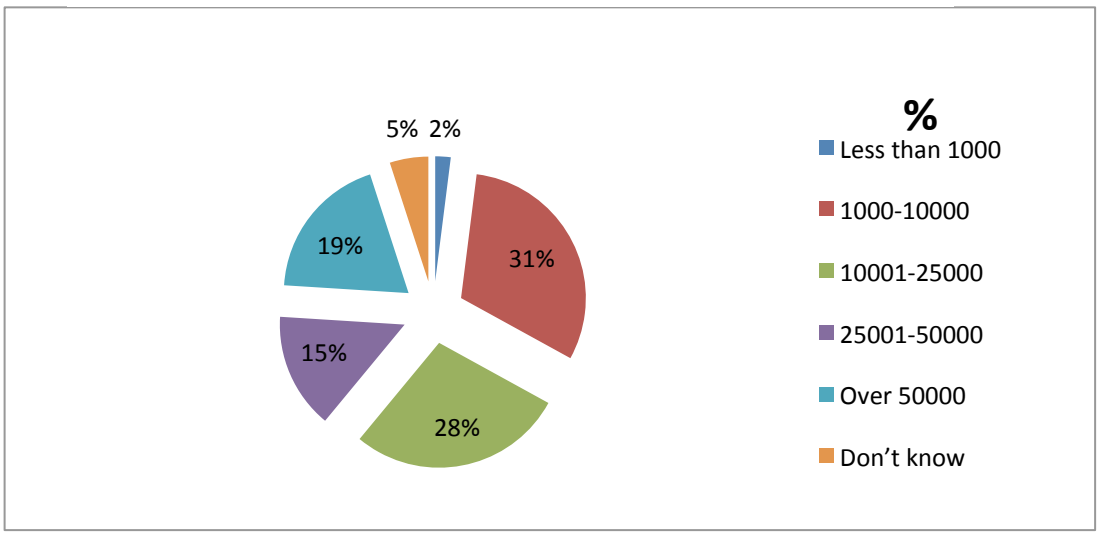
Women's engagement in economic and income generating activities

Questions posed to the respondents centered on sources of income, ownership of business premises and possession of a mobile phone including its usage for voice and data calls as well as cash transactions. A clear majority (52%) earned their income from small businesses and enterprises, and of these 96.6% were the actual owners of the business, while 3.4% were employed at the business. Crop farmers and pastoralists comprised 8.5%, 9.5% were in formal employment, 7.2% were casual labourers, 16.9% were housewives and indicated they did not earn an income, while the rest (5.9%) were either students or not working and relied on relatives for support. This indicates that at least half of the women from all age categories and in all Wards had engaged in small-scale enterprises, which they largely own.

Sources of start-up capital and income earned from the businesses

Majority of the women who owned business (65.3%) had received the start-up capital from their husbands, while 19% had borrowed a loan from a bank, a women's group or a youth group in which they were members. The rest, 15.7%, had used their own savings to start the business. On the question of how much each business generated for the women, the data in *Figure 7* was generated, illustrating women's monthly business income.

Figure 7 WOMEN'S BUSINESS INCOME (Ksh)



Majority of the respondents earned between ksh.1000 and ksh. 10,000 per month (31%), closely followed by the 15%, who earned between ksh. 10,000 and ksh. 25,000. Only a small fraction of the respondents (2%) earned below ksh. 1,000, while 5% of the respondents could not compute how much they earned from their businesses.

Economic factors that hinder women's agency

The factors cited include *financial* challenges due to low income for women. Women largely rely on nomadic pastoralism in the Magadi semi-arid Ward, for economic livelihood. When droughts strike, milk, the only product other than chicken, that women have control over, reduces in volume effectively diminishing their sources of income. Nomadic pastoralism affects activities that require sedentary lifestyles such as physical businesses or farming.

In Matapato South Ward, economic factors identified included, persistent droughts that affect livestock, and hence the sale of milk, considered a product for women's use. Reduced milk production affects women's participation in merry-go-rounds and other savings schemes. Lack of market for beadwork, which is a specialty for Maasai women, was a major concern. Inability to access formal loans due to lack of collateral and also fears of the consequences from loan defaults was a big deterrent from economic progression. In this Ward, some groups have purchased assets such as tents and seats to rent out during functions. However without good business skills, the management, marketing and returns have been poor.

Level of women's access to and control over land, property and other resources

Women's access to and control of property including land, livestock, farm produce and other physical property, is an important indicator of agency. Without resources, women are rendered dependent on those who own the property and this increases their vulnerability. Regarding the question of ownership of the land or plot where the respondent resides, data indicates that 37.5% lived on land owned by the husband, while 31% said that the land was rented. A further 14.1% said the land on which they live is communally owned, and 9.2% indicated that the land was owned by the extended family, which included grandparents, uncles and other relatives. Only 5.5% said that they owned the land and thus had title to the land on which they lived, a dismal display of women's control over land resources.

On the question of the level of freedom a woman had in utilization of the land on which they lived, the responses showed that 42.8% were free to utilize the land while 57.2% could not. Probing further on the level of 'freedom' to utilize land, it was noted that of the 42.8%, only 6.8% could freely lease or dispose of the land, or even use the title deed as collateral to access a loan. It is notable that unless one can freely decide on whether to lease or dispose a piece of property, the person does not fully own it and is only utilizing it at the mercy of the real title holder. The rest (93.2%) could only utilize the land for crop or livestock farming and sometimes did not have a say on how to spend the income generated from the sales.

Level of women's representation in KCA

Table 6 illustrates the political and gender representation in the County Assembly. Clearly, Jubilee Coalition has an upper hand in the Kajiado County Assembly with a total of 38 out of 41 MCAs. The Governor is however from the opposition, CORD Coalition.

Table 6 GENDER AND POLITICAL PARTY REPRESENTATION IN THE COUNTY ASSEMBLY

	Female	Male	CORD	Jubilee
Elected	0	25	2	23
Nominated	14	2	1	15
Total	14	27	3	38
				Total = 41

The female MCAs are mainly drawn from Jubilee, with only one nominated from CORD. Women form 34.1% of the KCA. The Jubilee coalition has a total of 38 MCAs (92.7%) with the rest from CORD. Elected MCAs are 25 (61%) and all male, while the rest are nominated.

4.3.2 Strategic interactions

Women's strategic political interactions to influence local decision-making

Majority of the respondents had never participated in Ward level planning and budgeting meetings 73.9% (434/587). These are meetings often called for by the County government in preparation for the annual County budget. Participants at the meetings discuss priorities for the residents of a particular Ward, such as roads, water sources, markets, and health and education facilities among others. Studies have shown that where women did not voice their priorities at such meetings, their priorities would not feature in the eventual budget, since women's and men's priorities often differ (Elson, 2011; Byanyima, 2002; Sharp and Elson, 2008). For those

who had participated in such meetings (25.72%), the focus of the discussions had been on local development issues (35%); economic and business activities (21.9%); peace building (16.6%), and; youth empowerment activities (4%). Only 2% of the women had been drawn to political activities. Regarding participation at County level meetings, majority of the respondents (91.5%) had not participated while only 8.2% had taken an interest. The remainder could not remember whether they had participated or not. For those who had participated in such meetings the focus of discussions is outlined in the categories in *Table 7*;

Table 7 TYPES OF MEETINGS ATTENDED AT COUNTY LEVEL

Meetings or activities participated in ward level	**Total n=48/587 (%)**
Peace meetings and security	22.9
Kajiado county budget planning	22.9
Infrastructure projects	16
Educational and school issues	14
Land rights	8
Water project	6
Others (youth, health and business related activities)	10.2

On the question of whether the respondents had supported women aspiring for leadership positions, 62.9% of the respondents had provided some form of support (Source: FGD in Matapato South). This support came in the form of voting for them, actively campaigning for them, and provision of financial support during the 2013 general election.

Political factors identified in Matapato South Ward include political differences due to different party affiliations during election time, which creates disunity in groups. Lack of training and sensitization of women on political participation and mobilization was seen to lead to women shying away from proactive engagement in political activities within the Ward. Local chiefs in the Ward were said to silently approve early marriages, by not enforcing the laws to uphold rights for girls and women as enshrined in the constitution, and this hampered with their education ambitions, and eventually political positioning of the women (ibid). Discussants saw nepotism especially in allocation of leadership positions as a major hindrance to women's development. They cited the case of the Chief whose wife was given a direct nomination as a Member of the County Assembly (MCA) not based on merit but on the prominent position of her husband. Thus opportunities are not distributed evenly (ibid).

4.3.3 Pursuit of transformative change

Visibility of women in challenging inequalities in economic, political and social spheres

Women who step out to take lead in fighting for women's rights are negatively labeled. They are viewed as un-disciplined and misfits and fear being cursed by their husbands and the community. One discussant from Dalalekutuk Ward said that 'the life of a Maasai woman is a constant struggle' indicating the continuous struggles faced by women (Source: FGD in Dalalekutuk Ward). Devolution reforms were not cited as an opportunity to change these circumstances. The women felt that they did not know who to lobby or how to organize themselves and their issues given that they felt removed from the local leadership including women leaders. Devolution was felt to be largely removed from women and many only knew that there is now a Governor, on whose performance devolution is measured, rather than the collective effort of the County Assembly, MCAs, community members, organized groups and the Governor and his executive team. Other respondent felt that there is no difference between the previous local government's structures (Olkejuado County Council) and the current county government if compared with regard to responsiveness to the community's needs (ibid). The actors are seen to be the same and only the structure of their operation has changed. Some even thought that things are worse now. Others felt that it is still too early to judge devolution, and that it needs time to take root. Many felt that the new devolution platform came with a lot of promises and these are being dashed because of the political impasse at the County government.

Some of the respondents from Magadi Ward said that they had no idea what devolution is and requested for civic education and sensitization to understand what devolution really meant for them (Source: FGD in Magadi Ward). They observed that county meetings are largely advertised in national newspapers rather than in churches and through chiefs and their *barazas*[39], which made them, not participate adequately at Ward level. Some respondents were negative about devolution and preferred the old order. A lot of expectation has been placed on the Governor and failure to perform was squarely blamed on the Governor's perceived incapacity (ibid). Respondents in FGDs in nearly all Wards consulted did not have a positive perception of the MCAs (Source: FGDs in Magadi, Keekonyokie, Matapao South, Dalalekutuk, Oloosirkon-Sholinke). The MCAs are not appreciated as effective people's representatives in the County government or pressured to be accountable in any way, leaving a heavy burden of performance

[39] A *baraza* is a gathering called by recognized leaders such as chiefs, Ward administrators or MCAs to discuss local concerns.

on the Governor (ibid). In his part, the Governor has to rely on the MCAs and the County Assembly to create an enabling policy environment for him to effectively perform his roles. At least 80% of the respondents mentioned the *Uwezo* fund as a great source of hope for the women in the County but that had not been accessed yet and hence frustrations. The County Women's Representative was not also seen to be with her constituency, the women, but largely removed. Many women consulted during data collection requested that the gap between the Women's Representative and the community be bridged (ibid).

In Oloosirkon/Sholinke, the Ward most proximate to neighbouring Machakos County, a large number of respondents would during interviews compare Kajiado with Machakos County, which is widely viewed to be the model of County development and devolution. They expressed frustration with the Kajiado County Governor, who had elicited high hopes because of his high professional and academic standing, but he was not viewed to have brought much progress by the time of data collection. An outstanding observation during data collection is the big gap between the people and the leadership of the County (Source: FGDs in all the six Wards).

Do women act effectively against negative cultural practices including early marriages, VAW and female circumcision?

In Magadi Ward, participants in the FGD listed two women's groups that stood out as active in women agency in pursuit of women's economic and social interests. These are *Komea Women's Group*, which has 25 members, *and Ichekuchi Women Group*, which has 30 members in total. The groups' main activities include merry-go-rounds; group savings and lending; welfare support during funerals, sickness or need for school fees where they make contributions to assist the family in need. Other welfare support includes purchase of clothes, foodstuff and household items through a merry-go-round system. They also buy iron sheets for roofing and construction of houses, purchase of water tanks and storage drums in turns for each member's household (Source: FGD in Magadi Ward).

None of these groups and others known to the participants engages in support for political or social (non-economic) activities. The participants in all FGDs reported having not supported aspiring female leaders for political positions, other than through voting for them. The members do not also play any role in advocating for women's vulnerabilities associated to violence against

women, disinheritance of women, early marriages or female circumcision, due to fear of cultural reprisals, and lack of adequate sensitization (Source: FGDs in all the six Wards). The participants had not considered playing any role in either contributing material resources to other causes of social concern beyond economic activities, or in mobilizing local action (ibid).

In Matapato South Ward, the women present in the FGD cited four women groups known to them or in which they were members. These are: *Enyuata, Engiriata, Naserian and Nalepo* women's groups, with 21, 30, 22 and 22 members respectively. The groups' main preoccupation is savings and lending around the membership. The groups also engage in welfare activities and respond to community's vulnerabilities by contributing finances during illnesses, funerals, or need for school fees. They also buy material items for each member's household in turns, including clothes, buying cows, owned by the group, marketing of small crafts and beads, and enabling women to own the property as a group, that they would not otherwise own individually. One of the groups mentioned in the FGD comprised of both men and women, with 10 out of the 15 members being women. This group specifically invests in bulls, and had at one time been funded by a donor from Chicago. The group has more resources as it lends to members anything between ksh. 20,000 and ksh. 100,000, with 10% interest on loan charged. Women lead the group although it is of mixed membership inclusive of men and women, and this was seen as a strategy to counter some of the cultural stereotypes used by society to hinder women's property ownership (Source: FGD in Matapato South Ward). It is notable that as seen in this example of Matapato South where men were included in women's groups, women will when necessary engage men in pursuit of their agency, in this case economic realization, where they need to own property otherwise not culturally allowed to women.

In Dalalekutuk Ward, the women entrepreneurs in the FGD largely earned their income from livestock farming and bead crafting. Some of the women held leadership positions in their respective churches, were mothers and wives, indicating the typical multiple roles that women play (Source: FGD in Dalalekutuk Ward with entrepreneurs). They mentioned that they are all struggling to educate their children, and have to feed and clothe their families as well. As a result they have stepped out and gone into businesses to earn an income. The women often meet, to pool resources through merry-go-rounds, raise school fees, buy tanks for household water storage, provide shelter for their families and are now learning about domestic hygiene and how to ensure proper sanitation and to use *water guard* for safer drinking water for their families. Their main economic activities included making shawls and bead crafts for sale in markets,

savings and borrowing to meet different needs and sale of milk. The sale of milk, though a great source of income for the women, is not sustainable as it is severely affected in times of drought, leaving them financially vulnerable (ibid). Women in this FGD said they were comfortable pursuing entrepreneurial interests as they felt freer because, in their own words, 'in this kind of work, no one bothers you, and the men do not think we earn much, so they are not interested in what we do' (ibid).

The FGD with youth in Oloosirkon-Sholinke Ward, comprised of organized groups in the County including Red Cross volunteers from Kajiado County, other locally registered youth groups, community mobilizers and activists against violence on women, early marriages and female circumcision and human rights violations, trained by the Coalition on Violence Against Women (COVAW). Others were board members of the Girl Child Network (GCN), which promotes girl-child education in the County. The younger women, who had acquired post-secondary education and were of mixed ethnic groups, had ventured beyond entrepreneurship activities to social and political agitation in pursuit of gender justice and equality in appointment to County Government jobs and other spaces (FGD with female youth in Oloosirkon-Sholinke Ward). It was notable that in this case, women's level of education had an impact on their confidence to venture into other interests beyond the basics of income generation.

In Matapato South, the land issue was a big concern for women in the FGD as many women in the Ward were being rendered landless and homeless as a result of wanton sale of family land by their husbands without the women's knowledge. The Governor had to intervene and stop the sale of land not just because of this concern but also due to rampant corruption in the land registry office and multiple issuances of title deeds for the same plots, which were all compounding the search for justice for women in cases where it was being sought (FGD in Matapato South; KIIs). However, the sale of land was still continuing at the time of data collection. Organized women's groups have not endeavoured to advocate for women's interests in the County Government due to fear of negative reprisals from the leadership and from men. Existing NGOs are not seen to address women's core interests such as their grave concerns on the issue of land, and only champion issues selectively. The organizations prioritize issues of anti-female circumcision, early marriages and HIV/AIDs, but not land related concerns, due to associated sensitivity with land (ibid). Participants in the FGD argued that indigenous women have not been sufficiently sensitized on their rights to land and property and most of the visible agency in Kajiado is in

economic empowerment and not social or political sensitization and consciousness building and that NGOs have not brought the needed breakthrough for women (ibid).

COVAW and GCN have been visible on the ground but the women felt that these NGOs could do more than the issues of violence against women that they often pursue. Provincial administration led by the chiefs were felt to perpetuate oppression on women; they understand the legal provisions in the law to safeguard women and yet they often turn a blind eye and thus aid in denying justice to those who need it, particularly impregnated girls, sexually violated women, girls given away in marriage while younger than 18 years, and disinherited wives and children (ibid).

Do female MCAs in the KCA use their position to challenge oppressive culture?

Data indicates that political agency is less attractive to a lot of women, with many blaming this low level of agency on culture (Source: all FGDs). A discussant from the FGDs in Matapato South and Keekonyokie explained that 'women are not traditionally expected to take up leadership'. There is generally a negative perception of the female MCAs in the sample. Discussions with women in Magadi, Kaputiei North, Mapatato South and Dalalekutuk Wards, indicated anger with perceived poor performance of the female MCAs. They complained of hardly seeing them in the Wards or consulting with them. They clearly did not think highly of the female MCAs, explaining that the process of nomination was not transparent at all and thus it did not lead to nomination of genuine women leaders. They complained that it was more of a token exercise to reward female friends of the MPs and other local leaders. In some instances, the female MCAs were judged by FGD discussants as being of low moral standing and thus nothing much could be expected from them. They labeled them 'flowers' or 'workshop companions' of the local leaders including the elected MCAs (ibid).

Discussants in the FGD in Magadi Ward mentioned having seen female MCAs accompanying the wife of the Deputy President, who spearheads a national programme on women's micro financing and table banking activities. The MCAs in this case played the role of encouraging women in the community to sign up in order to access the financing support from table banking resources associated with this initiative. Besides this initiative, the female MCAs had not been seen locally unless when accompanying external visitors. They had not been seen to proactively go out and seek women in the community or hold any form of consultations with them. One MCA, who is a member of the public service board in the County had visited Magadi Ward

frequently, but had not interacted with the community or sought their views on how to improve their situation, and the discussants did not consider her visits as bearing any relevance to their needs (Source: FGD in Magadi Ward).

In Matapato South, while the less educated women in the FGD admitted to relying a lot on the younger educated ones for support, and advice, the presence of female MCAs who could have provided additional support had not been felt. These MCAs are not known and had only been occasionally seen during home coming parties. Their nomination process was not transparent, and is not seen to benefit the community in any way. Characteristic of feminist research, the FGDs were as much as data collection activities as they were also discursive, interpretive and analytical of the data that was being generated. This was realized in Matapato South, where the FGD participants agreed during the discussion that instead of constantly complaining, they could have used the organized groups that they belonged to, to reach out to the County government for support or seek visibility of the female and male MCAs. At the end of the FGD, it was agreed that the group would follow up with the researcher to seek ways of drawing attention to women's concerns in this Ward, particularly issues related to land and women's disinheritance.

Participants in the FGDs were concerned that female MCAs were more interested in uplifting their own welfare, rather than collective women's interests (Source: FGDs in Magadi, Matapato South, Kaputiei North, Dalalekutuk, Keekonyokie). The women in Matapato South Ward felt strongly that these MCAs were not in touch with local needs or priories and hence had not even tried to reach out to rural communities. The women felt that the MCAs had been identified from Nairobi or outside Kajiado County and not locally, even though most are from the Maasai community (Source: FGD discussant in Matapato South). They are commonly labeled 'flower girls', and had only been listed for nomination largely because of their relationship with the County leadership or MPs and 'only to be seen and rather than to be heard' (ibid).

In Kaputiei North, participants in the FGD did not perceive women in leadership positions including MCAs, MPs and the Women Representative, to have added much value to women's concerns. This was not just because they had not been in office long enough, but also because they had not been sensitized to know that they can play a role and advocate for women's rights and interests, and be drivers of positive change. The County Women Representative had only been seen visiting when she accompanied high profile officials, such as the Deputy President's wife, during her familiarization visits for her table banking initiative and but had not contributed

much to women's interests (Source: FGD in Kaputiei North Ward). Responding to the question why they had not reached out to these political leaders to present their concerns directly, the discussants explained that they felt that when they once tried to approach the Governor with a list of ten names of women they wanted employed in the County Government, they were sent away with a promise for further consideration, that was never fulfilled (ibid).

During constitution of the County Government, none of the names in the list was appointed to these positions; instead, other people whose merits were unknown to them got the jobs. The criterion used was not explained. After this experience, the women felt discouraged to engage any further with the KCG (ibid). Women in the FGD in Kaputiei North Ward admitted experiencing difficulties in exercising active agency on behalf of fellow women due to fear of being labeled 'loose and uncontrollable', which would badly mar their character (ibid). The discussants affirmed the strong need for all women to be pooled together to be sensitized on advocacy and to be able to attract the attention of both the Governor and other county leadership in more strategic ways (ibid).

Level of women's access to and ability to utilize Information Communication Technologies

Majority of the respondents (85.5%) owned a mobile phone. At least 97.4% of the respondents recorded daily usage of the phone for personal or business communication, indicating access to mobile phones even where the phones were owned by someone else, while 70.2% could access internet through their phones (Source: quantitative data). The mobile phone is an important indicator and enabler for agency, given the fact that electricity is not even accessible to most residents in the County, women still employ other sources of energy to charge their phones. *Table 8* illustrates the interface between use of ICT and entrepreneurship.

While more of respondents who were entrepreneurs had phones compared to those who were not entrepreneurs (88.6% and 81.4%, respectively), the difference is not significant (ibid). Similarly, the difference in the frequency of usage of the phone and Internet between entrepreneurs and non-entrepreneurs was also not significant; indicating that phone usage is widely entrenched in the County irrespective of literacy level or primary occupation (ibid). The fact that the electric grid does not cover much of the County is not an important determiner of access to ICT for women.

Table 8 INTERFACE OF PHONE OWNERSHIP, INTERNET ACCESS AND ENTREPRENUERSHIP

	Entrepreneur n (%)	**Not an entrepreneur n (%)**	**Total n=587(%)**
Phone ownership			
Have phone	287(88.85)	215(81.44)	502(85.52)
No phone	36(11.15)	49(18.56)	85(14.48)
Phone usage			
Daily	282(98.26)	207(96.28)	489(97.41)
Occasionally	4(1.39)	6(2.79)	10(1.99)
Weekly	1(0.35)	2(0.93)	3(0.60)
Internet access			
Internet access	223(69.04)	189(71.59)	412(70.19)
No internet access	100(30.96)	75(28.41)	175(29.81)
Internet use frequency			
Daily	76(76.00)	60(80.00)	136(77.71)
Occasionally	13(13.00)	10(13.33)	23(13.14)
Weekly	10(10.00)	4(5.33)	14(8.00)
Monthly	1(1.00)	1(1.33)	2(1.14)

Women's control over time use

Majority of the respondents indicated that at least two thirds of their time is spent on domestic non-productive chores, while the rest of the time is shared between productive activities (employment, managing their small enterprises, farming and taking care of livestock, studying, and resting). The women in the FGDs indicated that while tending livestock is a productive activity, proceeds from the activity do not always benefit them since the livestock are considered the property of the husband and her labour a natural contribution being the wife and thus also 'owned' by her husband (Source: all FGDs). To get any additional income, she has to undertake additional work or rear small stock for example chicken, which the husband would have little interest in (ibid).

Skills building through training and consciousness-raising

Exposure generated through training and sensitization has been viewed to raise consciousness, which is an important first step towards building women's agency (Kabeer, 2001; Sen, 1999). Questions posed to the respondents sought to establish the role of the Kajiado County as an enabler for women's agency, and women's perception of this role for the County. A significant number of the respondents (41.2%) had participated in some form of training from extension workers, NGOs and other agencies in the previous 12 months (Source: quantitative data).

Respondents also identified lack of training in different areas including entrepreneurship, as one cause of reduced women's agency in different platforms due to lack of relevant information, inadequate exposure to other agents and low self-esteem (ibid). Of the respondents who were entrepreneurs that had not received any form of training, 68% identified lack of capital as the greatest constraint in their economic agency, and not training. This implies that for this group, training alone is not enough to propel this form of agency, even if it helps in instances where skills have been built (ibid). Only 9.3% of this category indicated lack of training as a constraint. Other constraints mentioned include; poor road and market infrastructure (17.7%) and heavy taxes from the county government and harassment from county officials (5%). Others mentioned insecurity, corruption and poverty.

4.3.4 Institutions

Extent to which organized groups and formal organizations provide avenues for women's agency

Of the 587 women interviewed, 40% (233/587) of them were active members of an organized group or a committee with 60% not belonging to any. Of the 233 women in organizations, majority of them (40.8%) were active agents against female circumcision. Other areas where women had proactively mobilized fellow women for action include peace building activities in the face of inter community conflict, especially given the fact that the County has hosted members of other communities who were internally displaced during the post-election violence after the 2007 general elections. This group (27.6%) had also played a role in mobilizing women to fight for access to property including land and also worked closely with the County government in order to ensure better health services for women especially in the area of maternal and child health, in the local health facilities.

A significant number of respondents (60%) had not been active in any form of community mobilization. The reasons given for these included lack of time to do so as a result of being busy elsewhere (60.5%), lack of adequate information to enable them to play a mobilization role (17.5%) and cultural barriers (7%).

Table 9 illustrates this finding.

TABLE 9 REASONS FOR NOT PARTICIPATING IN COMMUNITY MOBILIZATION

Why the respondents had not participated in any mobilization (60%)	**Total n=354/587 (%)**
Being busy elsewhere	60.5
Lack of information	17.5
Did not find it necessary	7
Cultural barriers	4
Other reasons (new resident, lack of capability, it is expensive to do so, not interested)	11

External support through NGOs has not been largely felt and the government remains the largest service delivery institution in the Magadi Ward. However, FAO had targeted men in training on haymaking and storage. FAO had also provided improved breed of cows and was to dig dams for easier water access, although this was not done. FAO had constructed a storage house for hay to address drought seasons. There are other external NGOs but the women felt that these often target men for training programmes rather than women. Discussants did not know of any women's advocacy organizations beyond the numerous women groups in Magadi Ward (Source: FGDs in Magadi Wards).

Discussions with the female youth in Oloosirkon-Sholinke Ward indicated that there are a number of NGOs operating in the County headquarters including the Red Cross, AMREF, NOSIM Women's Organization, Practical Action, World Vision, Action Aid International, National Aids Control Council, German Agro Action, Kenya Water Alliance members including the Netherlands Development Organization, SNV, German Agro Action (GAA), and the African Medical Research Foundation (AMREF). The youth complained of inadequate partnership with these NGOs as the latter were mainly seen to go about their businesses without taking an interest in youth activities or seeking local complementary partnerships (Source: female youth FGD in Sholinke Ward).

Is the Kajiado County Government an enabler of women's agency?

Majority of the respondents (47%) in the quantitative data were of the opinion that the Kajiado County Government has a role to play in improving women's agency, while 23% did not see any role. Thirty percent of the respondents said that they did not know if there was any role for the

government. For those who saw a possible role for the County government, they assigned these roles as; provision of loans to women for self-improvement, which was prioritized by 34.8% of the respondents, training women in business management (18.1%), initiatives to support gender equality (14.9%), support for women-friendly legislation (13.8%), development of county infrastructure particularly markets and roads to ease women's entrepreneurship (7.6%), and other priorities, including maintaining peace, outlawing corruption, and controlling alcohol (10.8%). Responding to the question on which other institution they viewed as well placed to improve women's agency, majority (37%) did not know any, while (28%) identified NGOs, 14% felt that financial institutions would play that role, 9.7% thought the national government was best placed. Other institutions cited included, women groups (5.5%), churches (3.6%) and learning institutions (2.2%).

Data from both quantitative and qualitative sources indicates that women in Kajiado County exercise economic agency much more freely than in other fields such as politics and social issues. On the question on how women's current agency in the political arena can be improved in the County, 45% of the respondents stated that women should be directly involved in politics by being nominated into the County Assembly. Another 21% felt that the County Assembly should legislate laws supportive of gender equality, 8% felt that tribalism and ethnic divisions were a major detractor to women's progress in politics, 6% felt that civic education would aid in propelling women's political agency while 4% felt that women should be allowed to campaign freely without threats of curses from the male community elders, or any forms of violence (Source: data from the questionnaire). The remaining 16% did not know how the current political space for women could be improved.

On the question of how women's agency on social issues could be addressed by the County Government, 34% felt that women needed training and sensitization on the issues of female circumcision, gender based violence, early marriages and women's property rights. Increased involvement of women in social platforms including leadership, school and water boards and committees, and other community leadership arenas, was viewed by 9.2% of the respondents as critical, while 12.7% felt that men should be sensitized and forced to stop discrimination against women, 12% believed that women should be encouraged to form groups, which provide good platforms to nurture women's collective agency and to build solidarity (ibid). Peace building was identified by 10.7% of the respondents as a good avenue to improve social agency, while 2.4% felt that encouraging girl-child education would be a good contribution towards improving

women's agency in social issues. Sixteen percent of the respondents did not have any ideas on how to improve agency in social spaces while 3% identified control of tribalism as a useful starting point (ibid).

On the question of which organization would comprehensively aid in improving women's economic, political and social agency, respondents identified the list of institutions in *Table 10* as most appropriate:

TABLE 10 POTENTIAL INSTITUTIONS TO SUPPORT WOMEN'S AGENCY IN KAJIADO COUNTY

Institution	**Total % (n= 587)**
Churches	37
County Government	34
NGOs	18
Politicians	4
Women groups	3
Individual women themselves	2
Others (learning institutions, youth groups, and Council of Elders)	2
Total	100

The participants in all FGDs and KIIs were sometimes hopeful about the County Assembly and that it had at least 14 nominated female MCAs in it, and believed that if their capacity, which was viewed to be presently quite low was enhanced, the MCAs would in future contribute positively to improved women's welfare. They also recognized that being only a year old, not much could be expected from the County Assembly just yet. However, they felt that a lot more could be done to benefit women including construction of a girls' boarding secondary school, which would also serve as a rescue center for young girls from early marriages. Other points raised include: the need for creation of jobs for the youth through the KCG; provision of capital for small businesses, where women were already doing well by themselves but could be boosted further; support for property ownership by women by passing supporting laws, and; creation of an enabling environment for business development including a local market for women to display their products such as, milk, eggs and bead work, to potential customers (Source: all FGDs).

Improvement of the poor road infrastructure was viewed as critical in reducing the costs of transportation. Currently only footpaths exist as pathways for transporting farm produce from the

interior to the main Magadi-Nairobi road. The need for massive community mobilization and sensitization to boost women's confidence to reach out to the KCG or to engage in active politics was underscored in many of the focused group discussions (Source: FGDs in Magadi, Keekonyokie, Oloosirkon-Sholinke, Dalalekutuk Wards). This is mainly to enable women to step out and engage not only in business, but also in seeking political engagements.

In Oloosirkon-Sholinke Ward, the female youth FGD agreed that both the KCA and KCG had appointed some women in their secretariat. Among these, three out of ten, are women, who represent the ICT, Health and Trade departments. In the public service board of the county, two out of ten are women. While the participants in the FGD felt that presence of women was not an end in itself, they realized that it was a good beginning and an opportunity for greater sensitization and skills building for these women, so that they could act as active agents of change and advocates for fellow women, using the devolution platform. The greatest concern with the youth was that senior appointments in the County were viewed to be shrouded in secrecy without being transparent or merit based. The nominated female MCAs were, like in other Wards viewed to be friends of the MPs and other leaders rather than genuine women leaders who have championed local priorities. Most were seen to be non-indigenous (women though Maasai, but living outside the County), not resident in the County and certainly out of touch with women's priorities or needs (ibid).

The role of the County planning and budgeting process in enabling women's agency

The County executive team was not fully constituted by the time of data collection, due to political wrangling within the KCA and hence some departments did not have personnel (Source: KII with Governor). As a result, funds transferred to the county would go unused and be sent back to the national treasury. An example is given that during appointment of County executives, the list of names was presented six times without getting the crucial approval of the County Assembly for hiring to take place. Out of 10 departments, only five had chief officers; health, trade, agriculture and livestock, land, education and sports, all others had no personnel to implement County activities (ibid).

The women in the FGD in Matapato South reported that there is no felt difference with regard to service delivery now compared to the time of the Olkejuado County Council prior to 2013 (Source: FGD in Matapato South Ward). The County Minister for Trade, visited the Ward once

but no consistent engagements or consultations have taken place after her initial visit. She was informed of the need to train the women on business planning and management but this request has not been honoured (ibid). In Oloosirkon-Sholinke Ward, the participants in the FGD female youth were largely cognizant that devolution is just a year old and hence they did not expect much from the Kajiado County government just yet. However, the discussants were not happy with the process so far and raised some concerns including the fact that Kajiado County had returned 2013/2014 fiscal year's unused budget due to limited County activities, rather than utilize it to address serious needs and urgent poverty concerns in the County (ibid). Money going back to treasury was an issue that greatly concerned the respondents.

In Kaputiei North, the main concern with the entrepreneurial group was that they had not accessed the *Uwezo* and Youth funds currently set up as devolved funds to boost local economic development (Source: FGD with women entrepreneurs in Kaputiei North). The participants in the FGD argued that they could not reach out to the KCG or the MCAs for help, as they felt that the latter were too removed from them and disconnected from their priorities (ibid). The women said they did not see much difference between the former Ol'Kejuado County Council (local authority before devolution) and the current Kajiado County Government in accessing services or in the creation of an enabling environment for business (ibid). The discussants had serious concerns with the Governor particularly after he returned unused funds to the central government (ibid). They said that they did not think he was in touch with people's needs or priorities and his success was largely dependent on the good will of the MCAs, which he did not seem to have at the time of data collection (ibid).

The County planning and budgeting process is closely aligned with that of the central government. The budget of the central government includes the different budget estimates from all 47 counties in the country. In Kajiado, the main countywide consultation focus on the County Fiscal Strategy Paper (CFSP), this had been drafted by a team of technical experts from the County Government and was then presented to the public during the month of February. For the 2015/2016 fiscal year, the public forum was held on 19th February, 2015. This process is aligned with the requirements of the *Public Finance Management Act (2012)* (Source Public budget presentation at Maasai Teachers College in February 2015).

Participants in this consultation forum as seen in the 2014/2015 and 2015/2016 fiscal years, include: Ward Administrators from all the 25 Wards in the County, Chiefs from all locations, a significant number of MCAs – at least 18 MCAs half of them female, attended the 2015/2016 forum; others were church leaders, business people, representatives from NGOs and civil society organizations, senior Executive Officers from the County including the Executive Secretary (Minister) for Finance and Economic Planning, who hosts the meeting, and his Technical Officers. The Governor, who also shares his vision for development, with the public and responds to questions from the audience, officially opens the forum. It is instructive to note that during the 2015/2016 forum, the women present in the audience were not more than 10% of a total audience of approximately 300 people (ibid). A significant number of these women were those who work for the County Government and the female MCAs and not members of the public. This clearly leaves an important segment of the population out of a meeting that potentially influences the resource allocation in the county.

Participants at the 2015/2016 forum agreed with the County Director of Finance' view that the current *Constitution* and the devolution programme had brought positive changes in the planning and budgeting processes because this had now been decentralized to local levels, that are more accessible to ordinary citizens (ibid). The CFSP details agreed steps in the budgeting process and also priorities activities for implementation, all aligned with the country's *Vision 2030*. Five pillars identified in the CFSP were listed including; agricultural transformation, business development, environmental conservation, promotion of basic education and health care. These are the priority investment areas for the Kajiado County Government (ibid).

Challenges that negatively impact overall implementation of devolution

During the public hearing of the 2015/2016 County budget, the Governor of Kajiado County outlined major challenges faced by the County in its development agenda, including the following;

Burden of the wage bill: The total current wage bill is Ksh. 1.6 billion, largely arising from personnel that were inherited from the defunct Olkejuado County Council and the Kajiado Town Council, which were under the local government structure preceding devolution. In addition to these, the central government devolved additional staff that was previously under the pay roll of national ministries especially in the health sector. The establishment of the Kajiado County

Assembly has also led to hire of additional staff that specifically serves the Assembly. Out of this amount, Ksh. 800 million is spent on salaries for health personnel alone and the remainder is distributed among others. The heavy wage bill does not mean that the County has adequate personnel; data presented during the public forum indicated that most health facilities in the County are operated by one clinician or nursing officers and hence when these people go for lunch or any form of leave, including maternity leave, the facility remains closed until they return. To ensure continued service delivery at health facilities, the County Government is now recruiting additional health personnel, which might take the total wage budget to Ksh. 900 million. Recruitments for all other sectors have been frozen until the situation normalizes.

Large geographical coverage: this has implications for infrastructure development. The Governor likens the size of Kajiado County to Rwanda or Israel. The County is the ninth largest in the County with high levels of poverty and a poorly developed road infrastructure. The County also suffers a severe need for water and inadequate access to education and health, due to large distances between existing facilities. While access to funds for capital developments such as roads and schools, is crucial for expansion of infrastructure, the Governor acknowledges that provision of the service was even more important. In other words, existence of a health facility without health personnel, or a school that does not have teachers, would not amount to provision of these respective services for the residents of the County. Most regions of the vast County are impassable and transportation is inadequate and costly. Access to referral hospitals for example for expectant mothers in labour is always a major challenge that leads to severe obstetric complications. Access to markets for agricultural or livestock produce is poor and hence agribusiness is not fully developed. The needs of the residents of Kajiado are immense and require to be addressed urgently.

Parallel development processes: in this case MPs, who take charge of the Constituency Development Fund (CDF) run their own infrastructure projects alongside the KCG without harmonizing the two processes. While the County was allocated Ksh. 5.82 billion for the FY 2014/2014, the total CDF allocation for all five constituencies in the County was Ksh. 530,830,055[40] (CDF Board, 2014; Office of Controller of Budget, 2014). The challenge faced by the Governor was the fact that MPs utilize CDF to start projects such as health centers that they

[40] CDF allocations by Constituency in the County: Kajiado North – Ksh. 98, 758, 692; Kajiado Central – Ksh. 106, 979, 912; Kajiado East – Ksh. 100, 430, 316; Kajiado West, Ksh. 110, 981, 202; Kajiado South – Ksh. 113, 679, 933. (Source: CDF Board website: http://www.cdf.go.ke/allocations)

often do not have adequate resources to complete. And even where completed, the CDF does not finance recurrent expenditure and the MP would have to turn to the Governor to provide health personnel and other equipment for the health centre to provide services to the community. Similarly CDF has been used to do small fractions of roads that are inter-constituency, leaving parts of the roads undone, where consultations have not been done with other CDF committees from other constituencies or with the County Government, these projects are often left uncompleted. The Governor's plea to the MPs and the MCAs was to adopt a broader view of development for the entire County that would ensure all projects are completed to the point of satisfactory service delivery, and a forum where available funds in the county from all the potential sources are pooled together to build synergies from economies of scale.

The existence of loopholes in the County revenue collection process was also identified as a challenge. Revenue collection teams were reported not to be effective and had not been delivering the full revenue collected from the various sources, denying the County Government badly needed resources (Source: Governor's remarks at the public hearing). The Governor had spearheaded a process of interdicting and suspending many of the revenue collection officials for misappropriating their collections (ibid). A major reform that is being put in place is automation of the payment system to collect money from markets, car parks, abattoirs and other places through mobile money transfers including MPESA.

Overview of the County Budget for the FY 2013/2014 (BIRR[41], 2014)

In the FY 2013/2014, Kajiado County had an approved budget of Ksh. 3.76 billion. Sixty six point nine percent of this (Ksh. 2.52 billion) was targeted for recurrent expenditure while 33.1% (Ksh. 1.2 billion) was planned for development activities. The expected sources of this budget were: Ksh. 3.23 billion (85.4%) from the National Equitable Share (NES), while Ksh. 517 million (13.7%) would come from local revenue sources. An additional Ksh. 38.3 million was brought forward as a balance from the previous financial year.

The actual budget disbursed and available did not differ much from these figures;

- Disbursement from NES – Ksh. 3.2 billion
- Local revenue collection – Ksh. 442.8 million (72% of annual target)

[41] Budget Implementation Review Report for 2014

- Balance brought forward from previos year – Ksh. 38.3 million

With regards to the expenditure, 80% of this budget was used on recurrent expenditure while only 20% went to development activities outlined as follows;

TABLE 11 BREAKDOWN OF COUNTY EXPENDITURE FOR FY 2013/2014

Amount in Ksh.	**Expenditure**
80.2 million	Construction of roads
25.4 million	Construction and refurbishment of health centers
24.1 million	Water pipelines
19.6 million	Buildings and civil works
16.3 million	Water pans
9.2 million	Renovation of County Assembly Chambers
8 million	Sanitation block and septic tank in Namanga
6.6 million	Construction of a hay store

A quick assessment of these figures indicates that development expenditure creates more opportunity for implementation of activities that would directly benefit women particularly those related to water and health services. However, it is notable that more than half of the recurrent expenditure goes to payment of health personnel including clinicians and nurses, who provide a service that is largely utilized by women and children.

Women's perception of how the County Government is promoting women's agency

In Matapato South, the participants in the FGD had not felt the benefits from the County government yet. However, they recognized that it was only one year since the commencement of the County government, and that there was need for more time for there to be visible benefits to the community. The women mentioned that the then local MP, for Kajiado Central Constituency was often on the ground but was viewed to have conservative traditional views on women's empowerment and was not easily approachable by the women, intent to exercise active agency for a better livelihood (Source: FGD in Matapato South Ward). The women however admitted their shortcoming in not having approached him to share their concerns or challenges, and agreed that they could at least do something about this (ibid).

> Quotation: 'The devolution objective of bringing governance (*uongozi*) to the people has not been achieved as we don't feel the presence of the County government locally'. (FGD participant from Matapato South Ward)

Participants said that they were only aware of a lot of promises made by the County Government and elected leaders but had not received any direct benefits as a result of the new devolved government (Source: FGDs with all women except MCAs). While FGDs in all six Wards listed numerous violations related to gendered violence, most Wards did not have any local offices or gender desks where women could report such concerns. Only Dalalekutuk Ward, the seat of the Kajiado County headquarters had access to gender officers and gender departments in the local police station, other Wards did not have. There is a gender desk and a gender officer at the Kajiado police station only (ibid). She is a police officer who receives complaints related to gender based violence or violation of women's rights. However other police stations in the County did not have this position by the time of data collection (ibid).

Perspectives on how to improve Kajiado County Government in enhancing women's agency

Participants in all Wards recommended that the County leadership should build transparency in county employment and institute measures to create employment for the youth (Source: all FGDs). In doing this, the leadership should ensure that ethnic diversity is considered. They also highlighted the need to be inclusive of women and youth in their budgeting process and in consultative processes, to ensure comprehensiveness in the consideration of a final list of budget priorities. In Kaputiei North, participants in the two FGDs noted that the health situation is dire, a situation also noted in much of the County. The need for more health personnel across all health facilities in the County was strongly underscored. Given perennial water shortage in the County, the need for a borehole in strategic places to avail water particularly for domestic use and also livestock was prioritized. Another closely felt need was the need to build markets for local produce. To meet the many and competing needs of the County residents, the female youth recommended that the County Government should institute local revenue mobilization activities without merely waiting for transfers from the central government, in order to boost its revenue kitty. They also flagged the need to prioritize local needs above individual MCA or political interests, for the efforts of the Governor and his team to be fruitful (Source: FGD with female youth in Oloosirkon-Sholinke).

The younger women across all the Wards were particularly unhappy with the perceived self-centeredness of the MCAs and recommended focused sensitization on all MCAs on responsiveness to local needs above their own. On the issue of youth unemployment, they observed that there was a lot to gain from the processes in the county government including

participating in tenders. However due to skewed priorities, the youth were unhappy that the leaders have failed to prepare the youth and women adequately enough, for the latter to take advantage of such processes. The youth generally felt that they had been failed by their leaders and asserted that if devolution failed to take off in the County, this would mainly be a result of the perceived failed County leadership.

> 'Devolution is good for poor people and the MCAs and other leaders have refused to give it a chance'. Women in the county are waiting for the female MCAs to step out and take charge of gender concerns on behalf of fellow women. (A participant in a FGD with female youth in Oloorsikon-Sholinke Ward)

Female MCAs were viewed to have a golden chance to champion women's issues and follow up to ensure women in the County get justice. The female youth felt that the female MCAs need to recognize that there is a lot of defilement and rape cases taking place, yet justice is hardly ever sought or served, leading to a lot of impunity due to ignorance of rights and compromise by law enforcers (ibid). It was felt that MCAs could help rescue young girls from female circumcision and early marriages and aid them in their pursuit of education through scholarships from all possible sources (ibid).

Responding to the question on what role the youth themselves could play in order to make devolution work, it was noted that Kajiado youth have formed a 'Kajiado Youth Congress', which has both female and male members, tasked with lobbying the county government and holding it to account for progress (ibid). The congress is also keen to push against appointment of staff members within the County who have no integrity to hold the offices. The youth were aware that they could play a strategic role in fighting for devolution, but needed greater unity, particularly beyond ethnic boundaries. They recognized their lack of resources to meet often and share ideas and strategies to engage the leadership, which demotivates them from following through all their advocacy issues (ibid). The youth declared their commitment to be spokespersons for devolution and to sensitize others in order to give devolution a chance. They believed that civic education is urgently needed across board for fellow youth and women to build a critical mass and gain support from all other quarters (ibid).

4.3.5 Power relations

The investigation on the power relations among the actors in the devolution process reviewed the nature of interactions between the female and male MCAs in articulating the mandate of the

County, the relations among the political parties in the County, relations between the female MCAs and the community members they serve and the relations between the Governor and the MCAs. The questions posed to the respondents included whether female MCAs could access the resources in the County in the same way as the men, and 100% of the participants found this skewed in favour of the men. Similarly, the level of cooperation between the political parties in the KCA was viewed to be low, with the power games reported between CORD and Jubilee MCAs, with the latter carrying the day given their numbers in the Assembly (see *Table 6*).

Female MCAs' low performance was largely attributed to their limited interactions with the community and specifically women, who largely expect them to represent their shared interests and concerns. Data from female youth and women (except MCAs) from all the FGDs in Matapato South, Dalalekutuk, Magadi, Keekonyokie, Kaputiei North and Oloosirkon-Sholinke indicated no consultations between female MCAs with the community members. The relationship between the Governor and MCAs particularly in the first two years of devolution was rated as adversarial by 70% of the respondents in the questionnaire rather than collaborative. 90% of the respondents also rated the nature of relationship between political parties in the KCA as adversarial, based on perceptions of how the MCAs conduct County Assembly activities. From both qualitative and quantitative data the power relations between the different actors in the County were not perceived to be positive, and all the respondents recommended a process of reconciliation among all actors for devolution to progress swiftly.

Summary

This chapter has outlined how women's agency manifests in Kajiado, by looking at the five parameters of the feminist – rational choice approach, which include gender, strategic actions and interactions, institutions, power relations and transformative change. Women in the County are characterized by low education levels and inadequate access to and control of resources, which negatively affect agency. More than half of the respondents earn a living out of self-employment and economic activities. However it is noteworthy that organized women's groups provide a good platform for women's agency and this could be further enhanced. Chapter 5 presents informal factors that influence women's agency.

CHAPTER FIVE:

INFORMAL FACTORS THAT INFLUENCE WOMEN'S AGENCY

5.1 Introduction

This chapter provides findings under the second objective of the study, which sought data on the informal factors that influence women's agency. The data discusses institutional norms and practices including cultural prescriptions on social order, the power vested in traditional authority, ethnic divisions and related dynamics in political arenas. It also explores informal factors that constrain the performance of governance bureaucracies such as Kajiado County Government, including the impacts of clientilism, patrimonialism, and political party patronage, on the day-to-day operations of the government.

5.2 Institutional structures

Factors that inhibit women's agency in Kajiado County

In Matapato South *Cultural norms*, were reported to be a great hindrance; women are not expected to own property in Maasai culture, and cannot therefore inherit, sell or use freely without the permission of the husband (Source: FGD in Matapato South). Land in Magadi Ward is also largely communally owned and is not a resource that can easily be dispensed, or presented as credit collateral for women, who might wish to expand their economic activities (Source: FGD in Keekonyokie and Magadi Wards). Illiteracy and low education standards for women, was another factor viewed to hinder women's agency; most of the discussants could not speak or understand Swahili and the discussion had to be held in translation (Swahili-Maa). Only one member had attended secondary education. Others had not even completed primary education. Early marriages, often triggered by female circumcision in girls, were seen to be a major culprit in hindering access to women's education.

The FGD with the female youth in Oloosirkon/Sholinke Ward identified ethnic divisions and lack of unity around shared issues of concern, as a major factor hindering women's agency. In addition, low literacy and consciousness on social and political issues and hence inadequate confidence among the women to advocate for their rights or to hold elected leaders to account was another major hindering factor.

Social factors identified in the FGD in Matapato South Ward included ethnicity amongst the different communities' resident in Namanga, which is a cosmopolitan and a border town, between Kenya and Tanzania. Sometimes even within the Maasai community, there are divisions based on clan-ism, and age groups (*rika*). Other social factors included low literacy levels that lead to women's groups that are largely inward looking rather than holding a bigger perspective on economic, political and social advancement opportunities. Other concerns include early marriages that lead to early drop outs from schools by girls and this is seen by the discussants to continue the trans-generational poverty. Female circumcision continues unabated in this Ward. Women's organizations would want to reduce it but are not able due to lack of funding to aid the sensitization activities. There are also no NGOs to provide back up support either through enhanced capacity or financing in support for the required massive mobilization of action against this illegal vice. Women also cited fear of stepping out and confronting their challenges including marginalization from formal processes, as a major challenge (Source: FGD in Matapato South Ward).

In Dalalekutuk Ward, women cited the burden of providing for their families as a major challenge hindering their progression (Source: FGD with women entrepreneurs in Dalalekutuk Ward). Given lack of adequate education and reliable sources of income, the women have to provide school fees, food, clothing and shelter for their families. Often the men simply avail the land on which they settle their families, but the wife has to figure out how to earn an income out of it (ibid). Women in this Ward are also not involved in decision making; men do all decision making and leave women out of core discussions, even where these decisions directly affect their income (ibid). Such decisions include the sale of land, which is currently very rampant in the County and wives are hardly consulted to give consent. Other concerns were that men do not allow women to adopt family planning in order to space their children and recover enough to continue with economic activities; often they suffer poor health due to poor nutrition and health care (ibid).

Another challenge is the continuous experience of drought in many parts of the County limiting women's farm based sources of income. Female MCAs were concerned that huge tracks of land have been sold off to non-Maasai communities (Source: FGD with female MCAs). The main problem however is the corruption running in the lands office and the fact that one piece may have up to three title deeds, as has happened in many cases leading to many disputes (Source: FGD with male MCAs). As a result, this issue was discussed in the assembly and a policy

decision made for the County Government to stop all subsequent approvals for land sale already discussed above. A guiding policy on land was expected to aid in bringing order; however, since land sale is the main source of income for local communities, it is still going on despite the halt (ibid).

The main problem from a women's perspective was the fact that land sale is happening without the knowledge of wives and the children of the male patriarchs, in whose title the land often is. As indicated above, the male landowners have been 'hiring wives' to stand in during land sales and provide the 'spousal approval' needed to legally complete a land sale transaction (Source: FGDs in Matapato South, Magadi, Oloosirkon-Sholinke, Keekonyokie). This has in many cases left the real family completely in the dark until families are eventually completely disinherited and thrown out of their dwelling spaces by the new landowners. There is a third dimension to concerns over land sale by the (usually) Maasai land owners, which is to contain influx of non-Maasai communities into the County, a factor that seemed to elicit serious political and ethnic undertones among the respondents in the group discussion (ibid).

Unemployment was cited as another great concern particularly for the FGD with younger women in Oloosirkon-Sholinke Ward, most of who have acquired basic education but do not get employment easily. This has in part led to increased insecurity and early marriages for the young women, particularly those from the Maasai community. In the two FGDs in Kaputiei North Ward, factors affecting women's agency were identified as; lack of an enabling environment for economic activities, where the discussants felt that creation of a market space to facilitate enterprise activities was urgently needed. The existing market is reported to be congested and not enough for all vendors. When the women seek alternative market spaces, the County police officers harass them continuously and discourage their entrepreneurial efforts.

Poor access to basic health services was another great concern for the participants in the two FGDs in Kaputiei North Ward. The women mentioned instances where they knew of women who had given birth at the bus stop while trying to access the nearest health facility, having been turned back at the Isinya sub-County hospital (ibid). They felt that women bear the greatest burden where health care is not accessible. The poor state of services at the Isinya hospital was an emotive issue, which was presented as a serious concern for the women. The laboratory at this hospital was said to only test malaria; and was viewed to be unreliable for obstetric emergencies (ibid). It was also mentioned that infighting is rampant amongst medical personnel, who are also

known to have their own clinics and pharmacies, where they refer patients, rather than serve them from the government hospital. There were sanitation concerns with poor garbage collection and sewage breakdown. Participants complained of lack of even a single public toilet in Isinya town despite its rapid expansion (ibid). These elements of poor service delivery by the County were viewed to limit women's access to basic services and indirectly, their agency.

On the issue of access to education for their children, it was mentioned that in Kaputiei North Ward's main town, Isinya, there is only one primary school despite the rapid growth in population; the women felt concerned that their children had not been admitted to the age-appropriate classes when they presented them at the primary school due to lack of space for more admissions (ibid). They complained of being forced to repeat lower classes where there was more space, and thus their children do not automatically progress to the next class at the beginning of the New Year. They listed the need for an additional primary school as well as a functional health facility as top on their list. The many private schools and dispensaries that exist in the area were viewed to be way out of their reach due to the additional expenses associated with private service delivery (ibid).

Another cause of low women's agency in the Kaputiei North Ward was viewed to be the lack of unity in the women due to ethnicity. Ethnicity was cited as a major concern as women often unite along ethnic lines and are severely divided during politically intense periods, particularly during elections (ibid). As a result they felt that this blinds them from seeing their common interests and hence forging a united front in advocating for their interests in the county government. Ethnicity was also seen to permeate County decisions, and non-indigenous residents (non Maasai) felt left out of employment and other opportunities (ibid). This lack of unity was also seen in the failure of the women leaders in the County, especially the MCAs and other elected leaders, who were seen to have failed their female 'constituency', by ignoring women's concerns once they got elected or nominated to respective offices. They are not viewed as allies or advocates for fellow women, but as a group more interested in self-advancement.

5.2 Cultural norms and practices

Subordination of women to male patronage in all aspects of development is culturally ordained in many African cultures but more so among the Maasai (Source: all FGDs). This was identified as a great social concern that continues to diminish women's agency outside the domestic spaces.

With regards to respective gender roles for women and men as experienced by the participants in the FGDs, it was explained that women are responsible for building family shelters. Further, after birth, it is their sole responsibility to nurture the young children; they go herding and also milk their cows, and provide food and clothing for the family. Women may own chicken and can decide what to do with the milk including selling it, but men own the herds, even where women may have purchased the livestock and brought them into the household (ibid).

According to the data from all the FGDs, women are not expected to own land, nor have a title deed in their name, and where this has happened, it is an exception to the norm. Men once married avail family land to the wives and children and often, that is where their main responsibility ends. They get preoccupied in playing *karata* (game of cards) in common meeting points (ibid). Other roles played by men include provision of security particularly of the herd and household. Generally, men own all property in the homestead, irrespective of who bought the property. Culture favours men and is oppressive to women. In Dalalekutuk Ward, data indicates that men are perceived to have power to 'curse' their wives and children if displeased and they use this to command total loyalty from the latter. This closely mirrors findings from other studies on Maasai culture (Tarayia, 2004; Arhem, 1985). Men in the Maasai culture have not been known to stand out against negative cultural practices, because these often favour them, unless in exceptional circumstances.

On the issue of land ownership, women usually have neither right to landownership, nor decision-making power over ownership of land resources. The constitution demands that the wife and family have to consent before family land is sold. However in this County, massive tracks of land have been sold off without the wives or children having any knowledge of the transactions or giving the necessary consent as required by law. Often, law enforcement agents including chiefs are culpable and support the sale of land leading to women being defrauded and families left landless. It was noted that there is a group of younger women referred to locally as 'wives for hire' (Source: FGDs in Matapato South, Dalalekutuk, Kaputiei North and Magadi), where married men will approach one and sign an affidavit indicating that they are married, and then present this to the County lands office, to enable sale and transfer of land from one party to another. The 'wife for hire' in this case is then paid off and the man is able to sell of a piece of family land without the knowledge of his real wife and children, who would otherwise not give consent to the sale.

Discussions on the issue of land with the FGD in Matapato South were quite emotive; the women were worried that their husbands were selling family land freely without notifying or seeking their families' consent. The women were even more worried that they will be rendered landless, homeless, and even without a source of livelihood, if there is no urgent intervention. Cases were cited in Matapato South where men had picked women in the markets and presented them at the lands office as their bonafide wife. Such a 'wife' would then sign the sale documents giving 'consent' to the sale. She would then be paid off and the family would be left out of this transaction (Source: FGD in Matapato South). While the women do not own the factors of production, mainly land and capital, they are largely the ones who provide food and resources to educate their children. Families where women are educated have a higher social status than the majority where women hardly attended any school. Cultural norms were generally viewed to be the greatest contributor to women's deprived status and reduced space for free exercise for their agency.

5.3 Traditional authority

Traditional authority refers to rules or norms that are tied to traditions or customs, the assumption that 'things have always been that way'. Elders in the communities in the County exhibit their exercise of traditional authority through the often-unquestioned declarations that they make. Elders particularly of the predominant Maasai community are believed to wield unquestioned powers that they often use to either bless or curse. They utilize these powers in political situations to 'ordain' leaders who may declare their interest to vie for particular seats, and may in certain instances use these powers to 'curse' those perceived to be unsuitable for the positions but persist in their desire to vie. Data from oral testimonies indicate that in the case of women vying for political positions such authority was used to discourage women from vying; Peris Tobiko was 'cursed' by the elders after she defied their directive not to vie for the Kajiado East Constituency seat. It was expected that she would fear the elders' curse, and more importantly, that her voters would be scared off and not vote in her favour. Mary Seneta who originally eyed the gubernatorial seat had the elders' prevail upon her decision and she had to opt for the position of County Women's Representative in the National Assembly, leaving the Governor's position for a male opponent who had the support of the elders.

Female circumcision is supported by the Maasai community as it is believed to be a 'tested' and 'proven' way to tame girls and women, who would otherwise be too 'wild' for the men to handle (Tarayia, 2004). Data indicates that it is particularly believed that female circumcision controls

female sexuality, which is viewed to be important for the men as the women become easier to control. As already noted, there is no scientific correlation between female circumcision and female sexuality, and thus the exercise is one in futility considering its original intention (ibid).

5.4 Ethnicity and perceptions of historical marginalization

Ethnic differences are a key feature in any political and social discussions in Kajiado County as the case is in the rest of the country. Surprisingly, economic activities are not affected by ethnic differences since in this case comparative advantages of different communities are acknowledged, respected and maximized. The Maasai are associated with livestock keeping and are thus the major contributors of meat and milk to market spaces. The Kikuyu are associated with horticulture and agribusiness, and are thus expected to provide these commodities in the market, while other communities, such as the Kamba, Luo and Luyia also engage in small-scale farming and businesses and in so doing complement commodities in the market. The Somali community is mainly associated with establishment of hotels and restaurants in some of the interior centers in the County, and also seen to run wholesale and retail shops that sell all manner of groceries including dry food stuffs, clothes, electronics, ICT equipment and a myriad of other goods (Source: FGD with women entrepreneurs in Dalalekutuk and Kaputiei North). They are quite respected in this type of trade (ibid).

Due to perceptions of historical injustices specifically by the Maasai community, explained in chapter two above, data indicates that the community feels a level of entitlement to land and other reparations, including access to all opportunities for developments on their land, and Kajiado County in the case of this research (Source: Matapato South FGD). This feeling of 'entitlement' has been interpreted by residents in the County to be a cause for ethnic divisions in Kajiado by members of non-Maasai communities. Opportunities such as training, employment and investments capital are often expected to favour the Maasai over other communities. While this is to a great extent justified, the problem comes in when the aggression to access such opportunities imply the deliberate exclusion of others, non-Maasai communities, sometimes leading to violent conflicts (Source: FGD in Oloosirkon-Sholinke Ward). This is further compounded when this exclusion is sometimes also extended to Maasai women.

Data from the FGD with female youth revealed concerns that deep seated perceptions of marginalization of the Maasai community have led to negative dynamics in the formation of the KCA and KCG that largely exclude from employment, investment or training opportunities, not

only qualified non-Maasai born and bred in the County, but also in many instances young Maasai women. This clearly reduces the level of agency that women in the County can exercise to realize their maximum potential, in utilizing opportunities provided by devolution (Source: FGD with female youth in Oloosirkon-Sholinke Ward).

Despite this inter-ethnic interaction based on mutual interests in the market spaces, ethnicity rears its ugly head in the political arena, where communities that feel marginalized in the County use ethnic differences to cause divisions that sometimes lead to violent conflict and displacements of communities. Data indicates that these divisions have clearly affected the formation of devolution impacting on relations in the County Assembly and among female MCAs as already discussed (Source: FGDs with male and female MCAs). Important to this study is the fact that ethnic differences have clearly caused divisions among female MCAs, effectively stagnating women's agency in the County Assembly, a factor that has potential to block women from benefiting from the devolution process.

5.5 Institutional constraints and patronage

Institutional constraints are mainly manifested through political patronage and patrimonialism, clientilism and misappropriation of revenue. Political patronage is manifested in the debates and decisions made in the KCA. Due to the numbers in the KCA that are skewed in favour of the Jubilee Alliance (92.7%), the resultant unequal power has led to political manipulations in the County Assembly that have for a longtime stifled progress with the devolution process (Source: FGDs with male and female MCAs). The Governor who is elected from the CORD coalition, which commands only 6.3% of the KCA, a clear minority, hardly gets the Assembly's approval for the policies he develops to aid in implementation of devolution priorities (ibid). This is merely on account of party politics and not lack of merit in the content of the policies and Bills. On a similar note, the fact that none of the female MCAs is elected and thus are all nominated grants them an inferior position in the KCA, as they often find themselves handicapped in articulating and implementing their mandate as the women leaders of the County (ibid).

Clientilism was seen to manifest in the recruitment of staff of both the KCA and KCG, where respondents felt that nepotism, clannism, ethnicity and friendship were the main criteria for qualification, rather than academic merits or experience and track record (Source: FGD with female youth in Oloosirkon-Sholinke). Respondents argued that the identification of female MCAs for nomination into the KCA followed this script, where familiarity with elected leaders

was a more important factor than their academic substance or leadership qualities (ibid). As a result most of the female MCAs were not viewed to champion any cause or women's interests other their own, in the KCA (ibid).

Data from KIIs indicates that selection of MCAs to certain committees of the KCA are dependent not on the qualifications of the members or academic background but their business interests and the opportunities that membership to the committee is likely to provide. There is thus often jostling among the MCAs to become members of the County Committees (Source: KIIs). Some committees are perceived to be more prestigious or 'lucrative' than others; the Budget Committee, the Road, Transport and Housing Committee and the Health Committees are ranked high on MCAs' priority list and are all chaired by male MCAs (ibid). Only two out of fifteen committees are chaired by women; the House Business Committee and the Powers and Privileges committee (ibid). One female MCA summarized women's experiences in their struggles to join or lead committees as follows:

> 'We joined the Kajiado County Assembly 100 days after the Assembly was in place because there was a court case to determine nominations into the Assembly. By the time we got in, the male MCAs had formed and shared amongst themselves, the chair and vice chair positions within the committees. Women had to fight to even become members in these committees. The Speaker tried to intervene but he was not allowed to change anything since the MCAs argued that they had elected him and so they could sanction him if he continued to push for women's interests. The Acting Majority Leader was not supportive of women's concerns at all. It has been a struggle and it is not until 2015 that a few women have accessed committee leadership positions.' (Source: a female MCA).

On the issue of revenue collection in the County, the Governor decried many loopholes where revenue is lost through manual means of collection (Source: Public budget presentation meeting). Payment of parking fees, land rates and rents, market fees, cess and other payments hardly reach the county treasury, since most of it is pilfered (ibid). To control this, the Governor has now initiated the process of automating all fee collection processes aimed at sealing all these loopholes (ibid).

Key informant interviews revealed challenges with the MCAs in the KCA. Party politics have had a stifling effect on the progress of devolution in the County. The Governor in a public forum recounted the problem of 'tyranny of numbers', where it had become difficult for him to get his proposals approved by the KCA largely by virtue of representing a minority party in the County.

He has had to deal with a constant threat of impeachment but maintained a positive outlook since the County had not faced the extremes seen in Embu, Makueni and Narok Counties, where the Assemblies had set in motion the processes of impeachment and things had largely come to a near complete stop. MCAs have begun to change their hardline stances since with the passage of time and '… the next elections getting nearer, there is a realization that County development has to start before the voters pass a judgment on the entire leadership, through the vote' (Source: Key Informant).

5.6 Gender stereotypes

Gender stereotypes run through all aspects of the devolution process and have already been explained in other sections of this chapter. They are mainly seen in women's subjugated position in the domestic, community and leadership spheres. It is also seen when women are subjected to oppressive cultural practices and deprived of their rights to land and general property ownership. It is also expressed when women are denied equal status with men in the KCA. They are subtle but very real and a major hindrance to women's agency.

Summary

This chapter has presented findings on the informal factors that influence the devolution process in Kajiado County. These include norms and practices that are legitimized through culture and traditional authority, which prescribe social order in the society. The chapter has identified strong correlations between the informal factors, which inform the practice in formal institutions of devolution such as the KCA and KCG, and the community at large, and the profound effects that these have in curtailing women's agency. Chapter 6 addresses the question whether women in Kajiado are influencing devolution.

CHAPTER SIX:

ARE WOMEN IN KAJIADO COUNTY INFLUENCING THE DEVOLUTION PROCESS?

6.1 Introduction

This chapter presents findings from data collected in response to the third objective of this study, which sought data on the extent to which women are influencing devolution in Kajiado. This data was generated from reviews of power relations among the leaders and their constituents and among the female and male MCAs. Further real life experiences of women, identified by participants in FGDs and whose agency in different spheres was felt to stand out in the County, were assessed to understand how women from different ethnic and social backgrounds have exercised agency and influenced the devolution process in Kajiado. Data from oral testimonies of seven women is provided in this chapter and key characteristics of successful agents of change as espoused in these women's experiences outlined.

6.2 Power relations among the leaders and between the leaders and the led

The nature of relations between female MCAs' and the 'women constituency'

Responding to the concern that women at communities complained of not receiving any positive benefits of having 14 female MCAs in the County Assembly, the response was that they (female MCAs) are reachable but the community has not reached out to them. Asked why they had not reached out to the community, the response was;

> 'We are not representing any Ward, and we are not facilitated (mileage or secretariat support) to undertake such activities like the elected MCAs'. In addition, to avoid conflicts with elected MCAs, we keep off their Wards or they will not take it kindly'. (Source: Female MCA participating in the FGD)

The female MCAs could also not define a specific constituency for themselves, such as being spokespersons of women's organizations and thus identify with women's issues that often go beyond ethnic boundaries, and power plays that characterize the County Assembly (Source: FGD with female MCAs). Clearly with the disunity among female MCAs, it will be difficult to build or define such as constituency.

Nature of relations between female and male MCAs in the KCA

The greatest concerns for female MCAs, that are a great draw back for development in the county include: ethnicity, with the dominant Maasai male MCAs having everything their way, with little room to negotiate with female MCAs; serious cultural stereotypes where female MCAs are not taken seriously, even those with similar education and rank as the men (ibid). Further, the County has only 14 female MCAs (all nominated) out of the total number of 41 MCAs; and being nominated, they did not have voting rights, for a period of time; and had been merely relegated to the House Committees where they are not taken seriously. The nominated male MCAs often get into positions in the Committees perceived to be more influential (ibid). The committees in the house had not been fully constituted by the time of data collection and where in place (ibid).

Another major challenge is disunity particularly among the female MCAs along ethnic lines, limiting their focus on the broader issues that affect women and hence it is difficult to push for women specific agenda through the County Assembly. The female MCAs also face discrimination in budget allocation, where no mileage is given to them on account of being nominated rather than elected (ibid). Being nominated MCAs, they are not seen to represent any Wards, or any special constituency of voters' interests. As a result, they hardly go to community level to meet the community or women at Ward level.

Male MCAs on the other hand receive at least Ksh. 90,000 per month, to establish a secretariat and an office at Ward level (ibid). This is in addition to transport mileage for expected travel while meeting their respective electorate. These are facilities that the female MCAs do not access and hence find it difficult to actualize their mandate. They only participate in committee meetings and County Assembly meetings, effectively leaving women-specific issues out of their debate. Data collected indicates that female MCAs are still struggling to find their niche and issues to identify with or fight for (ibid). Often to maintain relevance, and their nominated position, they have to keep fighting for recognition in a culturally stereotypical assembly. The effect of this is that the female MCAs are losing a golden opportunity with which to advance women's concerns through active agency in the County Assembly.

The relationship between Kajiado County Assembly and County Government

The participants in the FDGs with female youth in Oloosirkon-Sholinke recognized the current infighting within the County Assembly and blamed the inability to absorb the funding available, on this impasse. Data from FGDs with female and male MCAs indicates grave concerns with the current political divide (majority and minority parties) in the County Assembly, which is seen to largely involve contests on County Bills and other issues presented for approval. This is due to political interests and wrangles rather than merit on the issues, a factor that seriously holds back any meaningful progress in the County. This has also affected appointment to critical positions such as the chief officers of the different ministries in the County as the 'tyranny of numbers'[42] keeps delaying nominees from getting approval of the County Assembly. The female youth in the FGD felt that MCAs were holding back devolution rather than enabling it to work for the people (ibid).

The Governor relies on the County Assembly for approval of budget and hire of key positions in County departments. These include Executive Secretaries (also referred to as Ministers) and other technical positions. He suffered major setbacks when the County Assembly could not immediately approve his appointments or budgets, and so he could get very little done in the first year of devolution (Source: KII with Governor). Being from a 'minority' party in the County, he could not marshal adequate numbers in the Assembly to gain County support and steer his agenda for the County, a situation he struggled with for a long time (ibid). Towards the end of his second year as Governor (the time of data collection), things seem to have mellowed slightly and his relationship with the MCAs is gradually improving (ibid).

6.3 Women's agency through real life experiences of seven women in Kajiado County

To answer this question, profiles of seven women who stood out as agents of change were sought. The women were identified during FGDs and ideally; such a woman had made visible economic, political or social contributions to the community by the nature of her profession or contributions to improve the lives of fellow women in the community (Source: all FGDs). A final list of profiles of seven women was then compiled.

[42] 'Tyranny of numbers' is a phrase used in the post 2013 elections' political context to denote a situation where one side of the political divide carries the day in all contests owing to its big numbers in the legislative assembly.

The seven women[43] listed in the order in which they were interviewed or their profiles accessed are as follows:

1. Agnes Kong'u, Community Health Worker; Community mobilizer; advocate for women's rights and social justice; A preacher at the Christ for All Ministries.
2. Priscilla Naisula Nangurai, Director of a Children's Rescue Centre and a private school
3. Noel Siyiapei, Personal Assistant to a female MP and an entrepreneur in the County
4. Peris Pesi Tobiko, Member of Parliament for Kajiado East Constituency and a farmer in the County
5. Rosemary Khalakai Wafula, Director of the Brydges Children's Center, a home for orphaned and abandoned children
6. Mercy Gathu, Nominated Member of the Kajiado County Assembly and an entrepreneur in the County
7. Mary Seneta, Member of Parliament, Kajiado County Women's Representative in the National Assembly, farmer and entrepreneur in the County

Agnes Kong'u, a 49-year-old mother of four has had a difficult life and suffered poverty since the death of her mother at the age of five months. She never schooled beyond standard one in primary school. Her father remained a drunkard and Agnes together with her siblings often went without food. Being the youngest she was moved from one family to another depending on who had the ability to feed her at the time. This was before she was forcefully circumcised and soon after married off at the age of twelve years to a man who was over 70 years at the time. She run away from the marriage and went back home. Her father was very angry and considered her wayward and undisciplined for running away from the marriage. The father had 'cursed' her and swore never to consider her as his daughter. At this point she suffered a lot and often slept hungry, which forced her to go back to her father and apologize so that she could be taken back into his household.

To get away from the poverty at home, a friend introduced her to a local female teacher, who would employ her as a maid in her house. The would-be employer turned out to be Priscilla Naisula Nangurai. Priscilla realized that the young Agnes was too young to work as a housemaid

[43] Full consent to record the profiles of these women was acquired prior to the interviews, particularly for Agnes, Priscilla, Noel, Rosemary and Mercy. In addition, for Peris and Mary, their profiles are also readily accessible from published material and video clips (*YouTube*) from media houses, and is thus already in the public domain.

and instead took her in at a rescue center she had just started to protect her and give her an education. Agnes' father who knew that her daughter had been taken in as maid went to claim the salary but was informed that his daughter was not employed but had instead joined a school. The father was again very angry with this and violently demanded his daughter back, an incident that necessitated the police to be called in to calm the situation. Eventually Agnes was given back to his father. In the meantime, her elder brother got a husband for Agnes. This new husband was younger than the first husband and her father was happy to receive dowry from this second marriage.

She bore four children from her second marriage. However, she continued to suffer from deprivation since she faced poverty in this marriage as well. A few years into her marriage, her husband became sickly and was soon diagnosed with a viral infection. The despair that followed and lack of information on how to handle this situation led him to an early death. Fortunately, Agnes tested negative and was thus left to soldier on and fed for her children. Agnes says that her difficult life experiences and her life of deprivation led her to community activism. The fact that she had no formal education did not deter her from her drive to help young girls and women as well as those infected and affected by terminal illnesses including viral infections, to lead normal lives.

She was enrolled as a Community Health Worker (CHW) under the World Relief programme, and subsequently trained on how to sensitize HIV victims on proper nutrition, following the prescribed dosage, and for those living with sick relatives, how to take care of them. She received training on counseling and as a paralegal worker and received certificates for these. She recently mobilized grassroots women and registered them as 'Namunyak Support Group' with the social services department. She also studied pastoral work and took on roles in her church. In 2013, she was awarded by the Coalition on Violence Against Women (COVAW) as a women rights activist of the year and is now a life member of the organization. Currently she has spearheaded five cases where women's rights have been violated and they are facing justice at the Kajiado law courts. COVAW has assisted by providing lawyers to provide the necessary litigation.

She has worked largely alone, driven by her individual passion to bring forth change in her community. She is not paid for her work and is a volunteer. She receives a token Ksh. 2,000 from World Relief for her work as a CHW, and she needs to finance her phone usage, transport

and other expenses, related to her work. Many times she has wanted to give up her women's rights tasks but she keeps receiving requests for help from as far as Narok County, with women and girls requesting for her intervention or rescue. She takes it upon herself to search for bursaries for secondary education for her needy neighbours' children. Her own children have gone through secondary school through bursary support. Her fellow women who are not brave enough to take lead in fighting for women's rights describe her as 'having nothing to lose' since her husband is already dead and she is thus not at the risk of being cursed by her husband. Agnes mentioned to this researcher that she greatly desired that her story is written, published and narrated elsewhere, so that it can inspire others into action. Agnes has with very little education gone out of her way to champion the rights of women, girls and the vulnerable in Kajiado County.

Another outstanding change agent is Priscilla Naisula Nangurai, She directs a Children's Rescue Centre and a private school. She is 68 years with college education as a teacher. She is married and a mother of three children. Priscilla is the sixth born in a family of eight. Her elder sister was withdrawn from school and forcefully married off to an elder man at the age of 15. Priscilla was herself six years at the time. She knew that something was seriously wrong when her sister was 'kidnapped'. She was keenly aware that her parents were not bothered about the 'kidnap' but did not understand what was happening. When her sister settled at her new home, she came back for Priscilla, and promised to give her what she herself had missed (an education). With time, the sister narrated what had happened to her and why it was important for a girl to get education and to discard some of the negative cultural practices. The sister became an untrained teacher after some time and was very successful in this role. As a result, Priscilla greatly admired her and she was determined to train as a teacher as well. She successfully went through high school and received college education as a teacher.

After teaching in one of the girls' high schools in Kajiado County for 10 years, the school management decided to get rid of the girls and retain it as a boys' school because in their own words, 'they needed to maintain high standards of education, yet the girls was pulling the school grades down'. This action moved her deeply, when she considered the extremes girls go through in order to reach high school. It propelled her into action. She established a rescue center for girls forced into early marriage and soon went round rescuing such girls. Most of these girls were aged around twelve years.

Once she identifies cases of girls under the threat of forced marriage, or having already been forced into it, she reports to the local administration that then uses the law enforcement agencies to rescue the girls. The girl is then brought to her center and is sheltered and provided with an opportunity for education. Once the rescued girl is settled in school, Priscilla contacts her families and tries to reconcile them and sensitize then on the value of education and delaying marriage. While she has been successful in some cases, it has been difficult in others where families become adamant.

In addition to running the rescue center, she also spearheads culture talks where she educates her Maasai community on the dangers of perpetuating some of the negative cultural practices such as female circumcision and early marriage for girls. She has also sensitized young girls to run away when faced with these practices and into her rescue center, something that has drawn negative backlash from the community members, who consider her anti the culture. In her own words, '… they feel that when a girl goes to school, she gets spoiled because she gets to a point where she is equal to the men; she is not supposed to be equal …' (Priscilla, November 2013).

She is happy to note that by the end of 2012 she had rescued at least 700 girls most of whom have successfully gone through secondary education and beyond. She has at least impacted their lives positively. Some of the greatest challenges she faces include the negative backlash from the community as well as lack of material resources to adequately provide for the girls at the rescue center.

Noel Siyiapei is another agent of change in Kajiado County. She serves as a Personal Assistant to a female MP. She is an entrepreneur in the County, and is aged 27 years and not yet married. She has a diploma in community development. Noel is a youth mobilizer and part of the civil society groups in Kajiado County. She is the last born in a large polygamous family and was lucky to receive education. Her siblings are educated and her eldest sister is a Doctor at Kenyatta hospital. Despite her privileged position, she is unhappy with the nature of life led by fellow young girls and women in her community. She leads fellow youth in searching for bursaries and financing sanitary towels for poor girls in the County, to ensure that they remain in school.

She bravely engages local leadership including the Governor, MPs and MCAs to provide scholarships for young girls from the community. She also mobilizes women and youth to participate during Ward planning meetings, to ensure that their voices and their priority projects

are listed during the formulation of the County budget. When Kajiado County Government was recruiting for key positions, she led a group of 10 youth members to petition the Governor and MCAs to pick from outstanding candidates, especially young women who were qualified for the positions available for hire. However, none of those in the list were appointed. When the Kajiado County Assembly was being formed, she was shortlisted in the list of nominees but was dropped at the last minute because the leaders agreed that '… she was still too young and could join the Assembly later, when she was older and more experienced', (Noel, 2014).

Noel has been a resource person in grassroots mobilization and as a polls agent for most of the political leaders in the County. However, few of them are ready to view her as a leader in her own right or mould her into that role. She is currently working as a personal assistant of one of the female MPs in the County, a role Noel values as a stepping-stone to greater heights in leadership. She is brave and has on many occasions taken on elders and leaders who have undertaken to violate girls and women's rights in the County.

Another profile reviewed is that of Peris Pesi Tobiko, a Member of Parliament for Kajiado East Constituency and a farmer in the County. She is 46 years old, married mother of four children and a University graduate in Political Science. As a Member of Parliament, her main role is contributing to legislation processes in the national assembly. As a Maasai girl, she was destined for early marriage at the age of twelve when she nearly got married to her own teacher before sitting her standard seven examinations. Her father repeatedly considered the proposals of many suitors who came calling on his door for Peris' had in marriage, but her desire for an education prevailed and she was able to rebuff all these proposals. The fact that her elder brother (now Director of Public Prosecutions) was already educated and doing well in the civil service, helped in discouraging her father's quest to marry her off. She eventually joined university in 1988 and completed her degree.

In 2013 Peris declared her interest to vie for a parliamentary seat during the general elections. A new Constituency had just been created, the Kajiado East Constituency; she saw this as a good opportunity since there was no incumbent to compete against. In her campaigns, she defeated five other aspirants and earned the TNA ticket, to compete against the ODM's candidate. To discourage her from her quest, the council of elders threatened to curse her if she did not drop her bid for the parliamentary seat. They said that they could not support a woman for a political seat, since women cannot rule over men. A cursing ceremony was held at Sultan Hamoud. The

immediate effect of this was that her supporters became hesitant in their support due to fear of the negative impact the curse would have on them, and she lost a significant portion of her support group. Elders' curses are greatly feared in Maasai land and voters did not want to take the risk. Indeed many expected an extra ordinary happening to befall Peris and they waited for a catastrophe. Another problem was that she is married in Narok County and not Kajiado, yet she was trying to vie for a seat in her County of birth.

She resolved to fight and received tremendous support from her family. After a while, she rallied the support of her remaining voters as well as her church group to pray at the same venue of the curse and to neutralize any possible effects of the curse. When time had passed and nothing bad was happening to her, the voters' faith was regained and slowly they trooped back to her campaign and eventually gave her a resounding success at the general elections, declaring her the first ever elected female Maasai in Parliament. She believes that though the 'curse' was a drawback in her campaign, it turned out to be a blessing in disguise as it delivered a sympathy vote. More importantly, the fact that the 'curse' bore no effect turned out to be a direct affront on traditional authority and proof that cultural ideology can be challenged and even altered, with no reprisal.

In her quest for parliamentary leadership, Peris confronted culture; gender stereotypes and clannism, where many had the perception that voting for her in Kajiado amounted to 'selling' the position to another clan in a different county. She is associated with great developments and a heart for helping the needy in her constituency. Her CDF has made significant contributions to local developments and many who were skeptical about her leadership as a woman have over time been won over by her different style of leadership (a woman's calm approach). She is judged to be of unquestionable integrity and accountability by many of her voters.

Another change agent profiled was Rosemary Khalakai Wafula, the Director of the Brydges Children's Center, a home for orphaned and abandoned children. She is 58 years married mother of four children and a graduate trained in accounting. Rosemary was moved to action, by the numbers of abandoned and orphaned children that were in her neighbourhood and their suffering due to their vulnerability. This led her to leave her well-paying accounting job to fend for these children. She had her own four children who depended on her, but she felt that she needed some free time to give adequate time to these children. She established the Brydges Children's Center over 10 years ago first in Rongai in a rented house, but with the increasing numbers of children,

she needed bigger premises. She pooled resources with her friends and was able to purchase a five acre plot of land in Isinya, which could cater for more children. As soon as the public was aware that she had opened this new Center, needy children were brought in in droves seeking her attention and care and the Center has been constantly overwhelmed with the number of needy cases. Many times, young girls who had given birth but had no means to take care of their children would deliver them to Rosemary's gate, where they were sure someone would spot them shelter them.

Once a child is found and Rosemary's attention is drawn to the child, the first step is to report to the police station and the children's department in case the child has parents who may have been searching for them. The next step is to have a medical report done on the children so that any urgent medical concerns are addressed at once. As soon as it is established that no one is looking for the child, they take the children into the Center as part of the Brydges family. The children are then named by the 'mothers' at the Center and soon provided with identification documents such as birth certificates, and identity cards once they reach the age of majority. The Brydges children vary in age from zero age (sometimes days old children are delivered to the Center) to adults in their twenties. At the Center, the children are guaranteed a shelter, food, education and more importantly a family to identify with. In December 2013, the home had approximately 100 children under Rosemary's care. The children grow together and refer to each other as siblings.

Recently, Rosemary and her team started a private school, within the Center, to cater for the growing children population and provide them with adequate quality education. Relying on well-wishers, and with the support from Rosemary's family resources, the Center has provided opportunities for needy children who have now excelled in professions such as accounting, commerce and piloting. Those who did not make it to universities have received training as chefs, dressmaking, and other technical courses. Many times Rosemary had to deny her own children some privileges in order to provide for the children at the Center. Some of her greatest challenges include inadequacy of school fees for the children for secondary and post-secondary education, and finances to cater for the children when they face certain illnesses such as skin diseases, which spread quite easily. Many times she relies on the government hospitals for free medical services, and other supplies. She has however had to hire teachers for the new school.

Sometimes the community around the school is not supportive as they feel that the children in the school receive more privileges than those in the community. Recently they were demanding

to have their own children attend the Brydges School freely, without making any form of contribution to aid in its running or to support the children in the school.

She acknowledges the enormous support from well-wishers including local and foreign philanthropists who provide food, school fees, capital installations such as construction of a borehole and a windmill to power the borehole, clothes and books for the children. Despite this, the needs are often overwhelming and the sometimes-negative responses to the Center by the neighbouring community remain an outstanding challenge. Rosemary's passion to improve the lives of needy children remains her greatest motivation as she runs this Center.

Mercy Gathu, another change agent is a Nominated Member of the Kajiado County Assembly and an entrepreneur in the County. She is 60 years old and a married mother of four children. She has received college level education in Community Development. Mercy has faced ethnic discrimination in Kajiado County, coming from a minority community within the County. She got involved in issues of conflict resolution and activities against politics-inspired ethnic animosity in 2012, after the experiences of the near civil strife experienced in much of the county after the 2007 general elections. Tribalism in other spheres of life including civil service, business and social life, was also becoming a challenge disrupting peaceful coexistence of the communities in the County. With the support of her church, the Nairobi Pentecostal Church in Kiserian, she established a forum, 'The Kajiado We Want', which was aimed at publicly committing the Kajiado political aspirants to peace after the elections whether they won or lost.

This forum was most active between 2012 and 2013, and its main agenda was to discuss modalities for neutralizing ethnic tensions. Through a series of breakfast meetings, the political aspirants for all seats met and deliberated on how to avoid political violence as well as how to ensure peaceful coexistence amongst the different ethnic groups living in the County. Other vices that the group was fighting against include corruption and public utterances that fueled ethnic polarization. These activities provided a platform for visibility for Mercy, who with four other women extended the activities of this forum to other Counties outside Kajiado, including Narok and Uasin Gishu. In 2012, she joined The National Alliance Party (TNA) and became an active member. Through the visibility provided by her work, her name was put on the list of nominees for the MCA slots in the County Assembly. Her children have supported her cause in a big way; one of her daughters, a pharmacist had organized medical camps under the leadership of Mercy, providing free medical consultations and subsidized drugs for patients in the County. Mercy is

also an ardent supporter of women entrepreneurs, and has from her own income initiated small businesses for poor women in the County, who have gone on to become successful business women running sustainable business ventures.

As a MCA, she has now moved the anti-ethnicity crusade to the Assembly urging the MCAs to unite along shared issues of concern and not on tribal grounds. She has recently enrolled for degree course on community development and trusts that in the next general elections, she will vie for and be successful as the elected MCA for Keekonyokie Ward.

Finally we reviewed the profile of Mary Seneta[44], the Kajiado County Women's Representative in the National Assembly, a farmer and entrepreneur in the County. She is 43 years old, married and a mother of three children. She is a graduate trained in education. Mary Seneta's interest to join active politics was inspired by the desire to bring forth change among Maasai women and girls, who she felt that for a long time have been left out of mainstream development as a result of low literacy levels and the burden of social cultural practices. She felt that in her Kajiado County, men are held in higher esteem than women, and thus being privileged, boys accessed education more easily, were not subjected to early marriages, and are given priority in leadership positions. As a young girl, this made her wonder how 'her Maasai community would be if girls and women became educated, and got employed like those in other communities', residing in the County (AMWIK, 2014: 49). She had noticed that people from non-Maasai communities appeared to live better lives and attributed this to the fact that they were better educated. She decided to advocate for girls' education as a strategy to improve the lives of women in her community, and to do so, she decided to pursue the best education possible.

At first she pursued a primary school teaching certificate and then pursued a degree in education from the University of Nairobi. She has in the past taught in primary school and worked in community based organizations in the County. Among her role models were her step sister – primary school teacher, and a headmistress from a local primary school, Priscilla Nangurai (also interviewed in this study). Mary considered Priscilla to be an ardent crusader for the rights of Maasai girls and against female circumcision and early marriages. The AMWIK report quotes Mary as such, "My interactions with Priscilla as a colleague made me desire to become just like her – a champion for women's rights and a leader with powerful oratory skills", (AMWIK,

[44] Her profile was reviewed from published material and not directly interviewed.

2014:50). It is notable that Priscilla has in the course of her agency also inspired other women into active agency, including Agnes and Mary, and this indicates the need to nurture and continuously profile model agents of change, in order to continuously tap from this contagion effect on other women.

During her pursuit of a political career, she at first targeted the Governor's seat. However, her relatives persuaded her to give way to a male relative, since they would give him the priority at the vote. This experience is similar to that of Peris Tobiko during her political campaign. Fellow women encouraged Mary to opt for a 'lesser' seat, and she had to reluctantly settle for that of a County Women's Representative (AMWIK, 2014). She acknowledges the support of her husband with financial resources and his presence in the campaign trail. The fact that she had already demonstrated her leadership in various organizations including women's groups, boards of schools and health centers, and other community based organizations, as well as her farming and entrepreneurial activities, all helped in endearing her skills as a leader to voters.

6.4 Outstanding characteristics of female change agents

These characteristics include the following:

Self-sacrifice and passion

Kamau (2010:31) has identified this attribute in her case studies on female politicians. In this research, the women profiled have all had a previous experience of deprivation, suffered ethnic or gender marginalization and discrimination. Agnes, Priscilla, Noel and Mary have all faced the realities of cultural practices such as early marriages and female circumcision. Deprivation and extreme suffering marked their childhood experiences and thus their passion is drawn from these experiences. Their agency within their communities is driven by deep passion to change the circumstances so that others may not have to face the same. To do this, they have had to sacrifice their personal resources. They have all had to give their personal time freely to fight for rights of community members, with Agnes particularly standing out in her cause.

Determination and persistence

The women demonstrate a high level of determination and persistence in their quest to change the status quo, despite many hurdles along the way. Kamau (2010) observes that this quality places them on a collision course where they tend to offend parties that are keen to maintain the

current order of things. Peris' case stands out as she sought to challenge culture and voice of elders in her pursuit for political leadership. She even dared the 'elders' curse'. Her courageous action and eventual victory had a liberating effect on her voters who until now had believed that the elders' curse was to be feared and no one could challenge its potency, least of all a woman.

Role models

All the women interviewed have set very high values standards for themselves. Their quest to self-improve through education, their engagement in entrepreneurship and economic activities to improve their livelihoods and their selflessness are attractive attributes that endear them to their community members. They are inspirational in their words and action and in so doing they draw in others into their cause. It is also clear that they needed to take the first initiative to address the pressing concerns, in order to build credibility around them and to attract the attention of other agents who come in to support. This is clear in the cases of Agnes, Priscilla, Noel, Peris, Rosemary and Mercy.

Courageous and daring

The women are confronting profound challenges including culturally ordained practices and stereotype that have been part of communities' ideology for generations. This is a phenomenal task for any individual. Yet all these women have had to take a lead role in challenging negative forces affecting society such as ethnicity, political violence, and negative cultural practices, among many others.

Family status and motherhood

Marital status and motherhood seem in all these cases, to provide additional credibility to the cause that these women pursue. Data indicates that having experienced marriage in a misogynous context, and bringing up children through the difficulties of deprivation and poverty, which are similar challenges faced by the rest of the community members, and yet still coming out strongly to fight against shared challenges, creates an additional level of credibility for these women's causes.

Clarity of vision

In her seminal analysis of Kenyan women in political leadership, Kamau (2010) concludes that women develop their vision of leadership from their experiences right from childhood to adulthood as they wade through the challenges of gender inequalities, negative cultural practices and societal biases. She identifies some distinguishing characteristics of women who have been successful in political agency to include, a high level of professional achievement, accomplishment in academics as is the case of Mary Seneta, Peris Tobiko and Priscilla Nangurai, and family background as seen in Peris Tobiko (Kamau, 2010).

These women demonstrate clarity of vision and belief that an alternative world is possible. Wachs (2001) acknowledges that leaders who stand out articulate an ideological vision that illustrates a different worldview that is ideal and that is possible. Mercy sees a world where volatile ethnic divisions no longer lead to electoral violence; Rosemary sees a world where children have a home and their future secured through access to education; Noel, Priscilla and Agnes perceive a world where women and girls are no longer subjected to retrogressive cultural practices that continue to denigrate them, in a world where other aspects of life change in tandem with the rest of the world; Mary and Peris, see a world where women and men can share the leadership platform based on the popular vote, without the hindrances of gendered stereotypes of male-stream hegemony. This vision becomes a driving factor in their agency.

6.5 Women and political agency in Kajiado

Data from all FGDs, KIIs and oral testimonies, indicates that political agency is not an attractive space for women in Kajiado County. Scholars have attributed this situation to patriarchal sociocultural ideologies, including traditional practices such as son preference, dowry expectations, widowhood rites, disinheritance of women and girls and other cultural prescriptions (Omtata, 2008). Other obstacles include economic deprivations and exclusions from participation in governance and other social spaces, and weaknesses related to weak bargaining and negotiating skills (Nzomo, 2003b; Kamau, 2003; Kabira, 2012; Mitulla, 2003). The weak negotiating skills are viewed to be resultant from lack of political mentorship (Omtata, 2008) and poor media visibility (Kamau, 2010), all, which deny women a platform for equal engagement with men.

The Maasai culture portrays women who exercise their agency outside domestic sphere especially in addressing political and social concerns, as bad – demonstrated in the data collected. This is in tandem with many cultural views of different communities as summarized by Kamau (2010):

> '…women should concentrate on domestic roles … those who take up political challenges (are) bad and not good mothers. Those who have tried their hand in politics have often been branded divorcees or men-bashers… politics is dirty and 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? We are not ready for women leaders. (Kamau, 2010: 27-28).

Agnes, Noel, Priscilla and Rosemary despite not being in active politics, all demonstrate great passion for the areas in which they exercise their agency. Kamau (2010) identifies passion as a common denominator among the female politicians interviewed in her case studies, and describes this passion as a deep 'conviction to change the lives of their communities but more so women and the socially excluded groups' (2010:44). These women have clearly experienced a level of inequality in the economic, political and social systems within which they live, which have in turn been the driving propelling forces behind their desire to cause change. A lot of the agency work done by women does not come to the limelight, thus women who get onto political platforms such as Mary, Mercy and Peris might enjoy a higher level of publicity compared to Agnes, Noel, Priscilla and Rosemary, who have also made their contribution of active agency for change in many varied ways that do not reach the public domain.

Summary

This chapter details findings on the extent to which a selection of women have influenced devolution in Kajiado. Data from reviews of power relations among key devolution stakeholders in the county and from real life experiences of seven women gathered through oral testimonies illustrates how women are influencing devolution in Kajiado. It is clear from these findings that a woman's level of consciousness at the personal level built over time through her individual passion for change, exposure through access to education and experience is fundamental for her agency to be successful. The challenges faced by female MCAs as viewed in their power relations in the KCA, can be attributed to their low level of consciousness as women leaders, as much as they can also be attributed to informal factors. Chapter 7 provides a detailed discussion and analysis of these issues.

CHAPTER SEVEN:

DISCUSSIONS

7.1 Introduction

In this chapter a discussion of the research findings presented in chapters four, five and six. The study aimed at assessing whether women's agency is being advanced in Kajiado County through the devolution process. Data collected was scrutinized from an analytical framework looking through feminist and rational choice lenses (Driscoll and Krook, 2008). Specifically, gender relations, strategic interactions, formal and informal institutions, power relations and modalities to pursue transformative change for the benefit of improved livelihoods for women were scrutinized. An inquiry of the social meanings given to gender equality and equity issues and an exploration of how gender norms in cultural, political and social context in the Kajiado County interface has been essential. Opportunities for women's agency, in the devolution reforms in Kajiado County, were explored in-depth. An important dimension of agency is the freedom to make strategic interactions, which is also a core feature in rational choice theory.

For a women-responsive devolution process, strategic actions and interactions by female actors based were reviewed based on normative actions of the stakeholders in the devolution process including elected leaders, political parties, the KCA, actors in the budget and resource allocation process, among others. Another critical variable in devolution that was explored is power relations and power sharing. Using a feminist lens, and assessment of power relations, in the devolution process and its institutions, was done. Institutions in this case refer to both formal and informal features including political systems, the KCA, County by-laws, and cultural norms. Feminist research primarily seeks to promote transformative change. As Driscoll and Krook (2008) propose, uncovering power relations and static institutions resistant to change may open up possibilities for an alternative, where strategic actions are adopted aimed at causing transformative change. A power analysis of the institutions in Kajiado including the KCA and KCG aimed at generating recommendations for policy. A feminist – rational choice interpretation of Kajiado women's agency has been done and the place of consciousness-raising in a complex devolution context in Kajiado County, assessed. These issues are further elaborated, below:

7.2 Assessment of the utilization of provisions in devolution policies in the advancement of women's agency in Kajiado

Gender assessments

Kabeer (1999) draws direct linkages between poverty and disempowerment, viewing women's inability to make choices, and lack of options, as disempowering. Her three-pronged perspective on empowerment is a useful analytical frame for women's agency. She looks at material or economic resources such as finances and property, human resources such as skills, literacy and knowledge, and social resources, where organized group efforts or collective agency is exercised, as the main pointers to increased agency.

Women's literacy level

Thirty percent of the respondents had received secondary level education while the rest had either primary level or no education at all. It is notable that 40% of the sampled respondents were members of an organized group while 25.7% of the respondents had participated in Ward level planning and budgeting meetings. These figures indicate a close correlation between literacy level and women's confidence to venture out of the domestic sphere into social or political activities. A slightly higher percentage of the respondents (52%) had established small businesses, indicating that economic or entrepreneurial agency though complemented by literacy level to a good extent, is not entirely determined by one's level of education. Data closely links women's literacy level to her agency, a factor that underscores the importance of education for agency to be enhanced. The profiles from women who gave oral testimonies demonstrated that education was an enabler in their agency, with the exception of Agnes who has no formal education. However, she sought to build skills through training and exposure in sensitization workshops and in her grassroots mobilization; she endeavours to ensure that all poor children access education, as a strategy to help them overcome the predicaments she personally faced in the course of her agency.

Access to and control over land, property, time use and other resources

More than half of the respondents (57.2%) could not freely decide how to utilize the land resource on which they live. Indeed only 6.8% could make the decision whether to sell, lease or use the land title as collateral, if they so wished. This indicates a case where women can only access land but not control it, or make decisions on its utilization. This scenario is consistent with

cultural practices of the communities in the County, where women's control of land as a factor of production remains limited.

On women's time use, data indicates that women's allocation of time is burdened by non-productive household chores such as cleaning, fetching water and firewood for domestic use and even child rearing. The fact that women have no control over proceeds from livestock such as cows and goats implies that time spent tending to livestock needs to be categorized under nonproductive chores. It is instructive to note that though livestock are a productive resource, the men do not contribute the income they earn from these to household needs such as children's school fees, and instead use all of it for personal needs, and largely to finance alcohol consumption. Despite women spending their time tending to livestock, they still have to use other mechanisms such as contributions through *chama*, or chicken rearing to pay school fees and feed their families. Sometimes women are allowed to sell milk from cows and goats to supplement their income. Data indicates that even where women had purchased the livestock through activities from their *chama*, as long as the animal is grazing on her husband's land, it automatically becomes his property. Her time and labour are also his property since she belongs to him, having paid dowry for her.

Another dimension of women's time use is seen in the 'missed' opportunities, where women did not utilize their time effectively. This is specifically for female MCAs in the KCA, who do not maximize on their time during debates in the Assembly and the committees they sit in, to advance women's interests. While time use in this case is in the control of the female MCAs, legitimately in office as leaders in the County, the opportunity to exercise agency is missed since the women utilize the time for other purposes. As mentioned in chapter 2, the women become engrossed in a struggle to survive within the KCA, and in so doing they become 'masculinized' as they gradually steer off their mandate as agents of change.

Women's access to and utilization of ICT

Data collected paints a positive scenario where a clear majority of the women (85.5%) own a mobile phone, while 97.4% use a phone at least once every day. Another 70.2% use internet on their phone, indicating that irrespective of the level of literacy or mode of income, women in the County identify the mobile phone as an important tool for communication and for small financial transactions through money transfer. As already observed, the limited spread of the electricity

grid, which would be necessary to recharge cell phone batteries, is not a limiting factor for the women. Use of the mobile phone is thus an important indicator of women's agency and should be explored further as a potential avenue for developing and nurturing social and political agency. This can be done through massive sensitization campaigns, spearheaded by the County government.

Women's capacities based on their knowledge and skills

Building women's skills through training and sensitization forums and other capacity enhancement activities was identified as important in building women's confidence and agency. Its absence implies a constraining factor for women's agency. Some 41.2% of the respondents had been trained by NGOs, government extension workers or other agencies in different aspects including book keeping, livestock management, farming or even household hygiene, among other themes. Women who were actively engaged in economic, political or social agency directly linked additional skills learnt through seminars to their increased agency and exposure. Such capacity developed through training is thus another enabler of women's agency, particularly for women who have low literacy levels.

Strategic interactions

Collective and individual action among women has emerged as another enabler of women's agency. Data indicates that where women were operating as a group, they benefitted from pooled synergies, resources and greater confidence. This is what Kabeer (1999) refers to as 'social resources'. Where women are organized, they find it easier to undertake joint purchase of large stock such as livestock, access bigger markets and even purchase land, as seen in the women groups in Matapato South. Collective agency has been mostly effective when it is directed to economic activities. The same level of agency should be nurtured in addressing political and social concerns that affect women. Where this is not happening as the case is in Kajiado County, emphasis should be made in enhancing their capacity in this area.

Data illustrates different types of organization among the women with groups formed purposefully to meet certain objectives. Under rationalism, strategic actions and interactions are informed by people's beliefs and behavior. Forty percent of the women interviewed were members of an organized group with a majority of them belonging to a women's group or

chama, aimed at economic improvement of the members. Those organized for different reasons included 40.8% who advocated against female circumcision.

Collective agency is demonstrated where women coalesce around shared interests, pool finances and invests their time and effort to seek an improvement in a particular situation. Individual agency on the other hand is demonstrated when individuals identify and champion different causes by investing personal efforts and resources to address a shared concern. In some instances, individual agents receive indirect support from other women; however they remain at the forefront in their individual capacity and take sole responsibility for the success or failure of the cause. For example, quite a number of women in the County have established rescue centers or children's homes that cater for girls rescued from early marriages or to take care of orphaned and abandoned children. Rosemary Wafula one of the model agents of change is a good example of such women. Others have taken a personal lead in pursuing justice for victims of sexual violence such as rape, and this being a highly sensitive cause to pursue, such women largely act alone with the only help received from fellow women being the information they provide to them to homes where children who need rescue, live. Sometimes, women in the community bring food to the rescue centers and homes and sometimes volunteer to undertake some chores such as fetching water or cooking, but do not take any lead roles, preferring to operate from the background.

Economic agency

Data indicates that women in Kajiado organize themselves in groups, which include *chamas,* welfare groups, some formally registered and others unregistered, and most largely engaged in economic activities. Very few of the organized women groups, get involved in activities outside enterprise and economic development, such as advocating against sexual violence on women and girls, disinheritance of women or raising consciousness among women on culture based gender stereotypes. None of the groups met were engaged in activities seeking to promote women's participation in leadership and politics.

Data indicates that majority of the women (52%) in the Kajiado County have freely engaged in economic activities either individually or as a group. This indicates that women in the County have derived more 'meaning, motivation and purpose', (power within) from engaging in economic activities. Exercise of this type of agency is less affected by a woman's literacy level,

social class or ethnicity and hence is a 'safer' space for women to exercise their agency. This type of agency is also not affected by informal dynamics that include ethnic divisions, political party patronage, gender stereotypes or culture, as compared to social or political agency. Some of the essential requirements for women to establish and sustain successful enterprises include startup capital, training in basic accounting and bookkeeping and access to ICT.

Institutions

The political systems though structured according to basic constitutional provisions such as the affirmative action principles, which ensure that either gender is represented by at least one-third in county assemblies or committees, no further safeguards are provided beyond the numbers. It is clear from the data that although both the KCA and KCG on paper appear to adhere to constitutional provisions, the fact that the actors in these institutions are subject to cultural prescriptions of power relations between men and women under patriarchal ideology makes them inadequate enablers of women's agency.

Similarly, form organizations such as registered CBOs, CSOs and NGOs provide platforms for women's agency to be exercised. However, their effect is also limited due to low confidence levels and skills among the members, to venture out into transformative forms of agency. Data indicates that while the county planning and budgeting provides a forum for all residents in the County including women to meet and dialogue, the latter hardly take part. As noted in the County public budget presentation meeting of February 2015, women present were mainly employees of the KCG or female MCAs and not women from the community. The scenario is similar in the case of pre-budget Ward planning meetings, where women hardly participate. It is argued here that though these forums offer a good platform for women to exercise their agency and push for their interests the devolution programmes, the opportunity is largely missed. Clearly, there is need for an external intervention for sensitization and consciousness-raising on these opportunities that targets both the County leadership and the women at all levels, including women in organized groups, County leaders and other women at community level.

Kajiado County Assembly and Government

Nearly half of the respondents (47%) were confident that the newly formed Kajiado County Government could play the role of enhancing women's agency, particularly through creating avenues for women to access loans for self-improvement. A significant number of respondents,

45%, also felt that the County Assembly was a useful arena for profiling women's representational and legislative agency, if more women were nominated into the assembly, and their capacity built so that they can effectively represent women's issues. However as noted elsewhere, mere presence of women in the Assembly has not been enough and there is need for capacity enhancement of the female MCAs, particularly those currently in office, aimed at nurturing a consciousness towards their obligation to address women's interests. This consciousness should also be extended to the male MCAs since the women though forming 34% of the total number of MCAs, are still not homogenous in their commitment and thought towards women's concerns.

There is therefore need to sensitize male MCAs as well to ensure that gender responsive legislation is brought to the floor of the house and successfully passed. While law enforcement is a function of the central government, the County can also set up local mechanisms to ensure that laws against violation of women's rights are enforced. Some of the concerns that stand out in Kajiado County include female circumcision, violence against girls and women, early and forced marriages for girls and disinheritance of women. As local leaders, MCAs whether elected or nominated, and irrespective of their gender, can utilize their vantage point as local leaders to draw attention of law enforcement agencies such as the police and courts, to cases where there is violation and also set the processes for retribution and justice, rolling. The County Government in Kajiado can also utilize available resources to enhance law enforcement. Indeed in the neighbouring Machakos County, the County Government has set aside resources to equip the police stations in the County with vehicles and other rapid response mechanism to facilitate law enforcement.

Power analysis of the institutions in Kajiado County

Where individuals have a sense of self-worth or self-confidence, this indicates a status of 'power within' and is an essential ingredient for compelling agency (Boudet et al, 2012; Sen, 1985; Kabeer, 1994; Lukes, 1974). The enablers of this kind of internal power include skills and knowledge that builds a comfortable level of confidence to engage external parties meaningfully and effectively. Other forms of power identified earlier in this thesis and that are manifested in Kajiado County include 'power over', with some parties dominating others as seen in the County Assembly, where elected MCAs dominate over the nominated ones and also exercise their power over the Governor, even if the Governor is an elected official in his own right. This overbearing

power seeks to influence other parties' choices, interests and actions and has in many instances been used to subjugate women in political spaces.

'Collective power' on the other hand is a core factor in collective agency and is the third dimension of power referred to in this power analysis discourse as 'power with'. This power illustrates a shared identity, solidarity on certain issues and a level of collective consciousness (Zapata, 1999); all these are important drivers of bringing forth transformative change (Kabeer, 1999).

Table 12 gives an outline of power analysis of the two institutions that form Kajiado County (The Assembly and the County Government):

TABLE 12 POWER ANALYSIS OF INSTITUTIONS IN KAJIADO COUNTY

Power type	**Indicators of power**	**Gendered analysis of the status in Kajiado County (**assessment of how the indicator manifests in the County)
Power within	Agency	• Women agents championing rights of women and girls by running rescue centers and pursuing justice for those with violated rights • Women effectively exercising their agency in entrepreneurial activities • Female leaders in elected positions such as MPs and the Women's Representative exercise individual agency and won the political contest; these are however few and far between • Male leaders (MCAs and MPs) exercise individual agency in economic, political and social spheres unlike women who only exercise this agency in economic activities
Power over	• Control • Domination • Influence	• Elected male MCAs dominate nominated MCAs (mostly female) • MCAs exert undue pressure over the Governor who is from a different political party using their numbers, and this has over time stifled the progress with devolution. The constant threat to impeach the Governor has made progress very slow. • Women and poor members of the community continue to suffer from this impasse when they fail to receive services and other benefits expected from devolution
Power with	• Collective action • Agency	• Women groups coalesce around common concerns such as economic activities and in market spaces • Some women have actively supported fellow women to access leadership by mobilizing community members to vote and in providing their own resources. • Individual agents including Peris Tobiko, Priscilla Nangurai, Mercy Gathu, Rosemary Wafula and Agnes Kong'u have all benefited from a subtle form of collective agency to emerge successful in their personal struggles. And thus other women, who are less visible but pool support around individual agents, provide critical nurture for agency, a strategy that should be encouraged.
Visible power	Open manifested power	• MCAs' capacity to take care of their interests at the expense of those of the county residents stands out • The fact that male MCAs are content to see the KCA deprive female MCAs equal stature as the men demonstrates that open manifested power is a problem. This calls for conscientization of male MCAs as well, for there to be a more responsive shift in their mindset.
Hidden power	Power behind the scenes, including parties with partisan interests	• The 'tyranny of numbers' concept used by MCAs to frustrate the agenda of the Governor and the minority political coalition, has had a stifling effect on the progress of devolution • MPs representing the five constituencies yield undue influence on the happenings in Kajiado County even if they represent the National Assembly and not the County Assembly. Some MPs were said to have had a hand in identifying female MCAs for nomination into the KCA. To get around this, the female MCAs should combine forces with the female MPs (Peris Tobiko and Mary Seneta) and devise a strategy in their favour.
Invisible power	• Ideological power • Cultural norms • Informal power	• The 'curse' meted on a female parliamentary (Peris Tobiko) aspirant to discourage her from vying and her voters from supporting her greatly impedes her political campaign although she eventually wins the seat • Gender stereotypes that make it difficult for women to get elected to parliament or county assemblies continue to perpetuate the patriarchal hegemony and the view that male leadership is pre-ordained • Male power that creates fear in women agents keen to pursue justice for victims of gender and sexual violence, in many instances hinders access to justice. Where women's agency overcomes this fear as seen in Agnes Kong'u, Peris Tobiko and Priscilla Nangurai, justice is eventually served.

Power relations

The Kajiado County Assembly was reported to be struggling with negative elements such as political inter-party wrangles among the MCAs. One of the greatest hurdles faced during the formulation, debate and legislation of County Bills is the fact that the ruling Jubilee coalition has the majority of the MCAs and can easily tilt the vote in their favour. The problem is that the Governor is from the CORD coalition and there has been a push to edge him out by making him look ineffective. To do this, the MCAs keep frustrating passage of the Bills presented by the Executive to the Assembly. It took more than a year to have the County Executive team approved by the Assembly and by the time of data collection, the team had not been fully constituted. The Bills presented by the Executive are rejected during County debates not for shortage of merit in their content, but purely because the Governor is from a minority party.

This situation has seriously affected progress with implementation of devolution in the Kajiado, with the County being widely perceived to lag behind other counties. An example of this stagnation was seen when the County had to return unused grants back to the central government because the County Assembly could not approve budgets for development projects or even to hire executive staff (source: data). Recruitment into key positions in the County government was perceived to be heavily influenced by ethnicity, with the dominant Maasai community taking up most of the positions, leaving other communities feeling marginalized in their County of birth.

Female MCAs as agents of change and transformation

A more serious concern with ethnicity is the inability of female MCAs to unite as women and present a unified force against gendered discrimination in the County Assembly, largely because of their ethnic differences. As mentioned earlier, female MCAs are doubly marginalized. Their inability to access mileage and secretariat allowances has clearly blurred their understanding of their agency role as women leaders expected to champion broader women's interests using the devolution platform. Subsequently, unless this situation is arrested, they will miss out on the opportunity to legislate laws in support of women's economic, political and social interests.

The *Constitution* in Article 177 makes the role and powers of both nominated and elected MCAs equal. However in Kajiado, the nominated ones are considered 'lower cadre' and 'less worthy' because they were not voted in and hence do not have electoral mandate having merely been appointed. Examples of this are seen in the fact that nominated MCAs are required to introduce

themselves as ‘nominated’ in all public fora and also indicate this in their business cards. As mentioned above, they do not benefit from mileage or secretariat allowances and hence are practically not reachable by their constituents, and do not also feel obligated to venture into the Wards to consult with community members. In the few instances where female MCAs have held public meetings with community members, the elected members of the Wards take ‘offence’ as the Wards are their jurisdiction (source: data). Inevitably female MCAs cannot pursue any active agency if this status quo is maintained.

Transformational change

The County Assembly as a power-negotiating platform for women

The study sought to investigate and uncover power relations in institutions of devolution in order to identify opportunities for alternative approaches. Current challenges, which if addressed could be turned around into enablers for women’s agency, were also identified. The County Assembly is perhaps the most influential platform in Kajiado County, which women can utilize to ensure that devolution bears positive results and transformation for the residents. However, given the perceived non-performance of female MCAs, this great opportunity may be missed altogether. Change is described as transformation from one level of agency to a higher level, based on uncovering static institutions and power relations to explore different alternatives (Driscoll and Krook, 2008). Women are clearly seen to face many challenges including disinheritance of land and property, burden of providing for families, denial of access to family planning as a tool to ‘tame’ them, exclusion from decision making, continuous drought in the County, which effectively limits women’s income from chicken, milk, and proceeds from *chamas,* and negative cultural practices. So far, data indicates that only economic agency appears poised for success as other forms (political and social) appear to require an external push for there to be a transformative change.

It has been argued in this thesis that while women face inequalities in economic, political and social spheres, their agency is largely visible in their pursuit of improvements in the economic sphere. Data clearly indicates that women in the County have freely engaged in entrepreneurial activities compared to other areas that need urgent attention such as the need to fight oppressive culture, and the struggles for political spaces and voice. Only a few women mainly in their individual capacities have come out in their agency in the latter. Female MCAs have also not utilized devolution to agitate against these challenges. The women in the sample are only

occasionally to pursue self-improvements through training or furthering their education. All these are avenues for pursuing transformative agency that have not received adequate attention. This research sought the transformative form of women's agency where women are able to 'question, analyse and act on the structures of patriarchy that constrain them', (Sen 1999:191). Transformative agency seeks long-term structural change in all spheres of life, including cultural, economic, political and social. For this change to happen, Kabeer (2003) advocates for private negotiations in informal spaces such as cultural forums, complemented by public action in the formal and legitimate arenas of the struggle such as the County Assembly (Kabeer, 2003: 17). Therefore without meaningful engagements by women in the political and social spheres, which fundamentally challenge the status quo, transformative agency might remain elusive.

7.3 Informal factors that influence women's agency

As already noted, institutions refer to the legal and policy structures, economic systems, markets, families, inheritance, and education systems among others, that govern how people relate in their normal activities. Strandberg (2001) identifies these as the 'rules of the game' that determine the level of success of women's agency. As already explained the rules or norms that define institutions may include gendered rules, taboos, expectations, property ownership or expected behavior in public forums. Negative cultural normative practices may also determine decisions made in institutions, especially those that lead to ethnic or gender discrimination in public spaces.

Informal factors such as ethnic prejudices and biases, gender stereotypes and political party differences present a heavy burden in the running of Kajiado County Assembly and County Government. As discussed elsewhere in this thesis, these have become a major constraint to women's agency, particularly in the political and social concerns. Political party patronage appears to hold captive any significant progression by the County Government due to the dynamics of the infamous 'tyranny of numbers'. Women in the County Assembly find it difficult to unite along common issues of concern heavily burdened by ethnic and party differences. Partisan interests among the MCAs have constantly clouded the leaders' perception of pressing needs by residents in the County instead, resulting in a competition for show of might among the leaders. It has already been mentioned that ethnic differences among female MCAs is a major hindrance to their unity.

Wife beating, female circumcision and forced marriages as already mentioned are a common occurrence in a significantly large proportion of the population in Kajiado County. These practices in formal settings are deemed illegal and enforcement of related laws is not often effective. Indeed the *Sexual Offences Act (2006)* legislates against these practices. However, these practices are culturally acceptable as normative, despite the harm they cause to women and girls. From a perspective of women's agency, these practices cause significant drawbacks to women's agency. The fact that individual women agents who agitate against these practices often find themselves navigating through difficult and socially sensitive paths, is often a deterrent for many would be women agents of change. In addition, many cultures including those represented by the communities in Kajiado County did not traditionally allow women to inherit land and livestock, largely because they were expected to get married and thus could not carry property from their own families to those of their husbands. This is despite the fact that existing laws allow women to inherit family property just as much as men. Cultural norms still dictate to a large extent, modern practices, not only in Kajiado County but also in many other areas in the rest of the country.

Ethnicity

Kabira (2012) notes that the 'socialization of women as custodians of culture and representatives of essential values is ethnocentric' (2012: 317) implying that women's primary identity is ethnic while the gender identity comes second. This explains the scenario in the KCA, where despite numerous challenges faced by the female MCAs, they are unable to team up as women facing gendered discrimination above their ethnic differences. Kabira (2012) recommends a revisit of history, to assess communities' structures, their lived experiences, their philosophy and ideology, in order to find answers to the ethnic question.

Often, party competition reflects ethnic rivalries at the expense of political ideologies, and these present a very specific challenge facing female MCAs in Kajiado County. The negative effect of this is that 'the dominant discourse of ethnic patronage tends to trivialize other discourses' including the gender agenda and this undermines the importance of these issues to feminists. This is clearly seen in the female MCAs who are blinded by their ethnic differences to notice serious gender concerns in the community they represent. She points towards the centrality of ethnic identity politics in Kenya as a major hindrance for feminists to reach and influence voters, and should thus be an important concern even in devolution reforms. There is thus need for the

creation of alliances among feminists that transcend ethnic identities on a platform that appeals to women across all communities (Osome, 2011; Hassim, 2009).

In the same way the 2005 referendum created a temporary rift in the women's movement in Kenya (Kabira, 2012) ethnic rivalry and divisions have also done the same to women's agency in Kajiado County. And so women should utilize their numbers and critical mass in the County Assembly to lead the war against ethnic rivalry that as data indicates, have potential to derail benefits from devolution.

Low capacities and lack of awareness and consciousness among the leaders

A sure way to counter negative impacts of informal factors mentioned above is creation of awareness through sensitization of the local leadership on the priorities of the residents of the County. Greater awareness and consciousness of the leaders on needs of residents in the County is urgently needed, as leaders' interests constantly override those of their voters. There is need to clarify the bigger collective interests in the County and to inculcate a culture of leadership integrity and downward accountability to the voters. This consciousness among the leaders is clearly lacking, and is thus a constraining factor in building agency.

Social agency

Although women have identified and agitated against cultural practices such as female circumcision, establishment of rescue centers for girls forced into early marriages and homes for orphaned and abandoned children, advocating against violation of women's rights, this has only been at a low level of engagement compared to agency in economic activities. Agency on social concerns requires the ability influence other people's 'actions, interests and choices' (Kabeer, 1999; Luke, 1974). This type of agency demonstrates what Kabeer refers to as 'power with', implying collective action and an effort needed to confront forces of negative cultural dictates and stereotypes. Thus for women in Kajiado to confront forces of negative practices, they need collective power, solidarity and consciousness (Rowlands, 1997; Ibrahim and Alkire, 2007). This type of agency is useful in creating avenues for transformative change. Challenges related to female circumcision and early marriages for girls in the County are profound and nested in culture and cannot be easily resolved without collective action.

Kabeer (2003) draws a distinction between 'passive' agency, where there is little action, and 'active' agency, where there is effort and action in response to challenges, and also 'transformative agency', which seeks to cause change. Data indicates that women in the County are exhibiting 'active' agency in economic activities, but in their pursuit of social transformation, their agency is largely 'passive'. The ideal situation would be what Sen (1999) explains as women being active agents of change and dynamic promoters of social transformation, rather than 'passive recipients of social welfare' (Sen, 1999: 191). In Kajiado, most of the respondents while cognizant of their disadvantaged position due to culture and negative political forces, did not wish to visibly fight for such transformation due to fear of reprisals from those who benefit from these forces, particularly the men. The words 'the life of a Maasai woman is one of constant struggle', from Dalalekutuk Ward, communicate a fatalistic view by women, of their situation. It explains why it is easier for the women to engage in economic agency, which is less susceptible to the forces of negative cultural norms, than in social and political agency, which threaten male supremacy.

Clearly, women in Kajiado County have less motivation for social agency, a situation that is also demonstrated by the fact that none of the women groups consulted during the research had any form of social agency as an objective in their organization. Women who played this role, who actively fought female circumcision, early marriages, violence against women, pursued justice for women and girls who had faced sexual violence, or who had been disinherited, were viewed by the rest of the women as 'daring'. They were also seen to be women who have already been socially affected, particularly for those who were already divorced or widowed, or had never married, and therefore had 'nothing to lose' through their active engagement against these negative cultural and social practices.

In Dalalekutuk and Kaputiei North Wards, where some women were pursuing justice for defiled girls, husbands and the community shunned the women in the forefront for being 'loose' and 'in-disciplined' and 'vain' (Source: FGD in Dalalekutuk Ward). The local Chief had threatened some of the women with dire consequences if they insisted on pursuing their quest for justice for the girls who had been forcibly married-off (ibid). Women who were already married could not freely pursue this kind of justice on behalf of others or for their daughters, for fear of being 'cursed' by their husbands. In other instances, parents of defiled daughters were satisfied if the defiler agreed to marry the girl and pay dowry to her parents, irrespective of her age or the negative impact to her education this situation would cause (ibid).

Political agency

Data shows that political agency was even much less pronounced than either economic or social agency. The women felt that one's literacy level, her social class, and her family background largely determined engagement in politics, and that it was generally out of their reach. The success of the female MP mentioned earlier, who had faced serious hurdles in her quest to become a member of parliament, was seen to be a result of her family background, which already has members in senior positions in the government. She was even publicly 'cursed' by the Maasai elders (all male) as a strategy to scare her into withdrawing her candidature out of the election, and also to deter the electorate from voting for a 'cursed' candidate (Source: Oral testimonies). This was a serious drawback to her campaign as many of her supporters shied away from publicly displaying their support for her fearing the negative effect of the 'curse'. In the end, her strong resolve to continue, and to some extent her family name, aided in restoring voter confidence in her leadership potential, for her to win the seat.

Data from all FGDs with the exception of those with MCAs indicate a strong perception among the discussants that a majority of the nominated female MCAs got their nominations as a result of being 'personal friends' of senior politicians in the County. As a result, there exists a strong disconnect between women at community level and female MCAs, with the latter being largely perceived in all the focused group discussions, as being ineffective in their role. The implication here is that due to this disconnect, many female MCAs do not have support from community members.

Political agency when compared to economic or even social agency was perceived to be not only much less attractive to women but also difficult to sustain. As observed elsewhere in this thesis, the relevance of female MCAs in the County is under constant scrutiny, with their (non) performance being more harshly judged than that of their male MCAs. Informal factors particularly ethnic and gender biases, and political party patronage have greatly affected the effectiveness of the female MCAs, nearly crippling development in the County (Source: all FGDs). At the time of data collection, the female MCAs were unable to forge a united front to address women's concerns due to seemingly irreconcilable differences and ethnic rifts, which to a large extent clouded their even larger challenge as female leaders facing serious gender discrimination in the Assembly. Collectively their greatest challenge is that they are discriminated in the County Assembly being nominated (as opposed to being elected), which

denies them voting powers in the Assembly. Voting power could be a powerful tool for bringing forth positive change and influence on the County's policies and legislation, and in approving the planning and budgeting process, and should be a shared concern worth fighting for. They form at least a third of the County Assembly members and are a significant number during County debates.

The low conceptual and analytical capacity among some of female MCAs, which was quite evident during data collection, is another great challenge. Blinded by ethnic and political party differences, their perception of the larger picture as representatives of women's interests and needs in the County Assembly irrespective of ethnicity or party affiliation is rather narrow. Their enemy is clearly not each other but the forces of culturally ordained gender discrimination and negative practices, which violate women's rights, the realities of poverty and the poor livelihoods of their communities. The devolution process as a platform for negotiating for change and transformation may be a missed opportunity if the status quo does not change.

The concerns shared by the Governor about political challenges faced during the implementation of devolution are largely a result of political patronage where political parties in the KCA carry unequal power and those wielding power use it to frustrate their opponents. The concerns with inadequate revenue due to corruption in revenue collection processes all collectively contribute to reduced financial resources, critically needed for service delivery by the County and eventually reduced access to the benefits of devolution. The challenges of clientilism and patrimonialism discussed earlier indicate institutional challenges that constrain the ability of the County to adequately serve its residents including women. All these collectively form the informal factors that, despite provisions in the devolution laws, still negatively affect the County's operations.

7.4 Extent to which women agents are influencing devolution in Kajiado County

Feminist political theory prioritizes agency, leadership and voice for women as critical in addressing inequality. Merely having women in the County Assembly by itself is clearly not enough as the case is with Kajiado County Assembly. There is need for a deliberate effort to improve female MCAs agency. This research realizes that like in Uganda, while decentralization policy may bring governance closer to women and men, there is need to further address 'strategic institutional exclusions' (Lakwo, 2009). Like the Ugandan women discussed by Lakwo, the

Kajiado female MCAs lack capacity to understand their strategic role and accountability to women's interests and this has led to their perceived poor performance in the Assembly. Lacking the skills needed to engender devolved governance, the female MCAs have merely served to reinforce male hegemonic leadership in the still young County Assembly and Government with disastrous effects.

A feminist and rational choice framework was used to interpret women's economic, political and social agency in Kajiado County. As noted by others (Nnaemeka, 1998; Stamp, 1995; Khumalo, 2010) women's experience of agency cannot be generalized to other contexts because other political factors such as a woman's own capability, culture and local political dynamics, all play a major role in determining the shape, orientation and success of their agency. Thus there will be variations in how women's agency manifests across cultures and political contexts. The County Assembly provides the most strategic opportunity in the devolved county structure, for power negotiations and positive relations.

In Kajiado, the female MCAs are missing out on this opportunity as they continue to struggle under the heavy weight of ethnic and cultural bigotry. Power has to be negotiated in the Assembly so that it is shared between the female and male MCAs, and that the Governor is given a free hand to execute his mandate being the one individual with the sole responsibility to implement devolution in the County. The current situation is that significant power rests with the male MCAs a situation that has clearly affected the expropriation of devolution benefits to women. As already mentioned, their argument that they were elected and carry the numbers, while the female MCAs were nominated is neutralized by Article 177 of the *Constitution* (2010) which does not elevate any category of the MCAs (elected or nominated) above the other, in the Assembly.

The engagement of Kajiado women in economic activities has worked to address their practical needs and those of their families including food, shelter and clothing, and education for their children, but not strategic needs, which address structural long term challenges (Moser, 1989). The women will need to confront the exclusions they face such as: inequalities in the County Assembly and County Government, rights to inheritance of land and ownership of other productive resources, and the need to escape from negative cultural practices that oppress them among other challenges; in order to fully exercise their agency and reap benefits from

devolution. Women's engagement in economic agency merely addresses their practical needs but will not lead to fundamental shifts in power towards true transformation of their circumstances.

The points raised in this study so far point to collective agency among women largely in the economic spaces. Indeed the men they engage with in their economic activities are quite comfortable to interact in this sphere since in this space; male hegemony in political and social spaces is not threatened. Women's involvement in entrepreneurial activities is okay for men as long as it doesn't begin to question the 'undisputed' male power, which has hitherto been secured through culture and traditional authority. This study argues that women's collective agency should now shift from focus on economic power to a new confrontation with negative culture and unquestioned traditional authority. The case of Peris Tobiko stands out strongly as a good example of success that emerged when she confronted and triumphed over culture and the fear of the authority vested on the council of elders. Indeed when she dared culture and emerged successful, her support base (voters) went through some form of transformation, and their allegiance quickly shifted back to her. In her own words, 'people waited with baited breath for something bad to happen after the curse, but nothing happened'. Her fearless onslaught on culture and traditional authority was a critical factor in the transformation of her voters' fears on the potency of the power of the elders' curse.

A consistent argument in this thesis is that women have only exercised some but not all of their agency potential, and in so doing they have borne more power in the economic sphere of their lives. The economic sphere is often not burdened by informal factors including low literacy levels and negative power relations. In this space, the women had more freedom to make decisions and build a collective identity defined by their business and entrepreneurial interests, bargain and negotiate in the market spaces, and control their income fairly comfortably. The women's core agenda has been very basic, to feed, clothe, shelter and educate their children and families at large, a sheer struggle to survive. This agenda has not been extended to confront the political and social challenges that constrain their agency. Indeed their economic agency has not increased agency in political and social realms. The fact that the latter have potential for greater and sustained positive impact in their lives, given that this agency confronts the structures of patriarchy, has not appealed to them.

Data indicates that the women are clearly conscious of the different forms of domination that they face from the men who control the County Assembly and also perpetuate culture, which

serves patriarchal interests. However, their preoccupation with the struggle to survive has hindered them from confronting these challenges. This calls for the kind of massive 'conscientisation' that is a precondition for change according to Freire (1972), which is necessary to cause a paradigm shift in their thinking. The fact that a large proportion of women in the County both in and out of the Assembly do not consider the devolution process as a golden opportunity to confront political and social challenges, calls for wide ranging interventions right from the County Government, using opportunities provided by devolution laws.

Summary

Based on empirical evidence in chapter four, five and six, this chapter has contextualized the analysis of women's agency in Kajiado. The analysis has focused on formal and informal influences on women's agency and how women are influencing devolution. An analysis of power relations in the institutions including the KCA and KCG has revealed the different power games fueled by partisan interests and how these are influencing the devolution process. The parameters identified in the feminist – rational choice theories have been applied in the analysis of the complex devolution process. The chapter has revealed how fundamentally influential the informal factors are in shaping public sector reforms such as devolution. The chapter also points towards areas where policy makers should draw their attention to ensure that the devolution programme is not stifled by partisan interests, that have significant potential in denying the communities, and specifically women in Kajiado the maximum benefits they can reap from devolution.

CHAPTER EIGHT:

CONCLUSIONS, IMPLICATIONS AND RECOMMENDATIONS

8.1 Introduction

This study set out to assess whether women's agency is being advanced in Kajiado County through the new public sector reforms in the form of devolution. The study also aimed at assessing formal and informal influences that may impact devolution, recognizing that devolution is a formal process anchored in the national *Constitution (2010),* and subsidiary legislation and that it is also likely to be subjected to the dictates of informal factors. Informal factors investigated include, cultural norms and practices, traditional and religious ideologies, gender stereotypes, ethnicity and political patronage, which may in some circumstances stifle, or prevent women from benefiting from the devolution process. The study has successfully addressed these objectives. The mixed methods and case study approach employed for data collection was adequate for generation of data. Further, the parameters drawn from the feminist and rational choice theories (Driscoll and Krook, 2008) that is, gender assessments, strategic actions and interactions, power relations, institutions and pursuit of transformative change, were adequate for data analysis. The study added to these a set of informal parameters, including gender stereotypes, cultural norms and practices, traditional ideologies, ethnicity and institutional failures, which complemented the core variables and provided a foundation for the study's conceptual and operational frameworks.

Women's agency has been defined in this study as, women's ability to freely and optimally utilize all opportunities available to them in pursuing their goals and interests, in order to improve their well-being. In the context of devolution, we considered that women's agency is critical if benefits from devolution are to reach all members of the devolved government, particularly women. Such benefits include greater responsiveness by the government to the needs of the citizenry including the poor and women, who often require the design of policies that respond to and prioritizes their needs. Other benefits of devolution include greater downward accountability and potential to improve equity in access to and participation in decision-making platforms. Devolution has been viewed as an opportunity to redress existing marginalization of women, it avails them room to participate in decision making, allocates them roles and integrates their needs in the planning and budget processes.

The study recognizes that benefits from devolution may not automatically accrue to women and hence the need to enhance women's agency in the process, to ensure that they optimize from the provisions in devolution laws and policies. We sought answers to the question whether devolution in Kajiado County was cognizant of women as economic, political and social actors by providing them space for active agency. A further enquiry was whether devolution is empowering women by building their capacity and spaces for entrepreneurship, political voice and leadership. Also under investigation was whether Kajiado County was creating conditions conducive for women's agency to be exercised and where women could access resources available locally such as land, infrastructure, political empowerment and transformation of formal and informal institutions and norms.

This study confirms the hypothesis that the devolution platform provides a good opportunity for advancing women's agency. Where this opportunity is utilized maximally, the benefits from devolution will have far reaching impacts. In the present circumstances, unless there is an external intervention where women's consciousness, in an out of the County Assembly is increased, the opportunity will be missed all together. Additional measures include holistic application of affirmative action principles that Kenyan women have struggled for, over many decades, to ensure that women can surmount a host of obstacles that prevent them from fully exercising their agency. Cultural ideology, norms and practices, male domination, ethnic differences, low capacities and institutional constraints are some of the obstacles that stood out during this study. The hypothesis that informal factors (listed above) can influence women's agency negatively has also been confirmed. Where these have been confronted as in the cases of the individual female agents profiled, the negative influence has been reduced and the women emerged successful in their endeavours.

The choice of the feminist-rational choice framework that prioritized five study variables, restated here as: gender assessments, strategic action and interactions, institutions, power relations and transformative change, has been validated. These have provided an adequate analytical framework for assessing different parameters of women's agency in devolution. Thus the hypothesis that these five elements are indeed necessary components of a sound analysis of women's agency in devolution has also been confirmed. This is because they focus on gender needs, strategic actions and interactions by the actors as they pursue their interests, power negotiations and relations, role of formal and informal institutional structures and the struggles for transformative change, all of which assess important facets of women's agency. Any

gendered analysis of devolution would need to at least consider these five parameters for a comprehensive analysis. This study identifies an important addition to Driscoll and Krook's (2008) framework, which is informal factors that to a large extent can affect the outcome of a complex processes such as devolution, as has been seen in the case of Kajiado County.

The section below discusses the conclusions under each of the study objectives;

8.2 Manifestations of women's agency in the devolution process in Kajiado County

Gender assessments

Women's literacy levels are low and as a result, their level of consciousness to engage in transformative agency is low. Despite a significant number engaging in organized groups, their main interest is to pursue economic activities, which are less threatening to male hegemony and a safer space for women to engage in, in order to secure their survival. There is a clear connection between higher levels of education, particularly secondary education, and participation in leadership and active agency. Resources such as land, livestock or proceeds from sale of farm produce, though a source of economic power and security for women, are not a resource that they freely appropriate. As a result, they feel insecure and vulnerable. Subsequently, participation in organized groups where they can build wealth becomes the next best option for them, since in these groups men do not control resources and income.

A significant amount of women's time is spent in reproductive chores and roles, while the rest of the time is spent attending to their farms or livestock. The latter though a productive activity rarely benefits the women directly since they do not own the proceeds from livestock or the farms and as a result, they perceive them as a reproductive chore because all the income accruing from it mainly benefits their husbands and not the family at large. Women still have to seek alternative means to provide food and education for the children. Women's significant access to ICT services was a positive observation. Given this access to ICT, which is currently benefiting women's economic activities, there should be a further inquest in the potential for ICT to improve women's political and social agency.

The fact that nearly half of the respondents agreed with the view that both the KCA and KCG have potential and the wherewithal to improve women's agency, indicates high expectations on devolution from the women. As feared initially, it is clear that women's presence in decision and policy-making platforms such as the County Assembly is not enough by itself to cause change.

Other intervening factors that limit women's agency such as ethnic divisions, masculinization of women, where elected women become engrossed in protecting their space rather than articulating the interest of their female constituency, and other forms of competition, become a hindrance.

Strategic action and interactions

Collective action among women is an enabler of women's agency, since by pooling their synergies and efforts; they gain a 'louder voice' and greater visibility. In Kajiado, collective action has mainly been applied in economic pursuits rather than political and social ones, a factor that denies women real transformation. One area that requires strategic action and interactions among female MCAs is the KCA. This has however not been easy since their differences often overshadow the issues that should bring them together. Their low analytical and conceptual capacity seen in their handling of their role as female MCAs, and the potential that collective action has in causing transformative change, should be addressed through a carefully structured conscientization programme.

Women in the County have not come gone out of their way to influence local decision making particularly on matters pertaining to cultural, political and social concerns. As evidenced in the public budget hearing meetings, the participation of women hardly goes beyond 10% of the participants, implying that an important platform on which women can negotiate power and resources with the County's top leadership is missed. As already indicated, there is evidence in the data of an impressive access to ICT resources for entrepreneurial purposes, which has not been used for political and social mobilization and power negotiations – another missed opportunity for agency.

Institutions

The power analyses of the different institutions and structures in the County reveal the need for enhanced agency for women both in and outside the KCA and KCG, which has only been partially realized. The exercise of 'power over' by male MCAs over female MCAs, and by the KCA over the Governor and his team (KCG) has slowed down the progress of devolution. Where collective action 'power with' is in place, there are clear benefits, as demonstrated by women's groups that have emerged successful in entrepreneurial activities. 'Hidden power', the power that is often exercised behind the scenes where partisan interests by elected leaders in the County exert undue authority on the KCA is a concern. The same case applies with 'invisible

power' which is exercised through ideological and traditional authority such as the 'elders' curse' and has been used to limit women's agency by instilling fear. Cultural norms are also used quite often to control women's agency. Given the above, actors in the devolution process should be conscious about these forms of power and devise mechanisms to ensure that opportunities availed through the formal framework of devolution are available to women.

Power relations

Power relations in the County are affected by ethnicity, historical perceptions of marginalization, gender stereotypes and culturally prescribed roles of women. These factors have borne a negative impact on the effectiveness of female MCAs, who find it difficult to unite and build a critical mass of women's voice in the County, despite comprising 34% of the County members. This situation has reduced the agency of female MCAs and their potential as agents of political and social change. This needs to be addressed in order for devolution to be effective and to benefit women. The power analysis of the institutions and actors in the County reveals missed opportunities in the relations between the different actors in the County. Male MCAs clearly have an upper hand in the operations of the KCA with their power basis being that they are elected while the female MCAs are nominated and thus perceived to be 'unequal' to the elected MCAs.

With the 'tyranny' of numbers in the County, relations between the MCAs representing different parties in the KCA are often reduced to power games that are largely oblivious of the bigger picture of the dire needs of Kajiado residents. As a result, crucial Bills that would pave way for County development and service delivery to be enhanced are hardly ever passed in good time, leaving the Governor often frustrated. Female MCAs on their part in addition to serving as MCAs have not been conscious of their expected role as advocates and agents of women's interests in the KCA. They have remained disconnected from the 'women's constituency' whose interests they are inherently expected to represent.

Transformative change

This study identifies the KCA as the most influential platform in the devolution programme in the County, through which transformative change can be realized not only for women but also for Kajiado County residents as a whole. The fact that women are clearly visible and successful in entrepreneurship explains that they find it easier to exercise economic agency than political

and social agency. This implies that only one part of their livelihood is addressed and this agency by itself cannot guarantee transformative change as it does not challenge or seek to transform foundational concerns as seen in the informal factors. There is a clear need for long-term structural change in cultural, economic, political and social spheres. This calls for negotiation by women at all levels of the society in Kajiado, in formal and informal spaces including cultural forums and formulation of supportive policies through formal platforms such as the KCA, for transformation to occur.

Women's success in economic agency signals preoccupation with the struggle to survive, which although necessary, has also limited their perception of the need to confront socio-cultural and political challenges. This study agrees with Freire's (1972) call for conscientization, for there to be a paradigmatic shift in the current forms of women's agency. There are women in the County who through individual and largely isolated action and by daring to confront cultural ideologies have emerged successful. Agnes, Mary, Mercy, Noel, Peris, Priscilla and Rosemary, are agents of change in Kajiado County who have modelled ideals and characteristics that should be profiled to as examples to influence the 'consciousness of the masses' particularly women in the County. The devolution platform has the resources through which more girls and women can access education, training and sensitization, all necessary for the conscientisation process, and the legal and policy negotiation platform in the form of the KCA, through which laws can be passed and enforced, to shift the traditional power imbalances.

8.3 Informal factors that influence women's agency

The informal factors mentioned above such as cultural ideologies, practices and norms have slowed down women's agency and limited access to opportunities such as education, leadership positions and consciousness over their rights. The fear of elders' and husband's curse is quite potent in its effect to curtail and deter women's agency against political and social injustices often meted on them, as seen in Chapter 7. Ethnicity has been repeatedly mentioned as a core factor that affects women's agency in the KCA and also for women seeking to access opportunities for employment or county resources from the KCG. Ethnic consciousness has been mobilized to cause conflict and sway decisions to suit partisan interests in both the KCA and KCG.

Constraining institutional factors such as political patronage in the KCA, clientilism and patrimonialism in the operations of the KCG have demonstrated potential to impact devolution negatively. All these point to the need for greater attention to the informal factors reviewed in this study in Kajiado County's policy formulation processes. The County needs policies and Bills that will help women surmount challenges posed by informal factors to ensure equitable access for all including girls and women, to the benefits of devolution, and thus fulfill the aspirations and the spirit of devolution laws as enshrined in the *Constitution* (2010).

8.4 Women's influence of the devolution process in Kajiado County

Individual agency is much less pronounced particularly in political and social spheres of life. Culture and traditional authority play a significant role in curtailing women's agency, as seen above. The women agents in the selected profiles have used their experiences and personal passion to build a level of consciousness that has enabled them to sustain their agency, through difficult circumstances. For agency to be realized and exercised, power in the County Assembly has to be negotiated for the space to be equitably shared between the female and male MCAs, all representing their diverse constituency. Indeed transformative change for the well-being of the women in Kajiado will remain elusive until women utilize their individual and collective agency to shift the power balances from economic to political and social spheres.

The widespread access to ICT for verbal communication, money-transfer and internet as demonstrated through the data is positive. ICT has been utilized effectively for economic agency. The opportunity in this case is now to build consciousness of women at community and decision making level on the role of ICT in also building agency in political and social spheres. The findings did not provide evidence of significant efforts by women in search for self-improvement either individually or collectively. These have pointed towards the need for the KCG to set aside resources for skills building through training and sensitization, to increase agency on political and social concerns.

8.5 Recommendations for policy and further research

8.5.1 Advancement Of Women's Agency In The Devolution Process In Kajiado

A low literacy level among women in the County is a key contributor to low agency levels. Education has been proven to have a significant effect in developing consciousness that is necessary to challenge negative cultural ideology, norms and practices (Tarayia, 2004; Arhem, 1985; Freire, 1973). The hesitance by women to engage in agency in political and social spheres

as they have done in the economic sphere, low levels of awareness by female MCAs of their agency role using the KCA platform, inadequate recognition and emulation of model change agents such as Agnes, Mary, Mercy, Noel, Peris, Priscilla and Rosemary, are all some of the indicators and impacts of low literacy levels. The connection between low literacy levels and the deprivations occasioned by negative cultural norms and practices is clear. Affirmative action for women and girls is thus a strong recommendation not just in securing women's leadership but also in creating spaces for women and girls in educational institutions in primary, secondary and post-secondary levels. There is urgent need for greater focus by the national education policy institutions and KCG on increasing the enrolment and retention of girls in primary and secondary schools and also transition to higher levels of education, to sustainably address these concerns and gradually contribute to an enabling environment for women's agency to thrive.

To address the problem of power relations in the County, solutions should be sought from the national *Constitution 2010*. Kenya's *Constitution 2010* is perceived to be one of the most progressive globally, with a fairly liberal Bill of Rights and great opportunities for advancement for all. It has adequate provisions for affirmative action and for addressing challenges related to ethnicity, geographical, religious or class based marginalization and harmful cultural norms and practices. These provisions should be implemented and enforced.

Important issues that were not part of the initial focus of the research have been brought to the fore. These include the issue of land and disinheritance of women and their families, as the examples from Matapato South demonstrate. The focused group discussions in this Ward illustrated instances where women and children lost their stake on family land as men use 'wives for hire' to approve sale of family land. This is a good area for further research and inquiry aimed at more comprehensive and gendered policy reform in the management of land ownership.

Initially, nominated MCAs' (implying all the female MCAs) had been denied the right to vote in the County Assembly, a situation that was then addressed. The female MCAs by virtue of being nominated continue to be denied access to County support; through mileage and secretariat support, rendering them unable to respond to local women's issues. A cross-county study of this concern would further illuminate how other counties are handling such challenges and provide a view of successful practices from other counties.

Data collection for this study took place between the first and second years of implementation of the provisions for devolution in the 2010 *Constitution*; that is between 2013 and 2015. During this time, policy positions and decisions at both the central and county government levels may also have shifted significantly. A focused study at the end of five years of implementation of devolution reforms would enrich similar devolution studies in Kenya. Secondly, this study was limited in scope to only one county; a comparative study taking on a larger sample of counties would enrich knowledge on devolution reforms further.

8.5.2 Addressing Informal Factors That Influence Women's Agency

While the *Constitution* (2010) and its subsidiary laws, have made adequate provisions to ensure that devolution reforms are implemented smoothly, there is still need for additional support to soften the impacts of unforeseen challenges such as the negative impacts of informal institutional factors and power struggles. Policy institutions should provide stronger safeguards to minimize the negative effects from these. In addition, while there have been numerous training opportunities availed to MCAs, the curriculum in these training sessions should now include efforts towards consciousness-raising for both female and male MCAs, so that they can comprehend the bigger picture and perspectives of development, and see beyond their own sectarian interests. From this study, it is clear that consciousness-raising is an important component of building and nurturing women's agency, which in turn is crucial in ensuring that devolution works for women.

Informal factors including cultural ideology still bear a strong hold on the communities in Kajiado. Despite this, women who have defied the negative cultural prescriptions have emerged successful and are viewed as models by those who know them. This is true of Agnes, Mary, Mercy, Noel, Peris, Priscilla and Rosemary. We recognize that there are many more model change agents who, if assessed and profiled will provide a positive influence on other women in and outside Kajiado. An extensive study of outstanding women is recommended, as one of the strategies to address negative cultural ideology.

8.5.3 Towards Greater Women's Influence on Devolution in Kajiado

The County Assembly should utilize the remaining time to pool together all available resources, expertise and human power to steer policy debates, Bills and decisions towards making devolution work. A gendered perspective is critical to ensure that there is a balance of women's

and other interests in policy decisions as well as plans and budgets approved by the Assembly. This balance will also ensure that female MCAs receive their fair share, out of the Assembly so that they can achieve their mandate as representatives of special interests as expected by Article 177 of the *Constitution* (2010). In the interest of the residents of Kajiado County, and recognizing that a significant amount of time has passed by in the devolution calendar (now two-and-a-half years), the County Assembly should allow the Governor in his capacity as the elected chief executive officer in the County, to implement his manifesto and the devolution priorities for the residents.

Female MCAs should rise above their current divisions and unite as representatives of women's interests in the County, who are accountable to women voters. Their continued inability to unite as a critical mass in the Assembly, to fight for and secure women's interests, is counterproductive to their profile as female leaders. The community has a negative perception of their integrity and capabilities and this is not a good position for them.

The Governor and his executive team should continue to find compromise positions to counter the perceived hostilities from the County Assembly, so that he can meet the overwhelming expectations on him by the residents of Kajiado, including women. More importantly, recognizing that women form at least half of the population in the County, the KCG should seek avenues to enhance women's agency in the County and to ensure benefits from implementation of devolution reach women as well as men.

Summary

The study has established a clear connection between advanced women's agency and higher literacy levels, greater access to and control of resources, and the negative impacts of informal factors. ICT provides a good opportunity for women to maximize their agency, but it needs to be utilized optimally in political and social spheres like it has been in economic activities. Power analysis of the institutions in Kajiado has revealed how power is exercise in the formal and informal spaces to suit different interests that often do not include women's priorities. This study concludes that women's agency is only partly realized in Kajiado County and there is urgent need to give attention to legislation and policy formulation that takes cognizance of the negative effects of informal factors and power that continue to constrain women's full exercise of agency in the County.

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ANNEXES

ANNEX 1: RESEARCH APPROVAL LETTERS

NATIONAL COMMISSION FOR SCIENCE, TECHNOLOGY AND INNOVATION

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Ref: No.

Date:

4th March, 2014

NACOSTI/P/14/1447/624

Margaret N. Wanjiku
University of Nairobi
P.O.Box 30197-00100
NAIROBI.

RE: RESEARCH AUTHORIZATION

Following your application for authority to carry out research on ***"Advancing women's agency using the devolution platform in Kenya: A case of Kajiado County,"*** I am pleased to inform you that you have been authorized to undertake research in **Kajiado County** for a period ending **31st December, 2016.**

You are advised to report to **the County Commissioner and the County Director of Education, Kajiado County** before embarking on the research project.

On completion of the research, you are expected to submit **two hard copies and one soft copy in pdf** of the research report/thesis to our office.

DR. M. K. RUGUTT, PhD, HSC.
FOR: SECRETARY/CEO

Copy to:

The County Commissioner
The County Director of Education
Kajiado County.

National Commission for Science, Technology and Innovation is ISO 9001: 2008 Certified

OFFICE OF THE PRESIDENT

Telegrams: "DISTRICTER", Kajiado
Telephone: 0203570295
Fax: 0202064416
E-mail: kajiadocc2012@yahoo.com
E-mail: kajiadocc2012@gmail.com
When replying please quote

MINISTRY OF INTERIOR
AND COORDINATION
OF
NATIONAL GOVERNMENT

COUNTY COMMISSIONER
KAJIADO COUNTY
P.O BOX 1-01100
KAJIADO

Ref. No. KJD/CC/ADM/45/ (19) **26th March, 2014.**

All Deputy County Commissioners
KAJIADO COUNTY

RE: RESEARCH AUTHORIZATION: MARGARET N. WANJIKU - UNIVERSITY OF NAIROBI

The above named person has been authorized to carry out research in Kajiado County on **"Advancing women's agency using the devolution platform in Kenya: A case of Kajiado County,"** for a period ending **31st December, 2016.**

The purpose of this letter is to request you to accord her the necessary assistance.

Attached please find a letter of research authorization from her University.

HENRY KATANA VERNON
FOR: COUNTY COMMISSIONER
KAJIADO COUNTY

CC:

County Director of Education
KAJIADO COUNTY

ANNEX 2: EXTRACT: CHAPTER 11 OF THE *CONSTITUTION OF KENYA, 2010*

CHAPTER ELEVEN—DEVOLVED GOVERNMENT

PART 1—OBJECTS AND PRINCIPLES OF DEVOLVED GOVERNMENT

Objects of devolution.

174. The objects of the devolution of government are—

(*a*) to promote democratic and accountable exercise of power;

(*b*) to foster national unity by recognising diversity;

(*c*) to give powers of self-governance to the people and enhance the participation of the people in the exercise of the powers of the State and in making decisions affecting them;

(*d*) to recognise the right of communities to manage their own affairs and to further their development;

(*e*) to protect and promote the interests and rights of minorities and marginalised communities;

(*f*) to promote social and economic development and the provision of proximate, easily accessible services throughout Kenya;

(*g*) to ensure equitable sharing of national and local resources throughout Kenya;

(*h*) to facilitate the decentralisation of State organs, their functions and services, from the capital of Kenya; and

(*i*) to enhance checks and balances and the separation of powers.

Principles of devolved government.

175. County governments established under this Constitution shall reflect the following principles—

(*a*) county governments shall be based on democratic principles and the separation of powers;

(*b*) county governments shall have reliable sources of revenue to enable them to govern and deliver services effectively; and

(*c*) no more than two-thirds of the members of representative bodies in each county government shall be of the same gender.

PART 2—COUNTY GOVERNMENTS

ANNEX 3: A CHECKLIST OF STUDY QUESTIONS[45]

1.0 Women's access to services and resources in decentralized systems

1.1 How does the devolution framework enhance gendered access to, and control of public services and resources?
1.2 To what extent are women's health needs met by the decentralized health services centers?
1.3 Are women disadvantaged in gaining access to water sources under the decentralized systems?
1.4 Do participatory planning and budgeting processes result in increased resource allocations generally? And particularly, for women?
1.5 Who participates in decision-making arenas relating to health, education, agriculture, water and sanitation sectors?
1.6 Are responsibilities for service provision in these sectors (health, education, agriculture, water and sanitation) shared between the County and central government or other levels of government (Municipal councils, town councils)?
1.7 If so, at what level of government are women's issues handled most effectively?
1.8 Is gender-disaggregated data for purposes of devolution planning collected at any level? Which level?

2.0 Women's political participation at county level

2.1 What factors influence women's access and participation in formal political institutions in Kajiado County? Have the current devolution processes affected these factors?
2.2 What informal systems affect women's participation in local politics and their effectiveness once elected?
2.3 Collect data on current local representation of elected leaders by sex, age, religion, education level,
2.4 In the Kajiado County Assembly, does the presence of women (or absence thereof) affect the policies made, resource allocation or effectiveness in service delivery?
2.5 Of the elected women in the County, what issues do they pursue? Are these issues relevant to other local women and constituents generally?
2.6 Are there examples of positive outcomes, or otherwise, in the County of strategies to promote women's rights and interests, as a result of devolution?

3.0 Devolution and machineries for women

3.1 Does the devolution framework provide for local machineries for women (including the gender officers, local units of the National Gender Commission, Gender departments in police stations)?

[45] Adapted from Cos-Montiel's (2006) '…Research Agenda on Decentralization and Women's Rights…'

3.2 What level of government bears the responsibility for ensuring implementation of international commitments to women's rights? Are there local accountability mechanisms?
3.3 Were gender and women's specific concerns mainstreamed in the design of devolution in Kenya (political, fiscal, economic and administrative)?
3.4 Is there a local push for the County government by CSOs, women's organizations, for accountability to women regarding international and national commitments?

4.0 Accountability: An important tool for achievement of gender justice

4.1 What formal levels of government are accountable to women, and to women's organizations?
4.2 What are the informal mechanisms that can be used to make authorities accountable to women?
4.3 Are women's organizations themselves accountable at County level, and if so, to whom? (Women constituents, donors, County or National government, others?)

ANNEX 4: RESEARCH GUIDES, CHECKLISTS AND QUESTIONNAIRES

4.1 KEY INFORMANT INTERVIEWS GUIDE

Key informant interviews aimed at in-depth discussions to assess personal perspectives of the leaders in the county on women's agency in the context of devolution. Specifically, the discussions sought to answer the following questions:

i. What is the level of women's representation in the County Leadership? (Ministers and Executive Secretaries?
ii. What is women's representation in the County Assembly?
iii. What is women's representation in thematic committees of the county Assembly?
iv. How is the County budget allocation from a gender perspective? Do you think this is adequate to cater for the needs of the women?
v. What Bills have been brought to the County Assembly by female MCAs?
vi. What is the vision of the County Government for improved women's welfare?
vii. Does the County government support women in the community in their role as agents of change?
viii. How do you think women's agency in the County can be enhanced using devolution?

4.2 FOCUSED GROUP DISCUSSION'S GUIDE

Focused discussions targeted women leaders and women groups selected in the sampled Wards to understand their perspectives on agency at the individual and collective level and to understand their perceptions on the place of devolution in enhancing their agency. Specifically, the discussions explored the following questions:

i. What does your group do; (mission and activities/scope). What are some of the successes and challenges?
ii. What are the underlying factors that affect women's progression economically, politically and socially? Include: cultural, religious, ethnic, gender, clan and age-group based challenges.
iii. As a resident of Kajiado County, what has been your experience in receiving services from the County Government now, as compared to previously before devolution started?
iv. We now have 13 nominated MCAs in the Kajiado County Assembly, have things improved for the women of Kajiado?
v. Do you think the County Government is promoting women's welfare, whether economic, political or social? How?
vi. Do you know of any local offices or gender desks in the County where women can report concerns; e.g gender desks, gender officers or gender departments in police stations, in cases where women's rights have been violated?
vii. What women's organizations are in this area and what has been their role in promoting women's interests?
viii. Please share your perspectives on the following points;
    a. What can the County Government do to improve women's welfare?
    b. What can women themselves do as individuals or collectively, to improve their economic, political and social welfare?

c. What do you think the women who have been nominated MCAs should do through the County Assembly to improve women's welfare in this county?

4.3 ORAL TESTIMONY GUIDE

The oral testimonies aimed at understanding the personal circumstances of model agents of change, their past experiences, the opportunities they benefited from and challenges they had to surmount, what inspires them and what characterizes their personalities.

Below is a brief overview on, how they were identified and the data collected;

Introducing the study to the respondent:

Identification of women whose oral testimonies would inform this study began during the FGDs and structured interviews. A list of names of women who were mentioned frequently was drawn with an aim of arriving at a list of 10 women considered agents of change in the County. You are one of these women and we would like to know more about you and what has inspired your journey up to this point. The purpose of this interview is to identify common characteristics of female change agents. With your consent, we will write up a report on this interview and later publish the findings. If you prefer to remain anonymous, we will use a code name to hide your real identity.

Please confirm your preference (*Only proceed once consent is granted and re-confirm if to record with full identity of respondent revealed*)

I have carried a voice recorder and a notebook to assist me in case I miss out some of the important points. May I use these to record our discussion?

May I begin the interview now?

i. Please tell me about yourself: where you were born, how you gained your education and your childhood experiences.
ii. You have been identified as a leader in Kajiado County; your name came up many times as I interviewed women in the County. What has been your experience, what have been your most important priorities, what are you proud of?
iii. What led you or inspired you to do what you have just explained? What has been your motivating factor?
iv. Please tell me about your family. What has been their role in aiding your achievements?
v. Do you consider yourself an agent of change in your County? What are your priorities as you promote change and the welfare of women and the community at large?
vi. In your view, what are the underlying factors that affect women's progression economically, politically and socially in Kajiado County?
vii. What have been your biggest challenges in your quest to get to where you are?

4.4 OBSERVATION CHECKLIST

Observation as a data collection tool was used with an aim to provide a real life situation of one of many forums in the implementation of devolution. Observations were made during public meetings organized by the Kajiado County Government, including budget hearings. Other observations were made during meetings by MCAs and between MCAs and the Governor and other County Government officials. The following checklist was used as a guide;

- Numbers of women present
- Issues raised by women
- Ratio of women to men present in meetings
- Visibility of women through their agency in voicing their concerns
- Level of women specific concerns raised during such meetings (high, medium, low)
- Relations between female and male MCAs during debates and discussions
- Relations between the Governor and MCAs during debates and meetings
- Relations between different political parties during debates and meetings
- Relations between female MCAs and the women in community
- Relations between leaders and the communities they lead.

4.5 QUESTIONNAIRE

Research Assistant's details	*Questionnaire Serial Number:*	*Data entry clerk details*
NAME: _____ *ID:* |___||___||___|	*ID:* |___||___||___|	*ID:* |___||___||___|

►►► INTRODUCE THE RESEARCH, ITS PURPOSE AND READ THE "INFORMED CONSENT STATEMENT" AND ANSWER ANY QUESTIONS.

1	At this time, do you want to ask me anything about the purpose or content of this interview? … Anything else? [RESPOND AS NECESSARY THEN ASK QUESTION BELOW.]	
2	May I begin the interview now? *Circle appropriately*	1 = YES: RESPONDENT AGREES TO INTERVIEW 2 = NO: RESPONDENT DOES NOT AGREE → END INTERVIEW

IF THE INTERVIEWEE GIVES UNAMBIGUOUS AND CLEAR CONSENT TO BE INVOLVED, THEN SIGN BELOW:

FOR INTERVIEWER: I CONFIRM THAT THE "INFORMED CONSENT STATEMENT" HAS BEEN READ TO THE INTERVIEWEE AND THAT HE/SHE UNDERSTANDS AND CONSENTS TO PARTICIPATE IN THE INTERVIEW.

Print Name: _____ Signed: _____

Date: _____

START TIME: |___||___| **:** |___||___| →am / pm	**END TIME:** |___||___| **:** |___||___| →am / pm

RESULT CODES
1 = Completed interview
2 = Postponed
3 = Refused
5 = Partly completed interview
96 = Other (specify) _____

RESPONDENT'S DEMOGRAPHIC PROFILE

Constituency_____

Ward_____Ward ID_____

Respondent's age (Yrs): *Circle appropriately*

Age in Years	Code
18-25	1
26-35	2
36-45	3
46-55	4
Over 60	5

Occupation/Profession: _____

Highest Educational Attainment: _____

Group/Organizational Affiliation: __1. Yes 2. No

If Yes: 1. NGO 2. Women Group, 3. Church Group, 4. Government Institution, 5. Community Association

How long have you been a member of this group/organization?:

1. Less than or equal to 1 year
2. 2 to 3 years
3. 4 to 5 years
4. More than 6 years

Level of Education	**Primary Occupation**	**Family Status**
STANDARD EDUCATION 1 = Pre-school 2 = Primary 3 = Secondary 4 = Vocational (post-primary) 5 = Vocational (post-secondary) 6 = University / College *Circle appropriately*	1 = Farmer/Livestock/Animal Husbandry/Fisherman 2 = Salaried (Professional, Government, NGO) with full time, regular pay 3 = Casual farm labour (not own farm) 4 = Casual non-farm labour 5 = Self-employment in household or business enterprise 6 = Student 7 = Child care/Housework 8 = No occupation 9 = Other 10 = Don't Know *Circle appropriately*	MARITAL STATUS 1= Married 2= Never Married 3= Widowed 4=Divorced 5= Single Are you the head of your Household? 1=Yes 2=No Do you have children 1= Yes 2=No *Circle appropriately*

Questions for Women: respondents, systematically selected at Ward level

1. Are you a leader (*Whether as Chairperson, Secretary, Treasurer, Director, Board Member*) in any organization or organized group?

1. Yes
2. No (*Skip to question 2*)

1.1.If yes, which groups do you lead? *Please tick below;*

1. Women group
2. Youth group
3. Church
4. CBO
5. NGO
6. SACCO/Financial Institutions
7. Learning Institutions
8. Governmental Organizations

1.2. Capacity

1. Chairperson
2. Secretary
3. Treasurer
4. Director
5. Board member
6. Vice Chair

2. Are you a member of any committee or board of any of the organizations listed below:
   1. Yes
   2. No

2.1. If yes, tick appropriately

1. International NGO
2. Community Based Organization (CBO)
3. Savings and Credit Cooperative (SACCO)
4. Farmers' or Producers group
5. Cooperative Society = SACCO
6. Governmental institution
7. Church
8. Learning Institutions
9. Woman's Group

3. Have you ever participated in village mobilization activities for community issues such as peace-building, security, early marriages, and campaigns against FGM, or County budget and planning meetings? ***Tick*** *appropriately and explain*.
   1. Yes
   2. No

3.1. If yes which ones?

1. Early marriages
2. Campaign against FGM
3. Peace building
4. Security
5. Gender based violence
6. Campaign against HIV,TB &Malaria
7. Campaign against drug abuse
8. County Budget and planning meetings
9. Women empowerment i.e social, economic and political
10. Environmental Issues
11. Area development
12. Campaigns promoting sanitation
13. Civic education
14. Land rights

3.2. Reasons for No

1. Lack of interest
2. Lack of time
3. Lack of information
4. Lack of opportunity
5. Cultural barriers
6. New residence

7. It's NGOs and Governments responsibility
8. Tribalism/ discrimination
9. Lack of capability

4. On your own initiative, have you ever mobilized women and / or men in your community to support any special concern? ***Tick*** *appropriately and explain*
    1. Yes
    2. No

4.1. If yes, which ones?

1. Sexual and reproductive health rights
2. Anti-female genital mutilation activities
3. Gender based violence
4. Social and economic rights including women's land inheritance rights,
5. Access to economic resources; such as land, pay for labour, credit etc
6. Peace and security meetings
7. Health concerns
8. Early and forced marriages
9. Motivational talk/ social concerns
10. Campaign for boy child

4.2.If Yes: When was that?

1. 2014
2. 2013
3. 2012
4. 2011
5. 2010
6. 2009
7. Before 2009
8. Occassionally/ oftenly

4.3.If No, please give reasons

1. Lack of interest
2. Lack of information
3. Lack of time
4. Lack of opportunity
5. Cultural barriers
6. Ignorance
7. Not invited
8. It is expensive to do so
9. New resident
10. Lack of capability

5. Have you ever participated in any Ward level planning meetings or other activities?

    1. Yes
    2. No

5.1. Activities or meetings participated in

1. Social meetings
2. Economic meetings
3. Development meetings
4. Peace/security meetings
5. Youth empowerment meetings
6. Political activities/meetings
7. Health meetings

5.2. Reasons for not participating

1. Lack of information
2. Not invited
3. Not interested
4. Lack of time
5. Lack of opportunity
6. Ignorance
7. Discrimination/ tribalism
8. New resident

9. Long distance
10. Lack of capability

6.0 Have you ever participated in any County level planning meetings or other activities?

1. Yes
2. No

6.1. Meetings participated

1. Peace meetings/security meetings
2. Land rights meetings
3. Kajiado county budget planning meeting
4. Water project meeting
5. Youth empowerment meetings
6. Women empowerment meetings
7. Development meetings
8. Health meetings
9. Educational meetings
10. Economic meetings

6.2. Reasons for not participating

1. Lack of interest
2. Lack of information
3. Not invited
4. Lack of time
5. Long distances
6. Ignorance
7. New resident
8. Womens opinions are ignored
9. Tribalism/discrimination
10. Lack of capabilit

7.0 .Have you ever provided support to aspiring women leaders in your area?

1. Yes _____
2. No_____ (if No, skip to question 8)

7.1. If yes, how (tick all that apply)

1. Voting
2. Campaigning
3. Funding

7.2 When was that?

1. 2008-2014
2. 2003-2007
3. 1998- 2002
4. 1992- 1997
5. Before 1992

8.0 Is it important for women to participate in community, Ward or County meetings and activities?

1. Yes _____
2. No_____

8.1 Explain your answer

1. To be empowered
2. Helps women understand their rights
3. Women need to be involved in decision making
4. Women have better managerial skills
5. Less corruption
6. They represent the voiceless in the society
7. For development of society
8. They should be home keepers
9. Cultural barriers
10. Promote equality
11. They are proud/ non-performers
12. Role conflict

9.0 What type(s) of organizations do you participate in or belong to? *Tick all that apply*

1. Local Government _____
2. CBO/NGO _____
3. Church/Prayer group/mosque_____
4. Women's group_____
5. Youth group_____
6. Farmer's or producer's group_____
7. Sports club_____
8. Savings and credit group_____
9. Village committee (e.g school, health, water)___
10. Other_____ (*explain*)
11. None (*if you ticked this option, skip to question 11*)

9.1 What does that organization do? *Tick activities of the organization*.

1. Religious activities
2. Community support
3. Economic productivity
4. Savings and credit
5. Security
6. Women/gender interests
7. Political activities
8. Social issues eg family planning, sports
9. Health
10. Water
11. Educational issues

10. What motivated you to join the organization?

i. Economic development
ii. Community support
iii. Religious purposes
iv. Need to save
v. Need to pay school fees
vi. Self-motivation
vii. Need to monitor educational issues

11. How do you earn your income? *Please tick all that apply*.

1. Business woman
2. Crop farming
3. Pastoralist (animal farmer)
4. House wife
5. Casual laborer
6. Formal employment
7. Student
8. Family/relative

12. What are the sources of your household income? *Please Tick all that apply*.

1. Own income
2. Husband's income

3. Supported by relatives
4. Supported by charity agencies (NGOs, CBOs, Government, Church, Community)

13. Who owns the land on which you live, or in whose name is it registered?
    1. Communal
    2. Husband
    3. Landlord
    4. Extended family
    5. Self
    6. Husband and wife

14. Can you freely use the land on which you live (e.g. decide what and when to plant, what animals to keep, or to sell it?
    1. Yes _____
    2. No_____

    14.1 If yes, tick appropriately
    1. Livestock Rearing
    2. Farming
    3. Can do anything except selling the land
    4. Can do anything
    5. Business

15. What physical property (or livestock) do you own and can utilize or dispense off at will?
    1. Livestock
    2. Furniture
    3. Land
    4. Business
    5. Houses
    6. Cars
    7. Motorcycle/bicycle
    8. Farm implements
    9. Electronics
    10. Farm products

16. How do you spend your time in any typical day? Please explain what you do from waking up till you sleep at night time.

16.1. Early morning
1. Working
2. Household chores
3. Resting
4. Studying

16.2 Mid-morning
1. Working
2. Household chores
3. Resting
4. Studying

16.3 Afternoon
1. Working
2. Household chores
3. Resting
4. Studying

16.4 Evening
1. Working

2. Household chores
3. Resting
4. Studying

Questions for women entrepreneurs (*Cross check source of income as given in question 11. If respondent is not an entrepreneur, skip to question 24***)**

17. Who owns this business? *Please check all that apply*
    1. Self
    2. Husband
    3. Employed at the business
    4. Parents
    5. Partnership

18. Where did the startup capital come from?
    1. Husband or other family resources
    2. Loan from a bank or microfinance institution
    3. Loan from women's *chama/friends*
    4. Own savings
    5. Loan from youth group

19. What is your income from this businessmonthlyin Kenya Shillings?
    1. Less than 1000
    2. 1000-10000
    3. 10000-25000
    4. 25000-50000
    5. Over 50000
    6. Don't know

20. Have you employed others in your business since you started?

    1. Yes
    2. No

21. Do you market your produce beyond this ward?
    1. Yes
    2. No

22. If Yes, where?
    1. Within the ward
    2. Within the County
    3. Outside Kajiado County

23. What do you do with your profits after meeting your daily needs?
    1. Expanding business
    2. Saving
    3. Family use
    4. Buying livestock
    5. Settling loans/ debts
    6. No remainders
    7. Recreation

24. Do you own a personal mobile phone? (*tick appropriately*)

1. Yes _____
2. No_____ (*If No, skip to question 26*)

25. If Yes, how often do you use the phone?

    1. Daily
    2. Weekly
    3. Monthly
    4. Occasionally

26. Do you use internet to communicate? (*tick appropriately*)

    1. Yes _____

    2. No_____ (*If No, skip to question 28*)

27. If Yes, how often do you use the internet?

    1. Daily
    2. Weekly
    3. Monthly
    4. Occasionally

28. During the last 12 months, have you received any form of training, whether from extension workers, NGOs or any other agencies? (*tick appropriately*)

    1. Yes
    2. No

29. What are the constraints in Kajiado County for women entrepreneurs?

1. Lack of capital/commodities/resources
2. Poor infrastructure
3. Low demand
4. Fluctuation of prices
5. Harassment by county officials
6. Lack of support
7. Lack of skills/ illiteracy
8. Drunkard-ness
9. Heavy taxes by county government
10. Debt defaulters
11. Corruption
12. Insecurity
13. Tribalism
14. Role conflict
15. Unfavorable weather conditions
16. Poor health
17. Poverty
18. Low self esteem

30. What are the enablers, or factors that make it easy for women entrepreneurs in Kajiado County?

    1. Availability of capital/loans
    2. Availability of markets
    3. Support from community/family
    4. Training on entrepreneurial skills
    5. Good infrastructure
    6. Security
    7. Alcohol control
    8. Good family planning system
    9. Unique culture
    10. Good leadership
    11. Low cost of doing business
    12. Self-motivation
    13. Availability of health services

31. Do you think Kajiado County Assembly has a role to play in improving women's freedom to make choices and act on what interests them?

    1. Yes
    2. No
    90. I don't know

31.1 If Yes, which role

1. Allocate training funds for women
2. Improve infrastructure
3. Providing funds/loans
4. Legislate laws that protect women
5. Lower the cost of doing business
6. Ensure gender equality
7. Alcohol control
8. Visit women groups
9. Ensuring there is peace/ security in the community
10. Addressing emergency health issues
11. Create employment opportunities for both youth and women
12. Conduct civic education to create awareness among women
13. Providing market for produce
14. Shunning corruption

32. If No, why
    1. Inefficient county government
    2. Bias against women
    3. Corruption

33. Which other organization or institution can improve women's agency role in the County, and in your opinion, how?
    1. NGOs
    2. I don't know
    3. Churches
    4. Financial institutions
    5. Government
    6. Women groups
    7. Council of elders
    8. Learning institutions
    9. Youth groups

32.1 How

1. Economic empowerment
2. Training for skills development
3. Improving livelihoods
4. Improve economic productivity
5. Address social concerns
6. Address health concerns
7. Ability to reach at the grassroots
8. Conduct civic education
9. Less corrupt and does not discriminate
10. Religious purposes
11. Ensuring gender equality

34. Please tell me, how can women's current economic, political and social situation be improved in the County?

33.1 Economic (*kiuchumi)*

1. By providing funds/loans to start businesses
2. Reducing the cost of doing business
3. Create job opportunities

4. Training women on entrepreneurial skills
5. Improve infrastructure
6. Identify markets for produce
7. County government to stop harassing entrepreneurs
8. Support from family and community to engage in business activities
9. Ensure equal economic opportunities for both men and women
10. Encouraging women to form groups
11. Ensuring there's security
12. Curb illegal brews
13. Curb corruption

33.2 Political (kis*iasa*)

1. Engage women in political processes
2. Conduct civic education
3. Nominate women in the county assembly
4. Ensure gender equality
5. Allow women to campaign freely
6. Address women issues at all levels
7. Women to be vigilant on issues affecting them
8. Curb tribalism

33.3 Social (*kijamii*)

1. Involve women in issues concerning community
2. Encourage women to form groups
3. Encourage girl child education
4. Train women on social issues e.g. fgm, gbv,early marriages etc.
5. Conduct civic education to inform women of their rights
6. Give special training to the illiterate
7. Stop discrimination against women by men
8. Ensuring peace and security
9. Offer better health services
10. Curb illegal brews
11. Support from family/community
12. Lower prices of essential commodities
13. Change of lifestyle to embrace crop farming
14. Curb tribalism

35. Who, or which organization, do you think is best placed to improve this situation? (Probe; County Government? NGOs, Churches, Politicians, individuals?) List specific names as mentioned

1. County Government
2. NGOs
3. Churches
4. Politicians
5. Individuals
6. Financial institutions
7. Learning institutions
8. Women groups
9. Youth groups
10. Council of elders
11. Health institutions/community health workers

Enumerator should now end the interview by thanking the respondent for her/his time and assurance of confidentiality of data so collected.
Record end time of interview on page 1 of questionnaire

Enumerator's comments and observations:

_____
_____
_____

Field editor's comments and observations:

_____
_____
_____
_____

ANNEX 5: COMPLETE LIST OF THE RESEARCH TEAM

	Name	Responsibility	Role
1	Margaret Wanjiku	Principal Researcher	-Conceptualized the study topic and research design; sought all research approvals -Took lead in all qualitative data collection activities -Was field supervisor during quantitative data collection -Supervised and led during data cleaning, entry and analysis
2	Daudi Sipoi	Field Supervisor	Supervised the administration of the questionnaire and supported field logistics
3	Noel Siyiapei	Research Assistant	Participated in administering the questionnaire and was translator during FGDs, public hearings; transcribed qualitative data
4	George Magu	Field Supervisor/Data entry clerk	Supervised administration of the questionnaire, collected completed questionnaires and issued fresh ones daily. Later served as data clerk
5	Paul Kithikii Musingila	Statistician	Provided statistical support; trained data clerks during data entry and supported the statistical data analysis and measurements
6	Lucy Thirikwa	Data entry clerk	Served as data clerk and also transcribed qualitative data
7	Emmanuel Tinga	Research Assistant	Administered the qualitative questionnaire
8	Lorna Lasoi	Research Assistant	Administered the qualitative questionnaire
9	Elijah Nakola	Research Assistant	Administered the qualitative questionnaire
10	Enock Nasuka	Research Assistant	Administered the qualitative questionnaire
11	Elizabeth Keshine	Research Assistant	Administered the qualitative questionnaire
12	Esther Njenga	Research Assistant	Administered the qualitative questionnaire
13	Emmanuel Sankale	Research Assistant	Administered the qualitative questionnaire
14	Alex Lesale	Research Assistant	Administered the qualitative questionnaire
15	Joyce Nadupoi	Research Assistant	Administered the qualitative questionnaire